



# Dark net marketing as a modern scheme to facilitate organized transnational crimes: International Cooperation between Cameroon and other states as legal response.

Dr. BumaTita Valentine<sup>1</sup>

<sup>1</sup> Assistant Lecturer, Department of English Law, University of Bamenda, Cameroon

**ABSTRACT:** With the arrival of the internet world, face to face traditional method through which transnational crimes were committed has drastically changed. The same as internet has brought many advantages, it still possesses certain loopholes, which these individuals of the underworld, uses to facilitate the execution of organized transnational crimes without allowing traces, that greatly affect Cameroon. Dark net marketing, today, actually act as the main stimulus for the commission of organized transnational crimes, since both buyers and sellers don't need physical contact, but act anonymously through encrypted messages and payment is made by escrow, with the help of crypto currencies in the market place without allowing traces, which makes it difficult for these criminals to be track out and easily facilitate the execution of transnational crimes, such as terrorism, money laundering, human trafficking and arms trafficking around the globe and Cameroon in particular. Today, dark net marketing is acting as a modern method to facilitate the execution of organized transnational crimes through the internet. As a result, the objective of this work, is to examine the modus operandi of dark net marketing as a means to facilitate organized transnational crimes and how international cooperation between Cameroon and other states, through extradition, mutual legal assistance and international criminal police organization, help in combating organized transnational crimes, executed under dark net marketing. To actually achieve the result that, there is a link between dark net marketing and drastic increased in organized transnational

crimes, and how international cooperation between Cameroon and other states through extradition, mutual legal assistance and international criminal police organization, help in combating these crimes, a non doctrinal sequential triangulation method was used, through which, laws, text books, internet sources and libraries as primary sources and field studies, observations, interviews and questionnaires as secondary sources, which proof that, there is a link between dark net marketing and the growth of transnational crimes and also the used of international cooperation between Cameroon and other states through extradition, mutual legal assistance and international criminal police organization in combating transnational crimes executed under dark net marketing.

**KEYWORDS: Dark Net Marketing, Transnational Crimes, International Cooperation**

### Introduction

Organized transnational crimes is simply an organized crime operated across national borders, involving groups of well-trained individuals, working in more than one country to plan and perpetrate illegal business ventures.<sup>1</sup> These crimes involves, terrorism, money laundering, drug trafficking, human trafficking and cyber criminality just to name a few. Since, the world today has become a global village, in which an individual can be found in Cameroon and purchase a product online in U.S.A, similar too, these organized criminals, uses similar modern methods to facilitate the buying and selling of illegal goods and services online through dark net marketing.

Darknet marketing is a commercial site on the internet that operates with the help of a Tor or I2P.<sup>2</sup> Darknet marketing comprises of different market places such as Alpha bay, Silk Road, Dream market, Hansa market, Wall Street, Empire market, Icaurus market, Majestic Garden, Deep Sea Market etc, in which some of them have been locked down. Dark net marketing which is acting today as the main mechanism to facilitate transnational crimes around the globe and Cameroon in particular, came into existence in 2006, when the famous Farmers market was launched and the use of Tor was permitted to vendors and buyers in 2010, as a means to act anonymously without traces. This market was closed in 2012

---

<sup>1</sup>Article 2[a] of United Nations Convention on Transnational Organized Crimes 2000.

<sup>2</sup> Tor is a free software which can be downloaded either through plays store or App store that help to make communication anonymous by disguising the internet location of the user. Invisible Internet Project is an app that makes the network layer anonymous.

and the operators including buyers and vendors were arrested by D.E.A, through Operation Adam Bomb in cooperation with other states.<sup>3</sup> Dark net marketing today is acting as a modern milieu where organized transnational crimes are perpetrated around the globe and Cameroon in particular and if proper legal cooperation is not co-ordinated between states through extradition, international criminal police investigation and mutual legal assistance, it will be very difficult to track and arrest these criminals executing organized transnational crimes under dark net marketing. This is because the servers that actually hold these markets online are sophisticated, anonymous and operated by expert computer engineers in safe heaven's, who make extradition process cumbersome.

Some of these products offered under dark net marketing include, arm trafficking, drug trafficking, human trafficking for sexual purpose, counterfeited bank notes, stolen information from credit cards, fake travelling documents, hacking services and hired killers just to name a few.<sup>4</sup>

These market places found under dark net, turn to become a convergence point for the execution of organized transnational crimes, since these illegal goods and services are sold or bought through a well organized anonymous method with the help of crypto currencies such as bitcoins, ethereum, litecoin and monero just to name a few. The impact of such illegal trading, greatly affects Cameroon, since, most of these arms bought under dark net, end up in the hands of members of Boko Haram in the northern part of Cameroon.<sup>5</sup> Not only arms trafficking have been a great problem to Cameroon, but also the services of hired hackers at these market places, since government websites are frequently hacked by experience hackers, who can only be found under darknet.<sup>6</sup> Through this, if proper co-ordination is not carried out between Cameroon and other states, to track down these criminals, Cameroon will become a fertile ground for the proceeds of organized transnational crimes executed under dark net.

---

<sup>3</sup>en.m.wikipedia.org lastly visited on the 27 August 2020.

<sup>4</sup> These illegal products and services, are always displace at the market place under dark net markets, in various sections.

<sup>5</sup>Boko Haram is a terrorist arm group operating around Sahara desert, within the borders of Nigeria, Chad, Cameroon and Niger.

<sup>6</sup> The facebook page of ELECAM was hacked at 10pm, 23<sup>rd</sup> June 2020.

Also, dark net marketing today as a mechanism to facilitate transnational crimes around the globe and Cameroon in particular, has drastically increased the level of corruption, since members of government who have embezzled money, can easily launder the corrupt proceeds through dark net marketing with the help of expert money launderers.<sup>7</sup>

Looking at the above analyses, it is pertinent that, these organized transnational crimes are being perpetuated through internet but the proceeds of these organized crimes, greatly affect the economy of Cameroon. As a result, to actually analyze international cooperation between Cameroon and other states in combating organized transnational crimes under dark net marketing, it will be important to first examine the modus operandi of dark net marketing as a means to facilitate transnational organized crimes.

### **The Modus Operandi Of Dark Net Marketing As a Modern Tool To Facilitate Organized Transnational Crimes**

Dark net markets comprises of websites, which are similar to other online site that facilitate international and national trade, such as eBay and Amazon.<sup>8</sup> But the only different is that, to have access to these darknet market sites, the user need an onion app, which is composed of a Tor. These onion apps, are freely downloaded on playstores and Apple store.<sup>9</sup> Once downloaded on computer or phone, the user can have access to dark net websites. These websites will give various steps to follow, as procedure to operate under darknet without being track out by law enforcement officers.

Once start browsing, a warning sign will appear on the first page, giving novices vital information on how to download a good Tor and trade under darknet anonymously. The market site, actually list out prominent individuals, who have been tracked by law enforcement officers under dark net, so that, novices can take extra precaution.

Once this vital information have been giving as warning signs to novices, list of various darknet markets sites are being listed subsequently below. The first criteria for listing these markets chronologically is based on turn-over they make each day and secondly, these markets are arranged based on various international languages, as a means to avoid language barriers among vendors and buyers. Some

<sup>7</sup> Money laundering is simply the process of taking the proceeds degenerated from illegal activities and making them legal. Money laundering involves three stages, which are placement, layering and integration.

<sup>8</sup> EUROPOL, Drugs and darknet, Perspectives for enforcement , research and policy. 2017 p 16.

<sup>9</sup> Onion is a special use top level domain name designating an anonymous service, previously known as hidden service.

of these markets which have high turn-over are classified at the top, such as Alpha bay, Hansa market, Silk road, Dream market, Wall street etc, as means to proof their trust worthiness and reputation to novices. Most of these markets, have been closed down by FBI in cooperation with others states suffering from acts perpetrated under dark net marketing, and which clearly indicate on these sites that the “market is closed”. Despite the fact that, most prominent markets under dark net are dominated by English speaking market sites, they are other vital markets with other languages such as Russian market, Italian market, Spanish market, French markets and Portuguese markets. This is to facilitate illegal transactions among buyers and sellers under dark net marketing. Once novice has gone through this vital information, he can now choose the market he or she want to trade in and he will click on the website of the selected market.

Once the novice click on the site, he can either chose to go directly to the market place or to the market forum. Each market is composed of a market place and a forum. These forums help novices and other traders to express their views and worries, concerning the market, so that, moderators can react promptly. The forum is well structured with rigorous principles and any person who goes out of the rules of the forum, he or she is automatically blocked by moderators.

Once click on the website of the market place, products offered at the market place, are well structured in categories and sections. These sections include drugs, arms, stolen credit cards information, exoteric sexual act porn with minors, hacking services, fake travelling documents and fake certificates etc. Each vendor is recognized through reviews, as a means to show their trust worthiness and that they have made successful transactions with many customers.

Once going to these market places, the aim is either to become a buyer or seller under dark net. To become a vendor, you need to purchase a vendor’s account and the amount varies from market to market. Once this vendor’s account has been purchased with a fake name to disguise the person’s identity, a vendor batch is automatically attached to the fake name, so that, he can be differentiated from other members in the set market. Once this is done, everything needed to operate in that market anonymously is attached to his account, such as bitcoin wallet, encrypted messages and payment process through escrow. The vendors need to display pictures of what they offer, as a means of invitation to treat.

To become a buyer is very simple, just click on the market site of your choice and create an account with fake name. Once the account is created, it is incorporated with a bitcoin wallet, encrypted message and escrow process of payment. All illegal transactions are done inside the market place, so as to avoid the risk of being traced out by Interpol. Exchange of phone numbers, addresses and emails are not allowed under dark net market places.

Each section in the market place is being regulated by an administrator and moderators, who are usually voted online by prominent members in the market place, depending on their contribution in the set market. Buying and selling in these markets are well regulated by strict rules under dark net.

To trade, customer needs to transfer bitcoins in to his wallet found inside his account under darknet. These buyers are all over the globe, they usually purchased these bitcoins at various cryptocurrency exchanges such as localbitcoins.com, bittrex exchange, binance exchange etc. Once these bitcoins have been purchased, the buyer will now transfer the bitcoins into his wallet found in his account at the market place, by simply copying his bitcoin wallet address and pasting it and then press send. Within some few minutes, the bitcoin wallet at the market place will indicate that, an amount of bitcoins have been received and it will show the equivalent in dollars. At this point, the buyer can purchase any good or services sold under dark net at the market place, such as sophisticated arms, drugs, stolen information from credit cards, hired hackers, travelling documents and exoteric porn of minors just to name a few.

Once bitcoins have been confirmed in the wallet under darknet market place, the buyer will now look for the good he or she want, from a vendor with good reputation, through the number of reviews the vendor has. Once the vendor has been identified, he will now in box the vendor, through an encrypted message, in which all their negotiations will be carried out, as a means to avoid any traces. Once negotiation has been done on the amount of drugs, arms or the service of money launderer needed, the buyer will issue his delivery address where the product will be issued. The vendor will give the time frame in which the product will be transported to the buyer and method of packaging. The duration of shipping will depend upon the location where the buyer is found, maybe in Cameroon, Nigeria, UK or Indian.

Once the amount of product and duration of shipment have been agreed upon, the buyer will now send the money through a process known as escrow in the market place, where the money will only validly enter the account of the vendor, when the buyer proof that he has receive the product.<sup>10</sup> Escrow is put in the market place to avoid scammers. However, in case the customer receive the good at the delivery point and fail to confirm that the good has been received, they will go through what is known as a dispute. It is like a virtual court of arbitration under dark net to resolve trading problems between buyers and sellers, once the vendor scan the receipt where the transaction of shipping was carried out to the right address, without the buyer proving the contrary, the moderator dealing with the case in hand, will simply shift the bitcoins found in escrow at the market place to the vendor.

These products sold under dark net such as guns, arms trafficking, fake travelling documents and stolen bank information, turn to find themselves in Cameroon and these are the methods used by members of Boko Haram to purchased arms in the northern part of Cameroon, with the aim to execute terrorist acts. Everything under dark net marketing is well organized and encrypted by operators, from crypto currencies used, escrow, encrypted messages and methods of delivery.

Other crypto currencies apart from bitcoins are being accepted under darknet marketing, such as monero, lite coins, ethereum, ethereum classic etc. The anonymity of these coins, encrypted messages and methods of delivery tend to facilitate transnational crimes around the globe and Cameroon in particular, since both buyers and seller can't be easily traced out. That's why, today, large amount of bitcoins have been circulating in Cameroon on daily bases, which are the proceeds degenerate from dark net market places. Also, arms bought at these market places are in the hands of terrorist arms group in the northern part of the country that makes it difficult for the supply sources to be traced out.

As a result, it is very important to combat darknet marketing by tracing operators of such sites, vendors and buyers through international cooperation between Cameroon and other states. International cooperation between Cameroon and other states such as extradition, international criminal police organization and mutual legal assistance will be examine below, as legal means put in place to

---

<sup>10</sup> Escrow is a method of payment under dark net marketing, whereby, a buyer put bitcoins under an automatic scheme found at the market place, acting as a referee and through which these coins are being held inbetween the buyer and vendor and will only be transfer into vendor's wallet once delivery of the product has been concluded.

combat organized transnational crimes perpetrated under dark net around the globe and Cameroon in particular.

## **International Cooperation between Cameroon and other States as Legal Means to Combat Dark Net Marketing as Modern Tool in Facilitating Organized Transnational Crimes.**

Looking at the drastic increased of organized transnational crimes, committed with the aid of dark net marketing, Cameroon and other states have put in place legal means to track down operators of these sites, vendors and buyers, through international cooperation. International cooperation between Cameroon and these states is carried out through extradition, mutual legal assistance and international criminal police investigation, which will be examined below.

### **1. International Criminal Police Organization or INTERPOL**

INTERPOL, is the world's largest International Police Organization that operate all over the globe within 194 member countries. The headquarter and general secretariat are located in Lyon, France. The primary function of INTERPOL is to support law enforcement agencies in its 194 member countries in their efforts to prevent crimes and carry out thorough criminal investigations around the globe against transnational crimes. INTERPOL has greatly help in the fight against transnational crimes perpetrated under darknet marketing, through training seminars they give to national police officers, on how to identify criminals operating under dark net marketing and also coordinating investigation among member countries to track down prominent dark net operating sites together with vendors and buyers. INTERPOL, greatly help in the combat of transnational crimes committed through dark net marketing, in that, it is less time consuming, since it operate between countries, even where diplomatic relationship do not exist. INTERPOL office in Cameroon is found in Yaounde, which aid to coordinate national investigations on transnational crimes committed with the help of dark net in Cameroon.

INTERPOL as a means of state cooperation, has greatly help in the closure of many market sites under dark net, such as Alpha Bay, Dream Market, Hansa, Well Street just to name a few. Since, these crimes are well coordinated under dark net, in which the proceeds of these crimes affects more than one country, it is very pertinent for these police officers around the globe under the umbrella of INTERPOL, to coordinate their investigation, as a means to facilitate the tracing of these criminals.



The best method used by INTERPOL to combat dark web, is by infiltrating into the market site. This method is very effective, since they can easily seize servers used in operating these markets sites and therefore, facilitating the identification of dark net sites operators, together with vendors and their buyers. This method was used in the closure of Alpha Bay market in July 2017. The alleged operator of Alphabay known as Alexandre Cazes, age 26 of Canadian nationality, was found dead in Thailand shortly after a reported international police effort between Thailand, Canada and USA was put in place to track him, his market administrators and also prominent buyers and sellers of dangerous goods.<sup>11</sup>

This similar method was used by Dutch police in collaboration with police from other countries to hijack the server of the most prominent dark net market in Europe known as Hansa, which was specialized in the sales of drugs and other counterfeited notes. In cooperation with the German police, they were able to arrest two prominent administrators of Hansa market in Germany. This method has been used to seize servers operating prominent dark net markets such as Silk roads, Dream markets and Wall streets, in which their operators together with buyers and sellers were arrested. The issue is that, once a market is being locked down, these buyers and sellers move to other markets.

In Cameroon, police coordination with other neighboring countries is very important to combat money laundering under dark net. This can be seen with the Cameroon's former water and energy minister, Basil Atangana, accused of embezzlement and money laundering, was arrested in the northern part of Nigeria after a mixed police control between both countries.<sup>12</sup>

## 2. Mutual legal assistance

Mutual legal assistance in criminal matter is simply a judicial procedure in which states seek for, to provide assistance to other countries in servicing of judicial document and gathering evidence as a means to facilitate criminal investigations.<sup>13</sup> Mutual legal assistance is a formal request made by judicial authority of a state to another judicial authority of another state, through which, the requested

<sup>11</sup> DW News Broadcast on the 16/07/017

<sup>12</sup> Reuters News on Thursday, March, 2018.

<sup>13</sup> Module 11, International Cooperation to Combat Transnational Organized Crime, Doha Declaration, 2018.

judicial authority is asked to do one or more specified actions, usually collecting evidence and interviewing witnesses, on behalf of the requesting state.<sup>14</sup>

For there to be mutual legal assistance between states, there is the need for a mutual legal assistance treaty. This treaty can either be bilateral or multilateral.<sup>15</sup> The request of mutual legal assistance is usually transmitted through a diplomatic channel. Once the prosecutor prepares the request, it is automatically authenticated by the competent domestic court in the requesting state and then issued to, by the ministry in charge of foreign affairs to the embassy of the requesting state.<sup>16</sup> Through this, the embassy sends the request to the competent judicial authorities of the requested state.

Mutual legal assistance between states has been very influential in the combat of transnational crimes orchestrated through dark net marketing. This is because almost all crimes carried out under dark net marketing are transnational crimes that affect more than one country. So, the need for cooperation between states through mutual legal assistance treaties is extremely important in the combat against organized transnational crimes. If not, it will be practically impossible to arrest and judge these criminals operating under dark net, since they can be vendors residing in one country and shipping those illegal goods to another country. These mutual legal assistance treaties between states are very important, this can be seen in the case of Ramon Olorun Abbas nickname Hush Puppi, of Nigerian nationality, who was arrested on July, 2020 in Dubai, through a joint coordination of both UEA and USA judicial authorities, over suspected cases of money laundering and cyber criminality.<sup>17</sup>

Looking at article 45 of the Cameroon constitution, it clearly states that duly ratified international treaties will enter into force as an integral part of Cameroon's domestic law and take precedence over contradicting provision of domestic law.<sup>18</sup> Through this, any multilateral or regional treaties on mutual legal assistance ratified to combat transnational crimes orchestrated through dark net marketing, will automatically surpass national laws. This has helped to combat dark net marketing as a new tool to facilitate transnational crimes in Cameroon.

<sup>14</sup> Article 18 (1) of United Nations Convention Against Transnational Crimes, 2000.

<sup>15</sup> Article 18 (2) of United Nations Convention Against Transnational Crimes, 2000.

<sup>16</sup> Module 11, International Cooperation to Combat Transnational Organized Crime, Doha Declaration, 2018.

<sup>17</sup> CNN News on 2 July 2020

<sup>18</sup> Article 45 of the 1996 constitution

### 3. Extradition

Extradition is a legal process through which, a state, upon receipt of a normal request by another state, accept to hand over an individual charged or convicted of a crime to the latter state.<sup>19</sup> Between states, extradition is principally regulated by treaties, which means that, where there is no extradition treaty between states, extradition of a fugitive can't be granted. Extradition as an international tool to combat transnational crimes committed under dark marketing, has certain principles which parties must respect. These rules include, extraditable offence, double criminality, reciprocity and doctrine of specialty. However they are certain grounds upon which a state will refuse to extradite a fugitive to another state, which include political offences, human right violations, jurisdiction, death penalty and own citizens.

Extradition has been used to combat organized transnational crimes committed under dark net marketing. This can be seen in the case of Ramon Olorunwa Abbas, of Nigerian nationality, who was arrested in Dubai and extradite to U.S.A, accused of conspiring to launder hundreds of millions of dollars from frauds known as business Email compromise and other scams.<sup>20</sup> This happened despite the fact that U.S.A and U.A.E have no extradition treaty.

Also, extradition has been used to combat transnational crimes committed through dark net marketing since these crimes committed through dark net are often executed across different borders, this can be seen in the case of Kim Dotcom, in which he was accused of cybercrimes, through what was known as Mega Conspiracy that degenerated over 175 Million dollars through his online platform known as megaupload. The proceeds were often laundered through dark net marketing with the help of crypto currencies such as bitcoins. U.S.A which was greatly affected by crimes committed by Kim, who orchestrated his acts from New Zealand, has been requesting for the extradition of Kim to face trial in U.S.A but the request of extradition has been an endless battle between both countries.<sup>21</sup>

Today, Cameroon is using extradition as a tool to combat organized transnational crimes committed through dark net marketing. Looking at article 45 of the Cameroon constitution, it clearly states that duly ratified international treaties will enter into force as an integral part of Cameroon's domestic law and take precedence over contradicting provision of domestic law.<sup>22</sup> Through this, any

<sup>19</sup><http://www.dictionary.com> lastly visited on the 18/09/2020

<sup>20</sup>BBC News on the 10 of July 2020

<sup>21</sup> U.S.A and New Zealand have an extradition treaty since 1970.

<sup>22</sup> Article 45 of the 1996 constitution

extradition treaty ratified to combat transnational crimes orchestrated through dark net marketing will automatically surpass national laws. Since, dark net marketing has been used as a modern tool to commit transnational crimes across national borders, the Cameroonian president, has greatly engaged in the ratification of many extradition treaties with other states to combat such crimes, this can be seen with the extradition treaty between Cameroon and Russia.<sup>23</sup>

## Conclusion

Internet today has facilitated national and international trade between people of different nationality, languages, races and culture, by therefore making the world a global village. But however, this very internet has been used by criminals to facilitate transnational crimes across national borders through what is known as dark net marketing. These dark net market sites, help to facilitate the execution of transnational crimes anonymously with the use of Tor, which help to disseminate the identity of vendors and buyers, coupled with encrypted messages and crypto currencies. However, as a means to combat these transnational crimes executed through dark net marketing, Cameroon and other states, have put in place international cooperation through extradition, mutual legal assistance and INTERPOL to fight against these crimes executed through dark net marketing.

## REFERENCES

1. Extradition treaty of 1970 between USA and New Zealand.
2. EUROPOL, Drugs and dark net, Perspectives for enforcement, research and policy. 2017.
3. Law No 2018/007 of 11 July 2018 to authorize the president to ratify the convention between the Republic of Cameroon and the Russian Federation on extradition.
4. Module 11, International Cooperation to Combat Transnational Organized Crime, Doha Declaration, 2018.
5. United Nations Convention on Transnational Organized Crimes 2000.
6. The 1996 Cameroon constitution.

<sup>23</sup> Law N° 2018/007 of 11 July 2018 to authorize the president to ratify the convention between the Republic of Cameroon and the Russian Federation on extradition.