



State of Israel
Ministry of Justice
Office of the State Attorney
Jerusalem

To: The Competent Authorities of the French Republic

REQUEST FOR LEGAL ASSISTANCE IN A CRIMINAL MATTER

1. In accordance with the European Convention on Mutual Assistance in Criminal Matters, the State of Israel hereby requests that the competent authorities of France grant legal assistance and execute Letters Rogatory in the manner provided for by the laws of the French Republic. This assistance is required in order to procure evidence relating to drug offenses under Israel's Dangerous Drugs Ordinance (New Version), 5733-1973, offences under Israel's Combating Criminal Organizations Law, 5763-2003 and offences under Israel's Prohibition of Money Laundering Law 5760-2000 Law.
2. This Request is signed and submitted by the Director of the Department of International Affairs in the Ministry of Justice of the State of Israel, who is authorized to submit requests for legal assistance on behalf of Israel.

Factual Background

3. The Israel Police's National Cyber Unit is conducting an investigation into the drug smuggling operations of a drug network based on the "Telegram" application platform. The Telegram application is a privacy-based instant messaging and social network, which enables full encryption and anonymity of its users. Among the features of Telegram is the ability to create groups, which allow its members to fully control the messages posted in it, such as automatic deletion.

4. According to the Israeli Police, in or around 2017, a Telegram group named "Telegrass" (hereinafter: "**Telegrass**"), was created by a dual Israeli and US national, **Amos Dov Silver** (D.O.B October 15, 1984; Israeli Passport no. 12970160; US Passport no. 443902062; hereinafter: "**Silver**"), for the purpose of facilitating an online "drug bazaar" for selling cannabis.
5. Telegrass enables its members to sell and purchase cannabis and other drugs, while using the encryption technology of the Telegram application to conceal their identity. The Israel Police suspect that Telegrass has about 100,000 members and is the largest drug network in Israel (the exact scope of the amount of drugs sold through Telegrass is unknown).
6. The investigation into Telegrass revealed an organized structure headed by Silver and administered by managers who control the drug trade, handle disputes and conduct bookkeeping. It should be noted that Silver and his accomplices receive commissions from drug dealers who post their drugs on the group.
7. Furthermore, according to the investigation, Silver maintains a website named www.telegrass.co.il hosted by a French company named Online SAS. The Israel Police had sent a preservation letter to the company and a reference number was provided (DCPJ SDLC Contact#24-7-FRANCE H24.7-2018-111).

Purpose of the Request

8. The purpose of this Request is to obtain information from Online SAS regarding the www.telegrass.co.il website.

Details of the Request

9. The French authorities are requested to obtain the original hard drives, which contain the stored data of the www.telegrass.co.il website as well as any other information related to the administrator of the website.
10. The information and evidence regarding the administrator should include:
 - a. Full name;

- b. Details regarding his/her access to the website (IP addresses, physical access etc.);
- c. Details regarding logs to the website;
- d. Details regarding the users of the website;
- e. Any information Online SAS has regarding the owner of the website;
- f. Details regarding the payment methods;
- g. Contact information with the owner of the website;
- h. Hosting agreement between the owner of the website and Online SAS;
- i. Access methods used by the owner of the website to access it (logs, IP addresses etc.);

Additional Information

- 11. The French authorities are requested to provide the Israeli authorities with copies of all documents or evidence obtained, statements taken or reports prepared in connection with the execution of this Request.
- 12. The French authorities are kindly requested to provide any further assistance that may be required in this matter, in accordance with the developments in the investigation in this matter.

Time Constraints

- 13. The present request is deemed urgent due to the fact that the data requested is temporarily frozen following a request by the Israel Police. The French authorities are therefore kindly requested to consider this request on an urgent basis.

Confidentiality

- 14. In consonance with the need for confidentiality during these stages of the investigation, the State of Israel kindly requests that this Request, and the activities undertaken pursuant to the Request, be kept confidential to the fullest

extent possible under the French law. If confidentiality cannot be maintained regarding any part of this Request, please immediately inform the Israeli authorities before revealing any information related to the Request and its execution.

The Relevant Provisions of Israeli Law

15. Section 13 of Israel's Dangerous Drug Ordinance (New Version), 5733-1973 provides as follows:

"Export, Import, Trade and Supply

13. A person shall not export, import or facilitate the export or import of, or trade in, or effect any other transactions in respect of, or supply a dangerous drug in any manner whatsoever, whether with or without consideration, save in so far as permitted by this ordinance or by regulations made thereunder, or under a license from the director."

16. Section 9(b) and 9(d) of Israel's Dangerous Drug Ordinance (New Version), 5733-1973 provides as follows:

"9. (a) The holder of premises shall not allow them to be used for the preparation, use, sale or other disposition of a dangerous drug, without a permit.

(b) No person shall have an interest in the management of premises used for the purpose stated in subsection (a).

(d) The punishment for violating the provisions of this section shall be twenty years imprisonment or a fine of twenty-five times the amount stated in section 61(a)(4) of the Penal Law, 5737-1977, and if commission of the crime was by way of self-use or possession for self-use only, three years imprisonment or a fine of the amount stated in section 61(a)(4) of the Penal Law, 5737-1977."

17. Section 3(b) of the Israeli Prohibition of Money Laundering Law, 5760-2000, provides that:

"(b) A person performing a property transaction or delivering false information with the object of preventing of any reporting under section 7 or in order not to report under section 9, or to cause incorrect reporting under the aforesaid sections, shall be liable to the penalty prescribed in subsection (a); for the purposes of this section, "transmitting false information" shall include failure to deliver updated information about any item required to be reported."

18. Section 2(a)(1) of Israel's Combating Criminal Organizations Law, 5763-2003 provides that:

"Activist in a criminal organization

2. (a) *A person who heads a criminal organization or a person who does one of the following acts in a manner that could promote the criminal activity of a criminal organization shall be liable to imprisonment for 10 years:*

(1) he directly or indirectly manages, organizes, directs or supervises activities in a criminal organization;"

Supplementary Information

19. The State of Israel will submit any additional information, which the French authorities may require in order to enable them to accede to this Request.
20. The Department of International Affairs of the Office of the State Attorney in the Ministry of Justice may be contacted with respect to any issues or questions regarding this Request. Mr. Avi Kronenberg is handling this matter and can be reached by telephone no. +972-2-5419614, fax no. +972-2-5419644, or email avik@justice.gov.il.
21. The State of Israel takes this opportunity to express its appreciation to the French authorities for their co-operation and assistance in this case and offers its assurance of reciprocal assistance.

Jerusalem, day of October, 2018
 day of Tishrei, 5779

Yuval Kaplinsky
Director
Department of International Affairs
Office of the State Attorney
Ministry of Justice
State of Israel