

Legal advice provided to La'ó Hamutuk, 13 June 2020

What is cybercrime?

According to the different international bodies discussing the subject, **cybercrimes are mainly offenses in which the criminal makes an attack on *information* about individuals, corporations, or governments.**¹ The INTERPOL defines cybercrimes as those committed “*against computers and information systems, where the aim is to gain unauthorized access to a device or deny access to a legitimate user*”.² In the same way, EUROPOL clarifies that *data is the key element* for all cybercrimes and their main target.³

What are examples of cybercrimes?

The Council of Europe Convention on Cybercrimes classifies cybercrimes in 4 main categories: offences against the confidentiality, integrity and availability of computer data and systems (title 1); computer-related fraud and forgery (title 2); child pornography (title 3) and infringements of copyright and related rights (title 4).⁴

Specific examples of cybercrimes are:

- Email and internet fraud;
- Identity fraud (where personal information like identity or social security number, is stolen and used) – including false Facebook ID using someone else identity;
- Theft of financial or card payment data;
- Theft and sale of corporate data;
- Cyberextortion (demanding money to prevent a threatened attack or to release illegally obtained digital information);
- Trafficking in child pornography;
- Ransomware attacks (a type of cyberextortion in which hackers hijack the data of an organisation, e.g. a company or a hospital, blocking their access, and demand the payment of a ransom to release the data and if the victim denies, they threat to erase everything);
- Cyberespionage (where hackers access government or company data);
- Cyberterrorism.

¹ Michael Aaron Dennis, Cybercrime. [Encyclopædia Britannica](https://www.britannica.com/topic/cybercrime) (19 September 2019), available at: <https://www.britannica.com/topic/cybercrime>

² INTERPOL, cybercrime, available at: <https://www.interpol.int/Crimes/Cybercrime>

³ EUROPOL, 2019 Internet Organised Crime Threat Assessment (IOCTA), p. 6. Available at: <https://www.europol.europa.eu/iocta-report>

⁴ <https://www.coe.int/en/web/cybercrime/the-budapest-convention>

Saida mak krime sibernetika?

Tuir ajénsia internasionál oin-oin fó sira nia hanoín kona ba asuntu ida ne'e, **krime sibernetika nudár hahalok violasaun krime ida ne'ebé ataka kontra *informasaun kona ba individuú, korporasaun ka governu***".⁵ Ajénsia INTERPOL, define katak krime sibernetika ne'e krime hasoru komputadór no sistema informasaun, ho objetivu atu hetan asesu instrumentu/(artifisiál) ne'ebé la autoriza ka labele asesu ba uzu lejítimu.⁶ Iha esplikaun hanesan husi EUROPOL klarifika katak *dadus nudár elementu xave* ba krime sibernetika sira hotu nudár alvu prinsipál.⁷

Ezemplu saida de'it iha krime sibernetika?

Konsellu Europa nia Konvensaun kona ba Krime Sibernetika klasifika iha kategoria prinsipál haat: violasaun hasoru konfidensialidade, integridade no disponibilidade dadus komputadór no sistema (títulu 1), fraude ka halo falsifikasaun liu husi komputadór (títulu 2), halo pornografia ba labarik (títulu 3), halo violasaun ba direitu autores no direitu relevante sira seluk (títulu 4).⁸

Ezemplu espesífiku ba krime sibernetika mak hanesan:

- Email no fraude liu husi internet;
- Fraude ka falsifika identidade, (liu husi informasaun pesoál hanesan identidade, na'ok no uza número seguransa sosiál),- inklui falsifika ID Facebook uza ema seluk nia identidade;
- Na'ok osan ka dadus husi kartaun pagamentu;
- Na'ok no fa'an dadus kompañia nian;
- Estorsaun sibernetika (ameasa hodi husu osan nune'e prevene ameasa husi atake ruma, ka atu hasai informasaun digital ne'ebé hetan liu husi dalan ilegál);
- Halo tráfiku iha pornografia labarik;
- Ataka *ransomware* (tipu estorsaun sibernetika ne'ebé *hackers* (ema ne'ebé asesu ba dadus ho dalan ilegál halo asaltu ba dadus husi organizasaun nian), ameasa atu kontrolu dadus husi kompañia ka ospítal nian, no prevene sira atu asesu sira nia informasaun, ameasa hodi husu osan *tebusan* hodi hasai dadus no karik vítima rejeita, sira ameasa hodi hamoos dadus sira ne'e hotu.
- Sibernetika espionajen (bainhira *hackers* asesu ba governu ka kompañia sira nia dadus);
- Sibernetika terrorizmu

⁵ Michael Aaron Dennis, Cybercrime. [Encyclopædia Britannica](https://www.britannica.com/topic/cybercrime) (19 Setembru 2019), bele asesu iha: <https://www.britannica.com/topic/cybercrime>

⁶ INTERPOL, cybercrime, bele asesu iha: <https://www.interpol.int/Crimes/Cybercrime>

⁷ EUROPOL, 2019 Internet Organised Crime Threat Assessment (IOCTA), p. 6. Bele asesu iha: <https://www.europol.europa.eu/iocta-report>

⁸ <https://www.coe.int/en/web/cybercrime/the-budapest-convention>