

Organised Crime

National Situation Report 2015

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1 PRELIMINARY REMARKS

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

The report is drawn up by the Bundeskriminalamt (Federal Criminal Police Office – BKA) in co-operation with the Landeskriminalämter (Land Criminal Police Offices – LKÄ), 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.

The National Situation Report presents the results of law enforcement activities carried out in the field of organised crime. It is a description of the recorded cases, i.e. the crime coming to police notice, but a valid estimation of the possible type and extent of unreported crime cases cannot be deduced from the statistical data. Statements on the development of organised crime are essentially based on the long term monitoring of information relevant to OC.

Compared to the previous year, the National Situation Report on Organised Crime contains various innovations. For the first time, selected case examples are listed which illustrate the threat potential emanating from organised crime.

In order to highlight the international dimension of organised crime, the current National Situation Report also examines in greater detail the international nature and development of certain fields of organised crime which are linked to Germany.

Moreover, the National Situation Report on Organised Crime contains statements about foreseeable possible trends in selected areas and phenomena of organised crime.

2 STATISTICAL OVERVIEW

Investigations	2015	2014
Total number of investigations	566	571
Initial reports	281 (49.6 %)	299 (52.4 %)
Investigations completed	264 (46.6 %)	276 (48.3 %)

Suspects		
Total number of suspects	8,675	8,700
Newly identified suspects	3,648 (42.1 %)	4,061 (46.7 %)
Number of German suspects	3,007 (34.7 %)	3,142 (36.1 %)
Number of non-German suspects	5,523 (63.7 %)	5,450 (62.6 %)
Lithuanian nationals	990 (11.4 %)	946 (10.9 %)
Turkish nationals	841 (9.7 %)	897 (10.3 %)
Number of persons of unclear nationality, stateless persons	145 (1.7 %)	108 (1.2 %)
Total number of nationalities	105	104
Number of armed suspects	449 (5.2 %)	486 (5.6 %)

Offender structures		
Heterogeneous offender structures	432 (76.3 %)	405 (70.9 %)
Homogeneous offender structures	134 (23.7 %)	166 (29.1 %)

Financial figures		
Losses	424 Mio. €	539 Mio. €
Criminal proceeds identified	230 Mio. €	335 Mio. €
Assets provisionally seized	65 Mio. €	90 Mio. €
Number of investigations resulting in the provisional seizure of assets	137 (24.2 %)	151 (26.4 %)
Number of investigations involving money laundering activities	208 (36.7 %)	198 (34.7 %)

Fields of crime	2015	2014
Drug trafficking and smuggling	208 (36.7 %)	188 (32.9 %)
Property crime	84 (14.8 %)	108 (18.9 %)
Crime associated with the business world	67 (11.8 %)	73 (12.8 %)
Tax and customs crime	51 (9.0 %)	52 (9.2 %)
Facilitation of illegal immigration	46 (8.1 %)	35 (6.1 %)
Violent crime	28 (4.9 %)	23 (4.0 %)
Cybercrime	22 (3.9 %)	12 (2.1 %)
Counterfeiting/forgery	16 (2.8 %)	22 (3.9 %)
Crime associated with nightlife	15 (2.7 %)	19 (3.3 %)
Money laundering	12 (2.1 %)	20 (3.5 %)
Environmental crime	5 (0.9 %)	6 (1.1 %)
Arms trafficking and smuggling	5 (0.9 %)	5 (0.9 %)
Corruption	2 (0.4 %)	2 (0.4 %)
Other fields of crime	5 (0.9 %)	6 (1.0 %)
Average OC potential	40.7 pts.	41.5 pts.
International crime	448 (79.2 %)	458 (80.2 %)
The Internet ⁰¹ as an instrument of crime	89 (15.7 %)	-- --
Offences involving more than one area of crime	170 (30.0 %)	174 (30.5 %)

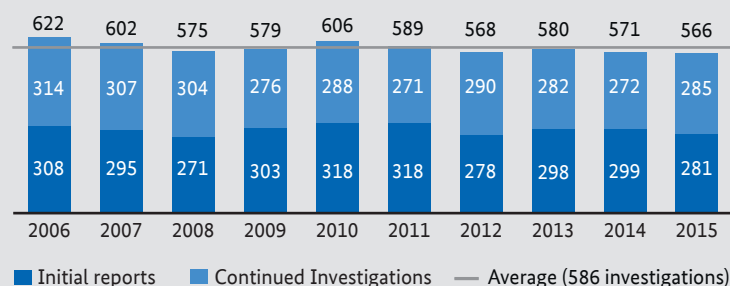
01 First collection of these data for 2015, the year under review.

3 THE CRIME SITUATION IN GERMANY

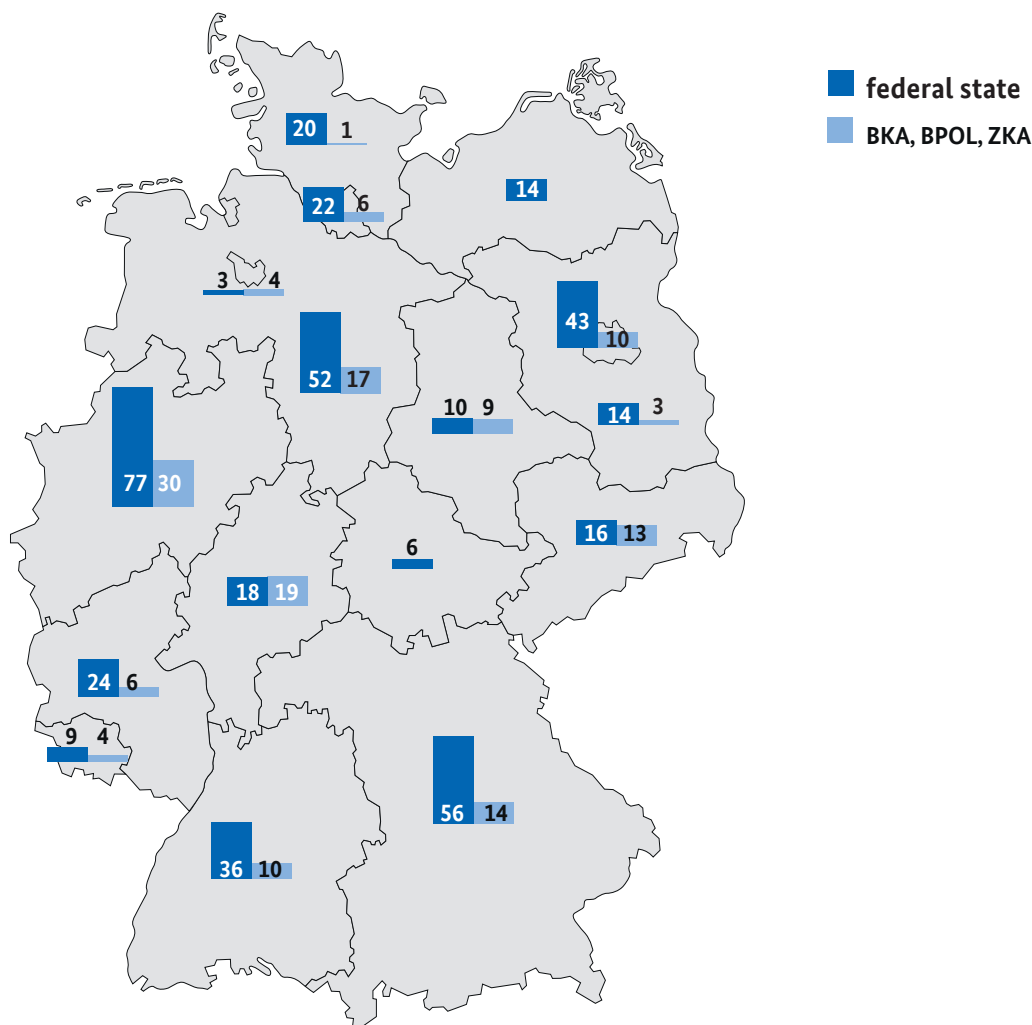
3.1 GENERAL DATA ON INVESTIGATIONS

The total number of investigations dropped slightly from 571 to 566 (-0.9 %). This decrease results from a slight decline in the number of initial reports⁰² (281; 2014: 299). A total of 264 investigations were completed in 2015 (2014: 276).

Development of the number of OC investigations (2006-2015)



Distribution of OC investigations per Land (German federal state)



02 New OC cases in the year under review.

The assignment of the investigations by the federal authorities to the Länder was based on the location of the public prosecutor's offices leading the respective investigations (figures of the previous year in brackets).

	federal state	BKA	BPOL (federal police)	ZKA (Customs authorities)	Total
North Rhine-Westphalia	77	7	5	18	107 (103)
Bavaria	56	0	12	2	70 (66)
Lower Saxony	52	3	5	9	69 (71)
Berlin	43	1	5	4	53 (57)
Baden-Württemberg	36	0	4	6	46 (43)
Rhineland-Palatinate	24	2	0	4	30 (31)
Hamburg	22	0	1	5	28 (29)
Schleswig-Holstein ⁰³	20	1	0	0	21 (20)
Hesse ⁰⁴	18	5	6	8	37 (43)
Saxony	16	1	8	4	29 (31)
Brandenburg	14	0	1	2	17 (22)
Mecklenburg-Western Pomerania	14	0	0	0	14 (10)
Saxony-Anhalt	10	1	0	8	19 (16)
Saarland	9	0	0	4	13 (13)
Thuringia	6	0	0	0	6 (8)
Bremen	3	1	0	3	7 (8)
Total	420 (428)	22 (27)	47 (42)	77 (74)	566 (571)

03 One investigation from Schleswig-Holstein was conducted at a public prosecutor's office in Hamburg.

04 One investigation from Hesse was conducted at a public prosecutor's office in Baden-Württemberg.

"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."⁰⁵

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 recording possible):

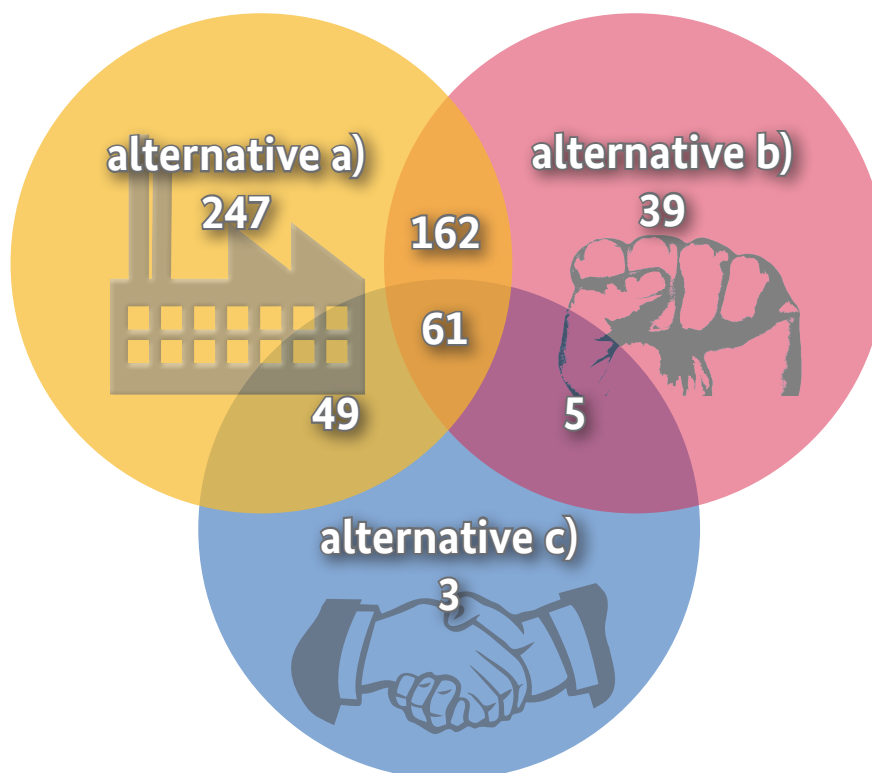
- 519 investigations: alternative a) applied
- 267 investigations: alternative b) applied
- 118 investigations: alternative c) applied

In 61 investigations, all three alternatives were established.

With a share of 20.8 %, c) continued to be the least distinct alternative. The exertion of influence by organised offenders was aimed at

- the public administration in 86 investigations (31 in Germany, 46 abroad, 9 in Germany and abroad)
- the judicial authorities in 31 investigations (12 in Germany, 16 abroad, 3 in Germany and abroad),
- politics in 21 investigations (4 in Germany, 15 abroad, 2 in Germany and abroad),
- the business sector in 20 investigations (14 in Germany, 5 abroad, 1 in Germany and abroad),
- the media in 15 investigations (12 in Germany, 3 abroad, 0 in Germany and abroad).

A slight increase was observed in the number of investigations involving exertion of influence on public administration and the media (+3 each). The investigations involving exertion of influence on the judicial authorities saw a decrease of almost one third (-13).



⁰⁵ Working definition of "organised crime", which was adopted by the Working Party of the German Police and Judicial Authorities (GAG Justiz/Polizei) in May 1990 and serves as the basis for collecting data on organised crime.

⁰⁶ Multiple listings possible.

3.2 FINANCIAL ASPECTS

Losses

The total losses reported for 2015, the year under review, amounted to approximately EUR 424 million. Compared to the previous year, the amount of losses fell significantly (-21.3 %).

In the 566 OC investigations, the highest losses were caused by tax and customs offences, i.e. roughly EUR 268 million which corresponds to a share of 63.2 % of the total losses identified (2014: EUR 148 million, 27.5 %). This field of crime was followed by crime associated with the business world (approximately EUR 98 million, 23.1 %, 2014: EUR 222 million, 41.2 %), property crime (approximately EUR 38 million, 9.0 %, 2014: EUR 48 million, 8.9 %) and cybercrime (approximately EUR 13 million, 3.1 %, 2014: EUR 41 million, 7.6 %).

The highest loss identified in an individual OC investigation in 2015 amounted to roughly EUR 78 million. This high individual loss was identified in the field of tax and customs crime. The underlying investigation was targeted at a group who procured untaxed Diesel fuel. This Diesel fuel was mixed with lubricant oil and solvents and was exclusively sold to other European countries. In reality however, the mixture should have been regarded as Diesel fuel which was subject to energy tax.

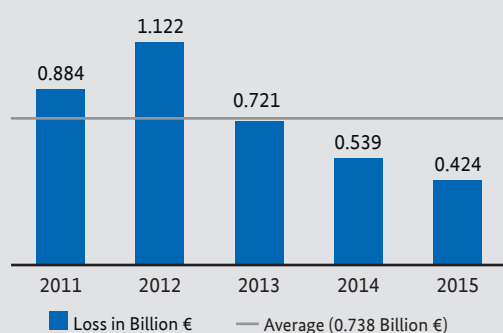
Criminal proceeds

In 2015, proceeds totalling about EUR 230 million were identified in 196 investigations, i.e. 34.6 % (2014: 40.6 %), which is 31.3 % less than in the previous year (2014: EUR 335 million).

As in previous years, groups dedicated to crime associated with the business world achieved the highest proceeds, i.e. roughly EUR 67 million and thus 29.1 % of the total proceeds (2014: EUR 137 million and 40.9 %). This field of crime was followed by customs and tax offences with approx. EUR 61 million corresponding to 26.5 % (2014: EUR 53 million, i.e. 15.8 %) and by drug trafficking and smuggling with approx. EUR 45 million corresponding to 19.6 % (2014: EUR 25 million, i.e. 7.5 %).

The highest sum of criminal proceeds identified in an individual OC investigation in 2015 was about EUR 21 million (crime associated with the business world - investment offences/including fraudulent fund raising for real estate projects).

Comparison of losses identified (2011-2015)



Provisional seizure of assets

In 2015, the year under review, assets were confiscated in 24.2 % of OC investigations (2014: 26.4 %), which roughly corresponds to the level of the previous year. The provisionally seized assets amounted to about EUR 65 million (2014: EUR 90 million) corresponding to a decrease of 27.8 % compared to the previous year. EUR 59 million, i.e. 90.8 % of the total amount, were seized in Germany.

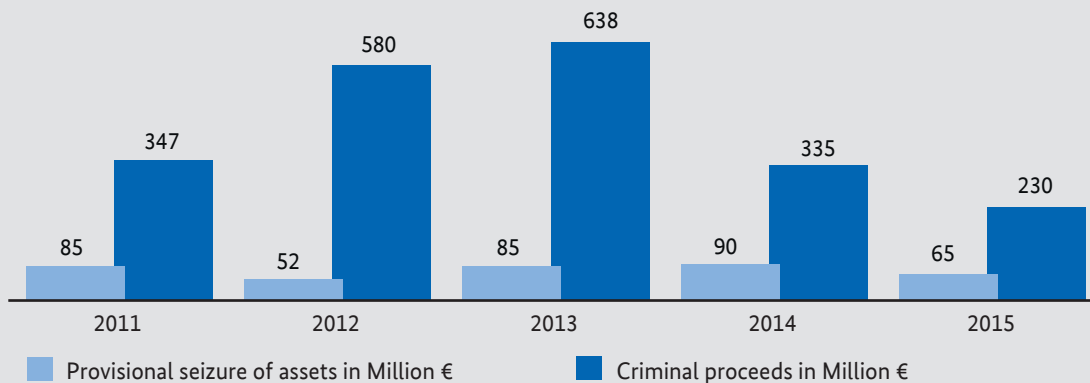
The total amount of assets provisionally seized in all investigations since their initiation amounted to approx. EUR 228 million (2014: EUR 247 million). Of this sum, roughly EUR 188 million (82.5 %) were seized in Germany (2014: EUR 213 million, 86.2 %).

The highest sum seized in an individual OC investigation in 2015 was about EUR 27 million (crime associated with the business world - corruption/illegal price-fixing agreements for invitations to tender for medical appliances).

The highest total amount of assets seized in an individual investigation since its launch was linked with tax and customs offences (CO2 emission allowance trading). Over the period of investigation, i.e. the last six years, an amount of roughly EUR 48 million has been seized.

All in all, crimes associated with the business world ranked first. They were the source of about EUR 43 million in provisionally confiscated assets in 2015, the year under review, and thus of approx. 66.2 % of the total sum of provisionally seized assets. With approximately EUR nine million (13.8 %), drug trafficking and smuggling ranked second, followed by tax and customs offences with roughly EUR six million (9.2 %) on rank three.

Total amount of provisionally seized assets and criminal proceeds identified (2011-2015)



3.3 SUSPECTS

As in previous years, in 2015 most of the suspects (3,007 corresponding to 34.7 %) were **German** nationals. However, the declining trend recorded last year continued (2014: 3,142 suspects, 36.1 %).

11.4 % of the total number of suspects were **Lithuanian** nationals (2014: 10.9 %). As in the past three years, this high share of Lithuanian nationals in the total number of suspects can be attributed to a single investigation in the field of crime associated with the business world (nuisance calls made to elderly people for fraudulent purposes⁰⁷).

With a share of 9.7 %, **Turkish** nationals again ranked third in 2015 (2014: 10.3 %).

After a notable increase in the previous year, the percentage of **Polish** suspects dropped to 5.1 % (2014: 5.4 %) in the year under review and the lion's share of the Polish suspects came to notice in investigations concerning vehicle-related property offences.

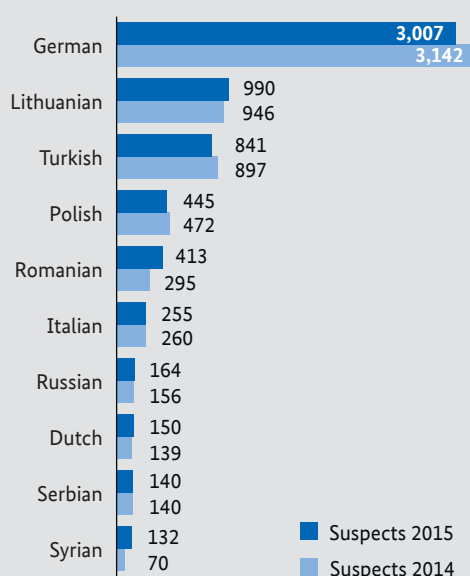
As in 2014, the number of **Romanian** suspects again rose significantly in 2015. These came to notice especially in connection with OC investigations concerning property crime. All in all, Romanian nationals had a share of 4.8 % (2014: 3.4 %). Since 2013, their number has risen by 173.5 %.

The nationality of 1.7 % of all suspects remained unclear (2014: 1.2 %).⁰⁸

Development of the total number of suspects and share of German suspects (2011-2015)



Number of suspects by nationality (extract)



⁰⁷ Mainly Russian-speaking suspects were identified in connection with the nuisance calls. These suspects called mostly elderly victims, stemming from the Russian-speaking area, pretended that a relative was in an emergency situation or had had an accident and, thus, prompted the victims to hand over an amount of money to an alleged "courier" at short notice in order to help their relative.

⁰⁸ In particular, the nationalities of stateless suspects and persons from other European countries were unclear.

With 36.8 % (2014: 35.6 %), **German** nationals continued to make up the largest group among all **newly identified suspects**.

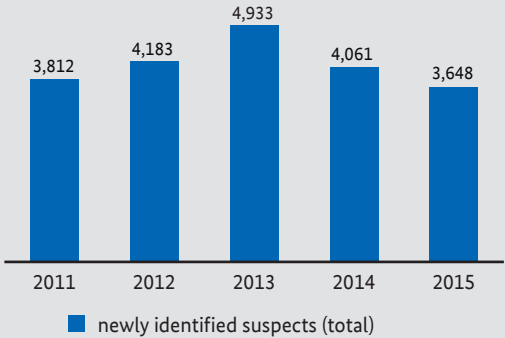
With a share of 9.6 % (2014: 8.9 %) **Turkish** nationals ranked second, followed by **Polish** nationals with 5.9 % (2014: 5.8 %) and **Romanian** nationals with 5.1 % (2014: 6.0 %).

Among the newly identified suspects, **Syrian** nationals featured the highest increase (approximately 95 %) with most of them being identified in OC investigations related to the facilitation of illegal immigration.

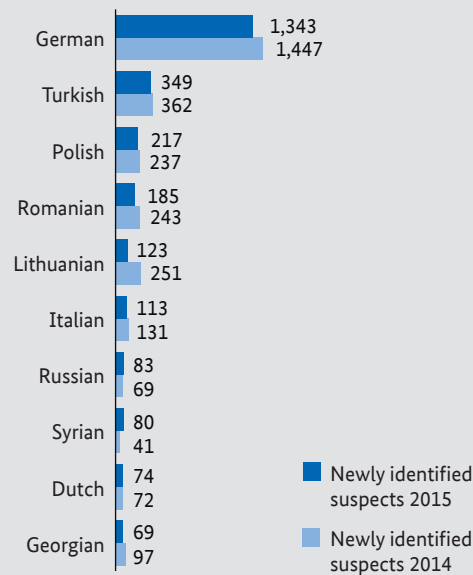
The nationality of 2.5 % of all newly identified suspects (2014: 1.9 %) is still unclear.

The following chart shows an excerpt from the list of suspects newly identified in the year under review. They are listed by nationality. The alphabetic list gives an overview of all newly identified suspects.

Development of the number of newly identified suspects (2011-2015)



Number of newly identified suspects by nationality (excerpt)

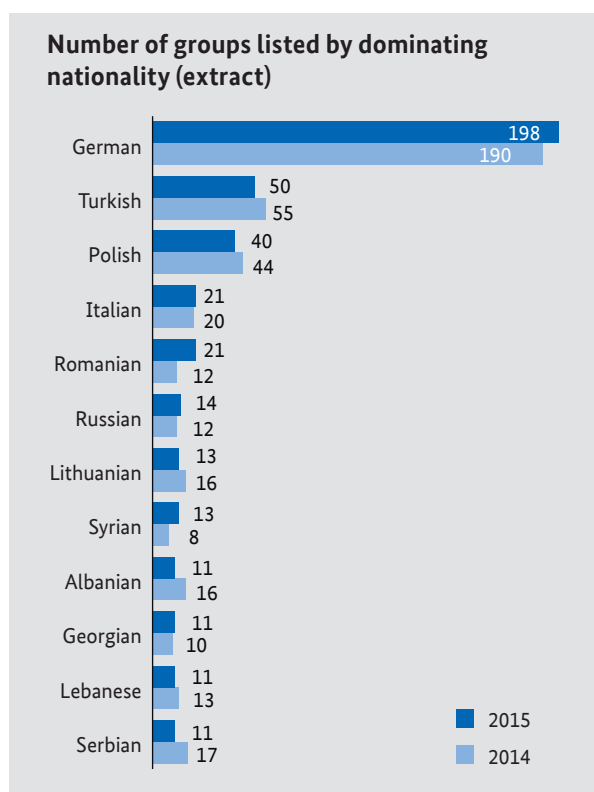


3.4 STRUCTURES OF THE GROUPS

As in the previous year, the number of suspects per group amounted to 15 on average. Groups of up to ten suspects prevailed (59.5 %, 2014: 61.8 %). 25.4 % of the investigations identified 11 to 20 suspected members (2014: 22.8 %), 11.7 % of the investigations identified 21 to 50 suspected members (2014: 11.2 %), and only 3.4 % of the investigations identified more than 50 suspected members (2014: 4.2 %).

With respect to the assignment to a group, the nationality of those holding leading positions within the OC groups is decisive. In this context, the majority of group members doesn't necessarily have to have this nationality.

The following chart is an extract from the list of prevailing nationalities identified in the year under review. 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 nationality	Number of groups	Average OC potential in points ⁰⁹	Average time of collaboration in years ¹⁰
German	198 (190)	42.1 (42.8) ↘	3.7 (3.6) ↗
Turkish	50 (55)	46.2 (42.8) ↗	2.5 (2.1) ↑
Polish	40 (44)	40.8 (37.9) ↗	2.1 (2.1) →
Italian	21 (20)	43.3 (47.8) ↘	2.2 (3.2) ↓
Romanian	21 (12)	32.1 (31.3) ↗	1.6 (1.8) ↓
Russian	14 (12)	39.4 (39.8) →	3.9 (3.1) ↑
Lithuanian	13 (16)	42.5 (41.2) ↗	2.3 (1.6) ↑
Syrian	13 (8)	30.9 (32.3) ↘	1.3 (1.3) →
Albanian	11 (16)	38.8 (46.4) ↓	4.6 (2.5) ↑
Georgian	11 (10)	35.4 (42.5) ↓	2.0 (2.5) ↓
Lebanese	11 (13)	52.0 (44.4) ↑	2.3 (1.4) ↑
Serbian	11 (17)	43.0 (44.7) ↘	3.5 (3.1) ↑

⁰⁹ The average OC potential of all OC groups amounted to 40.7 points (previous year: 41.5 points), for information on the total OC potential, see page 20.

¹⁰ The average time of collaboration amounted to 2.9 years (previous year: 2.8 years).

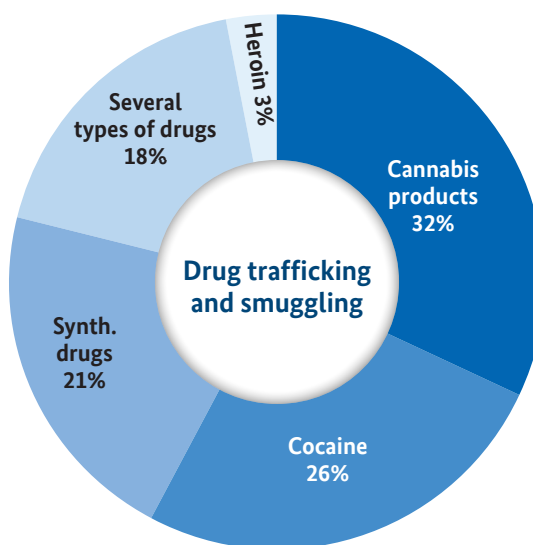
In the year under review, the number of identified OC groups dominated by German nationals (198) continued to be high and reached the highest level since 2006 (2014: 190, 2013: 192, 2012: 184, 2011: 174, 2010: 182). In the year under review, 29.3 % of these OC groups (58) consisted exclusively of German nationals, i.e. their number decreased compared to the previous year (2014: 35.8 %, 68 OC groups). With 64.6 % (128 OC groups), there was a slight decrease in the percentage of OC groups focusing on one type of crime (2014: 71.6 %, 136 OC groups). Compared to the previous year, the share of internationally committed offences remained nearly unchanged with 68.2 % and 135 groups (2014: 69.5 % and 132 OC groups).

As concerns the identified OC groups dominated by German nationals, the investigations into drug trafficking and smuggling prevailed significantly with 44.4 % (88 groups) after another rise in comparison to the previous year (2014: 38.9 %, 74 groups). More than half of the reported investigations found the groups to have traded either in cannabis or in cocaine.

As in the years before, this was followed by crime associated with the business world with 19.2 % and 38 groups (2014: 19.5 %, 37 groups).

The highest individual financial loss caused by a group dominated by German nationals amounted to roughly EUR 78 million in the year under review (tax and customs crime - energy tax fraud) and with approximately 18.4 %, it also accounted for the highest single financial loss (EUR 424 million) identified in all OC investigations reported for 2015.¹¹

OC groups dominated by German nationals (198)	
Drug trafficking and smuggling	88
Crime associated with the business world	38
Tax and customs crime	20
Property crime	12
Violent crime	10
Cybercrime	5
Money laundering	5
Environmental Crime	4
Crime associated with nightlife	4
Facilitation of illegal immigration	4
Corruption	2
Counterfeiting/forgery	2
Arms trafficking and smuggling	2
Other fields of crime	2



¹¹ Cf. 3.2 Financial Aspects (losses).

With 50 OC groups dominated by **Turkish** nationals, the downward trend continued (2014: 55, 2013: 57, 2012: 61, 2011: 64, 2010: 75). A total of 14.0 % (2014: 14.5 %) of the OC groups dominated by Turkish nationals were homogeneous in terms of their offender structure (Turkish nationals only). Compared to other OC groups, this percentage is far lower than the overall average. Similar to the year before, 68.0 % of the groups dominated by Turkish nationals focused on one type of crime only (2014: 69.1 %). With a share of 54.0 %, groups dominated by Turkish nationals were again mainly dedicated to drug trafficking and smuggling (2014: 50.9 %). However, contrary to the previous year, they no longer mainly traded in cannabis products. Seven investigations found the groups to be primarily trading in heroin or cocaine; six investigations still concerned the trade in cannabis products.

After significant rises in the past three years under review, the number of groups dominated by **Polish** nationals decreased slightly (40) in 2015 (2014: 44, 2013: 33, 2012: 21). Almost one third of the groups (32.5 %, 2014: 52.3 %) consisted exclusively of Polish nationals (homogenous offender structure). 95.0 % of the investigations (2014: 97.7 %) found the offenders to be operating at international level, and 90.0 % of the OC groups (2014: 86.4 %) focused on a specific area of crime. 19 investigations revealed that almost half of the groups dominated by Polish nationals were active in the field of property crime (2014: 27 proceedings). In this context, more than 80 % of the investigations (16) focused on vehicle-related property offences.

With a total of 21 investigations in 2015 (2014: 12), a significant rise was identified in the number of cases involving OC groups dominated by **Romanian** nationals. This corresponded to an increase of 75.0 %, and the number of investigations was therefore approximately at the same level as in 2012 (19 investigations). In 52.4 % of the cases, the OC groups consisted exclusively of Romanian nationals (2014: 41.7 %). Compared to the value of the overall OC situation, this percentage is above average. Two thirds of the investigations showed international links (66.7 %) and in 85.7 % of the investigations, the suspects focused on one type of crime only (2014: 91.7 %). As in previous years, groups dominated by Romanian nationals were mainly dedicated to the field of property crime. In ten of the 13 reported investigations, burglaries were part of the modus operandi.

OC groups dominated by Turkish nationals (50)

Drug trafficking and smuggling	27
Violent crime	5
Crime associated with the business world	5
Facilitation of illegal immigration	5
Property crime	2
Crime associated with nightlife	2
Tax and customs crime	2
Cybercrime	1
Other fields of crime	1

OC groups dominated by Polish nationals (40)

Property crime	19
Tax and customs crime	8
Drug trafficking and smuggling	6
Crime associated with the business world	3
Cybercrime	1
Counterfeiting/forgery	1
Facilitation of illegal immigration	1
Other fields of crime	1

OC groups dominated by Romanian nationals (21)

Property crime	13
Crime associated with nightlife	2
Facilitation of illegal immigration	2
Tax and customs crime	2
Counterfeiting/forgery	1
Violent crime	1

Case example of the blasting of automated teller machines by Romanian suspects:

In 2015, investigations were completed against a group dominated by Romanian nationals who were responsible for blowing up a series of automated teller machines to the detriment of banks in the west of Germany. The group of offenders obtained a total of EUR 400,000 in cash. In connection with the explosions, a damage of approximately EUR four million was caused.

Furthermore, the office handling the matter received information suggesting that members of the Romanian group of offenders were involved in similar offences in Belgium, Italy, Austria and Romania. For example, a series of explosions of automated teller machines in Austria committed between 2006 and 2014 is assigned to the group. These offences earned them EUR 750,000 and caused high damage to property. After their last offence in Germany, the offenders fled to France. There, the traces lifted from the passenger car

abandoned by the offenders led to a match with the DNA of another Romanian national who owns several companies in Romania. There were leads on hand suggesting that a part of the proceeds from the offences was invested in these companies. Via the Bundeskriminalamt and within the framework of international exchange of police information, data were also obtained on the asset situation in Romania. Moreover, asset confiscation measures were carried out in Romania on the basis of a judicial assistance request.

Brief assessment:

This investigation clearly demonstrates the high mobility of offenders engaging in organised crime. It is also typical that criminal proceeds are channelled back into the legal economic cycle and thus covered up.

The number of OC groups dominated by **Italian** nationals (21) remained nearly the same as in the year before (2014: 20). 38.1 % of these groups consisted exclusively of Italian nationals (2014: 45.0 %). Nine groups focused their activities exclusively on a specific area of crime (42.9 %), and 19 groups (90.5 %) operated at international level. As in previous years and with twelve investigations (57.1 %), OC groups dominated by Italian nationals focused mainly on drug trafficking and smuggling, and nine of these investigations concerned cocaine.

OC groups dominated by Italian nationals (21)

Drug trafficking and smuggling	12
Counterfeiting/forgery	3
Money laundering	2
Tax and customs crime	2
Property crime	1
Arms trafficking and smuggling	1

As in the previous year, the number of OC groups dominated by **Russian** nationals rose slightly again during the year under review (14; 2014: 12). With 85.7 % (2014: 91.7 %), the OC groups dominated by Russian nationals identified during the period under review, mainly consisted of persons of different nationalities (heterogeneous offender structure). With one exception, all groups acted at international level and with 71.4 %, they increasingly focused on one area of crime only (2014: 58.3 %) whereby no specific field of crime was prominent. A total of four OC groups dominated by Russian nationals were attributed to Russian-Eurasian Organised Crime (REOC).

OC groups dominated by Russian nationals (14)

Cybercrime	2
Money laundering	2
Crime associated with the business world	2
Drug trafficking and smuggling	2
Tax and customs crime	2
Counterfeiting/forgery	1
Violent crime	1
Facilitation of illegal immigration	1
Other fields of crime	1

The total number of 13 OC groups dominated by **Lithuanian** nationals indicated a slight decline in comparison to the previous year (2014: 16). In this context, the groups exclusively acted at international level (2014: 87.5 %) and with 46.2 % (2014: 56.3 %), they featured less homogeneous structures (consisting of Lithuanian nationals only). 61.5 % of the groups focused on one specific area of crime (2014: 62.5 %). Again, the groups dominated by Lithuanian nationals mainly focused on property crime and above all, on vehicle-related property offences.

OC groups dominated by Lithuanian nationals (13)

Property crime	5
Violent crime	2
Crime associated with the business world	2
Drug trafficking and smuggling	2
Cybercrime	1
Tax and customs crime	1

Groups dominated by **Syrian** nationals are of growing importance. This is primarily due to the increased immigration of Syrian refugees and the related people smuggling issue. A proof of this is that the number of groups dominated by Syrian nationals (13) grew by 62.5 % (2014: 8 %). All these groups were structured heterogeneously. In all cases, they operated at international level and in 84.6 % of the cases, they focused on one specific area of crime only. Their main field of activity was facilitation of illegal immigration (76.9 %). They primarily smuggled Syrian nationals..

OC groups dominated by Syrian nationals (13)

Facilitation of illegal immigration	10
Drug trafficking and smuggling	3

Compared to the previous year, the number of groups dominated by **Albanian** nationals dropped by 31.3 % to eleven groups (2014: 16). Heterogeneous offender structures were identified in 72.7 % of the investigations. As in the previous year, mainly international (81.8 %, 2014: 93.8 %) and offence-related (72.7 %, 2014: 75.0 %) modi operandi were identified. Most of the groups dominated by Albanian nationals (81.8 %, 9 groups) were active in the field of drug trafficking and smuggling (2014: 81.3 %, 13 groups). As in the previous year, they mainly smuggled cocaine to Germany.

OC groups dominated by Albanian nationals (11)

Drug trafficking and smuggling	9
Property crime	1
Violent crime	1

After a tripling during the year before, 11 OC groups dominated by **Georgian** nationals were reported in the year under review (2014: 10). 81.8 % of them had heterogeneous offender structures and also 81.8 % focused on one specific area of crime. In noticeable 63.6 % of the cases, no international modus operandi was identified. Again, the suspects were almost exclusively involved in property crime (9 investigations, 2014: 9 investigations) and six investigations found them to have committed burglaries.

OC groups dominated by Georgian nationals (11)

Property crime	9
Facilitation of illegal immigration	1
Counterfeiting/forgery	1

The number of OC groups dominated by **Lebanese** nationals dropped slightly (11; 2014: 13) compared to the previous year. As for their composition, the groups were clearly more heterogeneous than before (90.9 %, 2014: 76.9 %). With one exception, they operated at international level (90.9 %) and 54.5 % of them focused on a specific area of crime. Again, the groups dominated by Lebanese nationals were mainly active in the field of drug trafficking and smuggling.

OC groups dominated by Lebanese nationals (11)

Drug trafficking and smuggling	7
Violent crime	2
Money laundering	1
Facilitation of illegal immigration	1

The number of groups dominated by **Serbian** nationals decreased significantly, i.e. by 35.3 % (11; 2014: 17). Both the heterogeneity of the groups (81.8 %; 2014: 82.4 %) and the international extent of crime commission (81.8 %; 2014: 82.4 %) remained nearly on the same level. In 2015, groups dominated by Serbian nationals focused increasingly on a specific area of crime (90.9 %; 2014: 70.6 %), above all on property crime and drug trafficking and smuggling (3 groups each).

OC groups dominated by Serbian nationals (11)

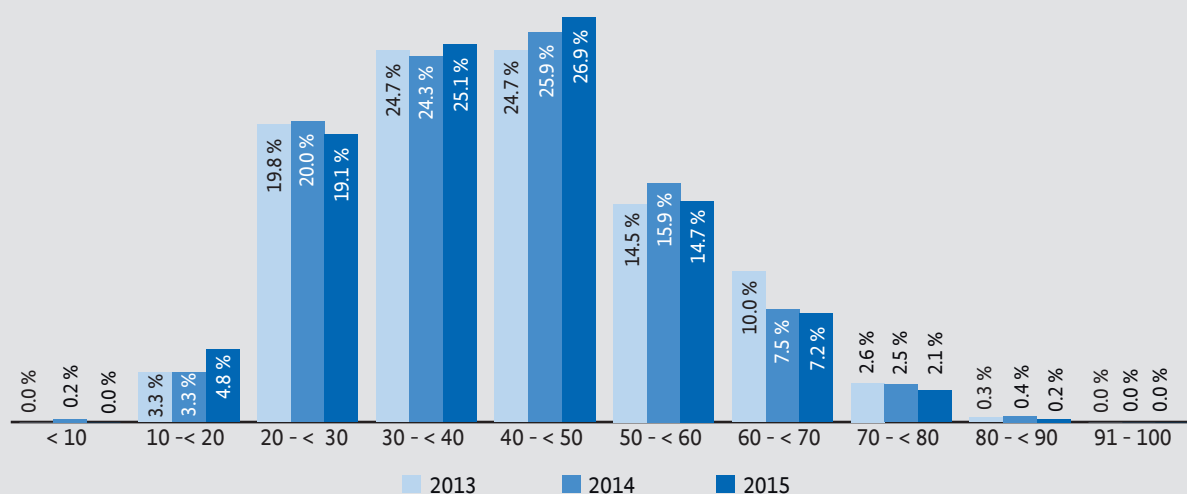
Property crime	3
Drug trafficking and smuggling	3
Violent crime	2
Crime associated with the business world	2
Tax and customs crime	1

In addition to checking all reported investigations for their OC relevance, the investigators subjected OC groups 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 crime proceeds. The duration and staffing of an investigation play a decisive role in identifying these indicators. Therefore, a low OC potential does not

necessarily imply a low degree of organisation and professionalism.

With a mean value of 40.7 points, the average OC potential decreased slightly again compared to the previous year (2014: 41.5 points). After the average OC potential reported for the previous year had already dropped to the lowest level since 2004, this figure even fell below this level. It should be noted that there is still only a small number of groups with either a very low or very high OC potential. Groups with an average OC potential made up the largest share, which is also reflected by the average value.

Percentages of the groups according to their OC potential (2013-2015)



3.5 STRUCTURAL CONSIDERATIONS

Information obtained through investigations, analyses and research related to OC groups proves that their members join up as a result of various motives. OC groups sharing such common grounds (e.g. socio-cultural and linguistic features), are looked at.

Outlaw Motorcycle Gangs (OMCGs)

In 2015, 42 OC investigations (about 7 % of all OC investigations) targeted OMCG members (2014: 48). The following investigations were conducted:

- 25 investigations into members of the Hells Angels Motorcycle Club (2014:22),
- 10 investigations into members of the Bandidos MC (2014: 10),
- 5 investigations into members of the Gremium MC (2014: 4),
- and
- 13 investigations into members of other MCs.¹²

Besides, 29 investigations (2014: 23) targeted OC groups with links to members of outlaw motorcycle gangs. In 2015, a total of 71 OC investigations were either conducted directly against OMCG members or against OC groups linked to OMCG members.

Organised crime committed by outlaw motorcycle gangs is a phenomenon dominated by German nationals.

Of the 42 OC investigations, 25 concerned drug trafficking and smuggling (mainly synthetic drugs, cocaine and cannabis products). Another focus was on investigations conducted for violent crime (extortion and homicide offences).

OMCG-type groups

In comparison to real outlaw motorcycle gangs, OMCG-type groups have similar hierarchical structures, have the same self-image and publicly demonstrate their shared identity by means of clothes or symbols.

They are active in the same fields of crime and are equally unwilling to cooperate with the police. However, the motorbike only plays a subordinate role for them.

The trend to found OMCG-type groups and to take over typical fields of business of outlaw motorcycle gangs, which was ascertained during the previous year, continued in 2015. The number of OC investigations directed against OMCG-type groups was on

the increase. A total of 14 investigations were conducted against OMCG-type groups (2014: 12), seven of which were directed against the United Tribuns and three of which targeted the Black Jackets.

Italian Organised Crime (IOC)

In the year under review, 17 investigations (2014: 13) were directed against the Italian Mafia groups. Eight of these investigations targeted members of the 'Ndrangheta (2014: 8), three targeted members of the Camorra (2014: 2) and three were directed against members of the Cosa Nostra (2014: 2). Another investigation was directed against members of the Stidda. Two further investigations were conducted against IOC groups who could not be assigned to a specific organisation without doubt at the time of recording.

The main activities of these groups extended to various fields of crime with the focus lying on cocaine trafficking and smuggling again. Further fields of activity were currency counterfeiting, money laundering and tax evasion.

A total of three OC groups had links to members of Italian Mafia groups (2014: 4). Links to the 'Ndrangheta (1), Camorra (1) and the Apulian OC (1) were identified.



¹² Multiple listings possible as some investigations targeted several OMCGs.

Russian-Eurasian Organised Crime (REOC)

Besides the common cultural background, the Russian language is the unifying element of Russian-Eurasian Organised Crime (REOC). Consequently, all OC structures are taken into consideration which:

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

In Germany, this refers especially to the so-called "Spätaussiedler" or "Russlanddeutsche" (late repatriates or ethnic Germans from Russia). An essential part of REOC is the ideology of the traditionally so-called "thieves in law", i.e. criminal authorities who have their own system of standards and values and adhere to an own code of conduct. The syndicates that emerged from the local gangs of post-Soviet Russia of the 90s are closely associated with this ideology. The REOC phenomenon comprises all criminal and related legal and illegal economic activities which are performed under this "concept". A central element is the so-called "obchak" (cash register for thieves). All members or levels of the strictly hierarchically structured organisations which isolate themselves from both inside and outside, are obliged to pay contributions to it.

As the modalities for recording the data for the National Situation Report on Organised Crime have changed, it has been possible since 2015 to make more precise statements on REOC. Therefore, individual OC investigations can be assigned to REOC without doubt.

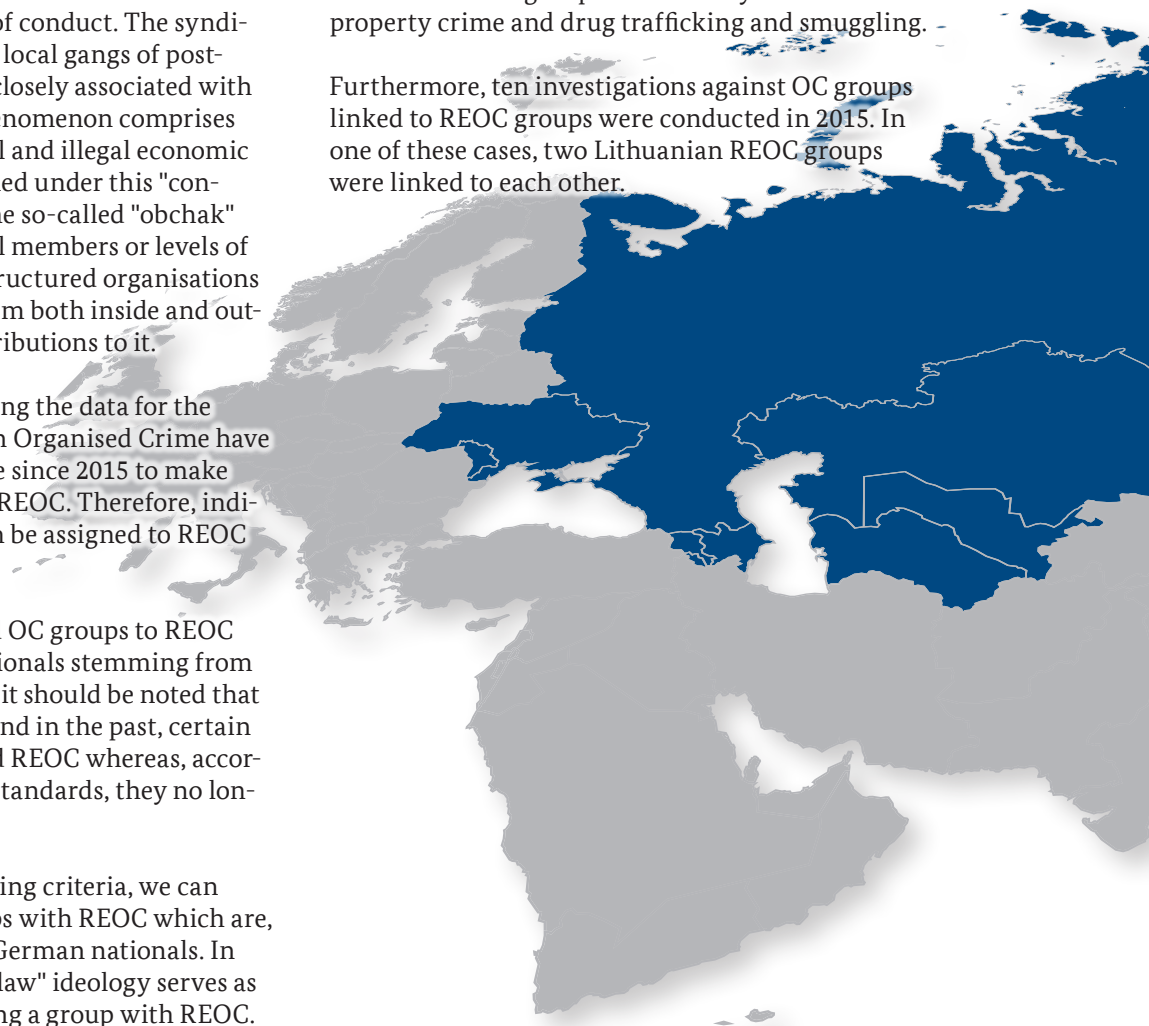
Previously, we only assigned OC groups to REOC who were dominated by nationals stemming from post-Soviet states. However, it should be noted that in pursuit of this approach and in the past, certain OC investigations concerned REOC whereas, according to current assessment standards, they no longer concern REOC.

According to the new recording criteria, we can therefore also link OC groups with REOC which are, for example, dominated by German nationals. In this context, the "thieves in law" ideology serves as a decisive criterion for linking a group with REOC.

In 2015, a total of 33 investigations were conducted against groups which were found to be linked with REOC (i.e. 5.8 % of all OC investigations). Half of these investigations (16) were launched not earlier than the year under review. Therefore, the number of REOC investigations corresponding to the above-described more precise REOC definition was, at first glance, lower than in previous years. In view of the described changes, however, the case figures from previous years do not represent a reference for the 2015 figures which can therefore not be compared to those from previous years.

Almost one third of the REOC groups were dominated by Georgian nationals (10 investigations), followed by German nationals (8 investigations) and Lithuanian nationals (6 investigations). Two thirds of the all in all 1,361 reported REOC suspects had Lithuanian nationality (924 suspects). This high rate can be ascribed to an investigation conducted from 2012 in connection with nuisance calls. In this investigation alone, 816 Lithuanian nationals were identified. In addition, 158 German and 110 Georgian nationals were recorded in all REOC investigations. The REOC groups were mainly dedicated to property crime and drug trafficking and smuggling.

Furthermore, ten investigations against OC groups linked to REOC groups were conducted in 2015. In one of these cases, two Lithuanian REOC groups were linked to each other.



Dominating nationalities of REOC groups in 2015

Georgian	10
German	8
Lithuanian	6
Russian	4
Latvian	2
Ukrainian	2
Armenian	1

Fields of crime of REOC groups in 2015

Property crime	12
Drug trafficking / smuggling	8
Crime associated with the business world	4
Cybercrime	3
Counterfeiting / Forgery	3
Violent Crime	1
Facilitation of illegal immigration	1
Arms trafficking / smuggling	1

Case Example of Russian-Eurasian Organised Crime (REOC):

The criminal police investigated a group of offenders of mainly Russian descent which was suspected of organising the smuggling of drugs (above all heroin) into a prison as well as the drug trade within this prison. Two German prisoners of Russian descent, who were 38 and 35 years old, allegedly set up the organisational and command structures of the criminal group, following the example of the "thieves in law". Reportedly, typical tattoos demonstrated their position within the group. According to the findings of the police, inmates organised the drug trade by means of mobile phones and through the intermediation of visitors. Reportedly, they managed to do so by exerting influence on prison officers. According to police information on hand, the two heads of the group gave inmates and members outside the prison orders and instructions for drug trading and managed the obchak. Gang members outside the prison were also suspected of having been responsible for procuring, portioning and smuggling the drugs into the prison. They are said to have delivered the drugs and Subutex tablets inter alia by means of body packers and by throwing the substances over the prison wall. In one case, a lawyer is said to have been entrusted with the smuggling of anabolic substances into the prison when he visited an inmate. In addition, it would appear that they had already considered ordering a "drone" to compensate the loss of drugs thrown over the prison wall. Imprisoned gang members were reportedly responsible for distributing the drugs within the prison. Another member of the criminal group is also suspected of having opened a bank account and of having managed the drug monies which were transferred by relatives of the imprisoned drug purchasers.

Brief assessment:

The facts of the case clearly show that criminal groups organise the commission of offences thoroughly in order to ensure maximum success. In some cases, they also exert influence on public officials.

3.6 FIELDS OF CRIME

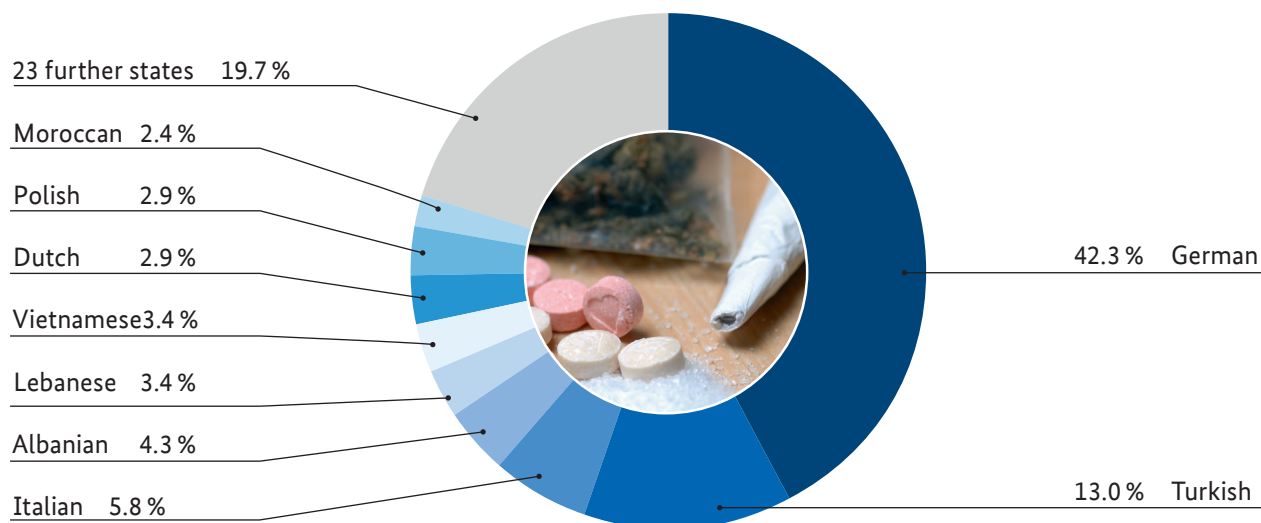
Most of the OC groups are still dedicated to drug trafficking and smuggling. In 2015, the slight decline in the numbers of investigations, which had been observed since 2010, was interrupted and a new rise was identified. However, contrary to the trend of the two previous years, the number of reported investigations into property crime dropped again and with 84 investigations, it is approximately back on the level of 2013. A significant increase was again observed in the areas of faci-

tation of illegal immigration (where the number of investigations rose from 35 to 46, i.e. +31.4 %) and cybercrime (where the number of investigations rose from 12 to 22, +83.3 %). A total of 30.0 % of the OC groups were active in more than one field of crime (2014: 30.5 %). Compared to the groups focusing on one specific area of crime, they have a higher average OC potential (47.4 points compared to 37.9 points).

The following table provides a summarised overview of the most important situation data of the different fields of crime (figures for the previous year in brackets), in which OC groups were active:

Fields of crime	Number of groups		Percentage in relation to OC in total		Average OC potential in points	
Drug trafficking and smuggling	208	(188)	36.7 %	(32.9 %) ↑	42.7	(44.1) ↘
Property crime	84	(108)	14.8 %	(18.9 %) ↓	38.5	(40.1) ↘
Crime associated with the business world	67	(73)	11.8 %	(12.8 %) ↘	43.3	(42.3) ↗
Tax and customs crime	51	(52)	9.0 %	(9.1 %) ↘	42.1	(44.1) ↘
Facilitation of illegal immigration	46	(35)	8.1 %	(6.1 %) ↑	31.5	(33.8) ↘
Violent crime	28	(23)	4.9 %	(4.0 %) ↑	44.4	(44.4) →
Cybercrime	22	(12)	3.9 %	(2.1 %) ↑	36.8	(33.9) ↗
Counterfeiting/forgery	16	(22)	2.8 %	(3.9 %) ↓	38.7	(33.3) ↑
Crime associated with nightlife	15	(19)	2.7 %	(3.3 %) ↓	45.1	(43.6) ↗
Money laundering	12	(20)	2.1 %	(3.5 %) ↓	38.0	(41.8) ↘
Environmental crime	5	(6)	0.9 %	(1.1 %) ↓	33.8	(35.1) ↘
Arms trafficking and smuggling	5	(5)	0.9 %	(0.9 %) →	39.9	(45.9) ↓
Corruption	2	(2)	0.4 %	(0.4 %) →	30.5	(18.9) ↑
Other fields of crime	5	(6)	0.9 %	(1.1 %) ↓	41.8	(32.7) ↑

Drug trafficking and smuggling (208)



For 2015, a total of 208 OC groups were reported (2014: 188) who were active in the field of drug trafficking and smuggling. This represents a share of 36.7 % (2014: 32.9 %) of all OC investigations. Consequently, drug-related crime was again the main field of OC activity in Germany. In addition, an increase by 10.6 % was established in comparison to the previous year and following the slight decline in the years before. A little more than two thirds of the

OC groups focused on drug trafficking and smuggling. With 88 groups dominated by German nationals (42.3 %, 2014: 74, 39.4 %), they continued to prevail in this field of crime. With a share of 13.0 % and as in previous years, OC groups dominated by Turkish nationals still ranked second (2014: 14.9 %). As for the types of drugs involved, cocaine and cannabis products were identified in the first instance.

Case example of drug-related crime

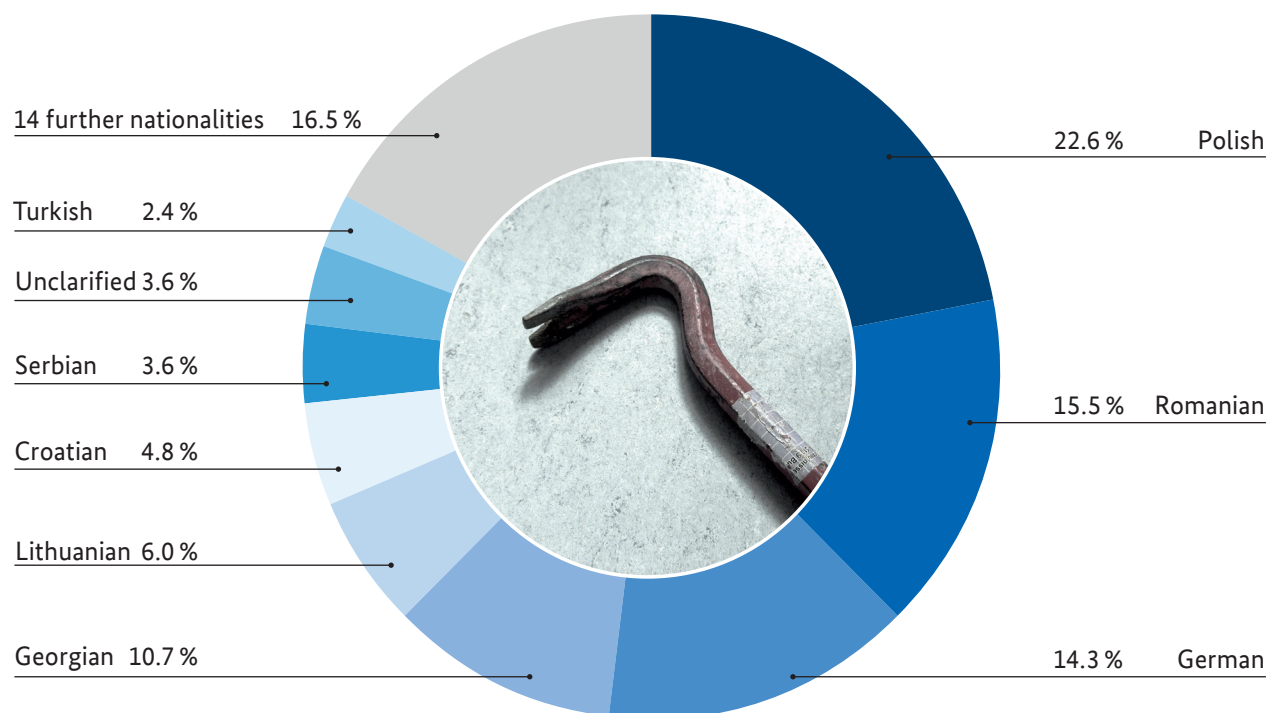
In a town in the north of Germany, a total of eight comprehensive investigations were conducted into drug trafficking and other offences for a period of approximately two years. These investigations aimed at shedding light on criminal structures in the local red-light scene. Inter alia four brothels and two taxicab and rental car companies came into the focus of the investigators for trade in cocaine and other offences in this context. By involving some as yet unknown members, the clan sold cocaine to numerous purchasers and intermediaries. This was frequently done via the known brothels. The group had various alternative drug sources guaranteeing a regular replenishment of drug supplies. In the course of the investigations, personal links of the suspects to staff in public authorities, operators of restaurants, lawyers and individual outlaw motorcycle gangs were identified. Most probably, outlaw motorcycle gang members from the city area were also supplied with cocaine. It was not possible to

prove a general involvement of the local taxi and rental car businesses in the drug trade. However, the investigators focused their attention on two taxi businesses which employed numerous known offenders. Money laundering activities and/or asset transfers were settled via these taxi businesses. A total of 15 arrest warrants were obtained, assets worth approximately EUR 500,000 were seized and various types of drugs as well as live firearms plus ammunition were confiscated. Approximately 500 follow-up investigations concerning various fields of crime resulted from the investigative complex.

Brief assessment:

The present investigation shows that OC offences such as cocaine trade are regularly accompanied by numerous related and resulting offences. The network-like offender structures are also a classical feature of OC groups.

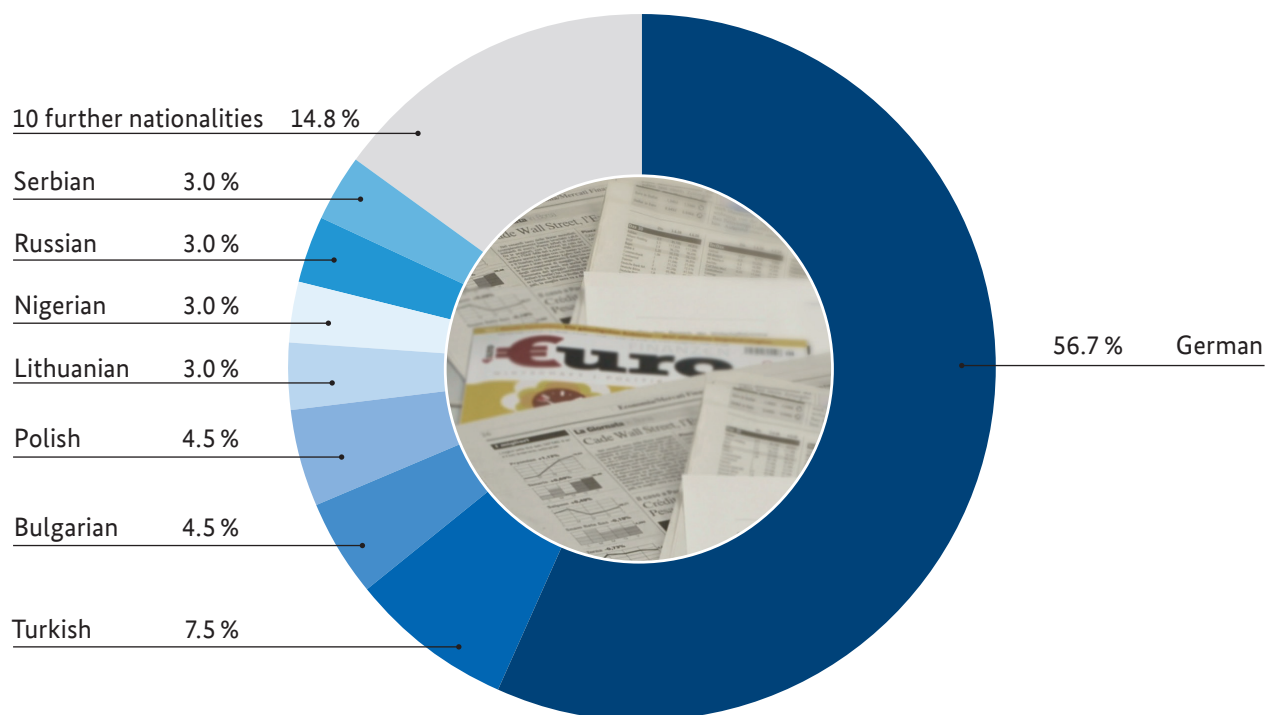
Property crime (84)



With 84 investigations and a percentage of 14.8 % (2014: 108, 18.9 %), property crime ranks second among the fields of crime. Consequently, there was a clear decline by 24 investigations or 22.2 % compared to the previous year under review, but for the most part, this can be explained by the high number of 34 investigations into vehicle-related property offences which were concluded during the previous year. The number of investigations conducted for theft by breaking into business and/or residential premises rose to 37 (2014: 32) which is

equivalent to an increase of 15.6 % compared to the previous year. A little more than three quarters of the offender groups (76.2 %) active in this field of crime focused on one type of offence. With 34 investigations (2014: 52) and despite the significant decrease by 34.6 %, the property crime investigations frequently concerned vehicle-related property offences. Almost half and therefore most of these investigations (16, 47.1 %) were targeted at Polish nationals.

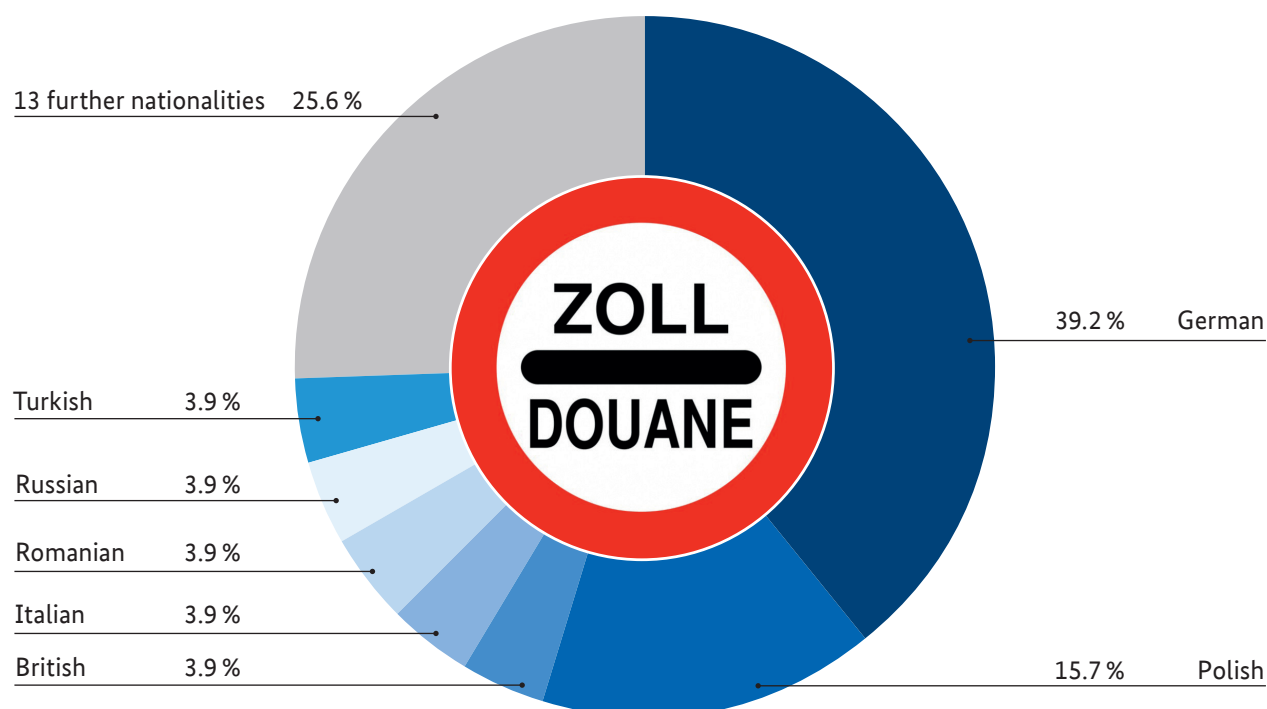
Crime associated with the business world (67)



67 reported investigations concerned the field of crime with the third highest figures again, i.e. crime associated with the business world (11.8 %; 2014: 73, 12.8 %). Besides numerous and different fraud offences (33 investigations), offences involving investments (11), financing (8) and competition (7) were often the subject of the investigative proceedings. 76.1 % of the groups of offenders were found to have focused their activities on a specific area of crime (2014: 79.5 %) and worked together for 4.9 years on average (2014: 4.4 years). This time span considerably exceeds the average time of co-operation of all OC groups (2.9 years) and is the longest one of all fields of crime. More than half of the OC groups operating in this area of crime were dominated by German nationals (56.7 %; 2014: 50.7 %). OC investigations conducted into economic crime

in 2015 identified losses totalling approx. EUR 98 million (2014: approx. EUR 222 million). A look at the total loss identified in all OC investigations shows that with 23.1 %, the losses caused by economic crime were lower than during the previous year (2014: approx. 41 %). However, the highest amount of criminal proceeds was recorded in OC investigations related to crime associated with the business world (i.e. approximately EUR 67 million corresponding to 29.1 % of the total amount compared to approximately EUR 137 million or 40.9 % of the total amount in 2014). The drop resulted from relatively high individual amounts of both losses and proceeds determined in an individual investigation, which was completed in 2014 (approx. EUR 75 million each).

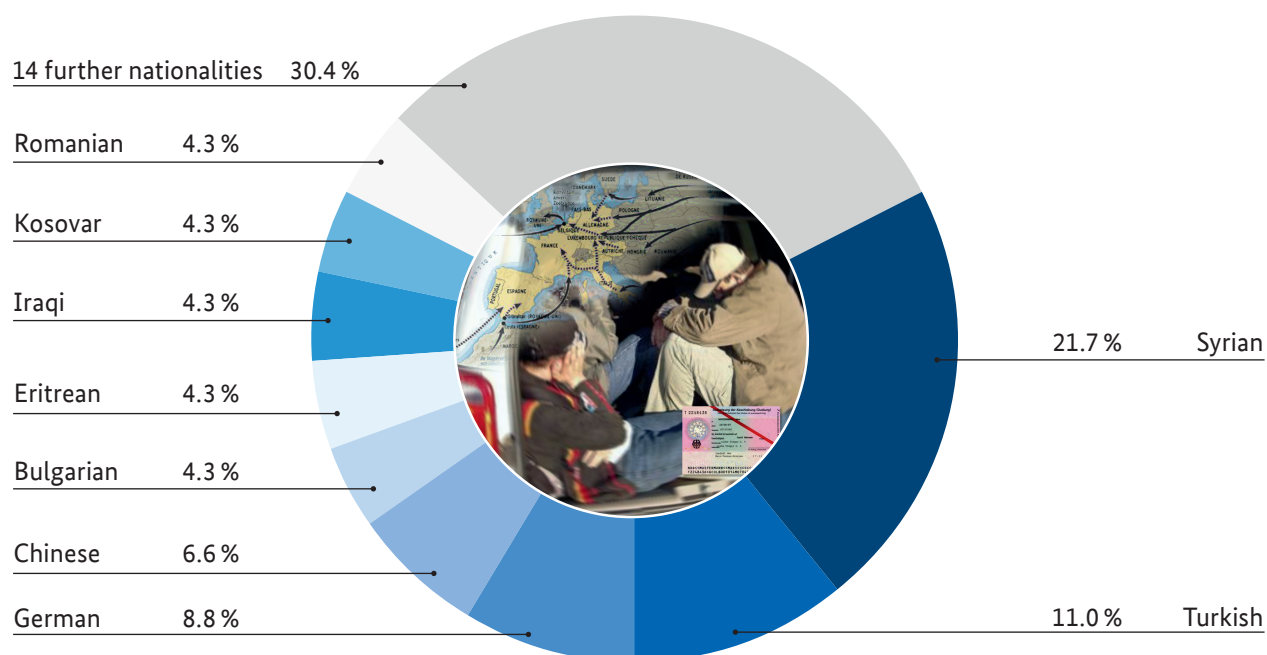
Tax and customs offences (51)



In the year under review, the number of investigations into tax and customs crimes remained nearly constant (i.e. 51, 2014: 52). In this context, 74.5 % of the OC groups focused their activities on one specific area of crime (2014: 76.9 %). Once again, cigarette smuggling was the main activity of OC groups operating in the area of tax and customs crime. The total loss amounted to EUR 268 million (2014: EUR 148 million). This corresponds to an increase of 81.1 % in this crime field. This increase is also reflected by the percentage in the total loss (63.2 %;

2014: 27.5 %). Consequently the total loss caused by tax and customs offences ranks first in the 2015 OC situation report. The identification of this high amount can mainly be ascribed to two investigations: On the one hand the investigation mentioned in chapter 3.4 which determined an individual loss of approximately EUR 78 million (energy tax), and on the other hand an investigation which determined a loss of approximately EUR 70 million (cigarette smuggling).

Facilitation of illegal immigration (46)



During the current period under review – and like in 2014 – an increase was recorded in the number of investigations concerning facilitation of illegal immigration, which is probably a result of the skyrocketing influx of migrants into Western Europe in 2015. Thus, 46 investigations into facilitating illegal immigration were reported (2014: 35,

i.e. +31.4 %). The lion's share of the groups was dominated by Syrian and Turkish nationals. Most of the illegal immigrants stemmed from the crisis regions in Syria, Afghanistan and Iraq and were primarily taken to Germany and Scandinavia (Sweden, Denmark, Norway).

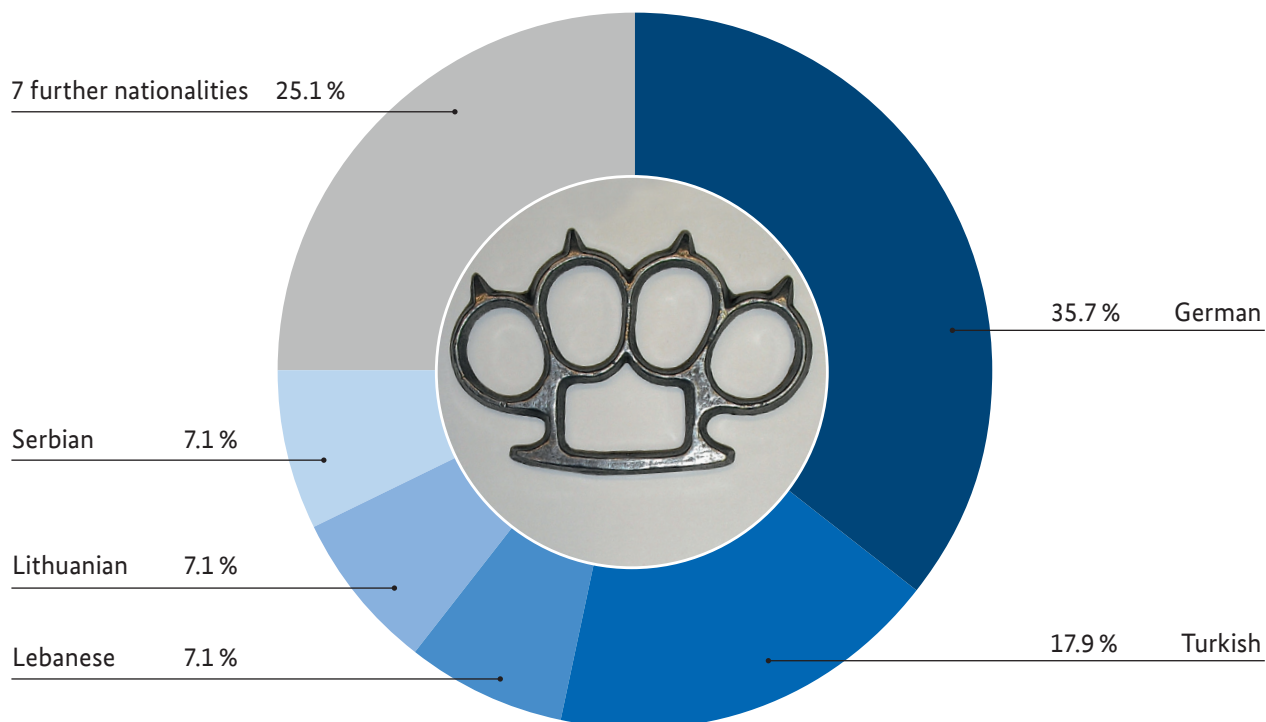
Case Example of facilitation of illegal immigration:

An OC investigation concerning facilitation of illegal immigration was directed against a Bulgarian-Turkish-Vietnamese group of offenders who organised the smuggling of mainly Syrian nationals by means of forged travel documents in 30 cases. In most cases, people were smuggled from Turkey to Bulgaria by land while some of them were smuggled from Turkey to Germany by air. In addition, the group offered document packages (counterfeit and forged passports, identity cards and driving licenses with identical personal particulars) at a price of EUR 2,000 as well as forged entry visas at a price of EUR 3,500 each. These were usually sold to intermediaries who subsequently passed the documents on to the future users for final prices of EUR 7,000 to EUR 8,000. In this way, illegal migrants coming to or already staying in Germany were provided with false identities. In addition, the authorities investigated the group for trafficking in human beings, robbery, tax evasion, social welfare fraud

and illegal possession of firearms. In the course of final apprehension measures, a total of five national arrest warrants and two European Arrest Warrants were executed in Germany, Bulgaria and the Netherlands in 2015. This action was coordinated by Europol. Meanwhile, parts of the group have been sentenced to prison terms of several years.

Brief assessment:

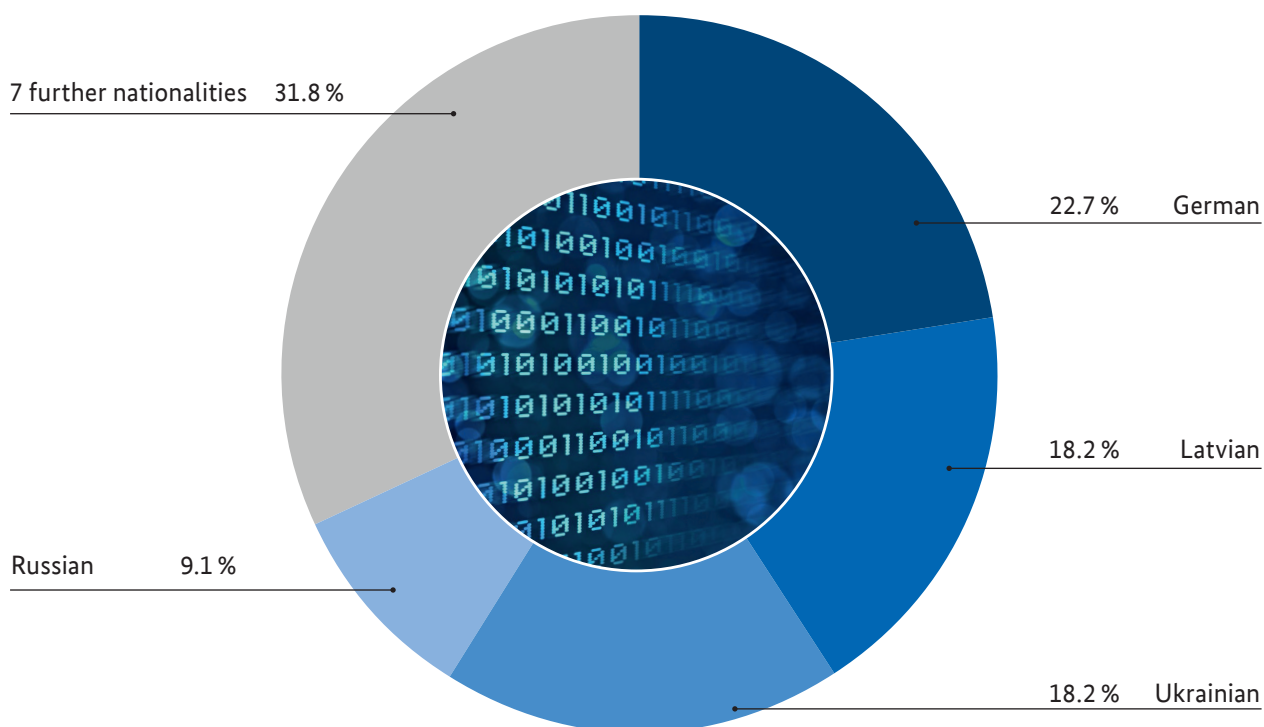
The investigation made evident that groups of facilitators are not only networked at European and international level but are also active in further fields of crime (such as counterfeiting/forgery). Therefore, they have the whole logistics required for smuggling operations at their disposal and are able to maximize their illicit profits. In view of the persisting refugee influx, similar investigations against groups smuggling persons from Syria to Western Europe will continue to keep the law enforcement authorities busy.

Violent crime (28)

In 2015, five more (i.e. 28) OC investigations targeted groups engaging in violent crime (2014: 23). 19 investigations (67.9 %) found the suspects to have been armed. For the most part, the groups of offenders were under investigation for extortion. A little

more than two thirds of the investigations reported in this field of crime identified links to OMCGs or OMCG-type groups (19 investigations, 67.9 %, 2014: 17 investigations, 73.9 %).

Cybercrime (22)



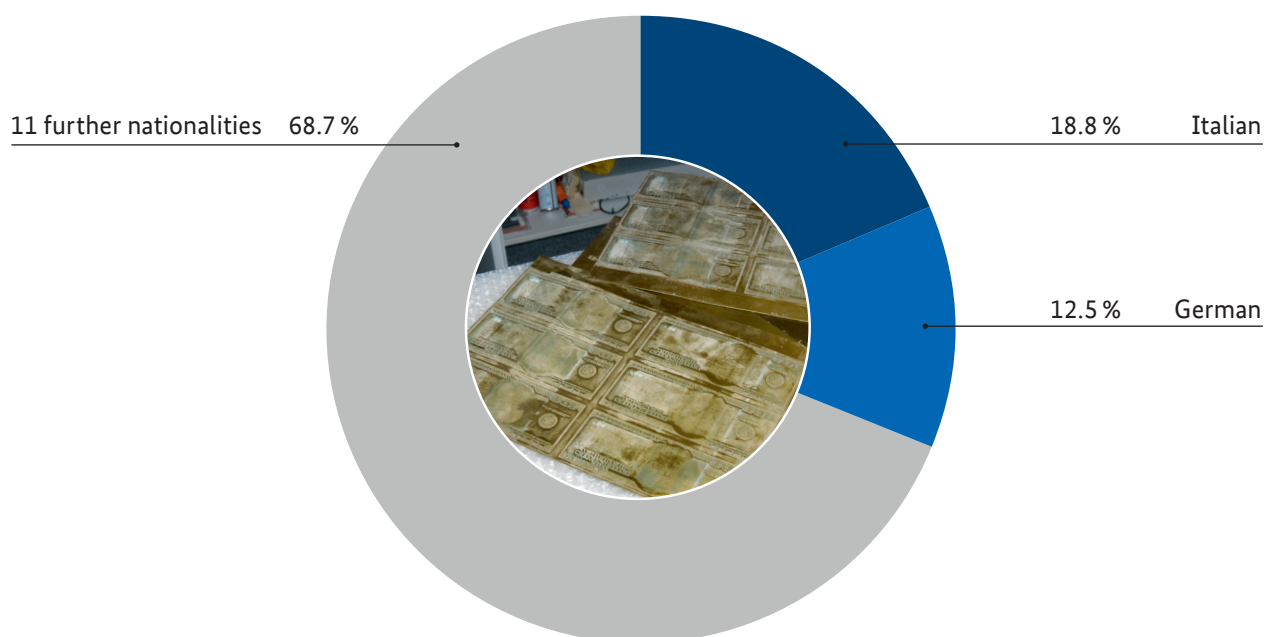
During the current year under review, the number of OC groups active in the field of cybercrime rose again. A total of 22 OC investigations into cybercrime corresponded to a rise by 83.3 % in comparison to the previous year (2014: 12). OC groups specialising in cybercrime were mainly dominated by German nationals (5 groups) followed by Latvian nationals and Ukrainian nationals (4 groups each). In this context, the groups dominated by German nationals were clearly on the rise (2014: 1 group).

The groups of offenders primarily attacked the online banking system (9, 40.9 %) and committed computer frauds (7, 31.8 %).

In addition, the reporting of the Internet as an instrument of crime in 89 investigations concerning all fields of crime (15.7 %) makes evident that the Internet has continued to grow in importance, also for OC.¹³

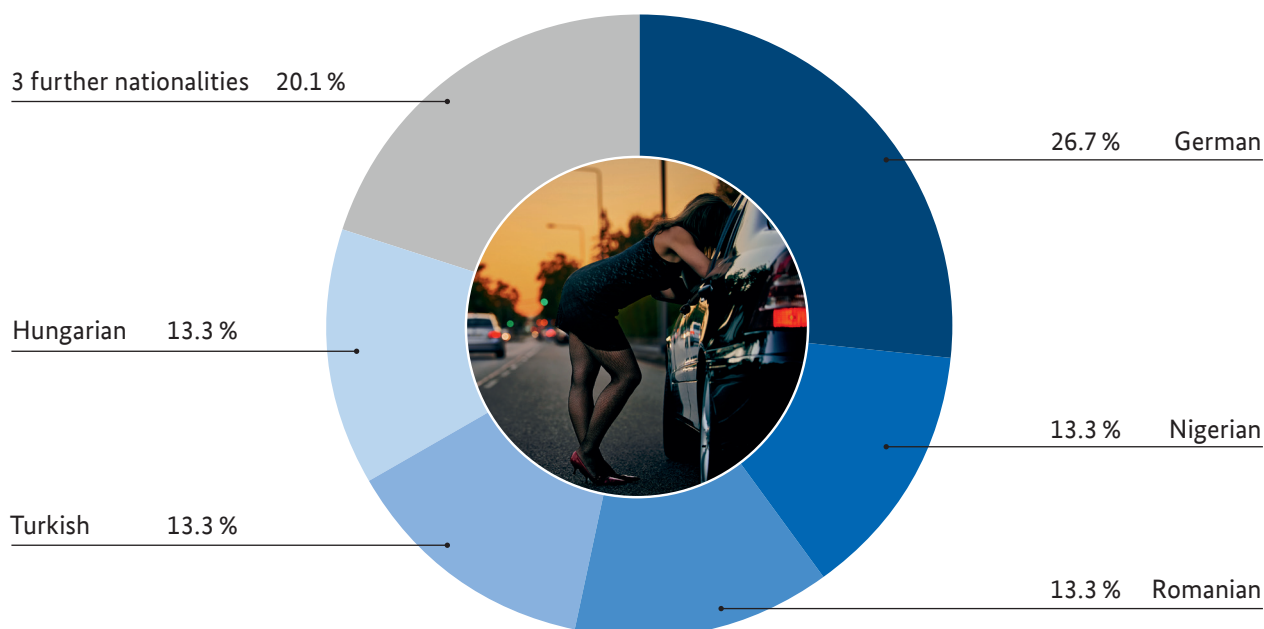
¹³ First collection of these data for the year under review 2015.

Counterfeiting/forgery (16)



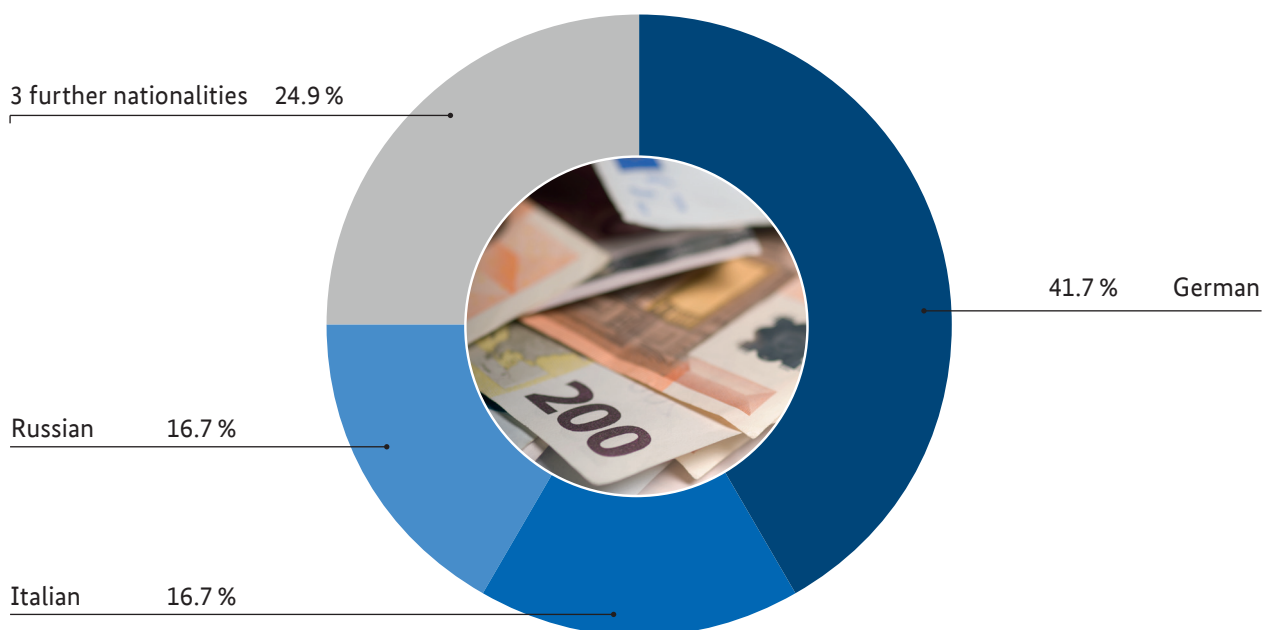
Compared to the previous year, the number of OC investigations concerning counterfeiting/forgery dropped by six to 16 (2014: 22). In most cases, currency counterfeiting offences were the subject of the investigations. The cases dealt, above all, with the counterfeiting of Euro notes.

Crime associated with nightlife (15)



The number of OC investigations into crime associated with nightlife decreased again (15; 2014: 19). These offences were mainly committed by German nationals. The focus lay on investigations for trafficking in human beings for the purpose of sexual exploitation (10) and promoting prostitution (4).

Money laundering (12)



As for the field of money laundering, the number of investigations dropped by eight in 2015 (12; 2014: 20). The reason for this is, above all, a higher number of investigations completed in 2014. As in previous years, *modi operandi* of an international nature were recognised in all cases. In addition, the OC groups were again mainly dominated by German nationals.

In 208 OC investigations, there was information on hand which suggested money laundering activities (36.7 %; 2014: 198, 34.7 %). Almost one fourth of all investigations dealt with money laundering pur-

suant to section 261 of the German Criminal Code (129, 22.8 %; 2014: 139, 24.3 %). In addition to investigations solely dealing with money laundering, there were investigations, above all for drug trafficking and smuggling (31), crime associated with the business world (21) and property crime (18) which revealed links with money laundering activities. 90 investigations were initiated on the basis of a total of 1,037 suspicious transaction reports filed pursuant to section 11, subsection 1 of the German Money Laundering Act (2014: 90 investigations, 971 suspicious transaction reports).

Environmental crime (5)

A total of five OC groups dedicated to environmental crime were reported (2014: 6). Most of these investigations were conducted for illegal production and distribution of food products and pharmaceuticals. In this field of crime, mainly groups dominated by German nationals (4) and one Bulgarian group were identified.

Corruption (2)

In 2015, two investigations into corruption were conducted against OC groups who were exclusively dominated by German nationals (2014: 2).

Arms trafficking and smuggling (5)

The number of OC groups dedicated to arms trafficking and smuggling remained constant (five). Once again, the investigations focused on illegal trade in war weapons and firearms. These groups were dominated by German (2) nationals as well as nationals from Bosnia-Herzegovina, Italy and Ukraine (1 each).

4 INTERNATIONAL ASPECTS OF ORGANISED CRIME

Most OC groups act transnationally. Therefore, the National Situation Report on "Organised Crime" contains information on selected criminal phenomena which have an effect on the situation of Organised Crime in Germany.

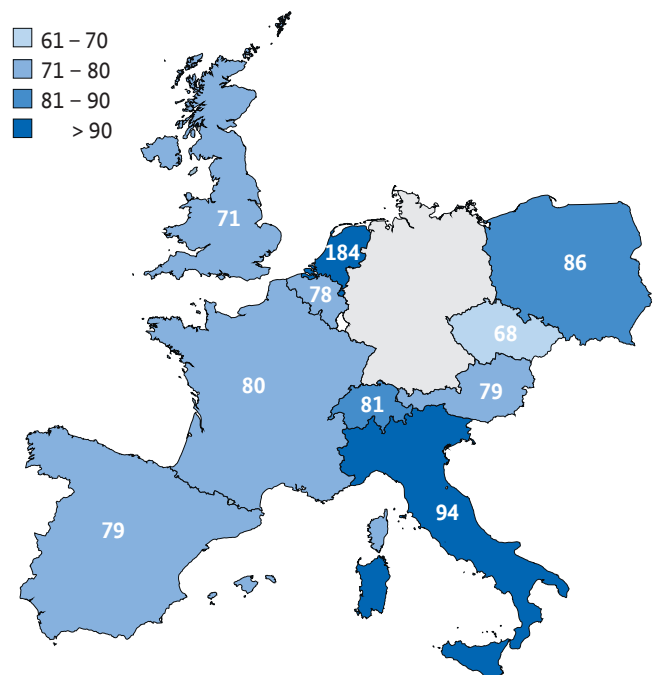
During the period under review, 448 of 566 investigations (79.2 %; 2014: 80.2 %) revealed links between Germany and a total of 122 different countries (2014: 124).

Primarily, links to the neighbouring countries were identified. As in the previous year, most OC investigations, i.e. 184, showed links to the **Netherlands** in 2015. These were followed by **Italy** with 94 OC investigations and **Poland** with 86 OC investigations.

The reason why the **Netherlands** were mentioned so frequently is that they continue to be an important country of origin and transit country for drugs destined for Germany. In addition, the joint suppression of crime committed by mobile criminal groups has grown in importance for the law enforcement agencies in Germany and the Netherlands in recent years.

Investigations linked to **Italy** also mainly concerned drug trafficking and smuggling, followed by facilitation of illegal immigration and property crime.

The focus of OC investigations linked to **Poland** lay on property crime.



Cybercrime

Cybercrime is a transnational type of crime. 20 of the 22 OC investigations (90.9 %) conducted into cybercrime identified links to other countries. Within split seconds, the offenders can virtually cross almost any state border by means of a computer, tablet or mobile phone from any location in the world. Moreover, the locations of the servers used by the offenders to communicate and exchange data are spread all over the world. The groups of offenders are able to block or cancel data and make them available somewhere else within an incredibly short time span in order to prevent the law enforcement authorities from gaining access.

Therefore, quick international cooperation between law enforcement agencies is of paramount importance in cybercrime investigations. Different legal framework conditions in the various countries, for example in respect of data retention periods, implicate that protracted cross-border cooperation might result in the deletion of data of evidential value; these would therefore no longer be available for corroborating the evidence.

REOC (Russian-Eurasian Organised Crime)

German OC investigations directed against members of REOC structures regularly feature links to Spain, France, Greece, Sweden, Portugal, Italy and other countries. Western Europe serves as a place for operations and investment and as a retreat for these groups.

Germany cooperates, above all, with France (Police National and Gendarmerie) and Spain (Policia Nacional and Guardia Civil) in order to intensify the cross-border suppression of this crime within the framework of strategic cooperation (e.g. by exchanging structural information) and operative cooperation implemented through joint investigations.

Multilateral types of cooperation exist at Interpol level between 45 states, in the form of a project which mainly focuses on collecting information about globally active "thieves in law" and other criminal authorities of Russian-Eurasian OC and also on the preparation and updating of a corresponding overview. At present, Germany, France and Georgia are conducting an evaluation within this project together with Interpol.

Case example of cybercrime:

In the course of proceedings conducted in 2015, the BKA investigated the operators and users of five illicit German language platforms of the underground economy, where inter alia tools (such as malware) as well as instructions for committing even serious offences were made available (crime-as-a-service). The forums also served as sales platforms for illicit data, services and commodities including narcotic drugs. The servers were located in France, the Netherlands, Russia and Lithuania.

The prime suspect lived in Bosnia and Herzegovina where he was arrested on the basis of a German legal assistance request. In addition, enforcement measures were executed on another suspect in Switzerland.

The investigation revealed that online and offline offenders divided tasks. The investigation helped to prove organised crime structures including suppliers, platform providers, anonymous money transfer facilities and customers.

Brief assessment:

Starting from the operators of the online market places the investigation proved the existence of an internationally organised and hierarchically structured OC group specializing in cybercrime and dividing tasks in this connection.

It is noteworthy that in most cases, the criminals who are active in cyberspace do not even know each other in real life. Neither do their structures correspond to traditional OC concepts.

Crimes committed by outlaw motorcycle gangs

Outlaw Motorcycle Gangs" (OMCGs) based in Europe are involved in organised crime activities to a considerable extent. The appearance of OMCGs and the related violent clashes in public have a growing negative impact on the public's sense of security. In the Dutch-German border region, OMCGs are trying to expand their influence to the respective neighbouring country. Time and again, this leads to distribution fights between rivalling gangs who often use violence. As a result of their self-image, the OMCGs are internationally oriented. Therefore, an effective crime suppression can only be guaranteed if the law enforcement authorities of Germany and the Netherlands as well as those of other neighbouring countries cooperate closely. This calls for a regular exchange of information as well as coordinated repressive and preventive measures such as joint evaluations and investigations.

According to the Austrian authorities, there is a risk that – as a result of territorial claims – violent clashes between rivalling outlaw motorcycle gangs might also be triggered in Austria¹⁴. The Austrian authorities assume that the local security authorities should monitor this field of crime on a permanent basis.

A significant threat potential has also been recognized in the scene of OMCGs and OMCG-type groups in Switzerland¹⁵. Numerous new members were recruited. In addition, several offshoots of partly new groups were founded, but some of them were closed again a short time later. The OMCG-type groups, who are mainly dominated by members of Southeast European and Turkish origin, turned out to be especially active. Information compiled by the police in Switzerland suggests that there are strong tensions between and within individual OMCGs and OMCG-type groups. Individual incidents prove the violence potential of this scene. Several investigations conducted by law enforcement authorities in Switzerland and third countries also confirmed the criminal energy of some OMCGs and OMCG-type groups based in Switzerland. Among other things, there is information on hand hinting to property offences, violations of the narcotic drugs act, trafficking in human beings and serious bodily injuries. A good example of this are several German investigations revealing links to Switzerland.

Case example of crime committed by outlaw motorcycle gangs:

An investigation conducted in 2015 found members of an OMCG to be operating transnationally in Germany, the Czech Republic and Austria. They were especially active in the area of drug trafficking and smuggling (synthetic drugs and cocaine).

The investigations conducted confirmed that the main suspect first received several kilograms of amphetamine by parcel post which he then re-sold in smaller quantities to further purchasers in Southern Germany and Austria. Extensive investigations were conducted with a total of five German parcel services in order to trace the parcel deliveries.

Search measures led to the detection of a production site for illegal medicinal products where large quantities of an unlicensed potency drug were manufactured.. For this very purpose, the persons charged had founded a company in the Czech Republic in order to be able to legally export the active ingredients and the packaging material to Germany. The structures identified helped to uncover the commercial production of and trade in illegal medicinal products in addition to the usual drug-related offences. Moreover, numerous firearms were seized from the persons charged with which the members of the OMCG had traded among each other.

Brief assessment:

This investigation is exemplary of the cross-border operations of OC offenders as a result of international links within the OMCG scene. In this context, the drug trade was carried out at various levels from the wholesaler down to the purchasers via intermediaries and small dealers by making use of traditionally secluded OMCG structures which, as a matter of principle, are not willing to cooperate with the investigative authorities.

In addition, the case illustrates the OC-typical exploitation of legal economic structures, such as already existing and newly founded companies, in order to cover up the illegal business transactions and the frequently occurring activities in more than one field of crime.

¹⁴ Source: Austrian Ministry of the Interior, Security Report on Crime 2014.

¹⁵ Source: Annual report of the Swiss Federal Office of Police fedpol 2014.

5 TRENDS

For several years, OC groups have primarily been active in the field of drug trafficking and smuggling as well as property crime and crime associated with the business world. Furthermore, the fields of cybercrime and facilitation of illegal immigration are gaining importance which can be seen from the significant growth rates in comparison to 2014.

As in the previous years, **drug trafficking and smuggling** was still the main field of OC activity in 2015. The increasing number of OC investigations dealing with drug trade carried out via online platforms, strikes the eye. Besides other illicit goods, such as weapons or counterfeit currency, various types of drugs are increasingly offered on these platforms.

It is assumed that the demand for all kinds of drugs will continue to remain at a high level and that drug trafficking will therefore, in all likelihood, remain an integral element of OC groups and an important source of income in the future.

Favourable opportunities for crime, high mobility of the offenders, goods that are easy to resell and a relatively low clear-up rate are the reasons for which **organised property crime** will remain in the focus of OC groups. It is foreseeable that the economic situation in Eastern and Southeastern Europe is not going to improve in the near future. The continuing prosperity gap between north and south as well as west and east as a persistent pull factor will continue to tempt potential offenders to commit property offences and other types of crime.

There is reason to believe that a high number of offences will also be committed in the future, especially in the area of organised theft by breaking and entering.

The area of **crime associated with the business world** continues to cause very high financial losses. An example of the enormous damage potential is false accounting on the public health sector committed by so-called "Russian domestic nursing services". Information on hand suggests that this form of organised fraud is linked to Russian-Eurasian Crime (REOC). According to estimates of the compulsory health insurance and nursing care funds, the total loss caused to the national economy amounts to approximately EUR 1 billion.

Case example of property crime:

In 2015, approximately 30 burglaries of dwellings were recorded which were attributed to a certain group of offenders. Apparently, this group consisted of a circle of tightly organised Serbian and Bulgarian nationals who divided tasks when committing burglaries of dwellings in Germany, France and Switzerland with alternating participation. As a result of the mobility of the group of offenders, the public prosecutor's office put through a long-term observation of the suspects in the Benelux states, France, Switzerland and Austria on the basis of several judicial assistance requests. In the course of these investigations, further knowledge was gained about the gang structure and the channels used for distributing/selling the stolen property. All offences proven to have been committed by the group in Switzerland and France were integrated into the investigative complex following judicial assistance requests.

The offenders' modus operandi was characterized by a highly professional and conspiratorial conduct on several hierarchical levels. Children and adolescents were instructed on how to commit offences and what to say when questioned by the police and the judicial authorities. The total loss caused by burglaries of dwellings amounts to approximately EUR 4 million. A part of the loot was transferred abroad through a cash transfer service provider. All in all, eleven group members were arrested on the basis of arrest warrants. International warrants were issued for the arrest of four persons. Nine group members were sentenced to prison terms of two to seven years. Three members of the group are still at large and are wanted on the basis of international arrest warrants.

Brief assessment:

The described investigations revealed that very high losses had been caused during the individual burglaries, and this suggests a thorough preparation and commission of the offences. This is typical of offender groups with a high level of organisation.

In view of the demographic development, the nursing sector is going to grow in the future so that this field will probably remain attractive for offenders. By means of corresponding awareness raising measures, the law enforcement authorities informed the payers on the public health sector (health insurance and nursing care funds as well as social welfare offices) of the modus operandi detected. This was done to help payers recognize the respective misconduct with regard to the billing of nursing services at an earlier stage and prevent losses.

In 2015, the year under review, the involvement of OC groups in the area of **cybercrime** increased significantly as compared to the previous year, and this trend will continue. The reason for this is the increasing significance of the Internet and information technology. Above all, criminal marketplaces are operated on the so-called darknet¹⁶ where illicit commodities can be acquired. Among other things, drugs, weapons, counterfeit currency, forged identity documents, stolen credit card data and forged branded goods are offered in this context. What appears to be crucial for this development is not only anonymity and a supposedly lower risk of detection, but also the fact that numerous potential customers throughout the world can be reached via these illegal online marketplaces by means of encrypted links and the fact that these forums and marketplaces on the darknet can be easily accessed without any special computer skills. Crime-as-a service probably expedites this development.

As a result of the unstable political and the precarious economic situation especially in Syria, Afghanistan and Iraq but also in Africa, a continuously high influx of refugees is to be expected. Since most of the states along the Balkan route closed their borders for refugees in late 2015, a shift of the smuggling routes and an intensification of migrant smuggling are likely. It is to be feared that above all, trafficking methods endangering the life of smuggled persons (e.g. so-called container smuggling), will become more significant again.

Case example of crime associated with the business world:

An OC investigation into gang-type fraud focused on five German nationals with a Russian migration background. From 2011, the persons charged had operated a nursing service in order to exploit the German nursing care system and maximise their profits. In the course of investigations and searches, numerous pieces of evidence were seized and extensive information was gained about the offenders' modus operandi applied nationwide.

Services, not at all or only partly rendered, were billed to the payers (health insurance and nursing care funds as well as social welfare offices). In order to conceal the fraudulent acts, the employees of the nursing service either documented their work insufficiently, thus ignoring the provisions of the framework agreements, or they used two different duty or tour plans. One plan was used for billing and the other one for services actually provided.

In order to fulfil the requirements of the framework agreements, the executives of the nursing service also provided the payers with false information about the factually employed staff and about their annual advanced training courses. In this context, certificates of corresponding basic and advanced training courses were forged so that the employees could be put in charge of home care although they did not have the required qualifications for it. In addition, some patients were partly involved in the fraudulent acts. On the one hand, cash was handed over to them or influence was exerted on them in preparation of the interview carried out to determine the need for nursing care and the level required; on the other hand the domestic nursing service deliberately employed some people for tending their own relatives. Finally, it was possible to prove that most of the shareholders of the nursing service maintained business connections to other nursing services.

Brief assessment:

The investigation has shown the significant damage potential emanating from false accounting on the public health sector. In this investigation alone, a damage amounting to EUR 1.4 million was caused to the health insurance and nursing care funds as well as the social welfare offices.

¹⁶ Darknet websites are not indicated by the usual Internet search engines and cannot be reached via conventional Internet tools (browsers).

6 CONCLUSION

The damage and threat potential emanating from organised crime continues to be on a high level. It is a complex and multifaceted crime phenomenon which has the ability to immediately adjust to any social and economic change. OC groups are active in all areas of crime. For this purpose, they also create legal company constructs or use exchangeable staff who are often small-time criminals. Their actions are aimed at maximising profits.

The number of OC investigations conducted in Germany in 2015 is roughly on the same level as in previous years. Despite a slight decrease in the number of investigative proceedings, we need to take into account that OC investigations often require complex, personnel-intensive and time-consuming investigations. Taking into account an increasing professionalism of the OC groups, the growing application of digital means of communication, the use of anonymisation mechanisms, the large part of transnationally operating gangs and the mobility of their members, the law enforcement authorities are facing more and more challenges.

In recent years, German OC investigations identified more than 8,000 suspects per annum. Each OC investigation is targeted at about 15 suspects on average. This number emphasizes the complexity of OC investigations and reveals the effort made by the law enforcement authorities when conducting them. About one third of the suspects are German nationals. The offences identified comprise a large spectrum of the punishable acts listed in the German Penal Code. In most cases, drug trafficking, property crime and crime associated with the business world are the subject of the investigations. Among the main activities pursued by OC groups, cybercrime and facilitation of illegal immigration featured the highest growth rates.

In addition to the high mobility of the members, international links, identified in roughly 80 % of all investigations, have been found to be another characteristic of OC groups.

In addition, the fact that the offenders use the technical possibilities of the Internet as an instrument of crime or for communication, encrypting, concealing, using anonymised forums, exchanging information in a conspiratorial way and conspiring to commit offences via social networks confronts the law enforcement agencies with considerable challenges. In view of these developments, the time and technological standards required are continuously growing. In addition, "Crime-as-a-Service" enab-

les offenders without technical expertise to acquire the know-how and the resources necessary for using the Internet as an instrument of crime. Consequently, a wealth of new opportunities for crime are opening up. What's more, illegal online marketplaces enhance the availability and the distribution of all types of illicit commodities.

The law enforcement authorities react flexibly to the challenges unfolding during the suppression of organised crime. If we look at the large number of OC investigations, the types of crime committed most were drug trafficking and smuggling, crime associated with the business world, property crime, facilitation of illegal immigration and cybercrime. The current significance ascribed to these phenomena has triggered even closer cross-border cooperation. Within the scope of a prioritisation process, we can now respond swiftly, flexibly and effectively to new OC phenomena that are of both national and international importance.

In the European context, the German police forces cooperate with those of other countries, for example in transnationally operating joint investigation teams, either on a bilateral basis or particularly by involving Europol at multilateral level. The reporting of relevant national OC issues to Europol influences the priorities of the European OC prioritisation process and therefore also the initiation of cross-border projects. Apart from that, the long-standing liaison officer network of the Bundeskriminalamt has proven its worth again in the promotion of a quick bilateral exchange of information.

Consequently, the suppression of organised crime is still of unabated importance. This calls for continued high attentiveness and resolute law enforcement action.

ANNEX

Alphabetical overview of all nationalities identified (order based on German alphabet)

Country	Dom. Grp.	Suspects	Suspects (new)
Afghanistan	1	8	4
Egypt	1	5	2
Albania	11	96	48
Algeria	1	7	7
Argentina	1	4	0
Armenia	2	28	16
Azerbaijan	3	20	12
Ethiopia	0	2	0
Australia	0	1	0
Bangladesh	0	1	0
Belgium	0	25	4
Benin	1	3	3
Bolivia	0	1	0
Bosnia and Herzegovina	5	67	25
Brazil	0	4	3
Bulgaria	8	96	55
Burundi	0	1	1
China	4	27	10
Costa Rica	0	2	0
Denmark	2	19	13
Germany	198	3,007	1,343
Dominican Republic	1	6	3
Ecuador	0	3	1
El Salvador	0	2	0
Ivory Coast	0	2	0
Eritrea	2	34	11
Estonia	0	19	13
Finland	0	10	4
France	1	27	9
Georgia	11	126	69
Ghana	2	9	4
Greece	0	27	9
United Kingdom	4	72	19
India	2	17	8
Iraq	3	49	29
Iran	0	16	10
Iceland	0	2	0

Country	Dom. Grp.	Suspects	Suspects (new)
Israel	0	4	1
Italy	21	255	113
Jordan	0	7	5
Cameroon	1	11	4
Canada	0	4	3
Kazakhstan	1	31	22
Kenya	0	2	1
Kyrgyzstan	0	3	3
Colombia	2	16	8
Democratic Republic of Congo	1	4	1
Republic of Congo	0	2	1
Dem. People's Rep. of Korea	1	3	3
Republic of Korea (South-Korea)	0	1	0
Kosovo	5	55	38
Croatia	9	78	38
Cuba	2	11	2
Latvia	6	101	38
Lebanon	11	104	38
Liberia	0	1	0
Libya	0	2	0
Lithuania	13	990	123
Luxembourg	0	2	0
Malaysia	0	1	0
Mali	0	1	1
Malta	0	1	0
Morocco	5	50	18
Mauritius	0	1	0
Macedonia	6	21	9
Mexico	0	4	1
Republic of Moldova	3	22	10
Montenegro	0	5	4
Nepal	0	1	1
Netherlands	7	150	74
Nigeria	9	32	20
Norway.	0	1	0
Oman	0	1	1
Austria	3	64	24

Country	Dom. Grp.	Suspects	Suspects (new)
Pakistan	2	14	8
Paraguay	1	3	3
Poland	40	445	217
Portugal	1	7	5
Romania	21	413	185
Russian Federation	14	164	83
San Marino	0	1	0
Sweden	0	4	2
Switzerland	0	58	7
Senegal	0	1	1
Serbia	11	140	65
Serbia and Montenegro (obs.)	1	8	1
Sierra Leone	1	2	1
Singapore	0	5	0
Slovakia	1	9	4
Slovenia	0	13	0
Somalia	1	8	8
Spain	1	58	30
Sri Lanka	0	2	2
Syria	13	132	80
Thailand	0	13	13
Czech Republic	3	59	21
Tunisia	1	7	1
Turkey	50	841	349
Ukraine	8	89	31
Hungary	4	40	27
USA	1	16	8
Venezuela	0	2	1
Vietnam	9	79	57
Belarus	1	9	5
Cyprus	0	1	1
Other European nationals	0	2	0
Not clarified	10	127	81
Stateless	1	16	11
Total	566	8,675	3,648

LEGAL DETAILS

Published by
Bundeskriminalamt
65173 Wiesbaden

As of
2015

Printed by
BKA

Picture credits
Photographs and charts: Police sources



