Organised Crime

National Situation Report 2022

Organised Crime in numbers

INVESTIGATIONS INTO OC GROUPS

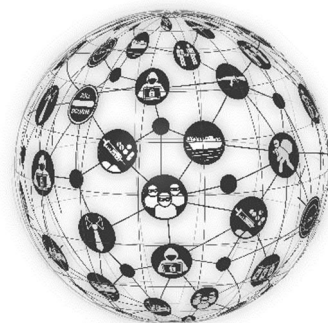|	
Total number of investigations	**639**
Investigations into drug-related crime	295
Investigations into crime associated with the business world	111

7,256
OC suspects

72.0 %
International commission of crimes

174 OC investigations
involving encrypted telecommunications

- **EUR 1.3 billion**

  Loss

- **EUR 1.1 billion**

  Criminal proceeds

- **EUR 228 million**

  Provisional seizure of assets

381 firearms identified

Money laundering activities involving a total amount of approx. **EUR 998 million**

Key findings in brief

>> *Armament, armed force and an increasing propensity to violence*

OC groups are increasingly willing to commit acts of violence or intimidation, sometimes by drastic means.

>> *High threat potential*

Global trends such as migration movements, digital transformation and inflation keep providing new options for action and theatres of operation to criminal structures.

>> *High degree of internationality in OC*

In more than two thirds of the OC investigations conducted in Germany, international commission of the crime and/or cooperation with OC groups from abroad was found.

>> *Significant financial losses*

OC groups continue to attempt to introduce their criminal proceeds into the legal economic cycle and to conceal the illegal origin of these assets in this way.
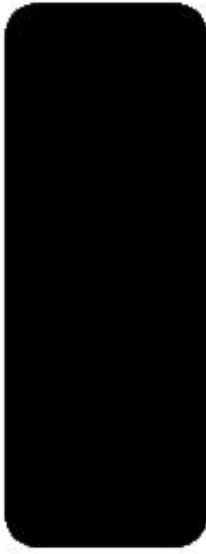
>> *Exertion of influence and infiltration potential*

OC groups use targeted exertion of influence to impose their criminal interests and to threaten governmental, economic and societal structures.

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1 Preliminary note

The National Situation Report on Organised Crime for the year 2022 contains current findings on the situation and developments in the field of Organised Crime (OC) in Germany.

On the basis of the working definition of "Organised Crime" established by the Joint Working Party of the German Police and Judicial Authorities (Gemeinsame Arbeitsgruppe [GAG] Justiz/Polizei) in May 1990, the report is drawn up by the Federal Criminal Police Office (Bundeskriminalamt, BKA) in cooperation with the Land Criminal Police Offices (Landeskriminalämter), the Federal Police Headquarters (Bundespolizeipräsidium) and Customs (Zoll).[1] The BKA annually compiles data on OC investigations conducted during the reporting period by applying a nationwide uniform set of criteria. This is done separately from the Police Crime Statistics (PCS).

This National Situation Report depicts the results of law enforcement activities of the police in the field of Organised Crime. It represents a description of recorded cases, i.e. crime coming to police notice, but valid assessments on the type and extent of potential unreported crime cases cannot be derived from the basic statistical data.

OC poses a significant threat potential to both the government and society. OC groups often operate in secrecy and make use of new modi operandi depending on the given situation in order to purposefully expand their spheres of influence. Overall, the range of OC phenomena is constantly growing and changing due to new opportunities for the commission of crimes and other, transnational developments. Global changes such as migration movements, globalisation, the coronavirus pandemic and the spread of digital technology throughout every part of our lives continuously open up new options for action and theatres of operation to criminal structures.

The OC National Situation Report for the reporting year of 2022 has gone through some extensive changes. For the first time, the National Situation Report includes not only information on Organised Crime, but on **Serious Structural Crime (SSC)** as well. This part examines criminal organisations which do not formally meet the definition of OC, but pose a relevant threat to order and security in Germany due to the extent and seriousness of the offences committed by them.

The first-time inclusion of content on **violence and OC** and the **money laundering activities** of OC groups are further major additions to the 2022 report. These facilitate a closer examination of the violence and threat potential of OC groups as well as of their financial conduct.

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[1] Please see **Chapter 3.1** for the working definition of "Organised Crime".

2 Statistical overview

OC investigations[2]	2022		2021	
Number of OC investigations	**639**		696	
Initial reports	**245**	**38.3 %**	340	48.9 %
Completed investigations	**292**	**45.7 %**	279	40.1 %
Fields of crime[3]	**2022**		**2021**	
Drug trafficking/smuggling	**295**	**46.2 %**	335	48.1 %
Crime associated with the business world	**111**	**17.4 %**	113	16.2 %
Property crime	**59**	**9.2 %**	63	9.1 %
Migrant smuggling	**49**	**7.7 %**	43	6.2 %
Tax and customs crime	**33**	**5.2 %**	36	5.2 %
Money laundering	**19**	**3.0 %**	18	2.6 %
Violent crime	**18**	**2.8 %**	21	3.0 %
Cybercrime	**17**	**2.7 %**	15	2.2 %
Criminal organisation	**14**	**2.2 %**	14	2.0 %
Human trafficking and exploitation	**8**	**1.3 %**	16	2.3 %
Counterfeiting/forgery	**7**	**1.1 %**	7	1.0 %
Corruption	**4**	**0.6 %**	6	0.9 %
Crime associated with nightlife	**2**	**0.3 %**	2	0.4 %

[2] The terms "investigation" and "group" are continuously used as equivalents. One OC investigation corresponds to exactly one OC group.
[3] The individual percentages may not total 100 due to rounding.

Environmental crime	2	0.3 %	2	0.3 %
Arms trafficking/smuggling	1	0.2 %	5	0.7 %

The internet as an instrument of crime	64	10.0 %	68	9.8 %
International commission of crimes	460	72.0 %	492	70.7 %

Suspects	2022		2021	
Number of suspects	7,256		7,503	
Newly identified suspects	2,848	39.3 %	3,593	46.6 %
Migrants	752	10.4 %	869	13.6 %
Number of German suspects	2,761	38.1 %	2,993	38.8 %
Number of non-German suspects	3,933	54.2 %	4,135	57.2 %
Number of suspects whose nationality is unclear, unspecified, stateless suspects	562	7.7 %	375	4.0 %
Number of armed suspects	380	5.2 %	559	6.4 %
Financial aspects	**2022**		**2021**	
Losses	EUR 1.3 billion		EUR 2.2 billion	
Identified criminal proceeds	EUR 1.1 billion		EUR 1.4 billion	
Provisionally seized assets	EUR 228 million		EUR 173 million	
Number of OC investigations resulting in the provisional seizure of assets	186	29.1 %	230	31.0 %
Number of OC investigations involving money laundering activities	203	31.8 %	284	41.2 %

3 Presentation and evaluation of the crime situation

3.1 GENERAL DATA ON INVESTIGATIONS

The total number of investigations into OC groups remains high. Following an all-time high in 2021, the number of investigations reported in the year under review has decreased by 8.2 %. It is, however, still higher than during the years before. This development can presumably be attributed to the fact that there has been a comparatively significant decrease in initial reports.

Development of the number of investigations targeting OC groups (2013 – 2022)
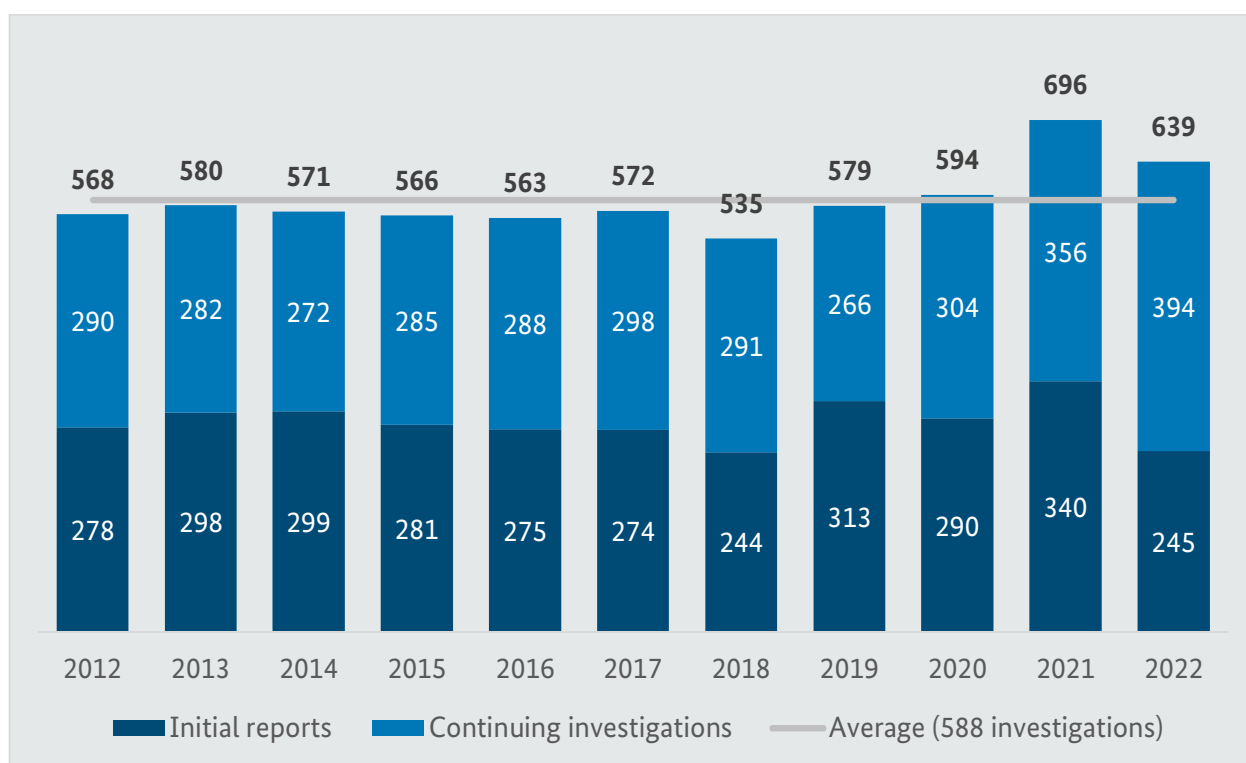
Breakdown of reported OC investigations by Land and Federal authorities (2022)[4]

Land (federal state)	Land auth.	Fed. auth.	BKA	Fed. Pol.	Customs	Total	Prev. year
North Rhine-Westphalia (NW)[5]	80	50	5	7	38	130	*140*
Lower Saxony (NI)[6]	68	17	0	5	12	85	*90*
Bavaria (BY)[7]	66	13	1	5	7	79	*83*
Berlin (BE)	48	21	2	8	11	69	*77*
Baden-Württemberg (BW)	36	7	0	2	5	43	*42*
Mecklenburg-Western Pomerania (MV)	27	3	0	1	2	30	*29*
Hesse (HE)	25	26	7	8	11	51	*65*
Hamburg (HH)	19	12	2	2	8	31	*47*
Saxony (SN)	18	4	1	3	0	22	*20*
Rhineland-Palatinate (RP)	13	3	0	2	1	16	*14*
Schleswig-Holstein (SH)	12	15	0	2	13	27	*24*
Brandenburg (BB)	11	2	0	0	2	13	*19*
Thuringia (TH)	8	2	0	1	1	10	*9*
Saxony-Anhalt (ST)	8	6	0	2	4	14	*12*
Saarland (SL)	6	3	0	0	3	9	*10*
Bremen (HB)	5	5	0	1	4	10	*15*
Total	**450**	**189**	**18**	**49**	**122**	**639**	
Previous year	*519*	*177*	*21*	*39*	*117*		*696*

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[4] The investigations conducted by the federal authorities are allocated to the Länder according to the geographical location of the public prosecutor's office leading the respective investigation.

[5] One investigation from North Rhine-Westphalia was conducted by the European Public Prosecutor's Office (EPPO). Being the European Union's first independent and decentralised public prosecutor's office, EPPO is authorised to prosecute crimes against the EU budget, such as fraud, corruption or serious cross-border VAT fraud.

[6] One investigation from Lower Saxony was conducted by a public prosecutor's office in Rhineland-Palatinate.

[7] One investigation from Bavaria was conducted by the European Public Prosecutor's Office (EPPO).

All general characteristics and at least one of the specific characteristics listed under alternatives a) to c) of the OC definition must be met for criminal behaviour to qualify as Organised Crime. The distribution of the specific characteristics given in the OC definition was as follows in the year under review (multiple listings possible):
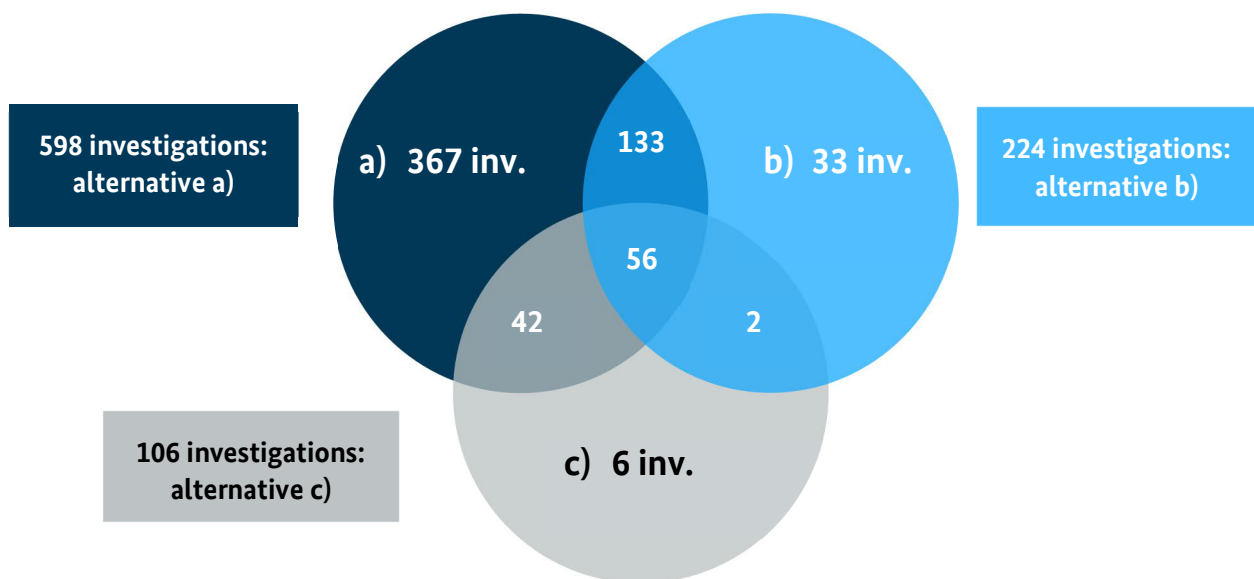
The distribution of the alternatives in relation to each other presented here essentially corresponds to what has been presented in recent years. A decrease has been observed for all alternatives. It is most significant for alternative a) (-61 investigations). Alternatives b) and c) show a slightly less significant decrease (-43 investigations and -30 investigations) compared to the previous year.

As from the reporting year of 2022, more detailed information is collected for alternative b) in particular. For more information, please see **Chapter 3.6.2 Violence and OK**.

The types of influence exerted (alternative c) are clearly heterogeneous. In addition to rendering favours to OC groups, some of the influenced persons even committed criminal acts themselves and supported the OC groups in their illegal business transactions.

OC groups exerted influence on persons in Germany and abroad, on representatives of state institutions such as judicial authorities, the police and public administration, e.g. on employees of building authorities, public order authorities or vehicle registration offices. They further exerted influence on members of media authorities and business players as well as persons active in local politics, and urged e.g. lawyers to procure relevant information and to pass it on to members of the respective OC group.

3.2 FINANCIAL ASPECTS OF OC

In approximately 89 % of cases (568 out of 639 OC groups), financial investigations were conducted in addition to offence-specific investigations, so as to shed light on the financial situation of the suspects and to identify criminally obtained assets. Financial investigations could not be conducted in all cases due to various reasons:

Reasons preventing financial investigations (2022)

Reason	Number
Unable to identify assets	22
No claim to confiscation	11
No order issued by public prosecutor's office	9
Investigation tactics	6
Other	23

Reasons for selecting "Other" were e.g. the fact that the relevant suspects were staying abroad and that they did not hold any bank accounts in Germany or that foreign authorities conducted the financial investigations.

Development of losses identified (2013 – 2022)

Losses in millions of EUR: 2013: 721, 2014: 539, 2015: 424, 2016: 1,006, 2017: 209, 2018: 691, 2019: 803, 2020: 837, 2021: 2,219, 2022: 1,285. Average (EUR 873 million).
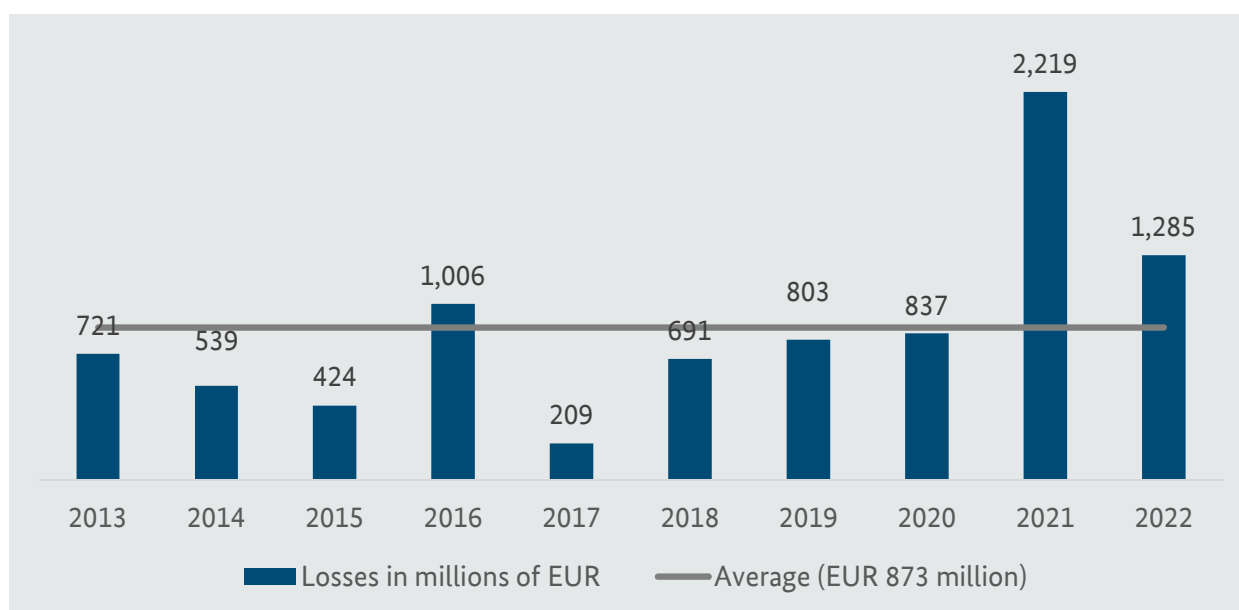
Development of criminal proceeds and provisional seizures of assets (2013 – 2022)

Bar chart showing Criminal proceeds in millions of EUR and Provisionally seized assets in millions of EUR:

Year	Criminal proceeds	Provisionally seized assets
2013	638	85
2014	335	90
2015	230	65
2016	840	61
2017	145	24
2018	675	72
2019	644	116
2020	1,015	114
2021	1,444	173
2022	1,089	228

■ Criminal proceeds in millions of EUR ■ Provisionally seized assets in millions of EUR

Breakdown of losses by field of crime, 2021/2022 (excerpt)

Fields of crime	2022	2021
Cybercrime	EUR 587.5 million (45.7 %)	EUR 35.7 million (1.6 %)
Crime associated with the business world	EUR 405.6 million (31.6 %)	EUR 1,754 million (79.1 %)
Tax and customs crime	EUR 199.6 million (15.5 %)	EUR 215.9 million (9.7 %)
Criminal organisation	EUR 39.7 million (3.1 %)	EUR 24.5 million (1.1 %)
Property crime	EUR 21.7 million (1.7 %)	EUR 138.5 million (6.2 %)

Breakdown of criminal proceeds by field of crime, 2021/2022 (excerpt)

Fields of crime	2022	2021
Crime associated with the business world	EUR 448.0 million (41.2 %)	EUR 725.0 million (50.2 %)
Drug trafficking/smuggling	EUR 273.5 million (25.1 %)	EUR 222.0 million (15.4 %)
Cybercrime	EUR 252.5 million (23.2 %)	EUR 18.2 million (1.3 %)
Tax and customs crime	EUR 39.0 million (3.6 %)	EUR 45.3 million (3.1 %)
Criminal organisation	EUR 37.1 million (3.4 %)	EUR 31.7 million (2.2 %)

The sharp increase in losses and criminal proceeds in the field of cybercrime can mainly be attributed to two investigations featuring losses of EUR 410 million and EUR 136 million as well as two investigations involving criminal proceeds of EUR 136 million and EUR 92 million.

3.2.1 Seizure of assets

In approximately 89 % of OC investigations in the year under review, financial investigations were conducted. In comparison, assets were seized in 29.1 % of cases (186 of 639 OC investigations).

Breakdown of provisional seizures of assets by field of crime, 2021/2022 (excerpt)

Fields of crime	2022	2021
Crime associated with the business world	**EUR 139.6 million (61.1 %)**	EUR 98.2 million (56.7 %)
Drug trafficking/smuggling	**EUR 33.5 million (14.7 %)**	EUR 35.7 million (20.6 %)
Cybercrime	**EUR 23.3 million (10.2 %)**	EUR 1.5 million (1.3 %)
Tax and customs crime	**EUR 11.8 million (5.1 %)**	EUR 6.6 million (3.8 %)
Money laundering	**EUR 9.4 million (4.1 %)**	EUR 18.8 million (10.9 %)

As stated in the preliminary note and due to the collection of supplementary information in the area of financial aspects, we can from now on illustrate data on the seizure of assets as well as the reasons preventing the same in more detail.

Breakdown of provisional seizures of assets by type of assets, 2022 (excerpt)

Type of assets	Germany	Other countries	Total
Real estate	EUR 19.9 million	EUR 110.7 million	**EUR 130.6 million**
Cryptocurrency	EUR 23.7 million	EUR 95,600	**EUR 23.8 million**
Cash	EUR 19.4 million	EUR 70,200	**EUR 19.5 million**
Claims/titles	EUR 17.9 million	EUR 3,600	**EUR 17.9 million**
Movable items	EUR 3.5 million	EUR 12,500	**EUR 3.5 million**
Vehicles	EUR 2.8 million	EUR 125,000	**EUR 2.9 million**

With a total sum of more than EUR 130 million worth of assets seized, real estate makes up the largest share of this category. A total of 35 OC investigations involved the seizure of one or several pieces of real estate.

The high amount of cryptocurrency in the area of asset confiscation can primarily be attributed to the seizure of approx. EUR 23.3 million in one single cybercrime investigation. Cryptocurrencies were seized in a total of ten OC investigations.

With cash having been seized in as many as 119 out of the 639 OC investigations, it is the most commonly seized type of asset.

In 453 investigations, law enforcement authorities were unable to seize any assets. This was due to various reasons (see table below).

Reasons preventing the seizure of assets (2022)

Reason	Number
Could not be tracked down	137
No order issued by public prosecutor's office/judicial authorities	109
Spent due to lavish life style	14
Implementation of legal assistance problematic	13
Other	175
Unspecified	5

In cases where "Other" was selected, often times the seizure of assets was not possible due to the fact that the financial investigations were not yet concluded or because the investigations were still being conducted covertly.

3.2.2 Money laundering activities

Money laundering is used to introduce criminal proceeds into the legal economic cycle by concealing the funds' true origin. It is not entirely clear what percentage of illicit funds is laundered *in Germany*. This is why, similarly to the amount of turnover generated by OC, the volume of money laundering can only be estimated.[8]

It often takes a tremendous amount of effort by law enforcement authorities to trace cash flows and prove the illicit origin of the funds in a form suitable for use as evidence. The exchange of cash and movable items in particular often takes place without any form of documentation and is thus difficult to prove.

> *Forms of money laundering activities*
>
> *As of the reporting year of 2022 and due to adjustments made in the data collection for the OC National Situation Report, we can illustrate the forms of money laundering activities of OC groups in more detail and quantify the financial volume of these activities.*
> *This type of information can only be provided if it has been identified in the context of an investigation and if it was possible to specify/categorise it. However, in many cases the forms of money laundering activities are unknown. This also applies to the volume of money laundering activities, which is often based on estimates.*

In the year under review, a total of 245 money laundering activities were identified in 31.8 % of the OC investigations (203 investigations).

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[8] Cf. Deloitte (2019): Wirksame Geldwäscheprävention im Immobiliensektor. Im Fokus von Aufsicht und Öffentlichkeit. URL: **https://www2.deloitte.com/de/de/pages/risk/articles/geldwaeschepraevention-im-immobiliensektor.html** [last accessed on 08/12/2021]

Development of OC investigations involving money laundering activities (2013 – 2022)

Furthermore, in 130 out of 639 OC investigations (20.3 %), specific enquiries were conducted for suspected money laundering pursuant to section 261 of the German Criminal Code. In particular, these investigations concerned the following main fields of crime: drug trafficking/smuggling (63 investigations), crime associated with the business world (21) and money laundering (14).

In order to allow for more differentiated statements on the money laundering activities of OC groups, more specific information is collected:
Where possible, information on the *type of money laundering activity* is given as a first step, followed by information on *what* illicitly obtained funds were *invested in* and *what activities* were financed by the laundered funds. This information, shown in the tables below, conveys a picture of the money laundering activities along with their financial volume.

Money laundering activities in OC investigations (2022)

Type of money laundering activity	Total	Number
Involvement of third parties[9]	EUR 411.7 million	38
Bank transfer	EUR 188.2 million	40
Cash	EUR 159.2 million	68
Money courier	EUR 115.5 million	7
Money transfer agent	EUR 72.7 million	8
Unknown	EUR 38.2 million	77
Hawala[10] banking	EUR 12.5 million	7

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[9] Money laundering activities involving the aid of other persons who are not members of the OC group.

[10] The term "hawala" originated in the Arabic language and roughly translates to "cheque", "exchange" or "money order". It has, however, become a synonym for all such types of money transfers that are carried out outside of the regular financial system.

Investments of criminally obtained proceeds for the purpose of money laundering (2022)

Investment in ...	Total	Number
Cryptocurrency	EUR 451.4 million	15
Real estate	EUR 255.9 million	63
Unknown	EUR 155.9 million	97
Commercial goods	EUR 96.4 million	4
Vehicles	EUR 16.9 million	26
Luxury goods	EUR 12.3 million	11
Loans	EUR 5.8 million	6
Businesses	EUR 3.7 million	23

Case example: Money laundering in OC investigations

In one investigation, a network of companies consisting of more than 150 companies and persons was used to transfer illicit funds across multiple countries, partially by making use of brass-plate companies. The funds (EUR 50 million) were used to purchase real estate and plots of land.

Activities financed through laundered money (2022)

Financing of ...	Total	Number
Unknown	EUR 548.6 million	99
Legal economic activities	EUR 276.7 million	108
Criminal offences	EUR 173.1 million	37
Terrorism	EUR 20,000	1

Some of the OC groups operate (fictitious) companies, thus exercising legal economic activities. The laundered money is used to e.g. purchase (high-value) vehicles or operate restaurants. Apart from that, OC groups also use laundered money to e.g. acquire more narcotic drugs and thus finance additional offences in the field of drug trafficking/smuggling.
The financing of terrorism was a case of cash being transferred to a contact abroad who is a member of an Islamist terror organisation.

3.3 SUSPECTS[11]

The number of suspects dropped by 3.3 % compared to the previous year. This applies to the number of German suspects (-7.8 %) as well as, marginally, to the number of non-German suspects (-0.3 %). The non-German suspects include 562 stateless persons and suspects whose nationality is unclear or has not been specified.

Development of the number of suspects (2013 – 2022)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Total	9,155	8,700	8,675	8,655	8,317	6,483	6,848	6,529	7,503	7,256
Non-German suspects	5,444	5,558	5,668	5,846	5,881	4,460	4,566	3,992	4,510	4,495
German suspects	3,711	3,142	3,007	2,809	2,436	2,023	2,282	2,537	2,993	2,761

■ Non-German suspects/stateless suspects/suspects of unclear nationality
■ German suspects
— Average (7,812)
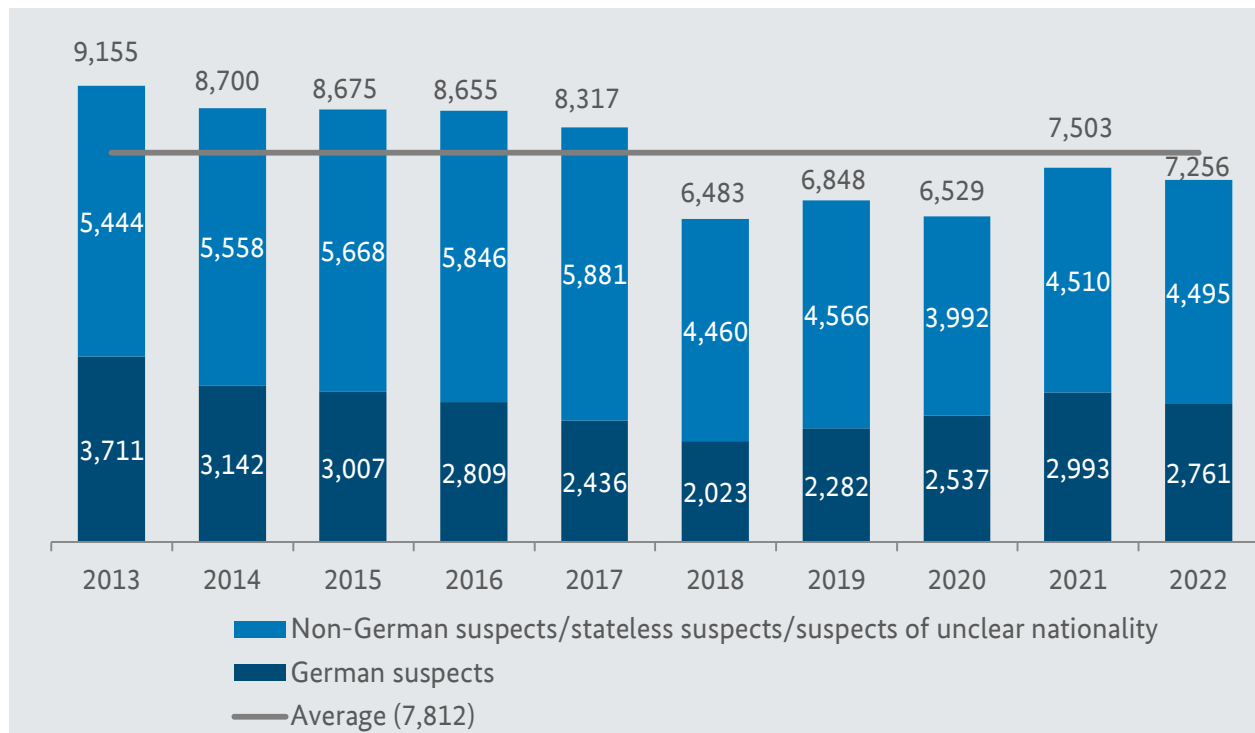
With a proportion of 38.1 % (2021: 39.9 %), German suspects continued to make up the largest share of all OC suspects.

A total of 229 (8.3 %) of the German suspects had a differing nationality at birth, including Russian (37), Turkish (36), Kazakh (30), Lebanese (23) and Polish (13) nationality.

The proportion of Turkish suspects to the total number of suspects amounted to 10.6 % (2021: 10.9 %). Therefore, and as in the previous year, they represented the largest group among the non-German suspects.

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[11] A list of all identified nationalities of suspects is included in the appendix under **"Alphabetical overview of all nationalities identified"**.

Number of suspects by nationality (excerpt)

Nationality	Suspects 2022	Suspects 2021
German	2,761	2,993
Turkish	771	785
Polish	301	372
Italian	254	294
Albanian	252	260
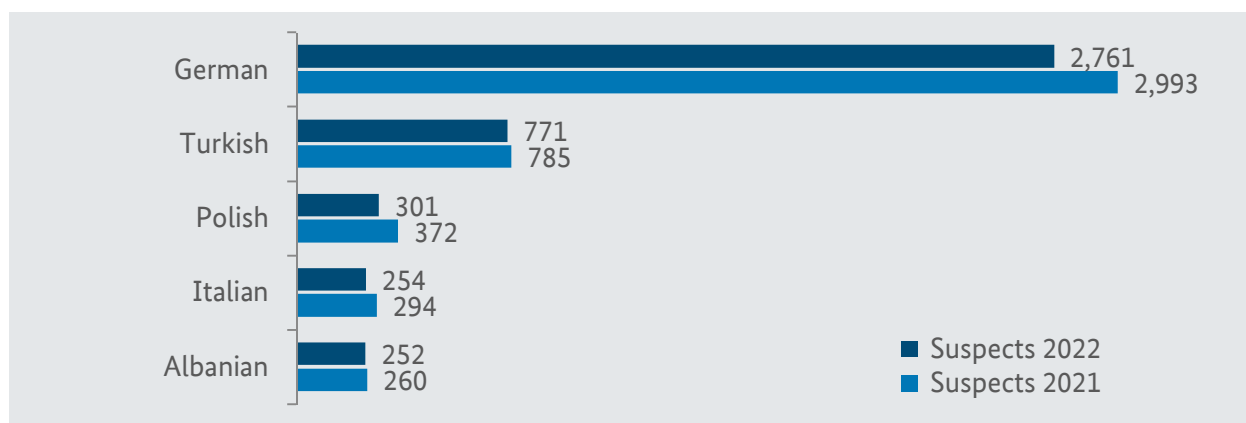
3.4 STRUCTURES OF THE OC GROUPS

More than two thirds of the OC groups identified consisted of up to ten suspects (69.8 %; 2021: 71.8 %). In 27.5 % of the OC investigations, eleven to 50 suspects (2021: 26.0 %) were recorded, and 2.7 % of the OC investigations saw more than 50 suspects (2021: 2.2 %). There is a slight shift from smaller OC groups to those consisting of up to 50 suspects.

The smallest group of perpetrators consisted of three members (2021: 3) while the largest group encompassed 180 members (2021: 182).

> *Dominating nationality*
>
> *The dominating nationality of an OC group is considered to be the nationality of the person who holds the leading position within the OC group. This does not necessarily mean that the majority of the group members have this nationality.*

Number of groups by dominating nationality, 2021/2022 (excerpt)[12]

Nationality	2022	2021
German	223	261
Turkish	94	90
Albanian	40	40
Polish	40	34
Italian	26	18

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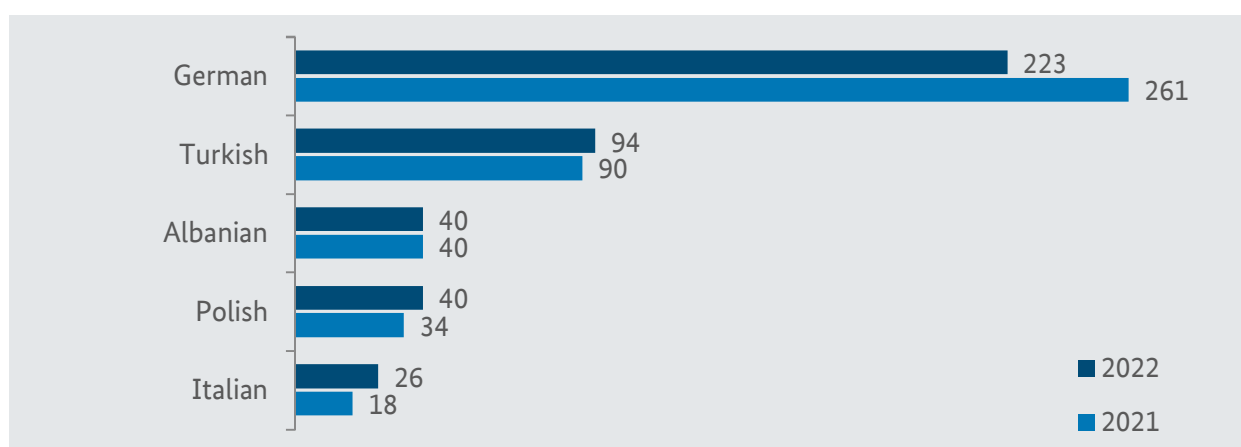
[12] Further information on the nationalities listed in the chart as well as an alphabetical breakdown of all identified groups can be found in the **appendix**.

In addition, OC groups are divided into homogeneous or heterogeneous group structures.[13] In 2022, 167 OC groups had a homogeneous structure (2021: 175). Consequently, 472 OC groups (2021: 512) had a heterogeneous structure.

3.5 OC GROUPS OF RELEVANCE

There are various reasons for members of OC groups to form such organisations. Both police intelligence and research findings on OC groups show that they often join forces based on some existing common ground, such as trusting friendships, family ties, the language, sociocultural background or an identification with criminal subcultures.

The following sections will look into OC groups that are of relevance to criminal investigations and whose members share such backgrounds.

3.5.1 Outlaw motorcycle gangs (OMCG) and OMCG-type groups

Outlaw motorcycle gangs

In Germany, there are about 680 chapters/charters with approximately 7,800 members of outlaw motorcycle gangs. These include local associations of the internationally known outlaw motorcycle gangs (OMCGs) Bandidos MC (BMC), Gremium MC (GMC) and Hell's Angels MC (HAMC) as well as their support clubs.
Moreover, there are motorcycle clubs which, for the most part, only operate regionally. Crime committed by members of these groups ranges from drug offences and violent crime to crime associated with nightlife or the business world.
Due to the short lifespan of some of these associations and the fluctuation of members, the numbers of existing clubs and their members are subject to a dynamic development.

The number of OC investigations conducted into members of outlaw motorcycle gangs has nearly halved compared to the previous year. Similarly, the number of OMCG members under suspicion in the field of OC has dropped by 51.1 % (see table on the following page).

Nine of the eleven OC groups were dominated by one German national each, one was dominated by one Polish national and another one by one Turkish national.

Five of the investigations conducted into outlaw motorcycle gangs revealed links to other outlaw motorcycle gangs.
In total, 47 of the other OC groups identified in Germany in 2022 were found to have links to outlaw motorcycle gangs.

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[13] A group is considered to be homogeneous if all its members are of the same nationality.

Overview of outlaw motorcycle gangs (2021/2022)

	Outlaw motorcycle gangs[14]	2022	2021
1	**Number of OC groups**	**11**	**23**
	Hell's Angels MC	10	19
	Bandidos MC	1	0
2	**Numbers of suspects**	**94**	**202**
	Hell's Angels MC	79	148
	Bandidos MC	15	0
3	**Main fields of crime[15]**		
	Drug trafficking/smuggling	8	12
	Violent crime	2	5
	Criminal organisation	1	2

OMCG-type groups

Compared to outlaw motorcycle gangs, OMCG-type groups have a similar hierarchical structure and the same self-image, they demonstrate their shared identity to the outside world through clothing or symbols and they are active in the same fields of crime. The difference between these groups and outlaw motorcycle gangs is that there is no "obligation" for members of these groups to have a motorcycle. Motorcycles only play a minor role.
Due to the short lifespan of some of these associations and the often high fluctuation of members, the numbers of the existing clubs and their members are subject to a dynamic development.

The number of OC investigations targeting members of OMCG-type groups (49 members under suspicion) has dropped to a total of five (2021: 6).

The OC investigations into members of OMCG-type structures were conducted for suspected drug trafficking/smuggling (4) and crime associated with nightlife (1).

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[14] In the previous year, two investigations were being conducted into other outlaw motorcycle gangs (18 suspects) and one OC investigation targeted the Gremium MC (24 suspects). In one of the investigations from the previous year, a clear allocation was not possible (12 suspects).

[15] In the previous year, two investigations were being conducted in the field of human trafficking and exploitation and one investigation each was being conducted in the fields of property crime and crime associated with nightlife.

Three of the OC groups were dominated by one German national each. In one case each, the group was dominated by one or several Bosnian-Herzegovinian or Turkish national(s).

In the year under review, no investigations where OMCG-type groups were found to have links to other OMCG-type groups were reported. In contrast, twelve of the other OC groups were found to have links to OMCG-type groups.

3.5.2 Italian Organised Crime (IOC)

Despite the fact that the number of OC groups classified as IOC has increased by 12.5 % compared to the previous year, the number of suspects has dropped by 34.2 %. Italian nationals accounted for 147 of the 210 suspects who were members of IOC groups. The remaining suspects were nationals of a variety of countries.

All IOC groups were each dominated by one Italian national.

Ten of the investigations conducted into IOC groups revealed links to other IOC groups.
In total, nine of the other OC groups identified in Germany in 2022 were found to have links to members of Italian Mafia groups (2021: 7).

Overview of Italian Organised Crime (2021/2022)

	Italian Organised Crime	2022	2021
1	**Number of OC groups**	**18**	**16**
	'Ndrangheta	8	4
	Camorra	2	3
	Cosa Nostra	1	1
	Unclear	4	4
	Unspecified	3	4
2	**Numbers of suspects**	**210**	**319**
	'Ndrangheta	107	81
	Camorra	9	23
	Cosa Nostra	3	49
	Unclear	64	44
	Unspecified	27	122

3	Main fields of crime[16]		
	Drug trafficking/smuggling	8	6
	Money laundering	4	2
	Criminal organisation	4	5
	Crime associated with the business world	1	1
	Tax and customs crime	1	1

3.5.3   Russian-Eurasian Organised Crime (REOC)

The unifying element of Russian-Eurasian Organised Crime can be seen in the common cultural background of the successor states to the Soviet Union. Consequently, REOC refers to all OC structures which

- are dominated by persons who were born in one of the post-Soviet states and defend the cultural and social ideals of isolation, strength and determination in the context of crime, or

- are dominated by persons who, although they were not born in any of the post-Soviet states, feel committed and dedicated to the above-mentioned ideals because of their culture, history, language, traditions or ancestry.

In Germany, these particularly include (late) ethnic German resettlers, who fill these ideals with life in OC groups.

Post-Soviet countries		
Armenia	*Kazakhstan*	*Russian Federation*
Azerbaijan	*Kyrgyzstan*	*Tajikistan*
Belarus	*Latvia*	*Turkmenistan*
Estonia	*Lithuania*	*Ukraine*
Georgia	*Republic of Moldova*	*Uzbekistan*

An essential part of REOC is the ideology of criminal authorities traditionally referred to as "thieves in law". They are guided by their own system of norms and values and are committed to their own code. The criminal organisations that emerged from the local gangs of post-Soviet Russia of the 1990s – the so-called syndicates – are closely associated with this ideology.

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[16] In the previous year, counterfeiting/forgery was the main field of crime in one OC investigation.

Overview of Russian-Eurasian Crime (2021/2022)

	Russian-Eurasian Organised Crime	2022	2021
1	**Number of OC investigations**	**17**	**24**
2	**Number of suspects**	**213**	**265**
	German nationals	57	75
	Russian nationals	26	48
	Armenian nationals	18	18
3	**Main fields of crime[17]**		
	Drug trafficking/smuggling	6	7
	Migrant smuggling	4	2
	Cybercrime	3	2
	Crime associated with the business world	2	6
	Criminal organisation	1	2
	Money laundering	1	1

Number of REOC investigations by dominating nationality (2021/2022)
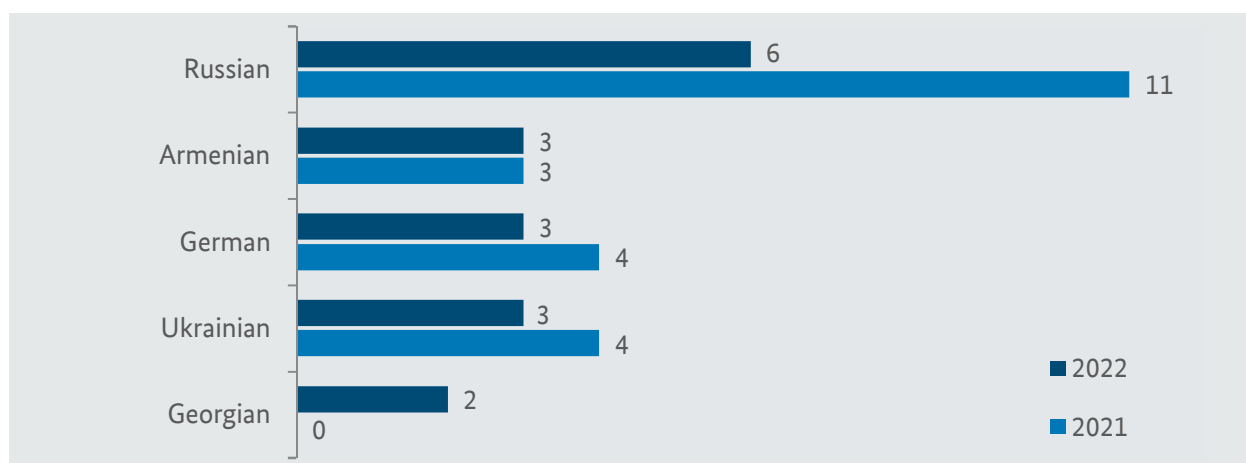
In 2022, as in the previous year, two investigations were conducted into REOC groups with links to other REOC groups.

Moreover, 13 of the other OC investigations conducted in Germany in 2022 featured links to REOC groups (2021: 10).

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[17] In the previous year, two investigations were being conducted in the main field of crime of property crime and one investigation each was being conducted in the fields of violent crime and human trafficking/exploitation respectively.

3.5.4 Clan crime

Clan crime – a definition

*A **clan** is an informal, social organisation determined by a common understanding of descent by its members. Its most striking characteristics are: a hierarchical structure, a distinct sense of belonging and a common understanding of standards and values.*

***Clan crime** refers to the delinquent behaviour of clan members. In this context, clan membership is a unifying component, which facilitates the commission of crimes or obstructs the solving of crimes, while one's own standards and values can be given priority over the German legal system. The offences - taken individually or as a whole - have to be of importance for the phenomenon.*

Apart from the field of Organised Crime, the manifestations of clan crime also encompass a multitude of offences from the field of general crime as well as violations of the Act on Regulatory Offences. The OC National Situation Report examines Organised Clan Crime which only represents a subset of all punishable acts committed by criminal clan members. Consequently, the OC groups considered here meet the criteria of both the clan crime and the OC definitions.

As we look at the phenomenon of clan crime in the OC National Situation Report, we would like to point out that the police exclusively focus on the criminal clan members and not on the whole clan per se. The definition refers to the delinquent behaviour of individual persons and leaves space for recognizing various manifestations of clan crime. At present, the police place special focus on criminal clan members of the Mhallami or of Arab origin/with a background in Turkey.

Breakdown of OC investigations involving clan crime by origin (2021/2022)

	2022	2021[18]
Mhallami	**20**	27
With a background in Turkey	**9**	7
Of Arab origin	**8**	5
Western Balkans	**3**	2
Other	**6**	5
Total	**46**	**47**

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[18] In the reporting year of 2021, one of the OC investigations involving clan crime targeted a group originating from the "Maghreb countries".

Distribution of OC investigations involving clan crime by Land and federal authorities, 2022 (previous year's figures in brackets)

	MHA[19]	TUR	ARB	W. BLK	MGC	Other	Total
BB	0	0	1	0	0	0	1 (0)
BE	0	0	1	0	0	1	2 (5)
BW	0	2	1	1	0	1	5 (2)
BY	0	0	0	1	0	1	2 (1)
NI	3	4	1	0	0	1	9 (7)
NW	14	0	0	0	0	2	16 (19)
SH	1	1	0	0	0	0	2 (1)
SL	0	0	1	0	0	0	1 (1)
BKA	1[20]	1[21]	0	1[22]	0	0	3 (3)
Fed. Pol.	0	0	1[23]	0	0	0	1 (0)
Customs	1[24]	1[25]	2[26]	0	0	0	4 (2)
Total[27]	20 (27)	9 (7)	8 (5)	3 (2)	0 (1)	6 (5)	46 (47)

The following Länder did not report any OC investigations involving clan crime for 2022: Bremen (2021: 3), Hesse (2021: 2), Hamburg, Mecklenburg-Western Pomerania, Rhineland-Palatinate, Saxony (2021: 1), Saxony-Anhalt and Thuringia.

A total of 58.7 % of OC investigations involving clan crime (27) were conducted in the Länder of Berlin, Lower Saxony and North Rhine-Westphalia.

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19 To improve visualisation for the clan crime categories, the following abbreviations will be used: Mhallami (MHA), with a background in Turkey (TUR), of Arab origin (ARB), Western Balkans (W. BLK), Maghreb countries (MGC).
20 The OC investigation conducted by the BKA is pending with a public prosecutor's office in Berlin.
21 The OC investigation conducted by the BKA is pending with a public prosecutor's office in Saxony.
22 The OC investigation conducted by the BKA is pending with a public prosecutor's office in Hesse.
23 The OC investigation conducted by the Federal Police is pending with a public prosecutor's office in Lower Saxony.
24 The OC investigation conducted by the customs authorities is pending with a public prosecutor's office in Bremen.
25 The OC investigation conducted by the customs authorities is pending with a public prosecutor's office in Baden-Württemberg.
26 The OC investigations conducted by the customs authorities are pending with a public prosecutor's office in North Rhine-Westphalia.
27 In the previous year, three OC investigations involving clan crime were conducted in Bremen, two in Hesse and one in Saxony.

Dominating nationalities of OC groups involved in clan crime (2021/2022)

Nationality	2022	2021
German	**15 (32.6 %)**	12 (25.5 %)
Turkish	**13 (28.3 %)**	14 (29.8 %)
Lebanese	**6 (13.0 %)**	8 (17.0 %)
Syrian	**3 (6.5 %)**	2 (4.3 %)
Stateless	**2 (4.3 %)**	4 (8.5 %)
Other	**7 (15.2 %)**	7 (14.9 %)

Distribution of nationalities of suspects involved in clan crime (2021/2022)

Nationality	2022	2021
German	**339 (42.2 %)**	338 (36.3 %)
Lebanese	**146 (18.2 %)**	187 (20.1 %)
Turkish	**129 (16.0 %)**	159 (17.1 %)
Syrian	**46 (5.7 %)**	37 (4.0 %)
Unclear	**31 (3.9 %)**	65 (7.0 %)
Polish	**18 (2.2 %)**	11 (1.2 %)
Bosnian	**9 (1.1 %)**	4 (0.4 %)
Bulgarian	**9 (1.1 %)**	0
Italian	**9 (1.1 %)**	13 (1.4 %)
Serbian	**9 (1.1 %)**	3 (0.3 %)
Russian	**6 (0.7 %)**	0
Stateless	**6 (0.7 %)**	11 (1.2 %)
Other	**47 (5.8 %)**	102 (11.0 %)
Total[28]	**804**	**930**

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[28] The individual percentages may not total 100 due to rounding.

Main fields of crime of OC groups involved in clan crime (2021/2022)[29]

Field	2022	2021
Drug trafficking/smuggling	22	25
Crime associated with the business world	8	6
Property crime	4	6
Money laundering	4	3
Violent crime	3	4
Counterfeiting/forgery	2	2
Crime associated with nightlife	1	0
Migrant smuggling	1	0
Tax and customs crime	1	0
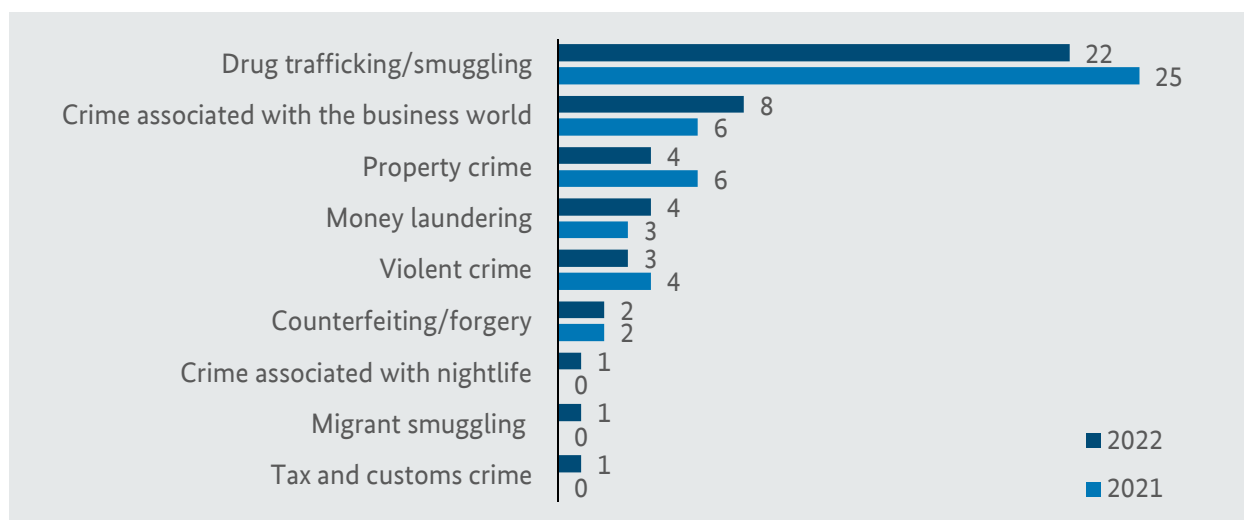
Ten OC groups involved in clan crime were found to have links to other OC groups. One OC investigation can have links to several other fields of crime here. Eight cases revealed links to outlaw motorcycle gangs and four cases revealed links to OMCG-type groups. One OC investigation each showed links to groups of perpetrators associated with IOC and the field of politically motivated crime.

Seven OC groups involved in clan crime were found to have links to other criminal clan structures (OC groups).

30 OC groups that were not per se involved in clan crime were found to have links to criminal clan structures (2021: 31 OC investigations). In this context, 34 links to the following OC groups involved in clan crime were identified (2021: 38 links).

Links of other OC groups to OC groups involved in clan crime[30]

Origin	2022	2021
Of Arab origin	13	20
Mhallami	10	8
Western Balkans	6	6
With a background in Turkey	2	1
Maghreb countries	2	0
Other	1	3
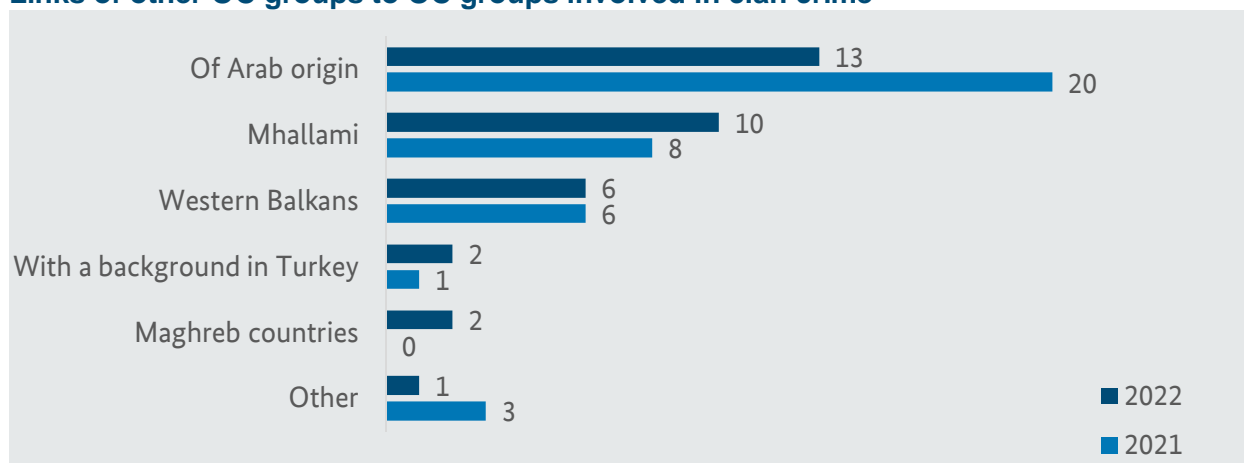
Most of the OC groups involved in clan crime operated at international level in the year under review (2022: 31; 2021: 34). In ten OC investigations involving clan crime, the acts constituting the offences took place at supraregional level (2021: 7) and in five cases at regional level (2021: 6).

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[29] 2021: One additional OC investigation in the field of human trafficking and exploitation.
[30] Multiple listings possible.

3.6   CURRENT FOCAL POINTS

Since 2018, data on the possible effects of migration on Organised Crime as well as data on the suspected links of OC groups to politically motivated crime (PMC) has been collected for the OC National Situation Report.

Relevant findings and developments in connection with the use of encrypted telecommunications by OC groups as well as information on the topic of violence and OC – with a closer look at the use of violence and the armament of suspects – are highlighted as well.

3.6.1   Use of encrypted telecommunication by OC groups

In April 2020, Europol supplied data of an encrypted telecommunications provider (EncroChat) to the BKA for the first time. This had been preceded by investigations conducted by a Joint Investigation Team (JIT) consisting of French and Dutch investigators, Europol and Eurojust. In the course of these investigations, they managed to monitor and read out the encrypted telecommunication transmitted via the provider EncroChat.

Law enforcement authorities throughout Germany are now dealing with additional providers of encrypted telecommunications – SkyECC and ANOM in particular – and the analysis of any links to Germany identified in this context.
These developments will from now on be reflected in the OC National Situation Report as well. Whilst it was only possible to include information on the frequency of initiation of investigative proceedings in connection with EncroChat up until 2021, starting in 2022 the report will encompass information on other providers – mainly SkyECC and ANOM – as well.

In the year under review, a total of 174 OC investigations into offences involving the use of encrypted telecommunications were initiated. This corresponds to 27.2 % of all 639 reported OC investigations. With 69.0 %, EncroChat makes up the largest share.

The EncroChat data's analysis granted German law enforcement authorities a deep insight into the modi operandi and cooperation of criminal groups, especially those active in organised drug crime in Germany.[31]

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[31] Press release of the BKA and Frankfurt am Main public prosecutor general's office –ZIT (Central Unit for the Suppression of Internet Crime)- from 06/07/2021, available at:
https://www.bka.de/DE/Presse/Listenseite_Pressemitteilungen/2021/Presse2021/210706_pmEncroChat.html

Breakdown of investigations by provider of encrypted telecommunications (2022)
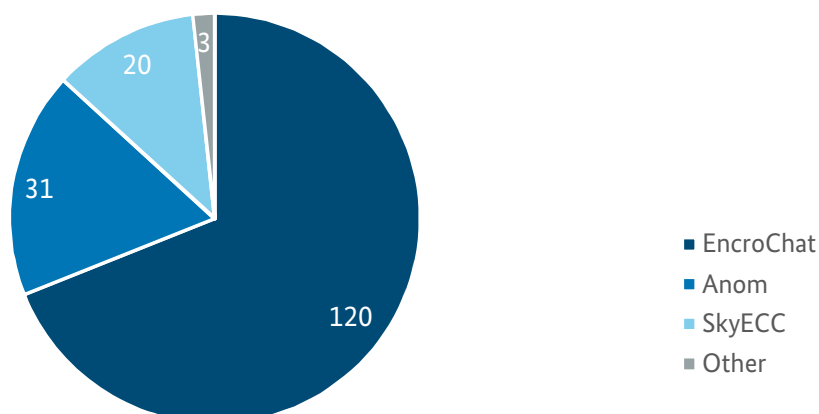
In the following, all providers of encrypted telecommunications that have come to notice will be examined collectively, rather than individually. Data from the previous year (2021) exclusively refers to EncroChat and is thus not comparable to the current reporting year's data.

Breakdown of investigations by main field of crime (2021/2022)

Main field of crime[32]	2022	2021
Drug trafficking/smuggling	**169**	*181*
Cannabis	74	*84*
Cocaine	44	*42*
Various types of drugs	43	*46*
Synthetic drugs	5	*5*
Heroin	3	*4*
Money laundering	**1**	*3*
Violent crime (offences against life)	**1**	*1*
Property crime	**1**	*1*
Counterfeiting/forgery	**1**	*0*
Tax and customs crime	**1**	*0*
Total	**174**	*187*

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[32] In the previous year, crime associated with the business world was the main field of crime in one OC investigation.

97.1 % of OC investigations involving the use of encrypted telecommunications are conducted in the field of drug trafficking/smuggling, making this field the main focus in this respect.

A total of 44.8 % of the OC groups investigated in Germany in connection with the use of encrypted telecommunications are dominated by Germans.

Dominating nationalities, 2021/2022 (excerpt)

Nationality	2022	2021
German	78	97
Albanian	30	28
Turkish	26	22
Croatian	6	1
Polish	5	2
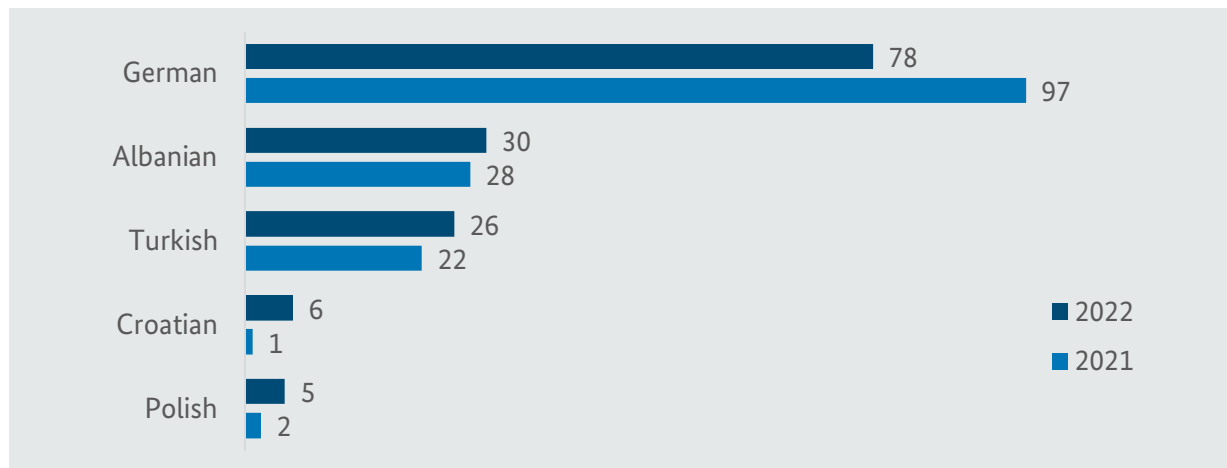
In the reporting year of 2022, a total of 1,512 suspects were reported in the 174 OC investigations involving encrypted telecommunications. Nearly half of them (48.8 %) are German nationals.

Breakdown of suspects by nationality, 2021/2022 (excerpt)

Nationality	2022	2021
German	738	744
Albanian	178	149
Turkish	169	144
Unclear	60	18
Croatian	35	8
Polish	33	18
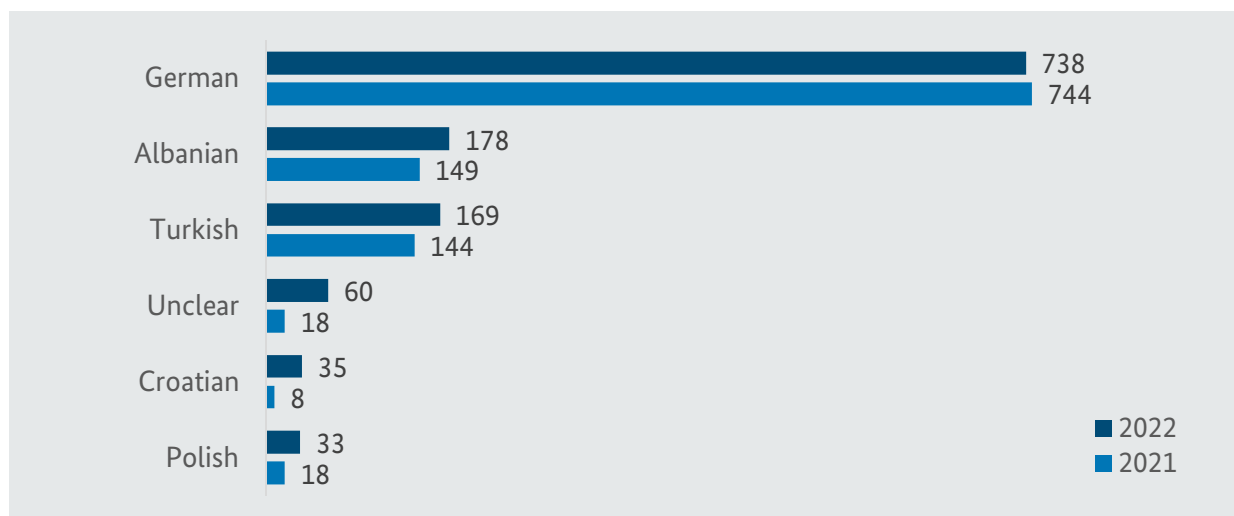
23 OC groups under investigation for presumed offences in connection with the use of encrypted telecommunications were linked to the following categories:

Categories of OC groups using encrypted telecommunications, 2021/2022

Category of OC groups	2022	2021
Clan crime	**8**	*10*
Of Arab origin	2	*1*
Mhallami	2	*3*
With a background in Turkey	2	*3*
Western Balkans	1	*1*
Other	1	*2*
Outlaw motorcycle gangs[33]	**3**	*9*
Hell's Angels MC	3	*6*
OMCG-type groups	**3**	*1*
REOC	**3**	*3*
Other	**2**	*3*
Total	**23**	*26*

Furthermore, 40 OC groups under investigation in connection with encrypted telecommunications had links to other OC groups including OMCG groups (16), clan-based groups (9), OMCG-type groups (6) and IOC (4).

3.6.2 Violence and OC

The use of violence to enforce one's own (criminal) interests is an inherent characteristic of Organised Crime. It is not only used to commit offences in the field of violent crime (e.g. protection racketeering) but in other fields of crime as well, and it poses an increased risk with regard to safety in public spaces.

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[33] 2021: In addition to Hell's Angels MC, one OC group each Bandidos MC, Kurmark and "Unspecified".

Violent crime and use of violence

Overview of violent crime in OC (2021/2022)

Main activity: Violent crime[34]	2022	2021
Number of OC investigations	**18**	21
Extortion offences	**7**	4
Offences against life (e. g. homicide offences)	**6**	9
Other	**3**	2
Robbery offences (targeting e.g. banks, cash-in-transit vehicles)	**2**	4
Criminal group category, i.a.		
Clan crime	**3**	4
OMCG	**2**	5
Other	**1**	1
Dominating nationality		
German	**8**	7
Turkish	**3**	4
Azerbaijani	**1**	1
Bosnian-Herzegovinian	**1**	0
Lebanese	**1**	2
Lithuanian	**1**	1
Dutch	**1**	0
Russian	**1**	3
Stateless	**1**	2

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[34] 2021: Two investigations were conducted into suspected offences against personal freedom (e.g. hostage taking) and one OC investigation was assigned to the category of REOC.

In the reporting year of 2022, three (2021: 4) OC groups involving clan crime were reported to mainly be active in the field of violent crime; one of them Mhallami and two of Arab origin. The number of outlaw motorcycle gangs that have come to notice in the context of violent crime has dropped from 5 in the previous year (2021) to two.

Apart from the field of violent crime, alternative b) of the working definition of "Organised Crime" can also illustrate the violence exerted by OC groups. Alternative b) is divided into "use of violence" and "use of other means of intimidation".

In the reporting year of 2022, alternative b) of the OC definition applied to 35.1 % (2021: 38.4 %) of all OC investigations.

Number of investigations corresponding to alternative b) of the OC definition (2021/2022)

	2022	2021
Number of investigations corresponding to alternative b)	**224**	**267**
Use of violence	**266**	**400**
Involving violence in Germany	211	353
Involving violence abroad	55	47
Use of other means of intimidation	**497**	**608**
Involving intimidation in Germany	402	545
Involving intimidation abroad	95	63

The form of violence used varies greatly, but it illustrates the general violence and threat potential of OC groups. It ranges from verbal threats, hostage taking, rape and bodily injury offences to (attempted) homicide. It is directed against members of both their own group and those of rivalling OC groups or against persons outside the group, e.g. family members, residing in Germany or abroad.

Persons involved in the investigation, such as police officers, the staff of judicial authorities, lawyers and witnesses are the targets of threats (of violence) made by OC groups as well.
Based on the BKA's research findings, it can be concluded that simple or subtle threats can have a considerable influence on investigations. Intimidation and threats may e.g. cause witnesses to refuse to testify or to withdraw statements they had previously made.

Case example:
Violence in the drug scene – Serious bodily injury to the detriment of a port staff member

Investigations conducted for suspected drug trafficking/smuggling to Germany by sea revealed that, due to the delayed delivery of a container, a criminal group used violent means to get access to the narcotics within.

Case example:
Violence in the drug scene – Serious bodily injury to the detriment of a port staff member

Members of this group prevented an uninvolved port staff member from working on the day the container ended up arriving. In order to do this, they simulated a police check, stopped the port staff member's vehicle and robbed the vehicle keys by dealing massive blows to the victim. The victim's work was then carried out by an internal offender instead, who, thus, had unhindered access to the container holding the smuggled narcotics.

Collection of data on violent offences

As of the current year under review, violent offences that were committed by OC groups and which law enforcement authorities have become aware of can be depicted in more detail. In order to facilitate the uniform collection of data on and description of these violent offences for the OC National Situation Report, PCS key numbers[35] were used.

Number of crimes recorded in accordance with PCS key, 2022 (excerpt)

Crimes recorded in accordance with PCS key	Attempt	Completed	Total
Bodily injury offences	**21**	**76**	**97**
Bodily injury[36]	10	29	39
(Intentional simple) bodily injury[37]	1	5	6
Dangerous and serious bodily injury[38]	10	42	52

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[35] Clear identification of an offence or an offence group in accordance with the PCS Catalogue of criminal offences. The designation of an offence according to the PCS is not exclusively based on the legal norm but can include additional characteristics, such as the site of a crime or the desired/obtained property (e.g. 371000: simple theft of narcotics from pharmacies). An overview of all offence key numbers and aggregate keys can be accessed on the BKA website.
[36] PCS key number 220000
[37] PCS key number 224000
[38] PCS key numbers 222000, 222010, 222020, 222100, 222110, 222120

Homicide offences	22	16	38
Offences against life[39]	5	2	7
Murder[40] (section 211 of the German Criminal Code)	11	14	25
Manslaughter[41] (section 212 of the German Criminal Code)	6	0	6

Case example: Violence in the drug scene – Public execution in a shisha bar

In July 2022, the execution of a man in a shisha bar aroused public attention. Two male suspects entered the bar and the first one then immediately aimed a pistol at the 27-year-old customer and shot him in his chest and head. The second suspect apparently provided cover for the offence. Both suspects escaped. The victim died at the scene of the crime. This violent escalation had been preceded by a conflict between the victim and an additional suspect.

The victim had allegedly misappropriated a drug dealer's marijuana shipment worth several hundred thousand EUR. At the time, he was staying in Spain and organised drug transports from Spain to Hamburg and the surrounding area. When the drug dealer became aware of the victim's alleged actions, he ordered the two above-mentioned perpetrators to carry out the execution. In addition to this, alleged accomplices of the victim were threatened and intimidated.

In the course of the investigations, five firearms and one war weapon were seized. Several persons involved have been matched with accounts of encrypted messaging services.

Armament of OC groups

When clashes erupt between OC groups or within them, persons carrying firearms and/or using firearms specifically to threaten or injure others are identified time and again. In most cases, the use and threat of violence are used to gain respect, intimidate the victims, exert influence on witnesses, collect debts or demonstrate power.

In 2022, 380 suspects (5.2 %) proved to be armed.[42] In the previous year, their number was as high as 559 (7.5 %). Federal and Land authorities reported that armed suspects were identified in a total of 183 OC groups (28.6 %, 2021: 220). 122 of them (66.7 %) were active in the field of drug trafficking/smuggling.

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[39] PCS key number 000000
When collecting data on homicide offences for the OC National Situation Report, it isn't always possible to assign the offence to a specific category and to narrow it down to murder, manslaughter or other forms of homicide offences. This can lead to homicide offences being reported as overall "offences against life".
[40] PCS key numbers 010000, 010079
[41] PCS key number 020010
[42] This includes firearms, cut and thrust weapons and dangerous objects.

Breakdown of OC investigations involving armed suspects by field of crime, 2021/2022

Field of crime	2022	2021
Drug trafficking/smuggling	122	154
Crime associated with the business...	13	12
Violent crime	11	17
Migrant smuggling	11	6
Property crime	6	8
Tax and customs crime	5	7
Money laundering	5	4
Criminal organisation	4	2
Counterfeiting/forgery	2	2
Environmental crime	1	0
Arms trafficking/smuggling	1	3
Crime associated with nightlife	1	0
Human trafficking and exploitation	1	5

Looking at the individual fields of crime, it is noteworthy that armed suspects were identified in 122 out of 295 (41.4 %) investigations where the main field of crime was drug trafficking/smuggling. Where the main field of crime was violent crime, armed suspects were identified in 61.1 % of investigations.

Breakdown of armament by nationality, 2021/2022 (excerpt)

Nationality	2022	2021
German	175	256
Turkish	50	68
Lebanese	22	20
Albanian	17	28
Armenian	13	13
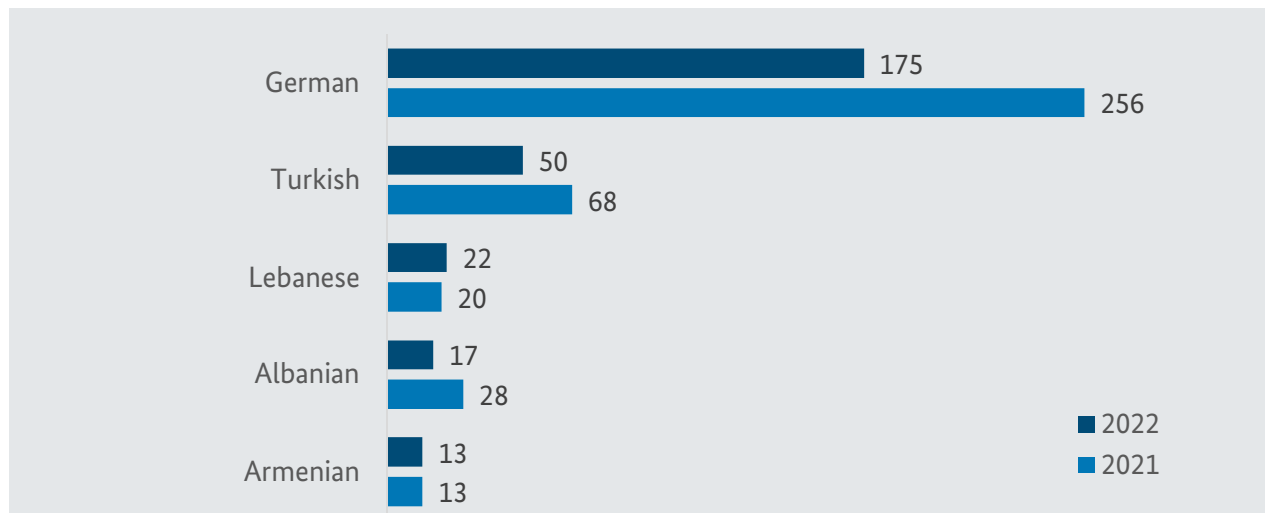
Nearly half (46.1 %) of the armed suspects were German nationals.

As of the current year under review, the weapons can be broken down by the type of possession and use. This is possible in cases where the weapons can be linked to specific suspects. The focus lies on firearms. The resulting figures for 2022 are shown in the following table:

Breakdown of firearms by type of possession and use (2022)

Firearms	Legal	Illegal	Total
Available	15	145	160
Carried	4	57	61
Threatened	1	23	24
Used	2	18	20
Other	1	9	10
Total	**23**	**252**	**275**

In the year under review, a total of 275 firearms were successfully linked to specific suspects. In addition to this, 106 firearms found in the context of investigative measures (e.g. searches) carried out in 45 investigations could not be linked to any suspects, but are believed to have been available to the members of the respective OC groups.

3.6.3 Migration and OC

> ### Migrant
>
> *In analogy to the stipulations of the Police Crime Statistics (PCS), a suspect is referred to as a migrant if he or she is staying in Germany with the residence status "asylum seeker", "person eligible for national/international protection and person entitled to asylum", "temporary suspension of deportation", "quota refugee" or "unauthorised residence".*

	Number in 2022	Percentage in 2022	Number in 2021	Percentage in 2021
Total number of suspects	7,256	-	7,503	-
Migrants	752	10.4 %	869	11.6 %
Total number of OC investigations	639	-	696	-
With Migrants	180	28.2 %	203	29.2 %
Dominated by migrants	88	13.8 %	103	14.8 %

Breakdown of migrants under suspicion by migrant status (2021/2022)

Migrant status	Number in 2022	Percentage in 2022[43]	Number in 2021	Percentage in 2021[44]
Temporary suspension of deportation	251	33.4 %	333	38.3 %
Asylum seeker	190	25.3 %	195	22.4 %
Unauthorised residence/entry	155	20.6 %	172	19.8 %
Persons eligible for national/international protection and persons entitled to asylum	135	18.0 %	146	16.8 %
Quota refugees	21	2.8 %	23	2.6 %
	752		869	

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[43] The individual percentages may not total 100 due to rounding.
[44] The individual percentages may not total 100 due to rounding.

Breakdown of migrants under suspicion by year of migration (2021/2022)

Year of migration	Number in 2022	Percentage in 2022[45]	Number in 2021	Percentage in 2021
Migrated in (or before) 2014	427	56.8 %	534	61.4 %
Migrated in 2015	123	16.4 %	155	17.8 %
Migrated in 2016	39	5.2 %	29	3.3 %
Migrated in 2017	15	2.0 %	18	2.1 %
Migrated in 2018	27	3.6 %	24	2.8 %
Migrated in 2019	15	2.0 %	29	3.3 %
Migrated in 2020	33	4.4 %	50	5.8 %
Migrated in 2021	22	2.9 %	15	1.7 %
Migrated in 2022	28	3.7 %	-	-
Unknown/not identifiable	23	3.1 %	15	1.7 %
	752		869	

Breakdown of migrants under suspicion by nationality, 2021/2022 (excerpt)

Nationality	Number in 2022	Percentage in 2022	Number in 2021	Percentage in 2021
Syrian	136	18.1 %	116	13.3 %
Lebanese	130	17.3 %	149	17.1 %
Albanian	110	14.6 %	102	11.7 %
Turkish	75	10.0 %	102	11.7 %
Georgian	29	3.9 %	18	2.1 %

Breakdown of migrants under suspicion by field of crime (excerpt)

Main field of crime	Number in 2022	Percentage in 2022	Number in 2021	Percentage in 2021
Drug trafficking/smuggling	430	57.2 %	555	63.9 %
Migrant smuggling	97	12.9 %	81	9.3 %
Crime associated with the business world	65	8.6 %	48	5.5 %
Property crime	39	5.2 %	46	5.3 %
Tax and customs crime	34	4.5 %	17	2.0 %

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[45] The individual percentages may not total 100 due to rounding.

OC groups dominated by migrants – Overview by dominating nationality, 2021/2022 (excerpt)

Nationality	Number in 2022	Percentage in 2022	Number in 2021	Percentage in 2021
Albanian	**19**	**21.6 %**	15	14.6 %
Turkish	**15**	**17.0 %**	17	16.5 %
Syrian	**15**	**17.0 %**	11	10.7 %
Iranian	**5**	**5.7 %**	5	4.9 %
Kosovar	**4**	**4.5 %**	9	8.7 %

OC groups dominated by migrants – Overview by field of crime, 2021/2022 (excerpt)

Main field of crime	Number in 2022	Percentage in 2022	Number in 2021	Percentage in 2021
Drug trafficking/smuggling	**49**	**55.7 %**	64	62.1 %
Migrant smuggling	**12**	**13.6 %**	10	9.7 %
Property crime	**7**	**8.0 %**	7	6.8 %
Crime associated with the business world	**5**	**5.7 %**	5	4.9 %
Money laundering	**4**	**4.5 %**	4	3.9 %

3.6.4 Suspected links between OC groups and politically motivated crime

In the reporting year of 2022, a total of four OC groups (2021: 5) were found to feature presumed links to the field of politically motivated crime (PMC) or had to be regarded as part of the field of PMC themselves.

Three of these OC investigations revealed presumed links of suspects of the OC groups to the field of PMC (2021: 4).

In one investigation each, the group was dominated by one Afghan, Lebanese or Syrian national.

Furthermore, one investigation featured a group from the field of right-wing PMC that had been involved in drug trafficking. Their politically motivated acts are believed to have been financed in this way.

3.7 MAIN FIELDS OF CRIME OF OC

Field of crime	2022	2021
Drug trafficking/smuggling	295	335
Crime associated with the business world	111	113
Property crime	59	63
Migrant smuggling	49	43
Tax and customs crime	33	36
Money laundering	19	18
Violent crime	18	21
Cybercrime	17	15
Criminal organisation	14	14
Human trafficking and exploitation	8	16
Counterfeiting/forgery	7	7
Corruption	4	6
Crime associated with nightlife	2	3
Environmental crime	2	2
Arms trafficking/smuggling	1	5

In 2022, 198 OC groups (31.0 %) were active in more than one field of crime (2020: 209 OC groups; 30.0 %), meaning that, in addition to their main field of crime, they engaged in further types of crime.

3.7.1 Drug trafficking and smuggling (295 investigations; 2021: 335 investigations)

Breakdown of drug trafficking/smuggling (2022)

Several types of narcotic drugs (e.g. cocaine, hashish, marijuana, heroin); 26.1% (77 inv.)

Synthetic drugs ; 3.7% (11 inv.)

Heroin; 2.7% (8 inv.)

Other (opium, morphine, Subutex, Polamidon); 0.3% (1 inv.)

Cocaine; 29.2% (86 inv.)

Cannabis products; 38.0% (112 inv.)
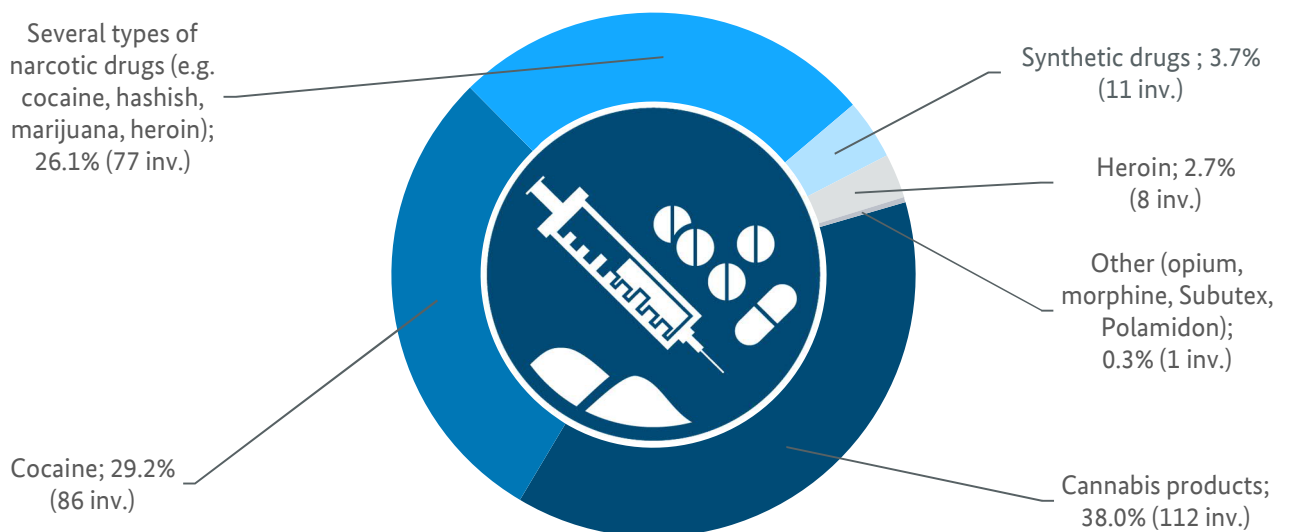
Drug trafficking/smuggling – Breakdown by dominating nationality (2021/2022)

Nationality	2022	2021
German	**125**	150
Turkish	**44**	37
Albanian	**38**	36
Dutch	**10**	9
Italian	**10**	6
Croatian	**7**	5
Polish	**6**	3
Macedonian	**5**	5
Other nationalities	**50**	84

OC groups dominated by German nationals mainly trafficked in cannabis products (55 OC investigations), various types of narcotic drugs without prioritisation (37 OC investigations) or cocaine (28 OC investigations). OC groups dominated by Turkish nationals were primarily active in the field of trafficking in/smuggling cocaine and cannabis products (15 OC investigations each). Similarly, OC groups dominated by Albanian nationals trafficked in cannabis products (17 OC investigations) and cocaine (14 OC investigations).

Case example:
Company at Cologne wholesale market provides various groups of perpetrators with legal cover

Investigations into a 'Ndrangheta cocaine broker who had put an Albanian group in contact with cocaine suppliers in northern Peru revealed information to the Peruvian authorities suggesting that cocaine was hidden in containers holding canned asparagus. Working in coordination with the BKA, Peruvian authorities then carried out a *controlled delivery* of the containers from Peru to Hamburg by sea in August 2022. Upon arrival at Hamburg port, approx. 2.3 tonnes of cocaine were found, seized and replaced with surrogates[46]. The buyer of the legal cargo, a company at Cologne wholesale market, received the goods including the surrogates as planned. With the help of Albanian suspects, the goods were loaded onto a Slovenian lorry and the *controlled delivery* to the Netherlands was resumed. The destination of the cover load including the supposed cocaine was a warehouse near Rotterdam.

The perpetrators acted with a high degree of division of tasks. The company based in Cologne is an import company that provided various groups of perpetrators with legal cover. According to the current state of the investigations, the company was founded specifically for the purpose of concealing large-scale cocaine imports from South America. It is noteworthy that legal business
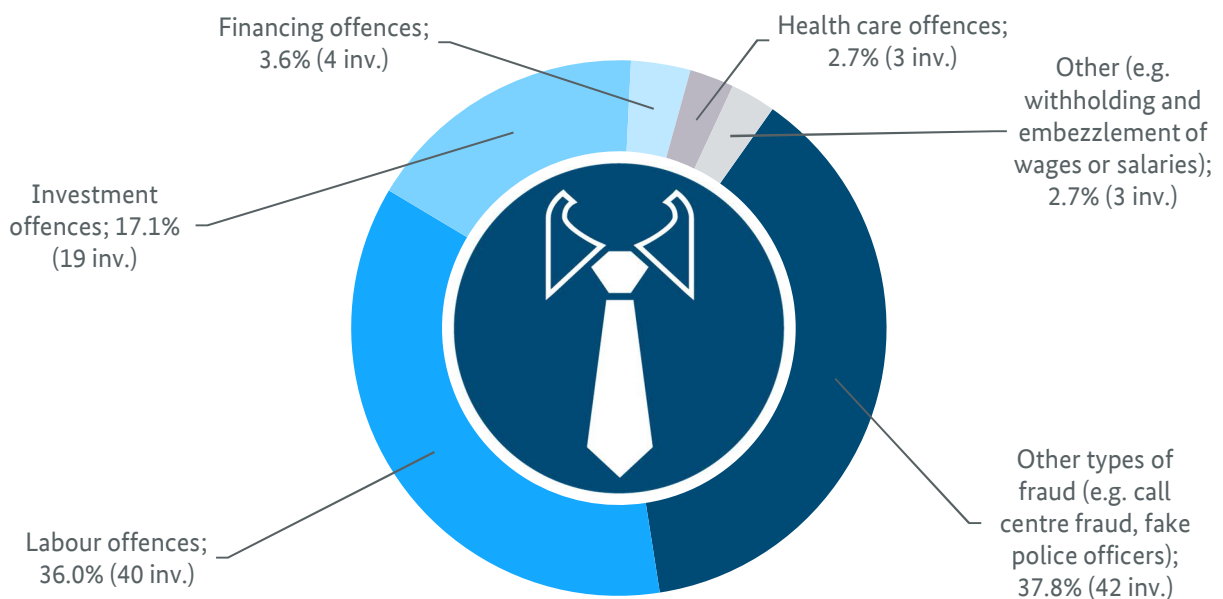
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[46] Substitute item/substitute product.

> **Case example:**
> **Company at Cologne wholesale market provides various groups of perpetrators with legal cover**

structures were exploited in the narcotics' further transport from Germany to the Netherlands as well.

3.7.2 Crime associated with the business world (111 investigations; 2021: 113 investigations)

Breakdown of crime associated with the business world (2022)

Financing offences; 3.6% (4 inv.)

Health care offences; 2.7% (3 inv.)

Other (e.g. withholding and embezzlement of wages or salaries); 2.7% (3 inv.)

Investment offences; 17.1% (19 inv.)

Other types of fraud (e.g. call centre fraud, fake police officers); 37.8% (42 inv.)

Labour offences; 36.0% (40 inv.)

Crime associated with the business world – Breakdown by dominating nationality (2021/2022)

Nationality	2022	2021
German	45	47
Turkish	27	26
Israeli	9	5
Italian	4	3
Serbian	4	5
Other nationalities	22	27

OC groups dominated by German nationals were primarily active in the fields of labour offences[47] (18 OC investigations) and other types of fraud (twelve OC investigations). OC groups dominated by Turkish nationals mainly came to notice in the field of other types of fraud (18 OC investigations). In particular, these investigations concerned cases of so-called call centre fraud. Furthermore, they are active in the field of labour offences (nine investigations).

Case example: Sentences of more than 1,000 years' imprisonment imposed on call centre fraudsters

In September 2022, so-called call centre fraudsters were sentenced to a total of 1,128 years' imprisonment and imposed with fines equivalent to approx. EUR 23.34 million in Izmir, Turkey. This remarkable sentence passed on a total of 65 defendants had been preceded by several years of investigations conducted by German and Turkish authorities.

Since August 2017, Munich police headquarters had been conducting extensive investigations into several persons who were active in the crime phenomenon field of "fake police officers". These investigations revealed the fact that all criminal activities in this case were being centrally controlled from within Turkey. The collectors would sometimes rent hotel rooms in Germany so they could be on standby close to the crime scene and in order to be able to quickly act upon the logistician's instructions from within Turkey. The logistician would provide them with money for petrol and accommodation as well. A large part of the loot was transported to Turkey by plane or car and subsequently given to the local gang leaders who would then use it to e.g. invest in real estate.
The call centre located in Turkey was successfully identified in 2018. Since then, the intensified cooperation between German and Turkish authorities has led to arrests in both Turkey and Germany.
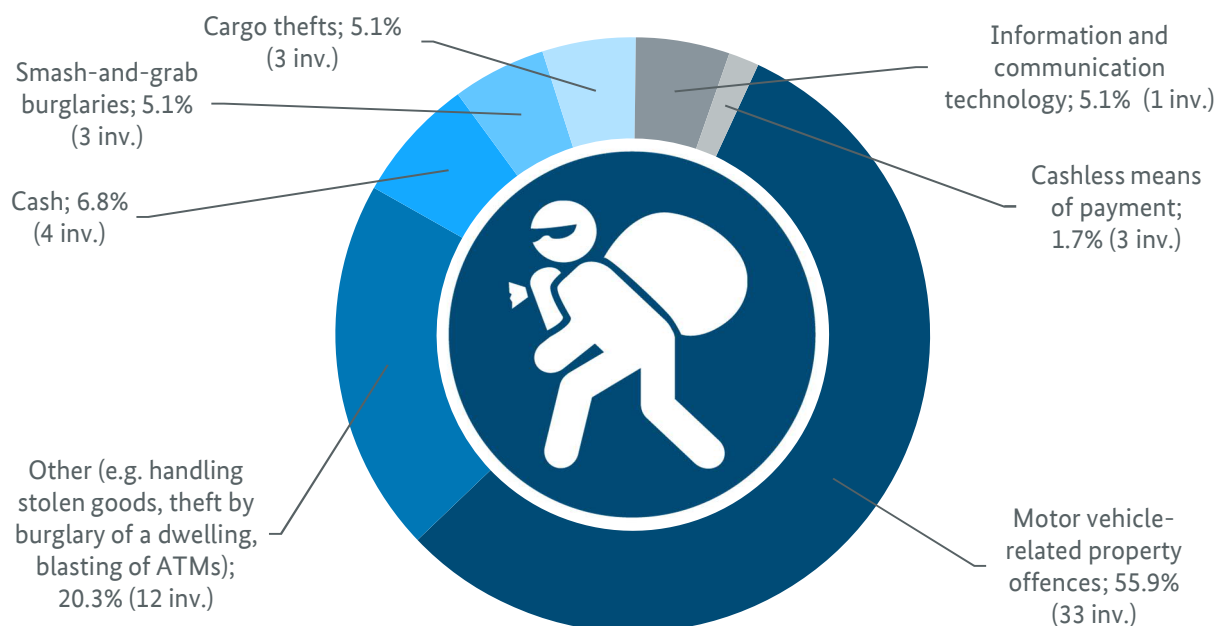
At the end of 2020, the to date heaviest blow was struck against illegal call centres in Turkey. A total of 36 persons – among them callers, logisticians and call centre operators – was arrested. In the context of this operation, assets totalling at least EUR 105 million were seized. The neutralised call centre can be considered the largest and most professional call centre that has been active in the field of "fake police officers". The phenomenon itself continues to exist and is deemed to be particularly detrimental to society.

What makes this modus operandi especially reprehensible is the fact that it typically targets elderly people. The perpetrators exploit the fact that these victims give the police the benefit of the doubt and use a made-up dangerous situation to put their victims under immense emotional pressure. The victims often suffer five- to six-figure losses, which tends to constitute the entirety of their savings. All gang members are well aware of this fact. One especially noteworthy case involved a criminal attempt in the context of which the perpetrators managed to convince the victim to sell her house for a seven-figure sum of money and to reinvest a large part of it in diamonds. The person sent to collect the diamonds was caught in the act and arrested.

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[47] This includes cases of e.g. fraud to the detriment of social insurances and the withholding and misappropriation of wages or salaries (pursuant to section 266 of the German Criminal Code).

3.7.3   Property crime (59 investigations; 2021: 63 investigations)

Breakdown of property crime (2022)

Cargo thefts; 5.1% (3 inv.)

Smash-and-grab burglaries; 5.1% (3 inv.)

Cash; 6.8% (4 inv.)

Information and communication technology; 5.1% (1 inv.)

Cashless means of payment; 1.7% (3 inv.)

Other (e.g. handling stolen goods, theft by burglary of a dwelling, blasting of ATMs); 20.3% (12 inv.)

Motor vehicle-related property offences; 55.9% (33 inv.)

Property crime – Breakdown by dominating nationality (2021/2022)

Nationality	2022	2021
Polish	26	21
German	5	13
Italian	3	0
Georgian	2	1
Moldovan	2	1
Other nationalities	21	27

In the field of property crime, OC groups dominated by Polish nationals were active almost exclusively in cases of motor vehicle property offences (20 investigations) in the year under review. Apart from those, they were involved in smash-and-grab burglaries (three investigations), cargo thefts (two investigations) and in the field of information and communications technology (one investigation).

Case example: International group of perpetrators responsible for at least 70 ATM blastings

An internationally operating group of perpetrators acting in teams of varying composition is responsible for a nation-wide series of more than 70 ATM blastings. Since November 2021, Bamberg public prosecutor's office and the Bavarian Land Criminal Police Office had been

> **Case example: International group of perpetrators responsible for at least 70 ATM blastings**
>
> conducting investigations into 30 of these cases committed in Bavaria, Baden Württemberg and Thuringia.
>
> The suspects are Dutch and Afghan nationals residing in the Netherlands and Belgium who commit offences in Germany. At the scene of the offence, two to three perpetrators actively lever open the ATMs, insert explosives and detonate them. They use solid explosives (flash composition) for the detonation. At least two high-powered sports cars were purchased specifically for the commission of these crimes and equipped with number plates that had been stolen in Germany. Any mobile phones and SIM cards carried during the offence are disposed of afterwards. After the offence, the suspects often seek out hideouts (e.g. barns close to both the scene of the crime and the motorway) in order to sit out initial search measures by the police.
>
> The suspects operate from at least two locations in Roermond, the Netherlands. There, two of the presumed accomplices operate a car repair shop and a valeting service as the group's logisticians.
>
> In 2022, the group obtained EUR 2.95 million in the course of 29 offences committed in Bavaria. At the beginning of 2023, several suspects were successfully arrested in the Netherlands and Belgium in the context of police measures.

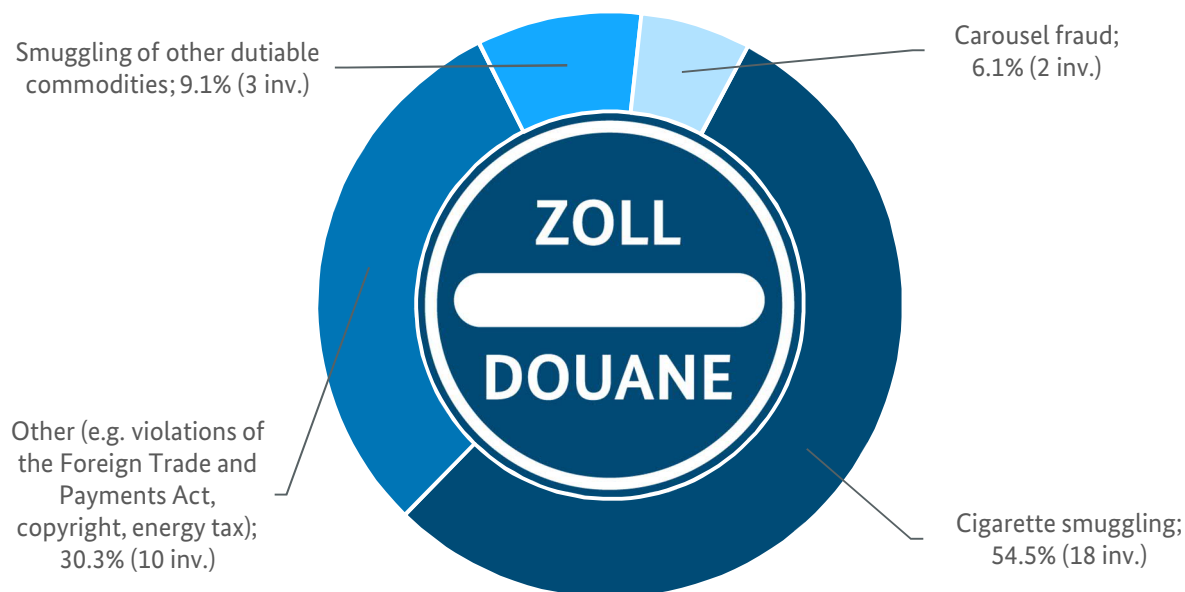## 3.7.4 Migrant smuggling (49 investigations; 2021: 43 investigations)

Migrant smuggling – Breakdown by dominating nationality (2021/2022)

Nationality	2022	2021
German	15	12
Syrian	9	5
Turkish	7	3
Romanian	3	3
Vietnamese	3	3
Iraqi	2	1
Ukrainian	2	2
Other nationalities	8	14

In most cases, the countries of origin of the smuggled migrants were Syria (7) and the Republic of Moldova (6) as well as Afghanistan, China, Georgia and Vietnam (4 each). Germany was the destination country, or one of the target countries, in 43 of the investigations (87.7 %).

3.7.5 Tax and customs crime (33 investigations; 2021: 36 investigations)

Breakdown of tax and customs crime (2022)

Smuggling of other dutiable commodities; 9.1% (3 inv.)

Carousel fraud; 6.1% (2 inv.)

Other (e.g. violations of the Foreign Trade and Payments Act, copyright, energy tax); 30.3% (10 inv.)

Cigarette smuggling; 54.5% (18 inv.)

Tax and customs crime - Breakdown by dominating nationality (2021/2022)

Nationality	2022	2021
German	6	9
Polish	5	6
Ukrainian	5	2
Turkish	4	6
Russian	3	1
Kazakh	2	1
Romanian	2	0
Other nationalities	6	11

3.7.6 Money laundering (19 investigations; 2021: 18 investigations)

In the field of money laundering, 19 OC investigations were identified during the year under review. Five OC groups were dominated by one German national each, followed by four groups dominated by one Italian national each and two groups dominated one Turkish national each. One investigation each was dominated by one Albanian, Belgian, Bosnian and Herzegovinian, Lebanese, Russian, Swedish or Ukrainian national each. One OC group was dominated by a person recorded as stateless.
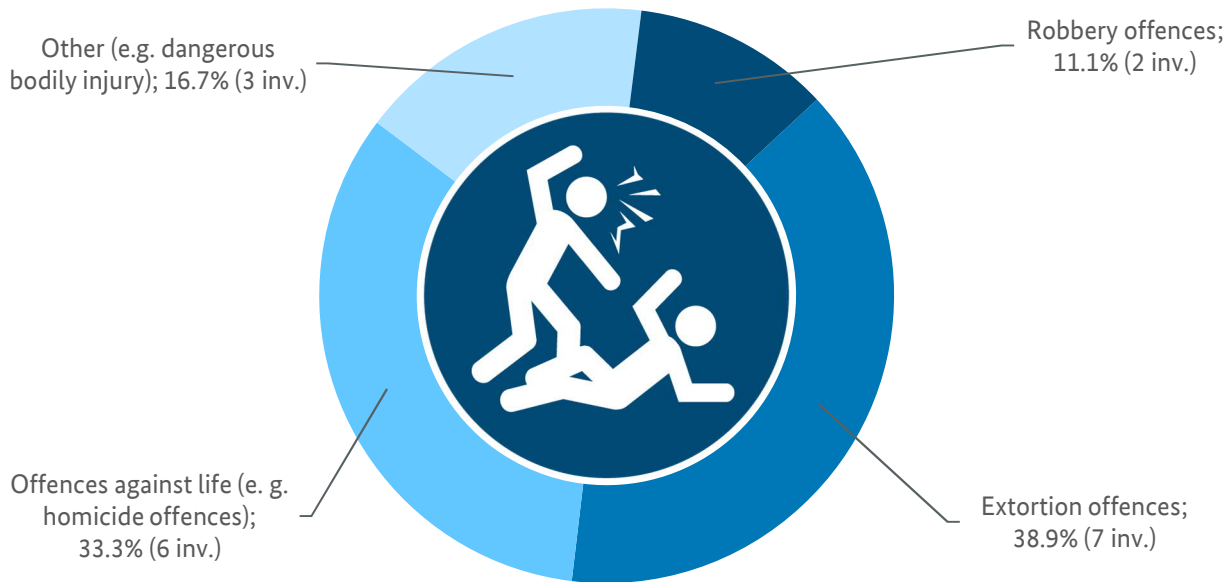
In addition to the 19 OC investigations mentioned, another 17 OC investigations were originally based on money laundering enquiries. In the course of the investigations, these OC groups were

then linked to the predicate offences or main fields of crime on which the money laundering was based (crime associated with the business world, property crime, counterfeiting/forgery, drug trafficking/smuggling and criminal organisation as well as tax and customs crime).

3.7.7   Violent crime (18 investigations; 2021: 21 investigations)

Breakdown of violent crime (2022)

Other (e.g. dangerous bodily injury); 16.7% (3 inv.)

Robbery offences; 11.1% (2 inv.)

Offences against life (e. g. homicide offences); 33.3% (6 inv.)

Extortion offences; 38.9% (7 inv.)

Violent crime – Breakdown by dominating nationality (2021/2022)

Nationality	2022	2021[48]
German	**8**	7
Turkish	**3**	4
Azerbaijani	**1**	1
Bosnian-Herzegovinian	**1**	0
Lebanese	**1**	2
Lithuanian	**1**	1
Dutch	**1**	0
Russian	**1**	3
Stateless	**1**	2

[48] In the previous year, one group was dominated by a suspect of unclear nationality.

3.7.8 Cybercrime (17 investigations; 2021: 15 investigations)

Breakdown of cybercrime (2022)

Intrusion of data networks/data theft; 17.6% (3 inv.)

Other (e.g. operation of online market places on the Darknet); 11.8% (2 inv.)

Computer fraud; 29.4% (5 inv.)

Digital extortion; 41.2% (7 inv.)

Seven of the 17 OC groups were each dominated by one Russian national, three each by a person whose nationality was unclear and another two by one Ukrainian national each. One group each was dominated by one Australian, German, Chinese, Israeli or Turkish national.

3.7.9 Criminal organisation (14 investigations; 2021: 14 investigations)

Following the amendment of section 129 of the German Criminal Code in 2017 and the accompanying expansion of its scope, the number of OC groups investigated for "formation of a criminal organisation" constantly increased at first. During the year under review, the number of such OC groups dropped for the first time.

**Criminal organisation – Breakdown by dominating nationality (2021/2022)**

Nationality	2022	2021[49]
German	5	3
Italian	4	5
Dutch	1	1
Nigerian	1	0
Georgian	1	0
Syrian	1	1
Turkish	1	1

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[49] In the previous year, one OC group each was dominated by Russian, Azerbaijani or Panamanian nationals.

3.7.10 Human trafficking and exploitation (8 investigations; 2021: 16 investigations)

The main field of crime 'human trafficking and exploitation' comprises the following legal classifications:

- Sexual exploitation (sections 232, 232a, 233a, 180a, 181a of the German Criminal Code)
- Labour exploitation (sections 232, 232b, 233, 233a of the German Criminal Code)
- Exploitation of forced begging (sections 232, 232b, 233, 233a of the German Criminal Code)
- Exploitation of forced criminality (sections 232, 233, 233a of the German Criminal Code)
- Organ trafficking (section 232 subsection 1 alt. 3 of the German Criminal Code)
- Forced marriage (section 237 subsection 1 of the German Criminal Code)
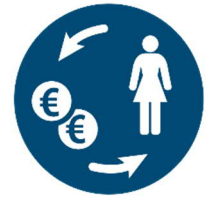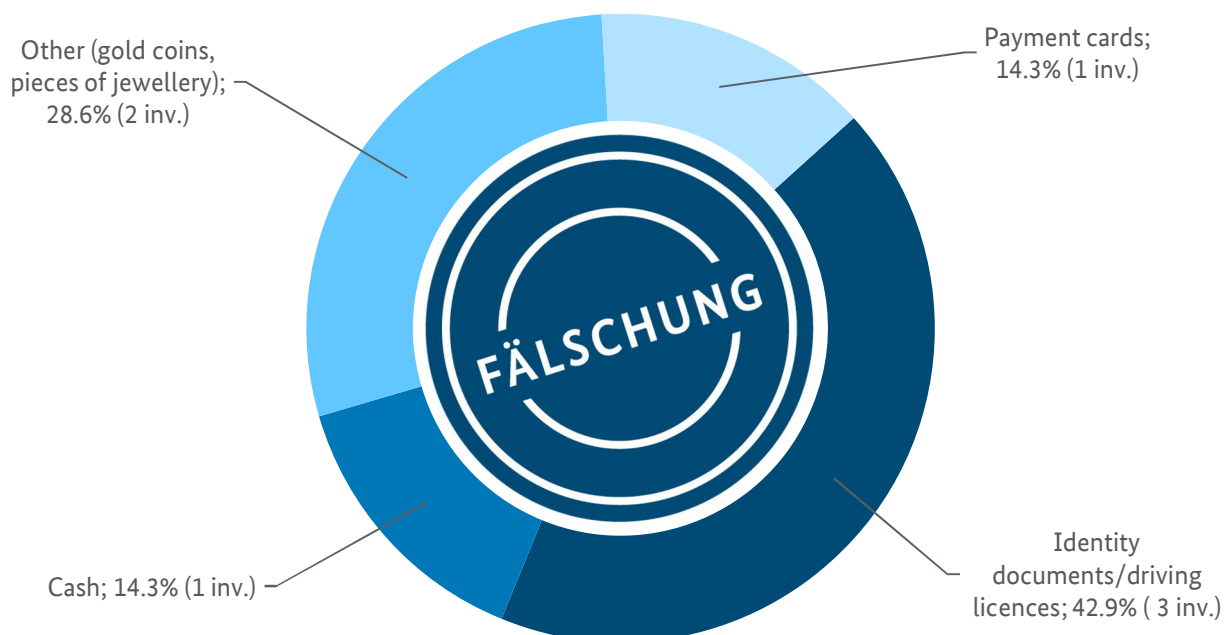
All in all, eight OC groups whose main field of crime was human trafficking and exploitation were recorded in the year under review. Four OC groups were recorded in the field of sexual exploitation (50.0 %), three in the field of labour exploitation (37.5 %) and one in the field of exploitation of forced criminality (12.5 %).

Two of the eight groups were each dominated by Vietnamese nationals.[50] The remaining groups were dominated by Bulgarian, Brazilian, Greek, Romanian, Swedish or Thai nationals (1 group each).

3.7.11 Counterfeiting/forgery (7 investigations; 2021: 7 investigations)

Breakdown of counterfeiting/forgery (2022)

Other (gold coins, pieces of jewellery); 28.6% (2 inv.)

Payment cards; 14.3% (1 inv.)

Cash; 14.3% (1 inv.)

Identity documents/driving licences; 42.9% (3 inv.)

Three of the seven OC groups in the field of counterfeiting/forgery were each dominated by one German national, two each by one Turkish national and one group each by an Iraqi or a Bulgarian national.

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[50] Please also refer to the BKA's research report "Menschenhandel und Ausbeutung vietnamesischer Staatsangehöriger in Deutschland – Sekundäranalyse" from 2021, available on the BKA website.

3.7.12 Corruption (4 investigations; 2021: 6 investigations)

In the year under review, four OC investigations were conducted on suspicion of corruption, including the taking of bribes in the health care sector. Due to their complexity, OC investigations conducted on suspicion of corruption have an above-average duration. Two of the four investigations have been in progress for more than three years now.

Three of the four OC groups were each dominated by one German national, one OC group was dominated by one Syrian national.

3.7.13 Environmental crime (2 investigations; 2021: 2 investigations)

In 2022, two OC investigations were conducted in the field of environmental crime. Both groups were dominated each by one German national. The investigations concerned illegal waste disposal.

3.7.14 Crime associated with nightlife (2 investigations; 2021: 2 investigations)

In the year under review, two OC investigations were reported in the main field of crime associated with nightlife. One group dominated by Bosnian-Herzegovinian nationals and one group dominated by one Bulgarian national were active in the field of exploitation of prostitutes.

3.7.15 Arms trafficking/smuggling (1 investigation; 2021: 5 investigations)

In 2022, one OC investigation was conducted in the field of arms trafficking/smuggling. In this case, there was suspicion of trafficking in and/or smuggling of firearms or objects equivalent to them.

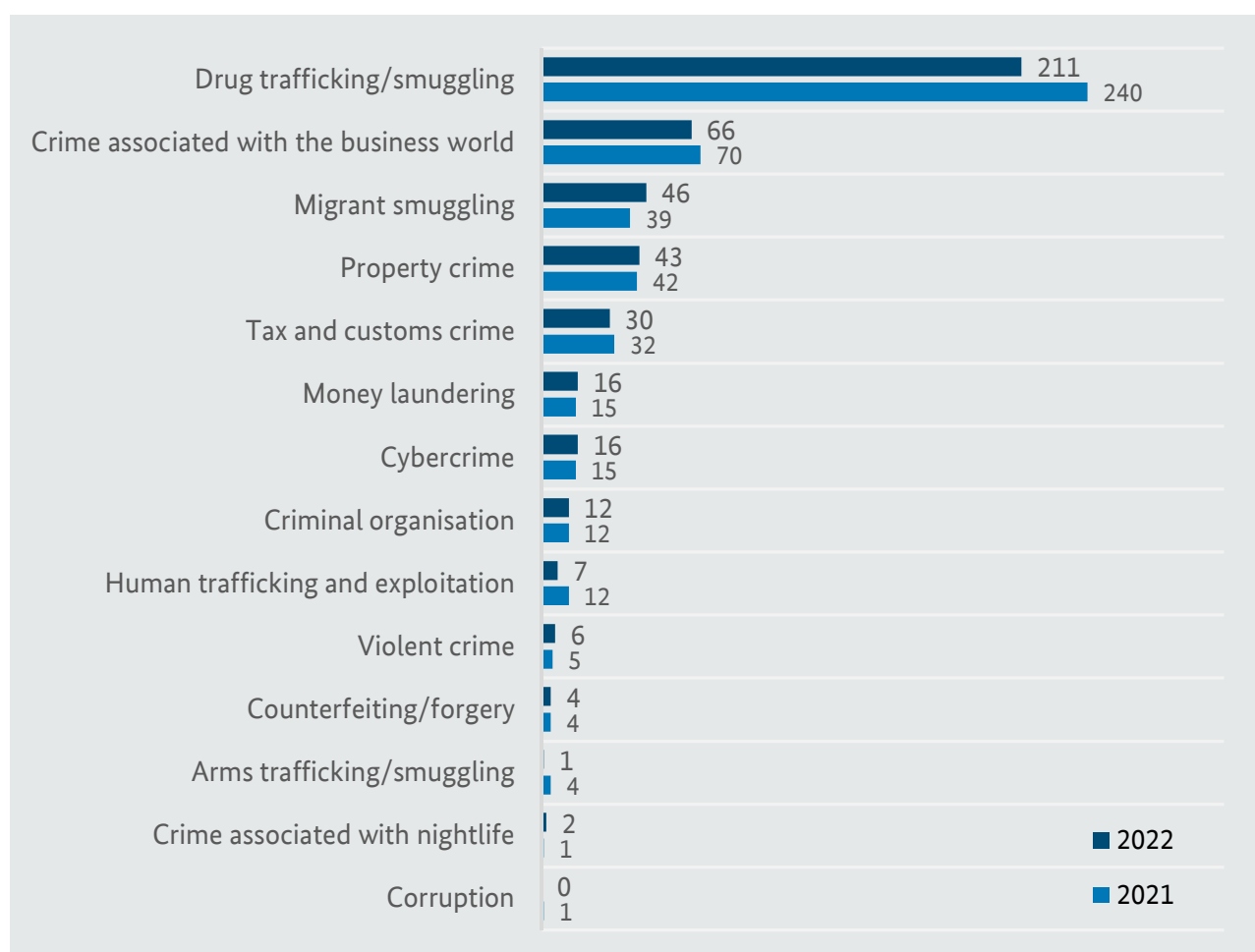This OC group was dominated by one Turkish national.

4 International aspects of Organised Crime

One of the main features of Organised Crime – detached from the OC definition – is its international nature.

In 2022, 460 OC investigations (72.0 %; 2021: 492 investigations; 70.7 %) involving international commission of crimes[51] were reported, with drug trafficking/smuggling being the dominating field of crime here (45.9 %). These figures are proof of the international nature of Organised Crime and the complexity of the OC structures associated with it. This results in particular challenges to the cooperation between international security and law enforcement authorities.
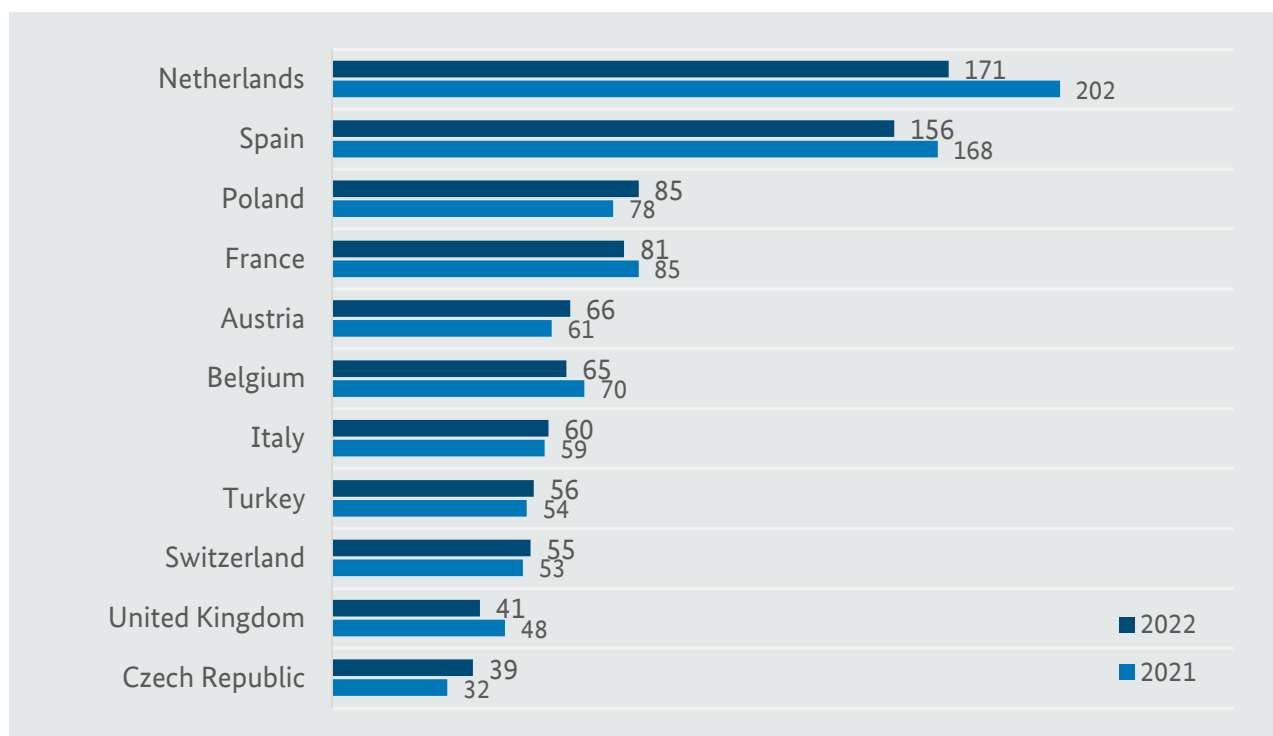
International police and judicial cooperation takes place in particular through the involvement of the BKA's liaison officers deployed worldwide, the use of the INTERPOL and EUROPOL channels, numerous bi- and multilateral agreements, the initiation of so-called parallel proceedings and the creation of Joint Investigation Teams (JITs).

Number of OC investigations with links to other countries (2021/2022)

Field of crime	2022	2021
Drug trafficking/smuggling	211	240
Crime associated with the business world	66	70
Migrant smuggling	46	39
Property crime	43	42
Tax and customs crime	30	32
Money laundering	16	15
Cybercrime	16	15
Criminal organisation	12	12
Human trafficking and exploitation	7	12
Violent crime	6	5
Counterfeiting/forgery	4	4
Arms trafficking/smuggling	1	4
Crime associated with nightlife	2	1
Corruption	0	1

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[51] International commission of crime means that an OC group also committed offences outside Germany.

Frequency of international links by country, 2021/2022 (excerpt)

Country	2022	2021
Netherlands	171	202
Spain	156	168
Poland	85	78
France	81	85
Austria	66	61
Belgium	65	70
Italy	60	59
Turkey	56	54
Switzerland	55	53
United Kingdom	41	48
Czech Republic	39	32

Drug trafficking/smuggling, the dominating field of activity of OC groups, is also dominant when it comes to the topic of cross-border connections. This applies to connections to the Netherlands and their role in the drug market in particular:

According to the EU SOCTA[52] 2021, the cannabis market is the biggest drug market by far in the EU. Aside from Spain and France, the Netherlands play a significant role in cannabis trade routes within the EU.[53]

Growing coca cultivation areas and production quantities in South America benefit the high degree of availability of cocaine in Germany and Europe. Cocaine is primarily smuggled into the EU from South American countries such as Colombia, Peru and Bolivia. Most of the cocaine seized in the EU is transported in shipping containers via ship.[54] For years, the North Sea ports of Antwerp, Rotterdam, Hamburg and Bremerhaven have been of growing importance in this context. Cocaine in the three-figure kilogram or single-digit tonne-range is regularly seized at the Dutch and Belgian ports in particular, but, nowadays, at the German overseas ports of Bremerhaven and Hamburg as well.
Once the cocaine has arrived at the main distribution centres in the EU, it is usually distributed to the local markets via road transport using passenger cars or lorries.[55]

The Netherlands are one of the main production centres for synthetic drugs in the EU. The large-scale production of synthetic drugs – especially those originating from the Netherlands and Belgium – presumably aims at meeting the demands of the European markets and at spreading the drugs outside of the EU.[56]

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[52] Serious and Organised Crime Threat Assessment
[53] Cf. EU SOCTA 2021, diagram "Trafficking Routes to and within the EU", p. 46.
[54] Cf. EU SOCTA 2021, p. 48 f.
[55] Cf. EU SOCTA 2021, p. 49.
[56] Cf. EU SOCTA 2021, p. 52.

5   Serious Structural Crime

5.1 INTRODUCTION

Law enforcement authorities gained an in-depth insight into the activities of numerous criminal groups from the decrypted data obtained from encrypted telecommunications that was being analysed since the beginning of 2020. This revealed unexpectedly large proportions of particularly serious criminal activities – marked i.a. by an enormous potential for violence. Without the decryption, these cases would not have been detected by the police.

Further analysis of the data revealed that only a relatively small part of the acting groups could be subsumed under the OC definition and, thus, included in the OC National Situation Report. However, such groups are responsible for large parts of the serious crime committed in Germany. In contrast to the OC definition, these groups of perpetrators often e.g. have a flat hierarchy, show a high degree of fluctuation within the group and, in many cases, are structured heterogeneously in terms of their members' origins.

Due to the relevance of these findings, the Organised Crime Commission (OCC) has dealt in detail with the subject and saw the need to also examine criminal organisations which do not formally meet the definition of OC but pose a relevant risk to order and security in Germany due to the extent and seriousness of offences committed by them. Recording this area of crime is meant to, from now on, enable law enforcement authorities to broaden the perspective of their analysis, refine the information on Serious and Organised Crime and, thus, allow for more targeted suppression measures among other things.

This is why a Federation-Länder working group has developed a description of Serious Structural Crime which differentiates itself from the OC definition but, at the same time, takes the potential of this form of commission of crimes into account and, hence, allows for its recording. From now on, this description will be used in addition to the OC definition.

Serious Structural Crime (SSC)

Serious Structural Crime exists where at least three persons associate and continuously commit criminal offences, which (serve the group and), individually or as a whole, are of outstanding importance. Usually, this is the case when the population's sense of security has been impaired severely or where the legal peace has been disturbed significantly. In addition, an especially high degree of criminal potential should be apparent.

These structures usually have a flat hierarchy marked by a group of varying composition as occasion demands that forms around a consistent, dominating core. They are often heterogeneous in nature and based on networks of long-term personal and criminal relationships. The persons participating in a crime join forces based on the respective offence, on the basis of a division of tasks, depending on their skills/capabilities and temporarily for the purpose of profit maximisation.

Based on the information currently available, it can be assumed that the amount of groups that can be classified as part of the field of SSC is much higher than the amount of identified OC groups – although no such statistical data is available yet due to the lack of dedicated data collection. SSC groups can cause considerable (economic) losses and lastingly impair the population's sense of

security by e.g. committing offences which arouse public attention or fighting openly among each other.

In order to be able to portray SSC groups and for an initial assessment regarding these structures, a selection of cases that match the description of SSC and which give an impression of the possible range and criminal potential of these structures will first be presented. Based on the description of SSC, Land and Federal authorities collected suitable case examples and jointly selected some of them for the purpose of qualitatively presenting this type of crime in this National Situation Report.

5.2 CASE EXAMPLES

Case example 1:
Series of burglaries in Berlin: Customer safe-deposit boxes cracked in broad daylight

Starting in 2018, there have been several cases of attempted and completed burglaries of banks in Berlin. The perpetrators' targets were the customer safe-deposit boxes. The burglaries were committed in broad daylight, during business hours, since the vaults that are typically located in the cellar are open during this time, allowing for access to the safe-deposit boxes without any major difficulties. The perpetrators broke into the banks by levering open the emergency exit doors in the cellars or underground parking garages and forced open up to ten customer safe-deposit boxes. The value of the stolen property was in the mid six-digit to low seven-digit euro range.

On 1 October 2022, the perpetrators attempted to break into a bank's vault at night using a core drill for the first time. Four of the five offenders were caught in the act and arrested; the fifth perpetrator was arrested after the offence.

Before the offence, they had thoroughly spied out the bank, and they were inside the bank in a total of twelve nights. They only took direct action to commit the offence in the twelfth night.

The group's core consists of two persons who have been coming to notice acting together since 2010. Their first jointly committed offence was a daytime burglary of a dwelling. Following this, they kept coming to notice together for burglary offences of increasing quality. Initial information linking one of these two perpetrators to a burglary of a bank became available in 2018. A link between the other perpetrator and such offences was first found in 2020. In 2022, these two persons were identified together with a third suspect whilst spying out a bank.

An additional ten to 15 persons who participate in the offences in teams of varying composition form a group around these two offenders. The suspects are between 30 and 40 years old.

Case example 2:
Drug trafficking in Berlin – Customs Investigation Office targeting multiple suspects

Berlin-Brandenburg Customs Investigation Office (ZFA) had been conducting investigations into an offender, who had previously been convicted, on suspicion of drug trafficking since December 2020. He had been sentenced to several years' imprisonment for drug trafficking as early as 2016. Following his release, he was active in the same field of criminal activity again until he was arrested once more in November 2021. Charges were preferred in 2022.

The analysis of the data from the encrypted telecommunications provider EncroChat showed that the German suspect and at least four additional perpetrators of German nationality trafficked in more than 1,200 kg of marijuana and hashish, 11 kg of cocaine, 3 kg of MDMA, 7 l of amphetamine oil and 20,000 ecstasy tablets in a total of 30 individual offences committed between January and July 2020. To this end, they, at times, used a bunker flat in Berlin which was rented for this very purpose to temporarily store the purchased drugs, some of which were smuggled into the country. The perpetrators had known each other for many years and maintained these contacts.

The perpetrator who caused the investigations was not only trafficking in drugs but also selling EncroChat devices. Due to the option of using encrypted communication on these types of devices, they were often used for the commission of criminal offences. The perpetrator also provided support on how to operate the EncroChat devices to his clients. Another member of the gang independently trafficked in at least one "Glock" firearm.

In the context of the investigations, and particularly on suspicion of smuggling drugs into the country, the group was found to have links to France, the Netherlands and Spain. In two cases, law enforcement authorities in France seized around 690 kg of marijuana that had been smuggled in from Spain. In Spain, 100 kg of marijuana that were meant to be smuggled into Germany were seized as well.

Case example 3:
Connected via forums: Unidentified perpetrators jointly committing fraud on sales platform

On the initiative of an as yet unknown gang member, the gang consisting of at least four members joined forces at the end of 2019 on an online platform's forum in order to jointly commit offences of fraudulent failure to supply goods as agreed on a sales platform based on a division of tasks.

The online platform is also being misused as an anonymous meeting point by perpetrators from nearly all fields of crime. The platform's forum contains various subforums where different fields of crime are discussed and specific instructions for the commission of crimes are shared. Criminal circles primarily use these forums to recruit additional accomplices and accessories for planned offences. This approach to establishing contact is marked by the fact that the perpetrators do not know each other personally and that they instead communicate

exclusively via these forums, the forums' direct messaging services or other encrypted messaging services.

The aforementioned gang member is considered a leading figure. He decides on the structures, recruits and trains accomplices and is responsible for administrative/organisational tasks within this group. He takes care of the user and bank accounts among other things. He also provides the accomplices with login details for user accounts on a sales platform that belong to uninvolved persons and that have mostly received good ratings. He obtained these login details through unauthorised access. Apart from this, he also manages the bank accounts and pays out commissions to the so-called fillers/callers.

Fillers/callers are responsible for posting and/or managing the adverts on the sales platform and they are in contact (via the platform's messaging service, WhatsApp or phone call) with potential victims in order to prompt them to transfer money to certain accounts as payment for various articles.

Victims were asked to, if possible, carry out real-time transfers so the money would be credited to the receiving account right away. Usually, the money would then be transferred on by the account manager on the same day. In most cases, the money was invested in bitcoins – with the bitcoin wallets usually being registered to regular account holders. From the wallets, the bitcoins were then forwarded to so-called bitcoin mixers by means of several transactions. These mixers serve to conceal the flow of money.

Usually, the regular account holders/wallet owners were persons acting in good faith who had been recruited as app testers via adverts posted on online portals in exchange for payment of a small compensation fee. Believing that they were testing bank and bitcoin apps, these persons opened actual accounts and wallets and shared all access data with the suspects. The accounts and wallets were used for fraud offences. So far, 26 such accounts (so-called bank drops) have been identified.

Approx. 140 offences (attempts included) committed in the period of time between December 2019 and November 2020 were successfully linked to the gang. The deceived buyers suffered losses totalling at least EUR 98,717. Available account records have further revealed leads to 159 additional potential victims and an added EUR 185,000 in losses.

The described modus operandi used by the SSC group was pursued in the reporting year of 2022 as well.

5.3   EVALUATION

The cases involving individual SSC groups described above clearly show that the perpetrators act in a professional and structured way. They also use networks of long-term and cross-border relationships for their purposes. The heterogenic nature of these criminal structures is often reflected in their ethnic/linguistic/cultural diversity, where traditional rivalries are of minor

importance. SSC groups usually <u>do not</u> establish commercial or business-like structures as defined in the OC definition and they typically do not exert influence on social institutions, although corruption or coercion offences may occur in isolated cases. For an offence to be considered "outstanding" in the sense of the definition, the public's or media's attention is not necessarily required.

6 Overall evaluation

The **number of reported OC investigations** has decreased in comparison to 2021, but it is still much higher than it had been in the years before. This development is linked to the fact that there has been a comparatively significant decrease in initial reports.

Drug trafficking/smuggling, crime associated with the business world and property crime are the **fields of crime** that account for almost three quarters of all OC investigations conducted in 2022. Nearly half (about 46 %) of all OC groups are active in the field of drug trafficking/smuggling. According to the available information originating from recorded crime, drug trafficking/smuggling thus continues to be the dominating field of activity of OC groups in Germany.

Similarly to the decreasing number of overall cases, the **total number of suspects** in the field of OC has also dropped by 3.3 %.

OC groups are increasingly willing to commit **acts of violence or intimidation**, sometimes by drastic means. Most of these acts were performed to demonstrate power within the group and to the outside, to exert influence, for example by intimidating or manipulating witnesses, and to collect "debts". The information available refers to a wide range of offences including extortion and robbery offences, bodily injury and (attempted) homicide offences. In the year under review, 38 homicide offences (16 of them completed) committed by OC groups were recorded. The number of bodily injury offences is much higher: 21 attempted and 76 completed offences were recorded in the year under review. These primarily include offences of bodily harm caused by dangerous means and grievous bodily harm. Since persons from the OC scene rarely report any crimes to the police, it can be assumed that there is a very large amount of unreported and unrecorded cases.

Despite the fact that the number of **armed suspects** has dropped in comparison to the previous year, due to the optimized data collection modalities for the OC National Situation Report it was now possible for the first time to gain insight into the **type and extent of armament** of OC suspects. Law enforcement authorities have recorded a total of 275 firearms that were linked specifically to suspects from OC groups. Nearly 92 % of these arms were illegally possessed by the suspects. The firearms were used in 20 cases.
Furthermore, law enforcement authorities seized a total of 106 firearms that could not be linked to any specific suspects, but were available to the members of the OC groups.

The numbers recorded on the armament of OC groups and the violent offences committed by them give a first impression of the **violence potential** arising from OC groups. This does not take into account the unknown, yet presumably high number of unreported and unrecorded cases.
The risk of (armed) conflicts does exist. Isolated offences such as the case example of a public execution in a shisha bar prove that OC groups do not shy away from committing even most serious (violent) offences in public spaces. This also means that there is an increasing risk of uninvolved persons becoming victims of these violent offences.
Particularly in the Netherlands, Belgium and Sweden, such conflicts are of major media interest as well. Local media in those countries regularly reports on conflicts involving OC groups, shootings and violent offences, which results in the public becoming more aware of such incidents and which may have an impact on the population's sense of security.
In Sweden's case, it is assumed that the increase in homicide offences involving firearms is primarily

a result of the emergence of new group dynamics within the criminal scene which are contributing to the fact that shootings lead to more shootings (cf. Brå 2021: 7)[57].

In the future, escalations of violence may potentially occur more often in Germany as well. Some of the reasons for this assessment are

- potential displacement effects resulting from political and police measures that might be implemented in neighbouring countries,
- the emergence of new groups trying to oust existing ones, which could lead to a fight for the dominant position on the illegal markets, and
- the transnational networking of OC groups, causing an "influx" of propensity to and experience with violence.

The **financial loss** (EUR 1.3 billion) and the **criminally obtained proceeds** (EUR 1.1 billion) identified within the data collection period are significant. This highlights the financial potential of OC groups – especially in view of the presumed (high) number of unreported cases – and the associated threat posed to various sectors of society, for example when the funds are reinvested in legal and illegal business models as well as when corruption takes place or when influence is exerted in other ways. As for the unreported and unrecorded crime in Germany, estimates suggest that the criminal proceeds could total between EUR 43 and 57 billion annually.[58]

OC groups continue to attempt to introduce their criminal proceeds into the legal economic cycle and to conceal the illegal origin of these assets in this way. The volume of OC groups' **money laundering activities** amounts to around EUR 998 million. This only includes the sums of money that law enforcement authorities have become aware of. It can be assumed that there is a very large amount of unreported and unrecorded crime in this field as well. The funds were primarily invested in cryptocurrencies (45.2 %) and real estate (25.6 %). According to findings from expert literature, the real estate sector in Germany is to be considered (particularly) vulnerable to money laundering due to the nature of the market.[59] At the same time, the market participants proved to show very little awareness for potential money laundering activities in this area.[60]
OC groups demonstrably reinvested a total of EUR 276.7 million into the legal economic cycle in the year under review. In many cases, however, it remains unknown for what purposes OC groups used the laundered money (EUR 548.6 million).
The number of OC groups focusing on the field of **money laundering** has again risen slightly compared to the previous year (+5.6 %). Besides this, further OC groups focusing on other main fields of crime have also been found to engage in money laundering activities. This demonstrates the OC groups' increasing interest in concealing the origin of their illegally obtained proceeds,

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[57] Original quotation: "*On the basis of the existing research, it seems reasonable to conclude that the increase in gun homicide witnessed in Sweden may be the result of the emergence of a new group dynamic within the criminal milieu, whereby shootings have come to precipitate one another*"
Source: Brå 2021: Gun homicide in Sweden and other European countries. A comparative study of levels, trends and homicide by other means. English summary of Brå report 2021:8. URL: **https://bra.se/download/18.1f8c9903175f8b2aa70ca53/1621930415477/2021_8_Gun_homicide_in_Sweden_and_other_European_countries.pdf**

[58] Cf. Financial Action Task Force FATF/Organisation for Economic Cooperation and Development OECD/International Monetary Fund IMF (2010): Anti-Money Laundering and Combating the Financing of Terrorism. Mutual Evaluation Report Germany. Paris 19/02/2010. URL: **https://www.fatf-gafi.org/media/fatf/documents/reports/mer/MER%20Germany%20full.pdf** [last accessed on 08/11/2021].

[59] However, an estimate on the extent of money laundering for the individual economic sectors will not be provided.

[60] Cf. Bussmann, Kai (2015): Dunkelfeldstudie über den Umfang der Geldwäsche in Deutschland und über die Geldwäscherisiken in einzelnen Wirtschaftssektoren.

further accumulating those proceeds by way of legal investments and in financing parts of their life style and illegal business transactions this way.

In more than two thirds of the OC investigations conducted in Germany, **international commission of the crime** and/or cooperation with OC groups from abroad was found (72.0 %). In this context, drug trafficking and smuggling represent a focal point. The high number of OC investigations with links to other countries stresses the international nature of Organised Crime, and if we wish to suppress it successfully, a close cooperation with the police authorities at EU level and worldwide is indispensable. Existing forms of cooperation between police and judicial authorities need to be expanded and intensified. These include the parallel proceedings and JITs initiated/instituted more frequently in recent years, in which representatives of various European and international security agencies take part.

The number of OC groups associated with **clan crime** remains at roughly the same level as in the previous year (46, 2021: 47) and illustrates that this phenomenon is still of great importance and continues to represent a crime-fighting priority of the police.

As far as **links of OC groups to politically motivated crime (PMC)** are concerned, the situation remained unchanged, i.e. only individual personal links of OC suspects to the field of PMC were detected. There are no indications of any consolidated links.

In the year under review, the number of **migrants suspected of OC** dropped again in terms of both absolute figures and their share in the overall number of OC suspects. The lion's share (56.8 %) of the migrants suspected of OC during the present data collection period already entered the Federal Republic of Germany prior to the so-called refugee wave which began in 2015.

Despite the fact that additional providers of encrypted telecommunications were taken into account in this year's report, the number of initiated **OC investigations involving encrypted telecommunications** has declined slightly. The offences detected in this context are almost exclusively from the field of drug trafficking/smuggling (97.1 %).
The information that law enforcement authorities gain/gained from encrypted telecommunications provide significant insight into Organised (Drug) Crime.

The same applies to criminal structures bordering on the threshold of OC, the so-called **Serious Structural Crime**. Due to their apparent criminal potential, Land and Federal security authorities will have to focus more on these groups in the future.

Processing (mass) data from encrypted telecommunications has become an essential part of the evaluation and investigation work of Land and Federal law enforcement authorities. In response to this development, the authorities have implemented various measures, such as the creation of investigation teams, task forces and even special organisational units.

In conclusion, Organised Crime continues to pose a high risk of damage and a high threat to society, the economy and the state.
Therefore, further intensive and joint efforts by all actors involved in combating Organised Crime at national and international level are absolutely necessary to successfully counter this serious form of crime.
For this reason, the Federal Ministry of the Interior and Community (BMI) presented its "Strategy to fight serious and organised crime"[61] in November 2022. "Our shared goal is to disrupt criminal structures permanently and to systematically recover criminal proceeds. To achieve these things, we

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[61] Available at: **https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/2022/Strategie-OK.html**

especially need to keep improving our framework."[62] In addition to boosting financial investigations, closer collaboration of law enforcement and administrative authorities and the intensification of the suppression of clan crime, future plans include the further development of the OC coordination unit into a joint platform for the fight against OC.

Together, federal and Land authorities are working towards the goal of sustainably suppressing Organised Crime. The suppression of Organised Crime continues to present a major challenge to law enforcement authorities.

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[62] Federal Ministry of the Interior and Community: Strategy to fight serious and organised crime, p. 2.

7 Appendix

Alphabetical overview of all nationalities identified

Country	Dom. grp.	Suspects
Afghanistan	4	50
Egypt	0	4
Albania	40	254
Algeria	0	3
Argentina	0	1
Armenia	4	26
Azerbaijan	1	18
Ethiopia	0	1
Australia	1	5
Belarus	1	15
Belgium	1	6
Bosnia and Herzegovina	9	80
Brazil	1	10
Bulgaria	5	149
Chile	1	2
China	4	46
Denmark	0	1
Germany	223	2,761
Dominican Republic	1	7
Ecuador	0	1
Eritrea	0	4
Estonia	0	4
France	0	17
Gambia	1	6
Georgia	6	49

Ghana	1	10
Grenada	0	1
Greece	3	53
United Kingdom	1	25
Guinea	0	4
Guinea-Bissau	0	1
Honduras	0	3
India	0	1
Indonesia	0	1
Iraq	5	55
Iran	5	43
Israel	10	54
Italy	26	252
Japan	0	3
Jordan	0	8
Cameroon	0	3
Canada	0	1
Kazakhstan	2	8
Kenya	0	1
Kyrgyzstan	0	2
Colombia	0	8
Korea (Democratic People's Republic)	0	1
Kosovo	7	98
Croatia	10	93
Kuwait	0	1
Latvia	2	16

Lebanon	7	172
Libya	0	2
Lithuania	3	32
Luxembourg	0	2
Morocco	1	27
Macedonia	6	33
Mexico	0	1
Moldova, Republic of	2	10
Montenegro	2	14
Netherlands	14	113
Niger	0	1
Nigeria	3	39
Unspecified	0	7
Austria	1	15
Pakistan	0	6
Peru	0	1
Poland	40	301
Portugal	2	10
Romania	9	109
Russian Federation	16	108
Sweden	3	20
Switzerland	0	10
Serbia	9	165
Sierra Leone	0	3
Singapore	0	3
Slovakia	0	13

Slovenia	1	8
Somalia	0	1
Other European countries	0	1
Spain	1	17
Stateless	3	18
South Africa	0	1
Syria	18	177
Tajikistan	0	0
Thailand	1	5
Togo	0	1
Czech Republic	1	31
Tunisia	0	8
Turkey	94	771
Ukraine	15	105
Hungary	0	15
Unclear	5	537
United States (USA)	0	17
Uzbekistan	0	1
Vietnam	7	56
Cyprus	0	3
TOTAL	**639**	**7,256**