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ON THE DEFINITION OF CYBERCRIME

This article is devoted to problem of the definition of cybercrime in Ukrainian national legislation. The author argues that terms, which are used in the Convention on Cybercrime and in Additional Protocol to the Convention on Cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems, do not contain its legal definition as well as any of the national legal acts. There was a problem to proper understanding of the definition term of cyber crime for the correct understanding of the issue and proper qualification of crimes of this type. The author analyzes theoretical approaches to the definition of cybercrime. And turn attention to the contradiction and uncertainty approaches various scientists to this question.

Analyzed scientific approaches provide the following definition of such of-

fenses: crimes committed in the information environment against information resources, i.e. in the sphere of computer information or using information tools. Under criminal law cybercrime is defined as the guilty socially dangerous act that is wrongful use of information and communication technologies, responsibility for which is set by law on criminal liability.

On the basis of this research, the author gave his own approach to the definition of cybercrime: cybercrime is a crime committed in the automated processing of information through computers or through computer systems, infringing social relations in the sphere of electronic information and other social relations in which the computer act as a qualifying feature (e.g. computer fraud or cyber terrorism).