



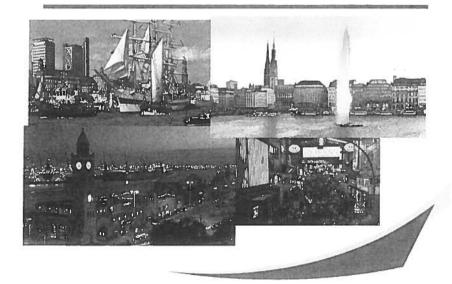


#### structure

- a few words to Hamburg and my office
- the Capone-Principle
- Introduction people smuggling
- Scenario Amandus

8.0

### Hamburg



RESTRICTED



# Federal Police District Office for Criminal Investigation - Hamburg

#### Main Tasks

- Criminal investigations in cases of organized Crime
  - Smuggling of human being
  - Abuse of Asylum
  - False Document
- Crime against the property of railway installations





# combating organized crime top priority



Giovanni Falcone (1939 – 1992)





# combating organized crime the Al Capone-Principle

" I have only the money in my pockets"

Alphonse "Al" Capone (1899 – 1947)



public enemy No 1 or just a tax evader?





### combating organized crime the Al Capone-Principle

- Capone started his criminal career in Chicago in 1919
- In the 1920es he was the big mastermind of illegal bootlegging, racketeering and gambling business
- Capone also gave order for murder also for bribery and corruption of police and justice
- Capone was never convicted





Bundespolizer

### combating organized crime the Al Capone-Principle

#### "you already got this Capone?"

Herbert Hoover (US-President 1929 – 1933)



- Capone duped the newly elected President
- Head of the Treasury's Special Intelligence Unit received the order to bring Capone behind barrs
- He tasked his best investigator with the job



### combating organized crime the Al Capone-Principle

Frank J. Wilson (1887 – 1970) Special Agent of the Treasury



"Wilson will sit quietly looking at books eigtheen hours a day, seven days a week, forever, if he wants to find something in those books"

"Wilson sweats ice water"



Bundespolizer

### combating organized crime the Al Capone-Principle

Supreme Court:

"Fifth Amendment's privilege against self incrimination did not protect a bootlegger convicted of failing to file a return showing profits of illegal business" (US v. Sullivan, 1927)

- In June 1931, Capone was charged with 22 counts of income tax related violations
- The jury found Capone guilty and he was sentenced to 11 yeras in prison



# introduction human beings as commercial goods



"Dover-Case": 18 June 2000

58 chinese people smothered agonizing during the hidden transport in an airtight container on a ferry from Calais/France to Dover/Great Britain



Bundespolizei

# migrant smuggling ghost ships - a new dimension of crime?

Winter 2014/2015: people smugglers left about 1.700 migrants to their fate on three ships without helmsman and crew in the Mediterranean





# migrant smuggling a deadly business

- 71 Migrants died on the nearly airtight loading area of a small truck, (27 August 2015)
- 5 Migrants per square meter





debate in the media about people smuggler altruistic escape agent or greedy felon?







#### phanomenological aspects

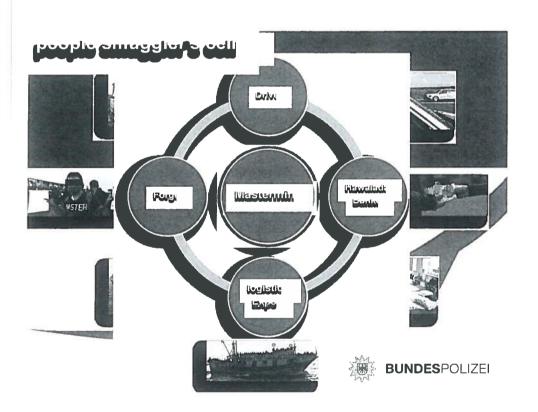
- organized cross-border crime
- control-related offences
- high number of unreported cases
- threat to the social order not always noticeably
- high criminal profits
- smuggled migrants commit a criminal offence under national aliens law
- but from a criminological view they are victims



Bundespolize.

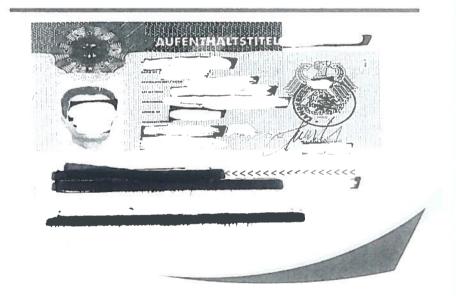
#### phanomenological aspects

- same ethnic background of the suspects
- mafia-style hierarchy not strictly necessary
- working in border-crossing criminal networks
- business relations like in legal economic cycles
- supply and demand determine the price
- acting like a travel or transport company





# counterfeiting business forged visa





### modus operandi using social media

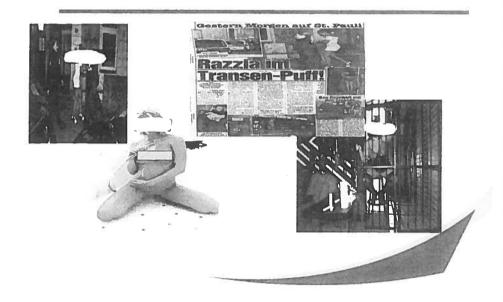
advertisement for people smuggling on facebook





1 Bundespolizer

# modus operandi foreign prostitutes for the red-light district





#### phanomenological aspects

people smuggling and Trafficking in human beings (THB)

- people smuggling and THB are not the same
- legal differences
- THB-suspect exploit other persons for economic purposes
- people smugglers demand an excessive price to facilitate illegal entry to a foreign country
- but in practice, in most cases they are similar
- payment of the people smuggler after arrival in the destination country by working as prostitute, assistant cook, low-paid worker



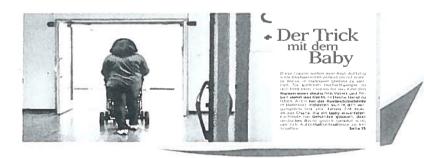




Bundespalize

# modus operandi fake adoptions

- migrant without a valid residence permit recognises the legal paternity for a child from a german mother, although he has no social or biological relationship to this child
- but due to the protection of the fundamental rights of marriage and family, the authorities are obligated to issue a residence permit

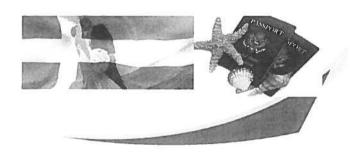




# modus operandi fake marriages

- based on marriage with a EU-citizen a foreigner aquires an independent right of residence
- cohabitation not required by family law
- marriage abroad can be accepted by german authorities
- spezialized wedding agencies for migrants







Bundespolizei

### modus operandi identity fraud

- daughter of a suspect reports that her national passport got lost
- Application for a provisional passport with a photo from a similar woman from Syria (look a like method)
- woman from syria enters Germany by air plane and shows the provisional passport at the border check point
- daughter of a suspect gives the passport back to the local authorities and get a new one

Original Passport get lost



Provisional Passport look a like



Original Passport



### people smuggling as a door opener to serious crime drug trafficking



hambunger Abenübles

CADSSESSES

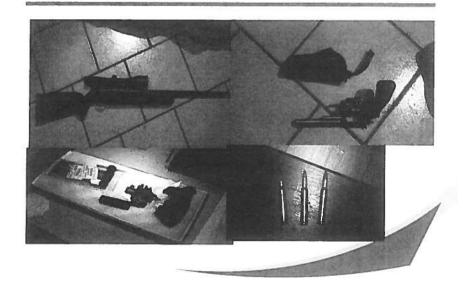
Polizes ferret Sattleanner und Kelahindesler

In PARTIEL In clear Albam, was Summerschieder, Stankerschieder, Stankersch





people smuggling as a door opener to serious crime illegal weapons



### piracy







**■** Bundespelizei

people smuggling as a door opener to serious crime

### terrorism

 investigations against a people smuggling student from Syria gives evidence that he showed off his martially activities for the so called Islamic State





### criminological aspects

- migrant smuggling is organised crime (OK)
- detection of people smuggler prevents associated crime in Germany
- current life endagering transport of migrants musst be stopped, even though there is a deteriation of evidence
- infiltration of criminal networks with informants
- border-crossing surveillance
- international police cooperation
- Joint Investigation Team (JIT)
- asset recovery investigations

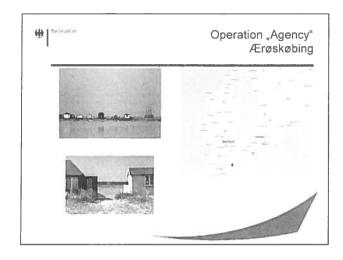


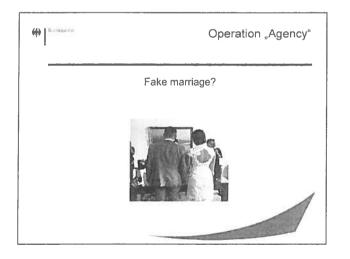
#### sunaespalize

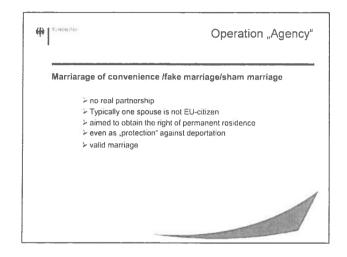
### **Airport Hamburg**

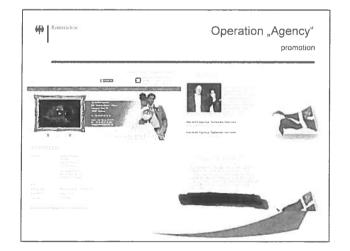






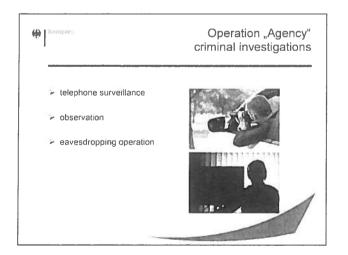


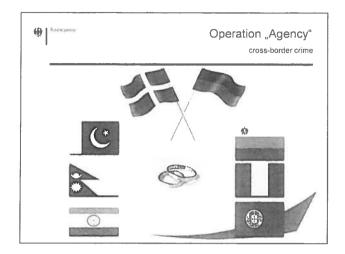


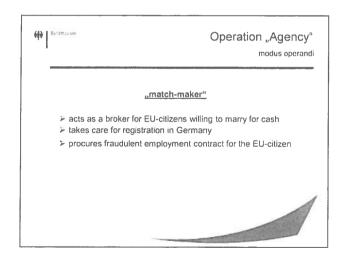


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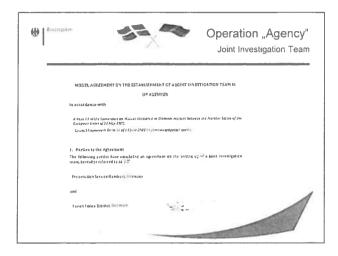


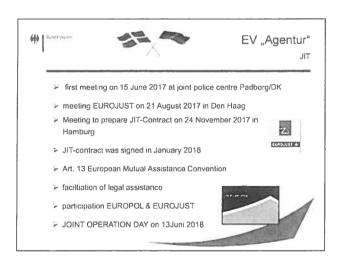


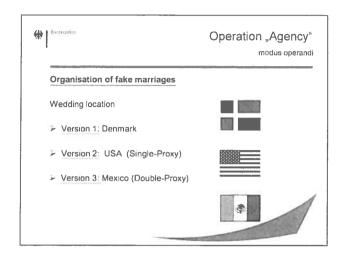


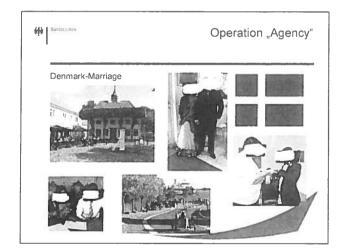


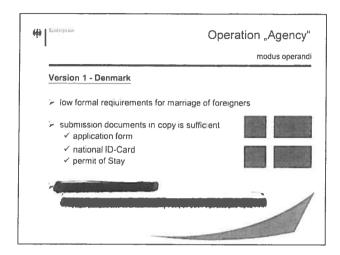
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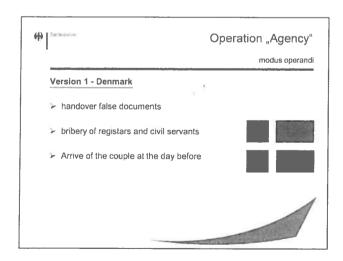


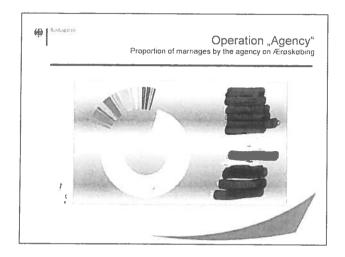


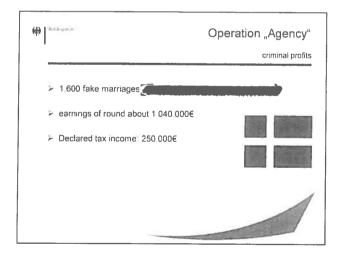


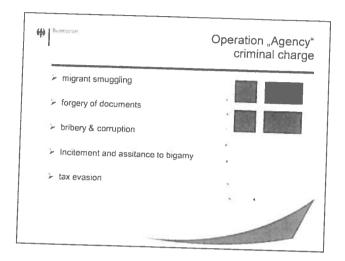


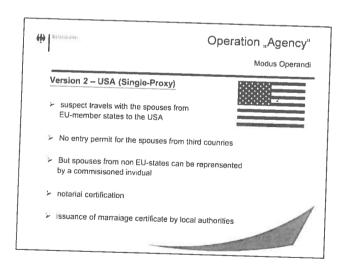


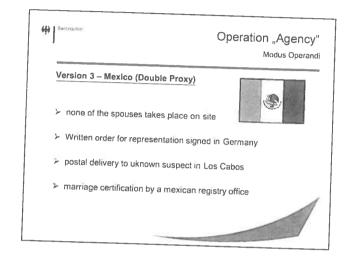


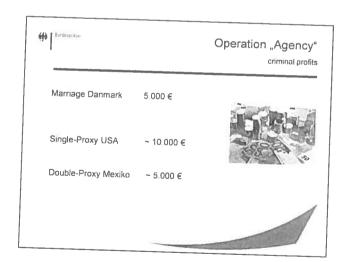


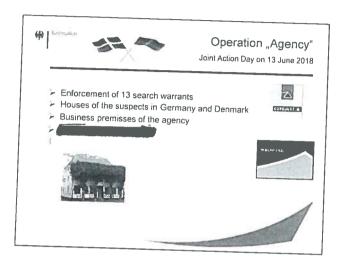




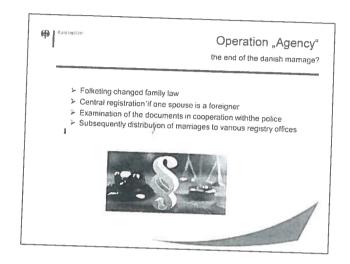


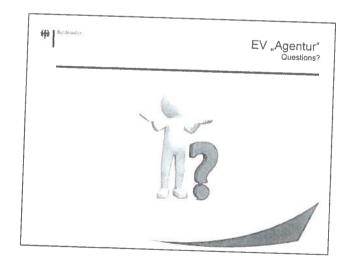












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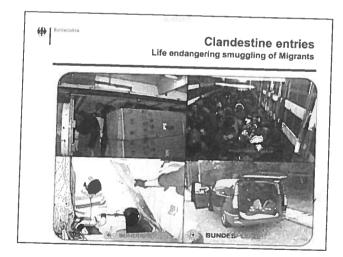
#### Legal Tasks of Police in Gerrmany

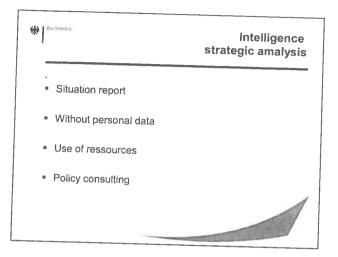
#### **Criminal Procedure Investigations**

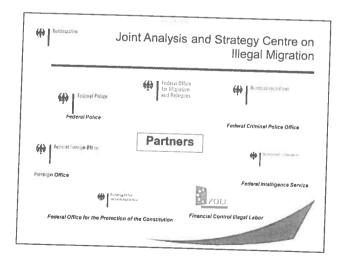
- Initial suspicion of criminal conduct
- Public Prosecutor directs and controls the investigation
- Encroachments on fundamental rights controlled by a proceeding judge
- Last decision of direct force by the police

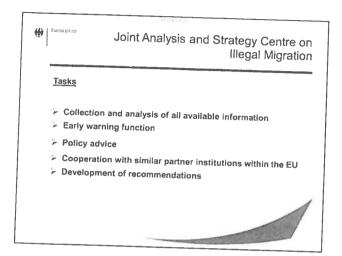
#### Risk Prevention and Emergency Response

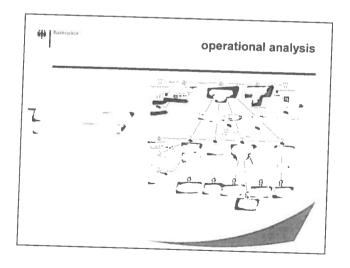
- original task of the police
- threat to public policy or safety
- run up period of criminal offences

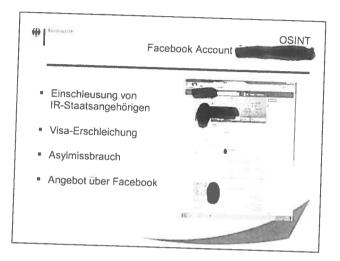


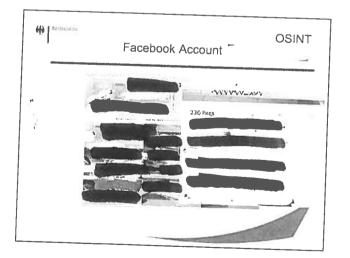


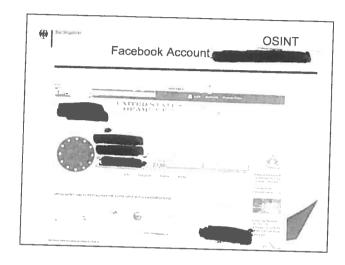


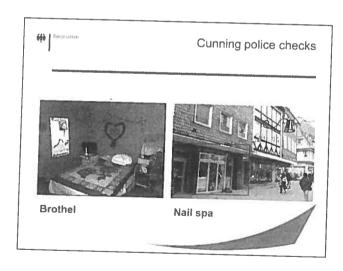












Financial investigation
in connection with traficing in human being and migraon smuggling
– International cooperation Assets recovery





18.06.2019 Podgorica - Montenegro



All of you here are experienced professionals, in your area, in your institutions, with many years of experience, and I am sure you are familiar with the subject topic - financial investigations, for which reason, I have conceptualized my presentation, looking at this issue only from the police side from the point of view, without going into prosecution and court proceedings, so this presentation is focused on measures and actions to be taken by authorized police officers.

In this way, I want to introduce to the representatives of other institutions and get closer to them the modalities of police work, among other concrete examples from the practice, and I remind the present colleagues the importance of carrying out financial investigations



Organized crime pose a serious threat to national security and the economic situation of Montenegro. In Montenegro, today, according to the Sustainable Dangerous and Organized Grime Situation (SOCTA), there are 11 active organized criminal groups. The fight against criminal activities of these groups includes, among other things, the conduct of financial investigations and confiscation of material gain, and all these activities are a priority at the national level and one of the most important requirements of the process of meeting the criteria for EU accession.

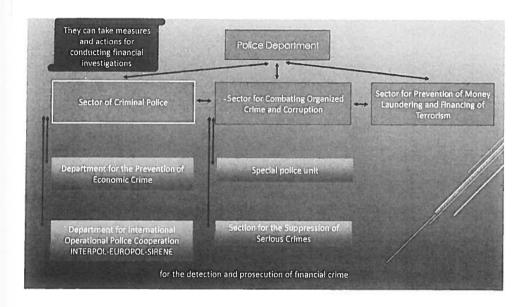
When it comes to organized crime, in theory it is emphasized that "the crime is the fastest transforming form" and therefore presents a special challenge to all modern societies and institutions in the fight against it.

Highly conducted financial investigations that result in the permanent seizure of the proceeds of criminal activity today in the world are one of the most effective means in the fight against organized crime, and in that direction, the work of all competent state bodies must be oriented in that direction.

- 1. Sector of police of general jurisdiction
- 2. Criminal Police Department
- 3. Sector for Combating Organized Crime and Corruption
- 4. Border Police Sector
- 5. Personnel Security and Objects Department
- 6. Special police department
- 7. Sector for Prevention of Money Laundering and Financing of Terrorism
- 8. Department for International Police Cooperation and Public Relations
- 9. Department for Analytics and Improvement of Police Work
- 10 Forensic Center
- 11. Internal Audit Department
- 12. Department of Telecommunication and Electronic Technologies
- 13. Center for information security and data processing
- 14. Human resources, human resources and legal affairs
- 15. Service for financial, general and auxiliary affairs
- 16 Security centers (8: PG, NK, BR, BD, HN, PV, BP and BA) and Security units (10: CT, DG, KL, UL, KO, TV,

#### Sector for Combating Organized Crime and Corruption (SCOCC)

- 1.Special police-unit
- Investigation Group of Criminal Offenses of Organized Grime
- Group for Investigating Crimes of High Corruption and Money Laundering 2. Department for the Suppression of Serious Crimes
- Group for the suppression of serious crimes of economic crime and conducting financial investigations
- Group for the Suppression of Serious Crimes of General Crime Blood Delinquency and PEH carried out by criminal groups
- Group for suppression of criminal offenses of high-tech crime
- 4. Department for Combating Drugs Smuggling
- 5. Witness Protection Section
- 6. Special Operations Support Section



#### LEGAL FRAMEWORK FOR CONDUCTING FINANCIAL INVESTIGATIONS IN GASES OF GRIMINAL OFFENSES WITH ELEMENTS OF ORGANIZED GRIME

- According to Montenegrin legislation, this topic regulates:
- Constitution
- Criminal Code
- Code of Criminal Procedure
- Law on Special State Prosecutor's Office
- Law on confiscation of property gain acquired through criminal activity
- Law on Prevention of Money Laundering and Financing of Terrorism
- Law on Courts
- Law on the State Prosecutor's Office
- Law on the Judicial Council
- Law on Prosecutorial Council
- Law on Internal Affairs
- Law on Liability of Legal Persons for Criminal Offenses
- Law on Witness Protection

#### AS WELL AS MEMORANDA AND COOPERATION AGREEMENTS

- ➤ Memorandum on cooperation in the prevention, detection and prosecution of perpetrators of criminal offenses in the field of organized crime and corruption, signed by the representatives of the Supreme State Prosecutor's Office, the Police Directorate, the Tax Administration, the Administration for the Prevention of Money Laundering and the Gustoms Administration.
- Memorandum on cooperation and exchange of data in the field of money laundering and terrorIsm financing signed by representatives of the Ministry of Internal Affairs, the Ministry of Finance, the Administration for the Prevention of Money Laundering and Terrorist Financing, the Central Bank of Montenegro, the Securities Commission of Montenegro and the Supervision Agency insurance.
- Agreement on the establishment of the Joint Investigation Team for Combating Organized Cripic and the most severe forms of corruptive offenses signed by representatives of the Supreme State Prosecutor's Office, the Police Directorate, the Customs Administration, the Administration for the Prevention of Money Laundering and Terrorist Financing and the Tax Administration

LAW ON THE SEPARATION OF PROCEEDS FROM CRIME CRIMINAL ACTIVITY

(OFFICIAL GAZETTE OF MONTENEGRO NO. 58/15 OF 09.10.2015)

IN ART. 2 PRESCRIBES FOR WHICH GRIMINAL OFFENSES A FINANCIAL INVESTIGATION CAN BE CARRIED OUT:

- THE OFFENDER MAY BE DEPRIVED OF THE MATERIAL GAIN FOR WHICH THERE IS A REASONABLE SUSPICION THAT HE HAS BEEN ACQUITTED OF CRIMINAL ACTIVITY
- AND THAT THE AUTHOR DOES NOT MAKE IT PROBABLE THAT HIS ORIGIN IS LAWFUL ( EXTENDED EXPROPRIATION) AND
- IF THE CRIMINAL OFFENSE PRESCRIBED BY THE CRIMINAL CODE OF MONTENEGRO (FOR A TOTAL OF A CRIMINAL OFFENSES) HAS BEEN IMPOUNDED IN A LEGALLY BINDING MANNER:

#### 1.The abduction article 164,

2) criminal offenses against sexual freedom:referred to in Art.:
206-The promise of a child,
208-unauthorized sex.acts,
209 Understanding and Enabling Policing,
210 mediation in prostitution,
211 child prosesses.

211 child-pornography,
211a the omission of a juvenile-to attend criminal offenses against sexual freedom,
211b child's frustration for the purpose of committing criminal offenses against sexual freedom.

3) criminal offenses against property referred to in Art.:
240 heavy theft, -241 robbery theft, -242 robberies, -243 evictions,
244 fraud, -244a agreeing on the outcome of the competition, -249 abuse of trust,
250 extortion, -251 blackmail, -252 greenery

258 forgery of money,
259 falsification of securities of value,
260 falsification of securities of value,
260 falsification and abuse of credit cards and non-cash payment cards,
261-forging value labels,
262 making, procuring and giving other means and materials for forgery,
263-issuing checks and non-cash cashiless cash,
264 evasion of taxes and contributions,
265 smuggling,
268 money laundering,
270 abuse of a monopolistic position,
272 abuse of the position in the economic business,
273 bankruptcy,
274 causing fake bankruptcy,
276 abuse of power in the economy,
276a receiving bribes in business operations,
276b giving bribes in business operations,
281 misuse of privileged information,
281a manipulation of the securities market or other financial instruments.

- 5) unauthorized manufacture, possession and marketing of narcotic drugs referred to in Article 300)
- 6) criminal offenses against the environment andilandscaping referred to in Art. :
- 303 environmental pollution,
- 305 unlawful construction, putting into operation and operation of facilities and installations that pollute the environment,
- 307 environmental damage.
- 7) Criminal offenses against the security of computer data referred to in Art.:
  - 350 interrupting the computer system,
- 352 computer fraud,
- 353 unauthorized access to the computer system, and
- 354 abuse of device and program.

- B) criminal offenses against public order and peace referred to in order
- 401 criminal association,
- 401a creation of a criminal organization,
- 402 production and procurement of weapons and funds intended for the commission of a criminal offense,
- 404 participation in a group that commits a criminal offense, I
- 405 unauthorized crossing of the state border and smuggling of people
- 9) criminal offenses against legal traffic referred to in Art. :
  - 412 falsification of the document, (? CB PG economy)
  - 413 special cases of forgery of documents, i
  - 414 forgery of official documents.

- 419 scams at work, 420 embezzlement, 422 unlawful influence, 422a statement of the unlawful influence,
- 423 Receiving bribe, I
- 424 giving a bribe.
- 11) Grimes against humanity and other goods protected by international law in Art.:

  - 444 trafficking in human beings, 445 trafficking in minors for adoption,
  - 446 the establishment of slavery and transporters in slavery,
  - 447 terrorism,
  - 447a public call for the commission of terrorist acts.
  - 447b recruitment and training for the commission of terrorist acts,
  - 447c use of a deadly device,
- 447d destruction and damage to a nuclear facility,
- 449 terrorist financing,
- 449a terrorist association, and
- 449b participation in foreign armed formations.

- > The property benefit referred to in paragraph 1 of this Article shall be also confiscated from the legal possible, other assets shall be confiscated corresponding to the value of the proceeds of crime acquired
- ▶ Police officers, as bearers of the activities in loved in the processing of cases, should also beer in mind th fact that the financial investigation is managed by the state prosecutor (Article 13 of the law on the
- ▶ The police, acting on their own initiative or on the orders of the state prosecutor, endertake measures and actions for the detaction and identification of the proceeds of crime acquired through criminal activity. State bodies, state administration bodies, local self-government bodies, legal entities that exercise public authority and other entities are obliged, without delay, to provide the police with the required information

During the reconnaissance, evidence is collected and provided indicating the perpetrated crime, the perpetrators and the accomplices in the early phase of the investigation, also during the conduct of the survey, it often comes to the knowledge that the perpetrators of the oriminal offenses have gained a material benefit, and in that case then it is also necessary to conduct a naturior innuclai prestration of criminal offenses for which Article 2 of the Law on confiscation of property gain acquired innuclai criminal activity, envisaged conducting financial investigations.

Collecting Information on the acquired property gain by committing criminal offenses, police officers, shall be undertaken in accordance with the authorizations detailed in: Art. 478.st1 of the Code of Criminal Procedure, Article 14 of the Law on the Confiscation of Proceeds from Crime, and Articles 257 para. 1 and 2 of the Criminal Procedure Code, which can be undertaken on a voluntary basis.

Bearing in mind the fact that the purpose of the financial investigation is to enable the seizure of proceed it should start early enough to prevent the perpetrator of the offense from selling or otherwise disposing of the property.

It is suggested that police officers - processors of cases, during direct contacts with the sample entitle prosecutor, who manages the survey, inform him in consultation about the available information about the acquired property gain by committing the criminal offense in question.

Less, in each case, during the reconnaissance, there is a thorough knowledge and data, and the collected information and documentation can later serve for the purpose of conducting financial investigations.

Also, execution of orders for the implementation of secret surveillance measures during the survey provide the possibility, among other things, to reveal the material gain acquired through criminal activity.

Therefore, coordinating and conducting timely consultations, both with the competent prosecutor and with the police officers of the organizational unit responsible for carrying out financial investigations, is necessary when dealing with cases in which a parallel and financial investigation is planned or conducted because the findings and evidence that can be useful for the financial investigation process, they should obtained in a legally valid manner and collected at the same time as evidence is collected for the offeries covered by the investigation.

- In the current practice, financial investigations were undertaken after filing a criminal complaint, and the completent prosecution offices subsequently addressed the Police Directorate, with requests for collecting information regarding the identification of assets and property gain gained through the commission of a criminal offense, in order to action the basis of the Collected information and documentation, could later decide to action to property as in a collection of a criminal offense.
- ► Namely, the initiation of a financial investigation, Article 11 of the Law on the confiscation of property gain acquired through criminal activity is defined, which states:
- ► "An Investigation by the state prosecutor may be initiated if there is:
- ▶ 1) the basis for the suspicion that the property of the holder is in obvious disproportionate with his legitimate income;
- ▶ 2) the suspicion that the proceeds of crime have been acquired through criminal activity; i
- ▶ 3) the basis of suspicion that the criminal offense referred to in Article 2 paragraph 1 of this Law has been committed
- The order referred to in paragraph 1 of this Article shall determine the person against whom the financial investigation is being conducted.",
- although there is a case that some state prosecutors (de Jure), police officers suggest and point to the fact the police officers handling the case in the survey are the first to reach information that may be useful for the conduct of financial investigations, and that according to legal authority (de facto) initiate the collection of information on their own initiative and undertake measures and actions for the detection and identification of the proceeds of criminal activity, and that after collecting the information, they shall deliver the results to the state prosecuting State, primarily during the conduct of the investigation or during the filing of the criminal complaint.

It is recommended that processors of a case, during surveys in cases involving crimes for which pursuant to Article 2 of the Law on the confiscation of property gain acquired through criminal activity, can carry out a financial investigation, all collected operational knowledge and information regarding:

illegally acquired movable and immovable property, money, witness of a monetary transaction, witness of the commission of a criminal offense, identification of the natural person who is the real owner (the end user), or who personally enjoys that property, or who has a material interest in it, who is behind the legal entity in order to determine the real owner, financial evidence (manner / lifestyle, cash / undeclared income, legal income, partners ie partners (business and social), transfers of funds), tracing the property (whether there was any purchase of real estate or goods, especially if the property is hidden in some offshore destination or other country, whether third party assistance was used), members of criminal organizations, organized criminal groups, and their collaborations, as well as other knowledge and useful for carrying out financial investigations,

as soon as possible, the division with the organizational unit responsible for carrying out investigations, including it for the purpose of conducting a financial investigation.

By postponing the conduct of a financial investigation, the risk increases, the unlawfully acquired property gain will be transformed, in various ways, that the property may be brought out of the country, as well as many other ways of its further use and implementation.

The goal of pursuing financial investigations is the seizure of illegal revenue (the economic benefit arises or is obtained, directly or indirectly, by a criminal offense).

it should be kept in mind that the selzure of illegal income also has positive effects:

- Prevent the infliction of illegal revenue and corruption in the legal economy.,
- abolish the inflow of funds for the future execution of criminal offenses.
- helps not to achieve the planned goal of a criminal group or individual.
- supports the rule of law and the moral principle that no one can benefit from the crimes committed
- Preventing, because the property benefit is the reason and motive of most of the crimes, thus affecting the perpetrators of criminal offenses

in the Police Directorate, collecting data and information, among other things, may be collected by all police officers (SKP, SBPOKK, SSPNFT, GB, OB, etc.), in accordance with Article 257, paragraphs 1 and 2 of the Code of Griminal Procedure, and the property of persons who are the subject of the reconnaissance procedure. In accordance with the current Rulebook on internal organization and job classification, conducting financial investigations are carried out by organizational units. SBPOKK:

Group for the Suppression of Serious Grimes of Economic Grime and conducting financial investigations with the Department for the Suppression of Serious Crimes,

In the surveys and at the request of the Higher Public Prosecutor's Office (PG, BP), the Basic State Prosecutor's Office (all), but only if requested by the Special State Prosecutor's Office, the High Count (PG, BP), other organizational units of the Police Directorate as well as the requirements from about (NCB Interpol, Europol, Selec, ARO, Liaison Officer, ...) i

Special police department,

- only in the surveys and upon the requests of the Special State Prosecutor's Office, for the criminal offenses under the jurisdiction of the SSP

#### POLICE DEPARTEMENT - INTERNATIONAL COMPERATION

As mentioned above, the aforementioned Group acts on requests from abroad, among others, for the Identification of assets, which are conducted through the Division for International operative Police Cooperation.

The Law on the confiscation of property gain acquired through criminal activity, in Article 79 - The scope of international cooperation, defines, among other things, this fact

"The organizational unit of the police responsible for the financial investigation shall act upon requestre in accordance with Council Decision 2007/845 / JHA of 06.12.2007".,

as indicated by the Ministry of Internal Affairs (Directorate for Security and Security Affairs and Supervision) from 2016

In the aforementioned Group, a police officer was designated as a CARIN contact point of the Police Directorate (from almost SDF) who receives requests from other CARIN contact points from abroad

These are the requirements for identifying the assets of persons for whom there are knowledge that they have movable or immovable property in our country.



CARIN (Camden Assets Recovery Integrency Network) is an informal inter-institutional network, police officers and other judicial practitioners, a specialist, among others, to track assets, le identifying them.

This contact point also sends requests to other contact points abroad, to countries where is assumed that the persons subject to the check have movable or immovable property.

This situation was last 4 years, but from the end of May of 2019, this contact point is changing, new it is at the mentioned Division for international operative police cooperation.

### DEALING WITH REQUIREMENTS FOR IDENTIFICATION AND PROPERTY VERIFICATION FROM MINE

- Requests from other organizational units of the Police Directorate
- Department for International Police Cooperation Interpol-Europol-Selec and other Departments within the CAP and SBPOKIK
- CB and OB,
- Anti-Money Laundering and Terrorist Financing Sector / former USPNFT (FIU)
- Special State Prosecutor's Office / via the SPO
- More State Prosecution / PG and BP
- Basic State Prosecutor's Office
- Higher court / PG and BP (International legal assistance)

### Trafficing in human beings - Smuglgling of migrant

Organized crime spreads out its actions in any geographical areas that would bring benefits. The OCGifrom the region collaborate as thhe EU and non-EU borders do not represent a challenge. In the region OC threatens the society on many levels, from economy to society with negative impact on the citizens general safety and health.

Southeast Europe is traditionaly transit area used by migrants travelling towards Western Europe whethet by sea, land or air.

Montenego is used as tranit country for migrants

Priorety crime areas: LEA-s must prioritize the resource on countering the emergins crime with the highest impact on society's safety. OCTA SEE 2018 calls for 5 key priorities as follows: terrorism, cibercrime, drug traffiking, trade and industry crime, traffiking in human beings and smuggling of migrants

CRIME DOES NOT DAY ... EINANGIALINGETICATIONS



The investment of illegally acquired "dirty" money is one of the more dangerous threats, which is why organized crime and a great state security problem and a specific negative social phenomenon that also threatens national security through manifest forms, so financial investigations should be a tool in the fight against organized crime, corruption, money laundering and other serious criminal offenses, which will, along with other measures and actions, contribute to minimizing business activities and the ultimate goal of breaking up criminal groups, which is also the most important step in the faight with OCG

The overall objective is to enable efficient and quality implementation of financial investigations is order to monitor cash flows, property and parallel implementation of financial investigations, efficient cooperation between institutions, raising the level of training of both judicial and state officials (collecting data and information) and general Awareness of the importance of conducting financial investigations

The SOCTA MNE 2017 assessment of the threat of serious and organized crime identified 11 OGG active in Montenegro (Polyvalent OCG multiple activities at the same time)

One of the challenges that law enforcement agencies face in Montenegro is: organized crime is manifested through the activities of the OCG, whose primary activity is the smuggling of narcotics at the international level. The conflicts between the OCG (which result in the killings) are not only related to the territory of Montenegro, but also the international traffic with registered criminal structures in the region

Police and state prosecutor's offices in Montenegro have some success in this area, but it is necessary to improve the results of the previous work.

Recommendation no. 30 Financial Action Task Force (FATF), according to which "financial investigation" means the investigation of financial affairs related to criminal activities, for the purpose of: the network of crime, le the extent of crime; detection of proceeds of crime, terrorist assets or any other property that is or might become the subject of confiscation, as well as for disclosure of such property; obtaining evidence that can be used in criminal proceedings.

The main objective of the investigation of financial crime is to determine and document the movement of money during criminal activities, ie the origin of money and its transformation and the way it is used.

The relationship between the origin of the money, the beneficiary, the moment of receipt of money and the place where it is deposited can provide information on criminal activities, as well as evidence of the committed criminal offense

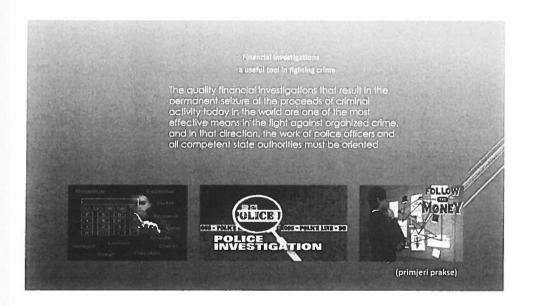
MATERIAL DAMAGE CAUSED BY THE COMMISSION OF CRIMINAL OFFENSES ONLY IN THE FIELD OF ECONOMIC CRIME (REGISTERED CRIMINAL OFFENSES, FILED CRIMINAL CHARGES) AMOUNTS TO:

2015 - 25.420.291 EUR | 20.041 US

2016 - 33.564.018/EUR 2018 - 52.948.363 EUR

2017 - 22.712.481 EUR

- ▶ The statistical data available to the Criminal Police Department regarding the number of registered criminal offenses during 2016, 2017 and 2018 indicate that there were very few financial investigations conducted in relation to a large number of crimes committed, pursuant to Article 2 of the Law on the confiscation of property gain acquired through criminal activity, could conduct a financial investigation (over a thousand)
- We believe that the conduct of financial investigations, a useful tool in the fight against crime, is primarily the fight against organized crime and transnational organized crime, which police officers should use in dealing with all cases where financial investigations can be conducted.



Organised crime activities are profit

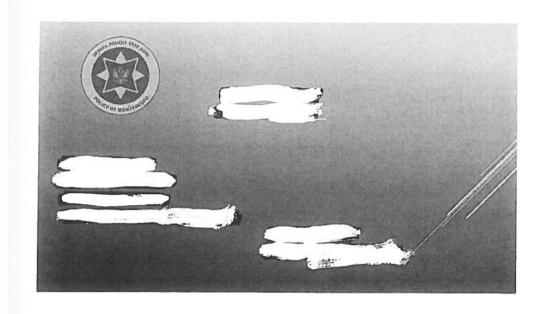
Confiscation is a strategic priority in the every country on fight against organised crime

Human trafficking destroys lives and its effects damage communities

Human trafficking is a truly international crime

In a strategy to combat trafficking In human beings, a financial investigation has been identified that includes asset investigation, freezing and seizure, management and final seizure / confiscation

Therefore, there must be good, safe and fast international cooperation in order to identify assets acquired through crime





# FII BUSINESS MODEL TO IDENTIFY POSSIBILITIES TO DISRUPT IT

USE OF FINANCIAL INVESTIGATIONS



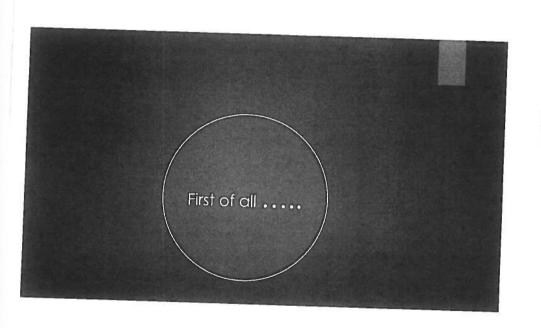


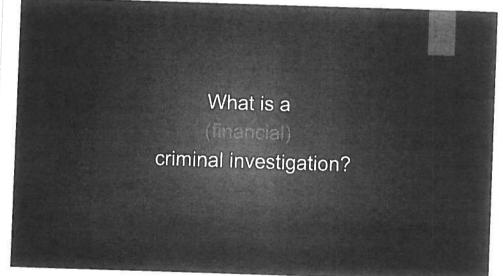
## Introduction

Flows of illicit money through transfers of funds can damage the integrity, stability and reputation of the financial sector. Further it could menace the internal market of the European Union as well as international development.

The confidence in the financial system is important and could be threatened by

- · Terrorist financing
  - Money laundering
    - · Organized crime
    - and other crimes.





Criminal (financial) investigation:

The study of facts to show and prove criminal trials.

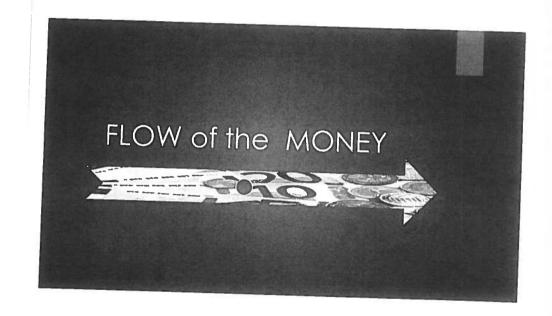
# Criminal (financial) investigation:

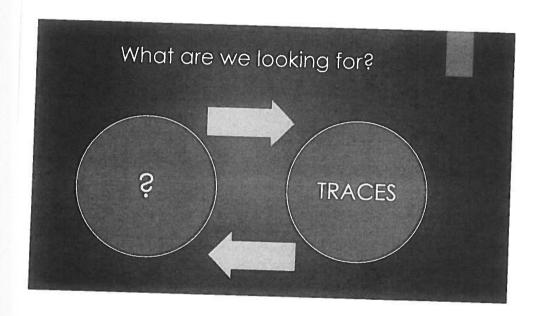
A complete criminal investigation can include

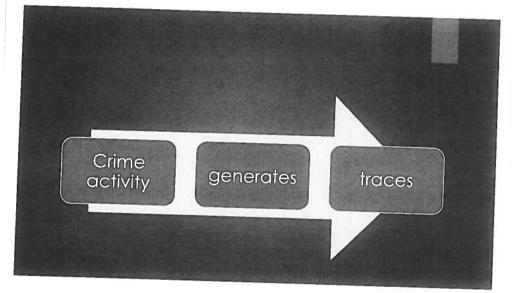
- Searching, identify and finding informations,
- Searching, identify and finding traces
- preservation
- interviews.
- interrogations
- others various methods of investigation,
- ▶ evidence collection
- analyze, develop hypotheses reconstruct
- report

What is a financial investigation?

A financial investigation is an analysis of where money comes from, how it moves, and how it is used.



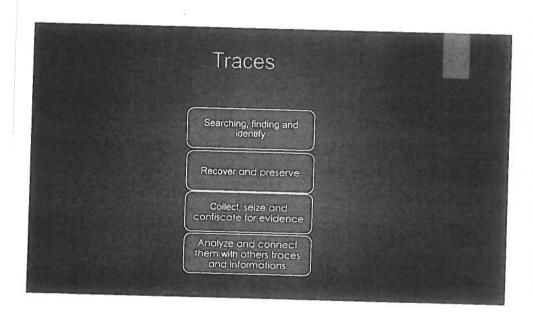


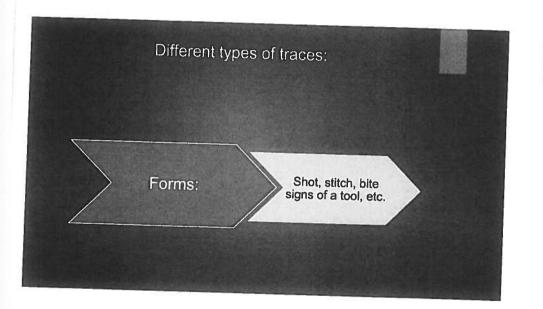


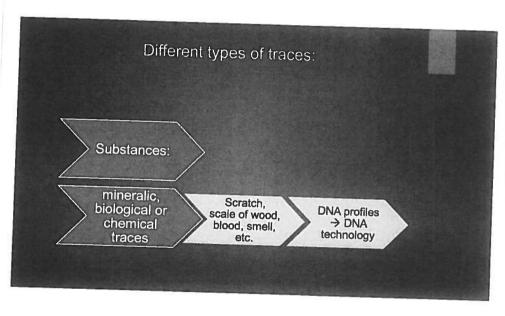
### Traces - definition

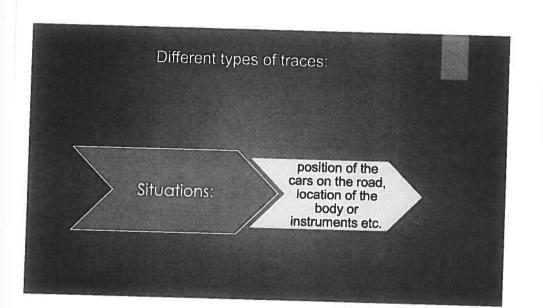
«A pattern, a signal or material transferred during a event. It is the remnant (the memory) of a source and of an activity that produced it»

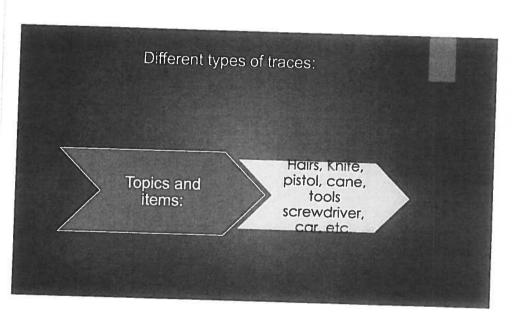
P. Margot, Forensic science on trial- «What is the law of the land?» Australian Journal of Forensic Sciences 43 (2-3) (2011) 89-103.

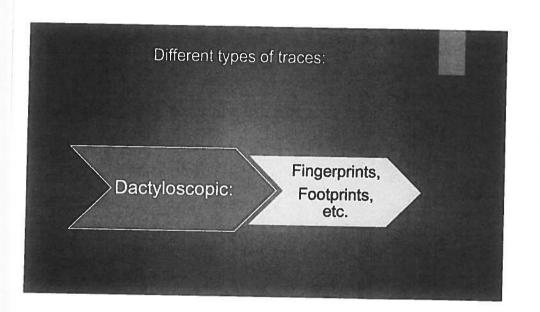


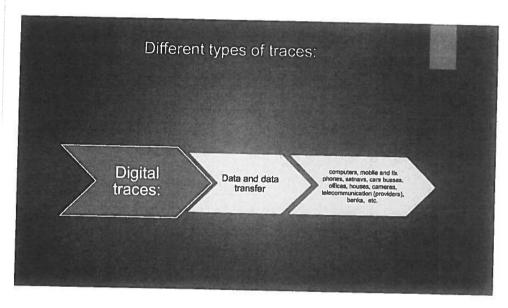




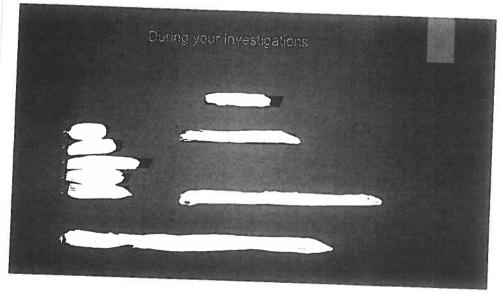


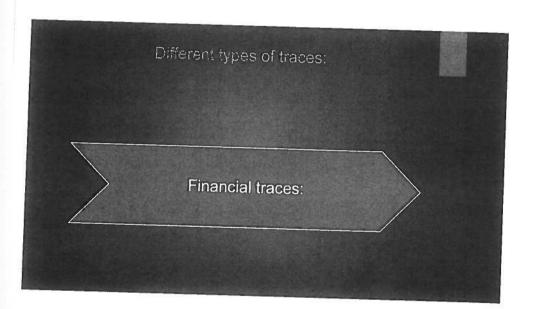


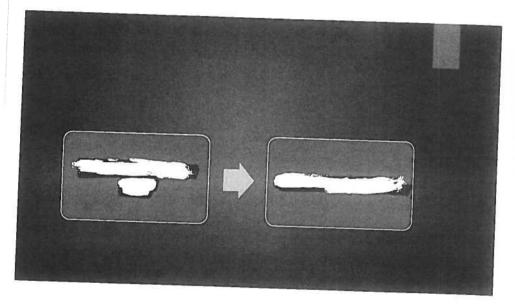


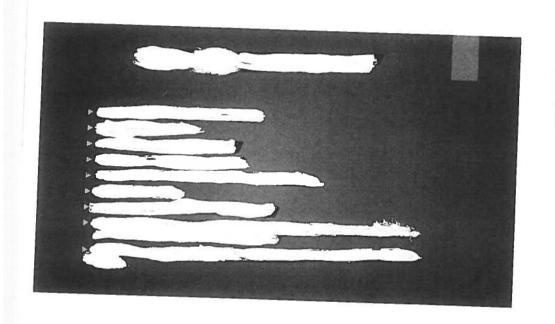


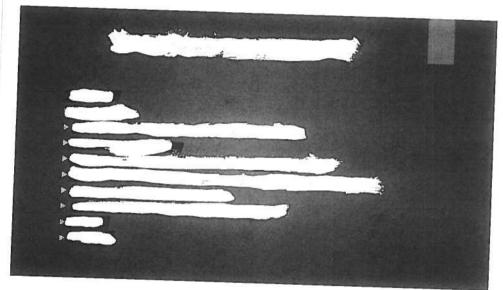


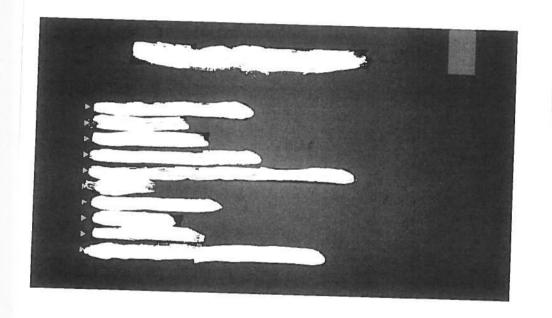


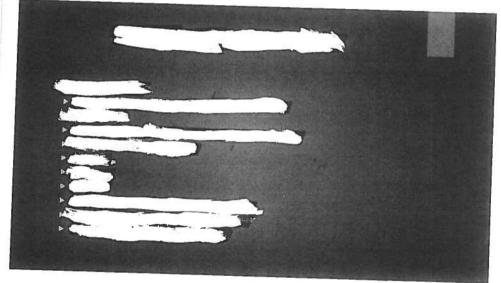


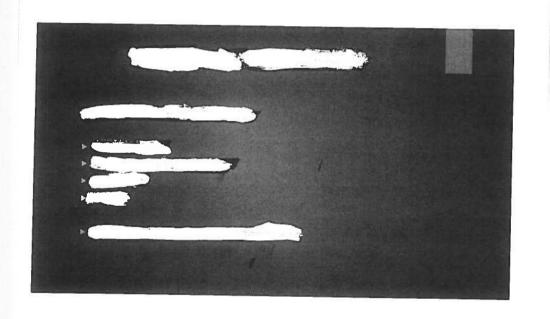


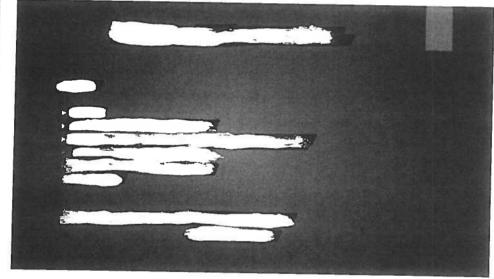




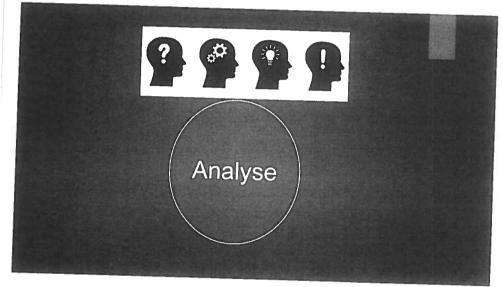








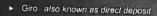




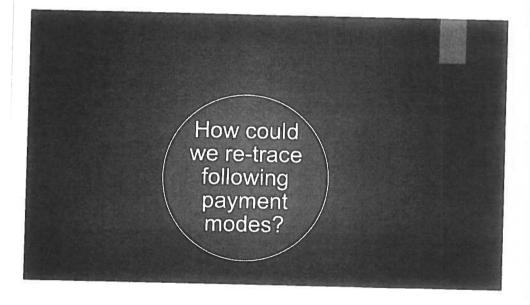
# Forensic intelligence

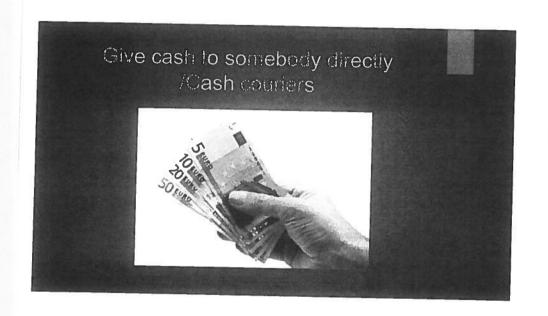
- ► Forensic traces have the advantages of being:
- Objective
- Measurable (analysis/codification)
- Comparable
- ► Traces can be compared systematically to connect cases in a timely fashion
- >> Infer a common source/ a common crime activity

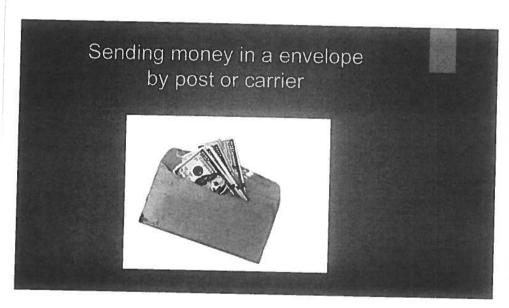
How can I move money, funds, objects,...

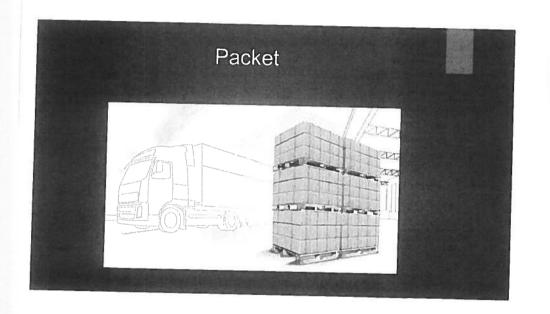


- ▶ Money order transfer by postal cheque, money gram or other
- ▶ Bank transfer money order / swift
- ▶ Remittance a transfer of money by a foreign worker to his or her home country
- > Currency exchange, transfer for of one currency to another
- Electronic funds transfer an umbrella term mostly used for bank card-based payments
- Wire transfer an international expedited bank-to-bank funds transfer
- ► HOSSP's
  - -Al-Barakat an informal money transfer system orginating in the Arab world
  - -Hawala (hundi) an informal system primarly to send money to and from the Middle East, North Africa, India, Pakistan, Bangladdesh, Nepal
- ▶ Others

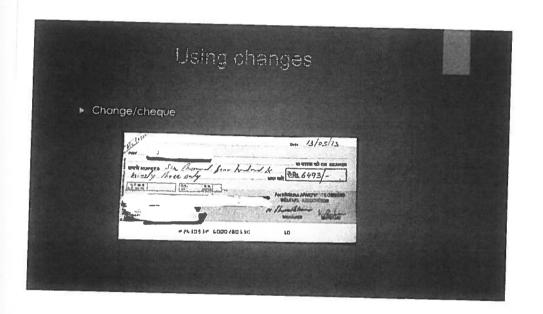


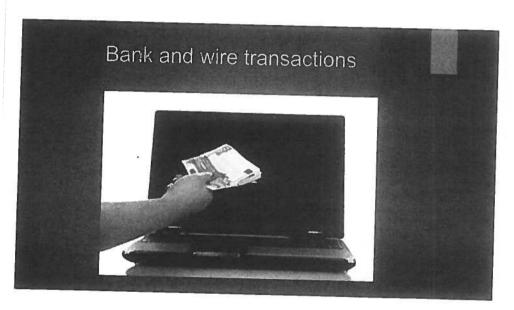


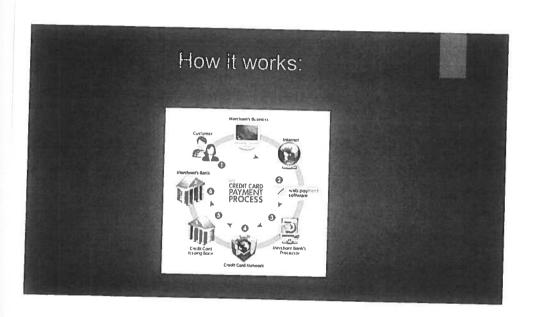












# Informal value transfer system IVTS

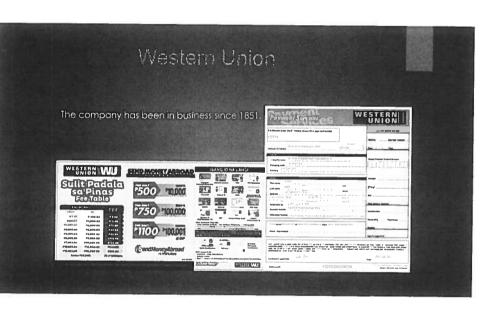
An **informal value transfer system** (**IVTS**) is any system, mechanism, or network of people that receives money for the purpose of making the funds or an equivalent value payable to a third party in another geographic location, whether or not in the same form.

# Informal value transfer system Payment instructional Code NYTS Operator Country A Contentant Code Individual 1 Service Contentant Code Recipions Recipions

# Money transfer services

Financial services that specializes in the transfer of money from one location to another location.

Individuals deposit money at one of the company's kiosks and then the receiver is able to pick-up the funds at another branch.





- ▶ Ria Money Transfer is a subsidiary of Euronet Worldwide, Inc. which specializes in money remittances. Ria initiates transfers through a network of agents and company-owned stores located throughout North America, Latin America, Europe, Asia-Pacific, Africa and online.
- ▶ The company opened its first store in 1987 and has since grown to become the third largest money transfer service in the world. Ria currently serves customers in 144 countries through more than 314.000 locations worldwide





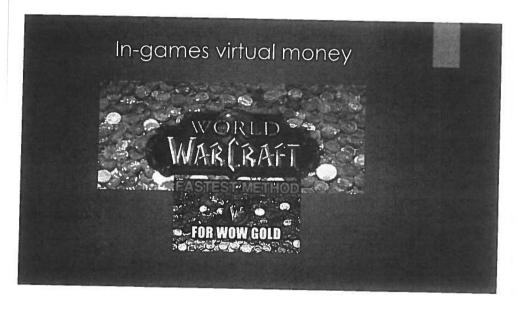




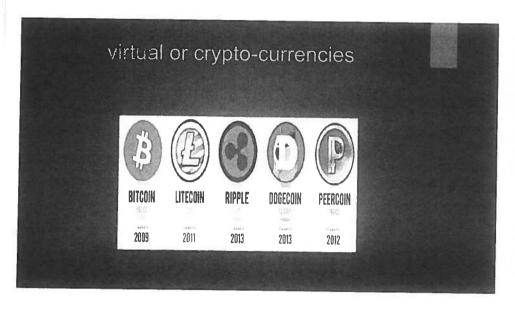




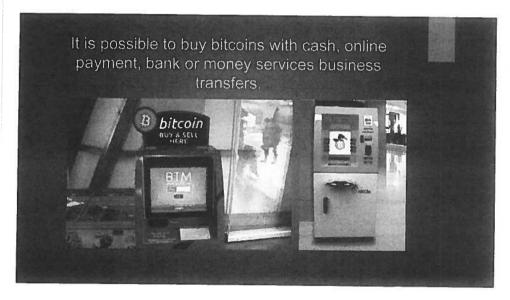


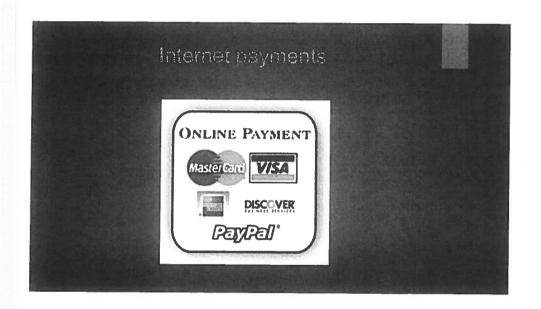


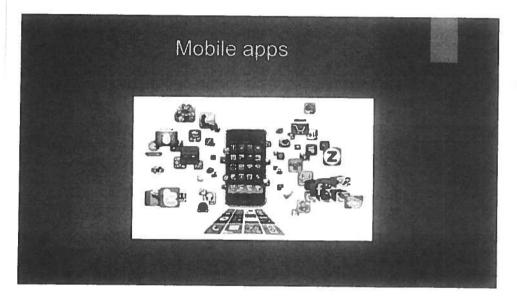






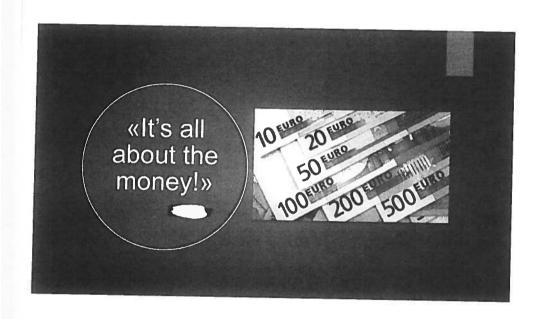




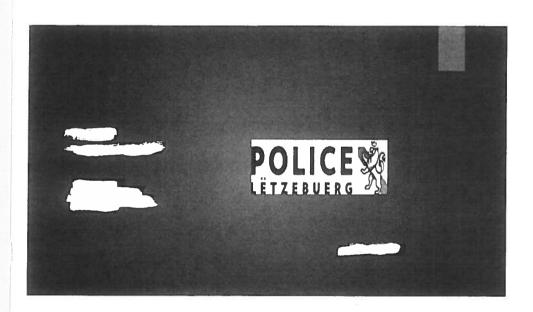














We are having three tasks

# OUR Rules ©

- •When you finish rise your hand.
- •Do not tell loud the names/answers please.
- •All of us we have to do this exercise.

### TASK 0

- Use the tool to download the picture from your computer
- Then when you open link above downloaded picture as URL and use our Firefox addons (left click on picture)

# TASK 0

- Question:
- Why it has been closed down? The official reason.
- When finish rise your hand please.

# TASK 1

- •Questions:
  - Where the foto was taken?
  - •Whos paintings are on the photo?
  - What is the age of the author of the paintings?
  - •Which country he/she is from?
  - When finish rise your hand please.

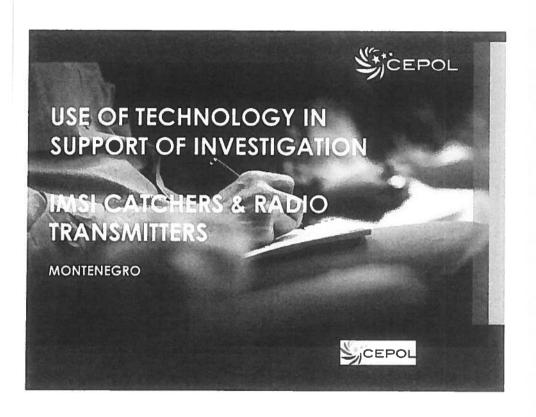
# TASK 2

- •What is company name (owner of the ship)?
- •Ship (vessel) name?
- •What kind of vessel it is?
- •What country it is registered in?
- •Where the ship is now?
- •To which port is going to?
- •When finish rise your hand please.

Discussion... Questions...







**How Mobile Phones Work?** /previous lecture/

# **Mobile Phone Components**

Handset





•SIM Card

Mobile Number

7880 - 736518

Communication Service Provider (CSP)











# IMEI

- at least 15 digits
- each section of numbers within the IMEI has a significant meaning –
- AA-BBBBBB-CCCCCC-D
- AA-BBBBBB-CCCCCC-EE software ver.

	AA -	ВВ	BB	вв		CC	CC	CC	D or EE
Old IMEI	TAC			FAC					(Optional) Luhn checksum
New IMEI	TAC				Serial number			<b>.</b>	
Old IMEISV		TAC		FAC		Senai number			0-4
New IMEISV	TAC								Software Version Number (SVN).

# The Simcard

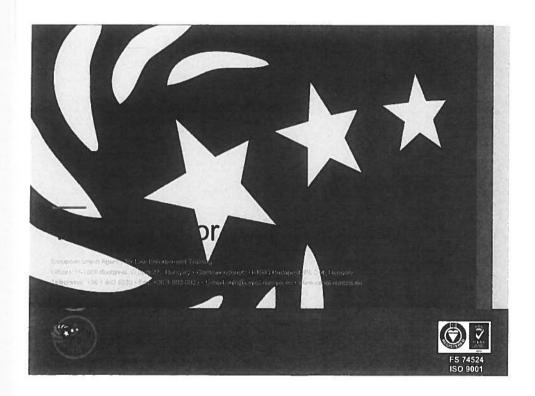
- A smart card in the handset which has a limited memory to store phone numbers, text messages and other more basic services
- It is removable and can be put into different handsets
- Contains the mobile phone number
- Contains the <u>IMSI</u> number (<u>International</u> <u>Mobile Subscriber Identity number</u>)
- Contains the manufacturers serial number

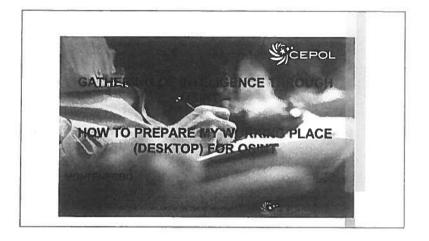
IMSI 234151234512345

# IMSI

- 15 digit number, but can be shorter (not longer)
- The first 3 digits are the mobile country code (MCC)
- Next mobile network code(MNC), either 2 digits (European standard) or 3 digits (North American standard)
- The length of the MNC depends on the value of the MCC, and it is recommended that the length is uniform within a MCC area.
- The remaining digits are the <u>mobile subscription</u> identification number (MSIN) within the network's customer base (mostly 10 or 9 digits depending on the MNC length)

# HISTORY:





# INTERNET ?

### What is OSINT for You???

- . 8
- . ...
- 100
- .....
- 104
- 55.
- 111

### **OSINT** - definitions

Open-source intelligence (OSINT) is data collected from publicly available sources to be used in an Intelligence context. In the intelligence community, the term "open" refers to overt, publicly available sources (as opposed to covert or clandestine sources). It is not related to open-source software or public intelligence

### **OSINT** and Dark web

Is DARK WEB info part of OSINT?

YES or NO?

OSINT sources can be divided up into six different categories of information flow

**Media:**, print newspapers, magazines, radio, and television from across and between countries.

# WEB 1.0, 2.0 ...

Do you know main difference?

# **Software**

Browser

Searching engines and their differences

Adds

### **Browser**

What browsers you know?

List them...

# **Search engines**

Which search engines you know?

List tchem...

Are they all the same?

### **Addons**

uBlock Origin

https://addons.mozilla.org/en/firefox/addon/ublock-origin/

An efficient blocker: easy on memory and CPU footprint, and yet can load and enforce thousands more filters than other popular blockers

# **DuckDuckGo Privacy Essentials**

https://addons.mozilla.org/en-US/firefox/addon/duckduckgo-for-firefox/

Privacy, simplified. Our add-on provides the privacy essentials you need to seamlessly take control of your personal information, no matter where the internet takes you: tracker blocking, smarter encryption

# **SingleFile**

Save a page as a single HTML file

https://addons.mozilla.org/en-US/firefox/addon/single-file/?src=search

Save a complete page (with CSS, images, etc.) into a single HTML file

### **Easy Screenshot**

https://addons.mozilla.org/en/firefox/addon/eas yscreenshot/

Capture a screenshot of the whole webpage, and save in your desktop in default

To protect and easy to extract photos to search

08/01/2020 08/01/2020

# **Wayback Machine**

https://addons.mozilla.org/en-US/firefox/addon/wayback-machine new/

Detects dead pages, 404s, DNS failures & a range of other web breakdowns, offering to show archived versions via the Internet Archive's Wayback Machine. In addition you can archive web pages, and see their most recent & first archives Ex. Onet.pl

# **Link Gopher**

https://addons.mozilla.org/en-US/firefox/addon/link-gopher/

Extracts all links from web page, sorts them, removes duplicates, and displays them in a new tab for inspection or copy and paste into other systems.

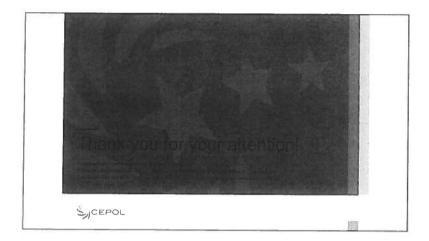
Try: ccat.pl

# OCR - text capture from picture

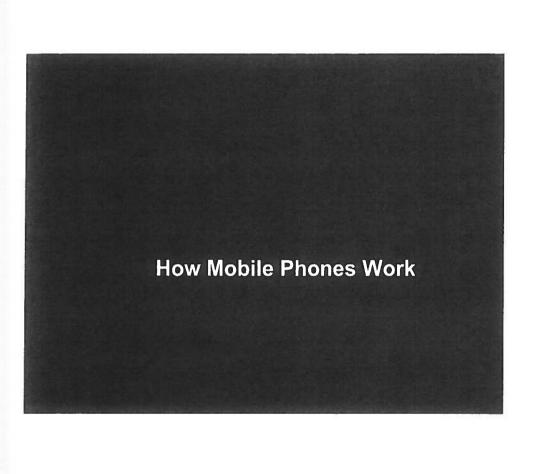
Copyfish - Free OCR Software

https://addons.mozilla.org/en/firefox/addon/copyfish-ocr-software/?src=search

**QUESTIONS**???







# Facts and Figures (December 2016)

- Around ... million mobile phone subscribers (SIM cards) in Montenegro
- .... Facts and figures

# Cell Types

- Omni Cell
  - Omni –directional cells have one antenna which gives 360 degree coverage
- Macro Cell
  - Are the work horses of a network.
  - Cells have more than one antenna and the coverage area is split up into sectors (normally 3 or 6)

  - Antennas mounted on masts, buildings, normally elevated
     Provide coverage over varying distances typically 1 KM to 35 KM
- Micro Cell
  - Provide additional coverage in areas of high number users
  - Mounted at street level and often disguised
  - Provide coverage over distances between 100m and 1KM
- Pico Cell
  - Provide coverage up 10 to 100m
  - Generally found in buildings with dense population
- - Smallest standard cell. Found in offices
  - Provide coverage between 1m to 10m

**Seizure of Mobile Phones** 

Legislation covering Telecommunications

Is part of cyber

Issues around
Forensic Examinations
of SIMs / Handsets &
Communications

The Differing items

of Communications

Data

Attributing

Mobile Phones

Evidencing Localisation Communications Data

