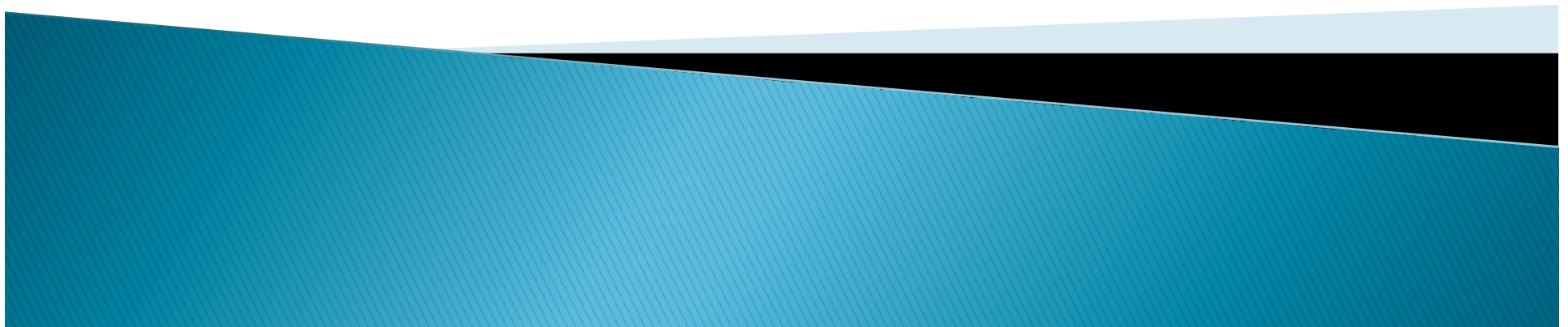


# Cybercrime case study analysis: “Germany on the Deep Web – No control, everything allowed!”

Michael Geiger




# Background

*The New York Times*

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## *Gunman in Munich Kills 9, Then Himself, the Police Say*

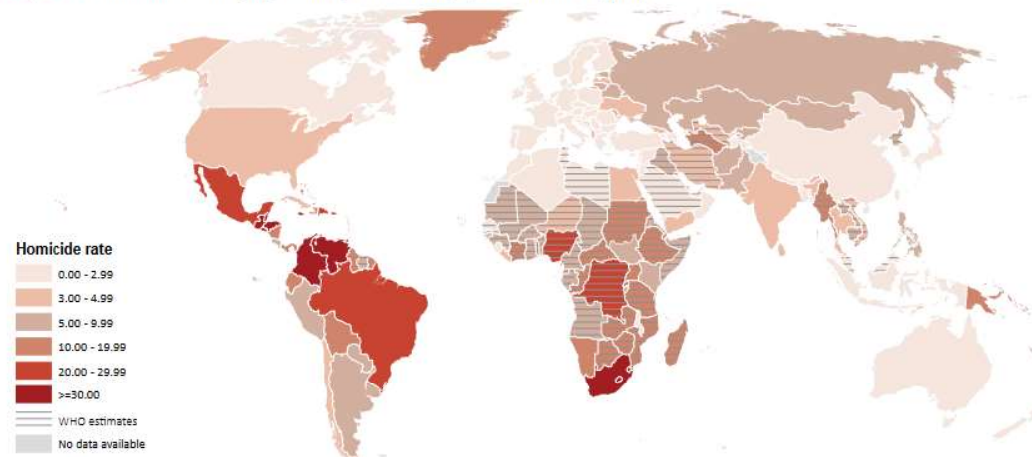
Callimachi et al. (2016)

- 22 July 2016
  - Killing spree in Munich, Germany
  - Nine people dead and 27 injured
  
  - Firearm illegally obtained over the internet
  - Killer got in contact with weapon seller over the website: “Germany on the Deep Web”
- 

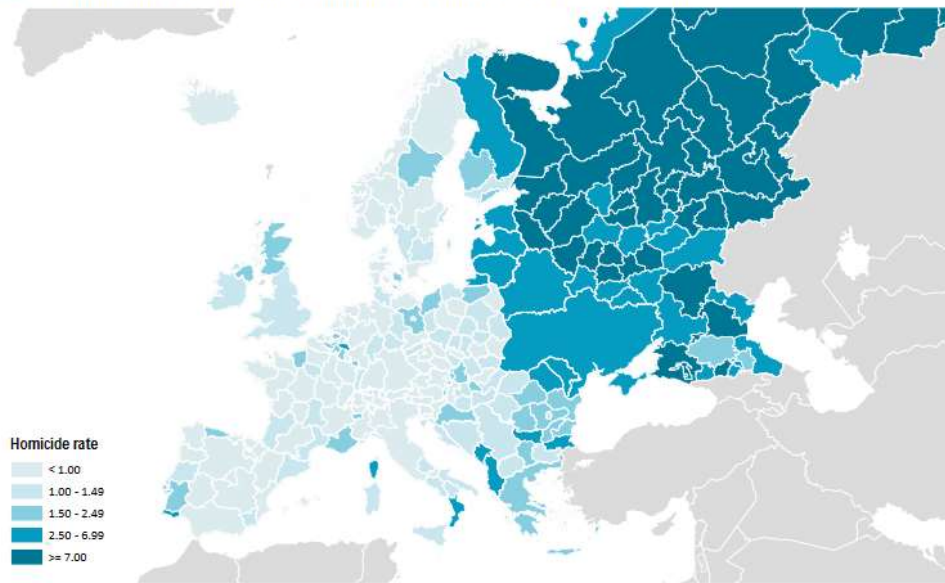
# National Importance of the Cybercrime

United Nations Office on Drugs and Crime (2013):

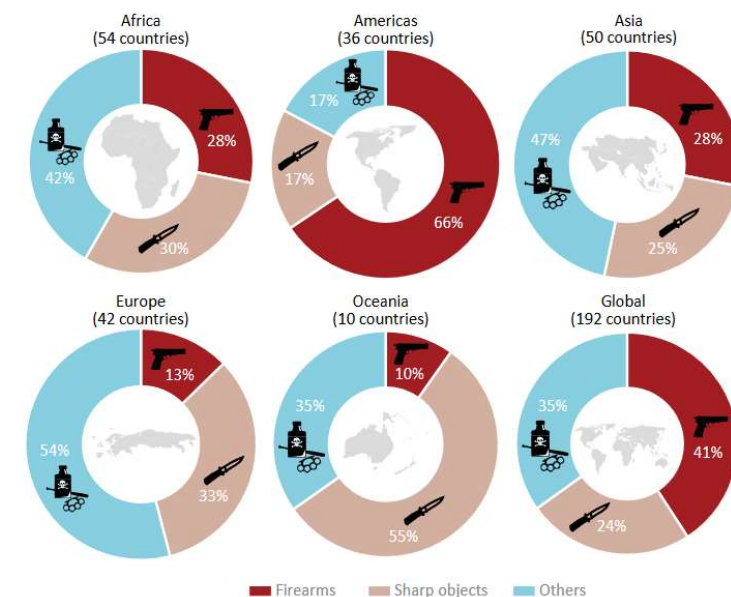
**Map 1.1:** Homicide rates, by country or territory (2012 or latest year)



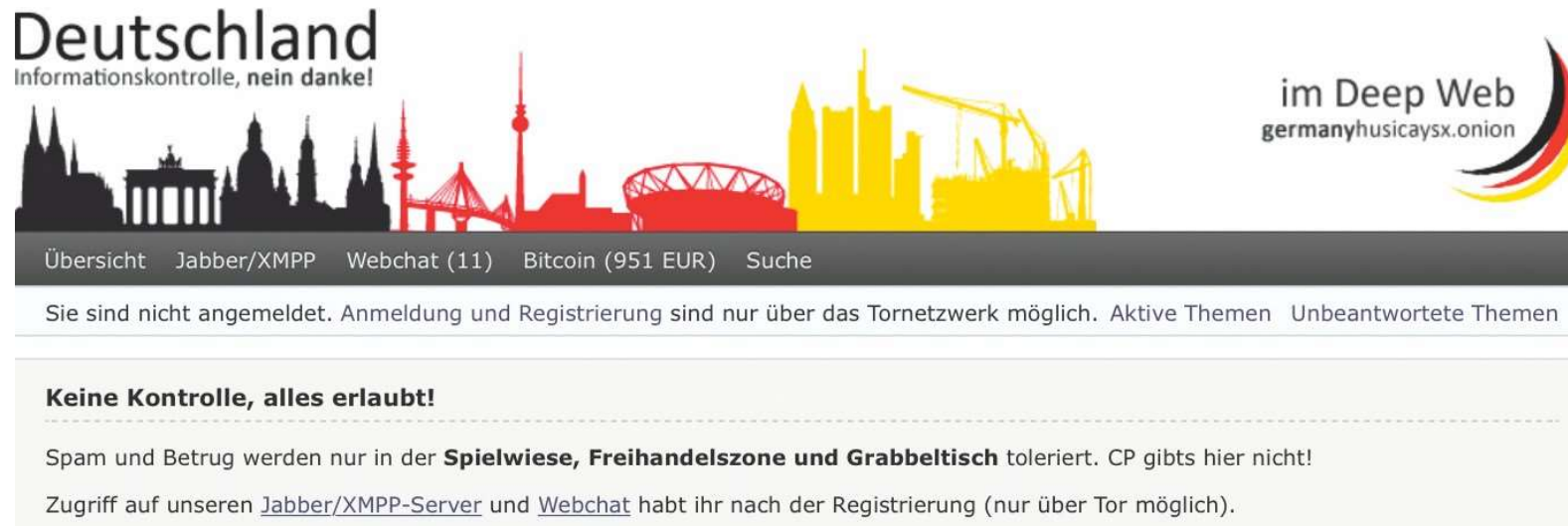
**Map 1.4:** Homicide rates at the sub-national level, Europe (2012 or latest year)



**Homicide mechanism, by region (2012 or latest year)**

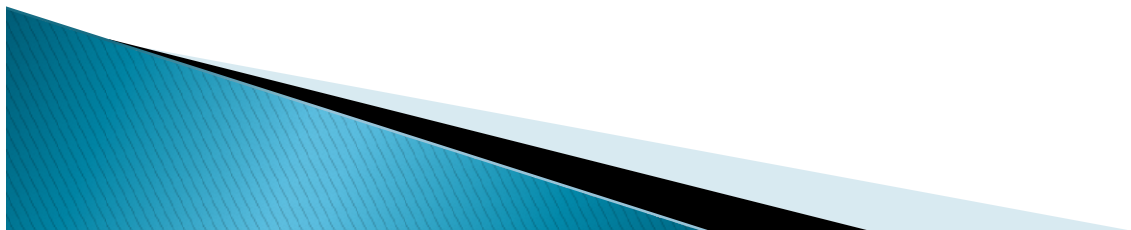


# The cybercrime and the context



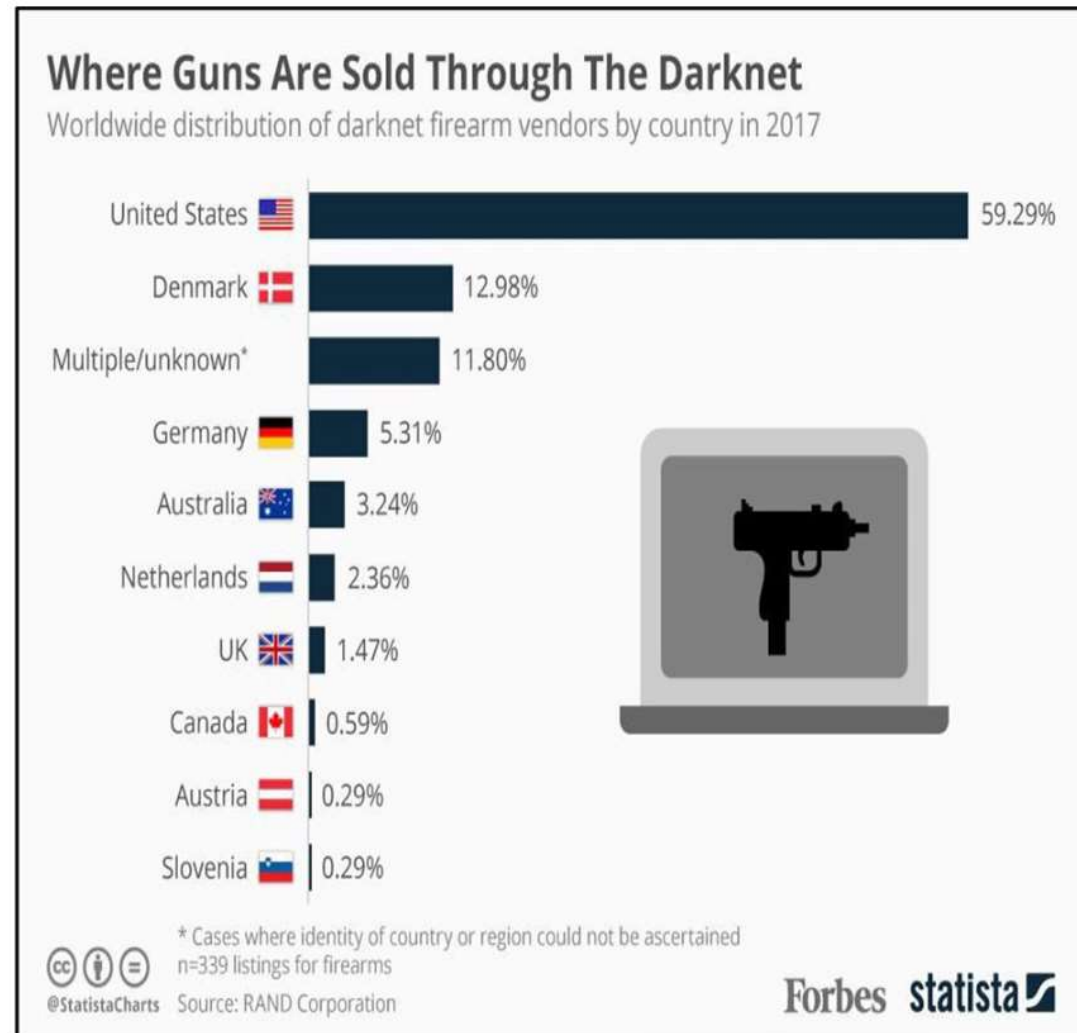
Heise Medien (2018)

- Dark web website “Germany on the Deep Web”
- Marketplace for illegal drugs and arms trade (UNODC, N.D.)
- Weapon traded through website used in the killing spree in Munich 2016



# International comparison

- Germany has third largest illegal online market
- Huge interest in prevention of illegal arms trade
- International threats arises from illegal arms trade



Kaur & Randhawa (2020)



# Cybercrime typology and nature

About “Germany on the Deep Web” website:

- Website operator: Alexander U. (lucky)
- Intention of the website: “Anonymous communication in times of mass surveillance.”(Tanriverdi, 2018)
- Domain: “germanyhusicaysx.onion“ available over Tor network
- Size: 35,000 registered users, average of 6 million page views per month

German Federal Office for Information Security (BSI, N.D.a):  
“Moving around the dark web as well as operating a website alone is not illegal, even if it is a security risk.”




# Cybercrime typology and nature

## Criminal offenses committed by the website operator:

- Aiding and abetting the illegal advertising of narcotics (§ 27 of the German Criminal Law (StGB) (Gölzer, 2020)
- Aiding and abetting the intentional illegal trade in a firearm (§ 27 StGB)
- Aiding and abetting the intentional illegal acquisition of a semi-automatic handgun (§ 27 StGB)
- Aiding and abetting the intentional illegal trade in a firearm in connection with negligent homicide in 9 counts and in connection with 5 counts of negligent bodily harm (§ 27 StGB)

Alexander U. was sentenced to six years in prison for particularly serious aiding and abetting in five cases.



# Legislative and national efforts

- “Germany on the Deep Web” since 2014 monitored by the police
- Larger investigations after the killing spree in Munich, July 2016
- Infiltration of the Website by undercover agent in August 2016
- Attempts to locate the offender’s residential address through the Tor network
- Determination the residential and real name of the offender via the currency marketplace operator bitcoin.de
- Arrest the offender and secure evidence through planed online diversionary tactics and simultaneously home searches





# Cost of the crime and identified issues concerning the crime

## Cost of the crime:

- No quantifiable costs
- 9 dead and 27 injured
- Threats from other traded weapons still exist

## Issues concerning the crime:

- Difficulties in tracing the operated website
- Concerns of the potential lose of evidence

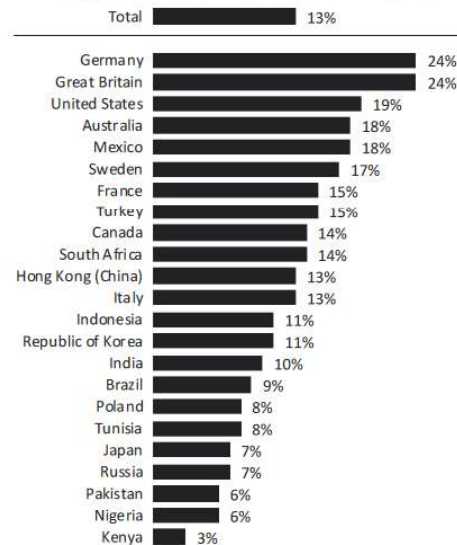


# Examination of public and social perception

## Centre for International Governance Innovation (2019):

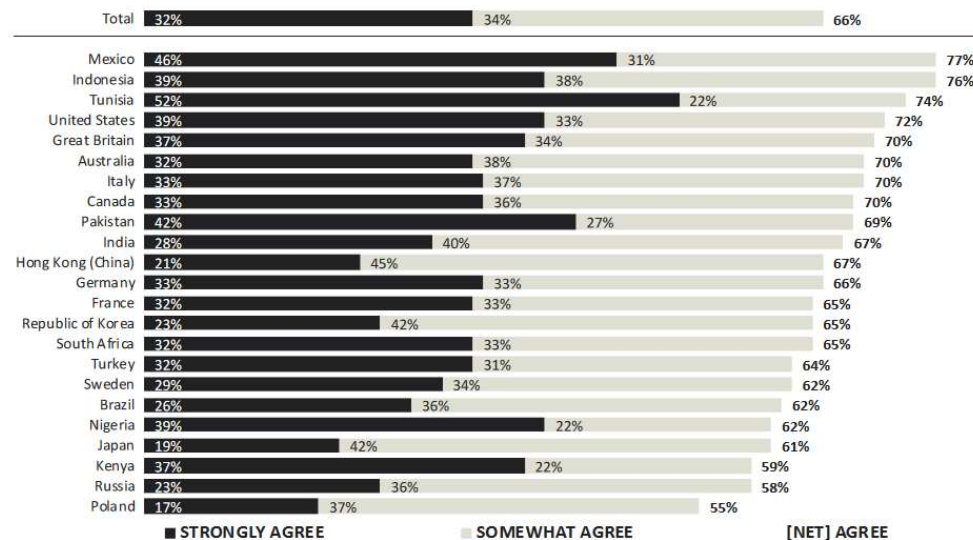
### TOR AND THE DARK WEB ARE USED BY CRIMINALS

Just thirteen percent (13%) do not use Tor & other Dark Web technologies because they think these technologies are used by criminals, including as many as one in four (24%) in Germany & Great Britain.



© 2019 Ipsos Q18. Please indicate the reasons why you do not use technologies such as Tor to access the Dark Web  
Base: 2019 (n=19,435 Those who do not access Dark Web or Tor) NOT ASKED IN CHINA AND EGYPT

Two-thirds (66%) of global citizens *agree* that the Dark Web should be shut down. In fact, a majority in each nation surveyed feel this way including as many as three quarters in Mexico, Indonesia & Tunisia.

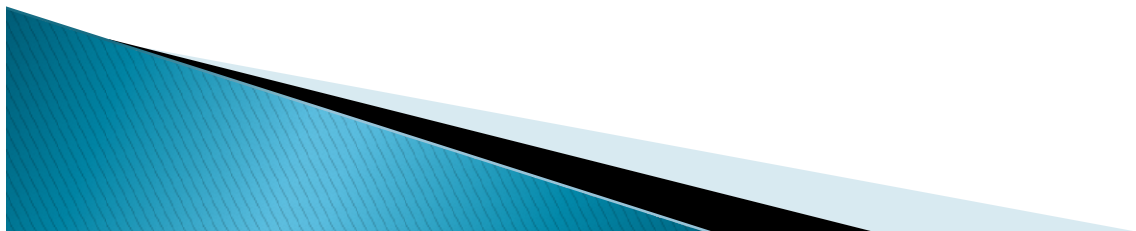


© 2019 Ipsos Q19. Do you agree or disagree that the "Dark Web" should be shut down?  
Base: 2019 (n=23,227) NOT ASKED IN CHINA AND EGYPT

# Examination of public and social perception

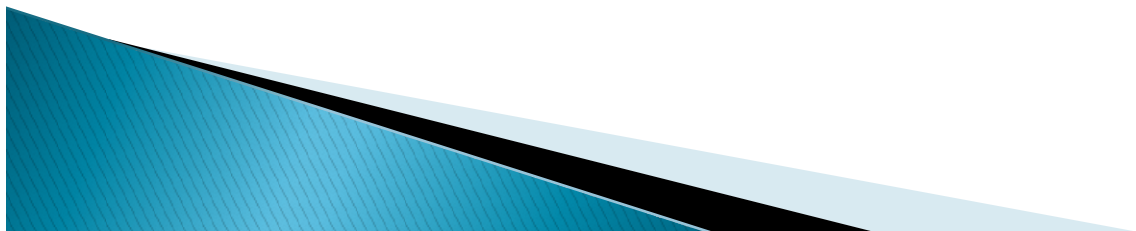
Demands for changes in the law and measures:

- Legislative initiative for recording illegal online trading platforms in 2019
- IT Security Act 2.0 of 2021 (BSI, N.D.b):
  - § 126a Criminal Law, Criminal liability of the operator
  - § 99 Law of Criminal Procedure
- Further demands from the BSI:
  - Adopting virtual identities without authorization
  - Receiving more information from service providers
  - Penetration of systems without authorization



# Conclusion

- Online crime can have a direct impact on public safety
- Responsibility of website operators and their criminal liability
- Challenges of prosecution and preservation of evidence
- Changes in the legal situation and further demands for rights for the investigative authorities



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Thank you for your attention

