

# **Criminological and criminal law aspects of the ransomware spread**

## **Abstract**

This diploma thesis examines different aspects of criminology and criminal law with the issue of the malware spread in the form of ransomware.

This text is divided into two main parts. First, the theoretical part consists of the chapters about cybercrime, malware and criminological and criminal law aspects of ransomware spread. It uses the substantive law and also procedural law perspective. All chapters are divided into subchapters dealing with the questions of offenders and victims, criminal law qualification of the ransomware phenomena and with related concepts used for the broader understanding of this kind of cybercrime.

Second, the analytical part follows. This thesis combines different criminological research methods and tries to verify the main hypothesis regarding the increase in the number of ransomware attacks in the Czech Republic. The hypothesis is as follows: *"The number of ransomware attacks registered by the Police of the Czech Republic has been increasing since 2016"*. This hypothesis cannot be accepted due to missing relevant data from the Police of the Czech Republic and other institutions.

It can be said that for the period 2016-2018, there was 3 registered ransomware attacks per 100,000 inhabitants of the Czech Republic. Two conclusions can be drawn from this. We can assume that ransomware attacks are not very common, or the latency of this cybercrime is too high. However, it is crucial to emphasize the fact that the number of registered attacks fulfilling the signs of blackmailing law definition (§ 175 TZ) or unauthorized access to the computer system and the information carrier law definition (§ 230) is increasing. Therefore, it can be assumed that the number of registered acts which can be described as ransomware attacks will be growing.

Moreover, the aim of this thesis is to open discussion about a further examination of ransomware attacks which could lead to a deeper understanding of this phenomena.

**Keywords:** cybercrime, ransomware, Czech Republic