

IT-Security researchers between Bug Bounty and criminal complaint

Duc Anh Le
Konstantin Schaarschmidt
Digital Society Institute, ESMT Berlin (DSI)



Introduction

Cybersecurity research plays an eminent role to ensure cybersecurity. The ITSR.sys Project at the DSI Berlin focusses on IT-security-law and aims to systemize all relevant norms to IT-security.

§ 202a StGB raises concern as cybersecurity researchers might face criminal charges doing their day-to-day work.

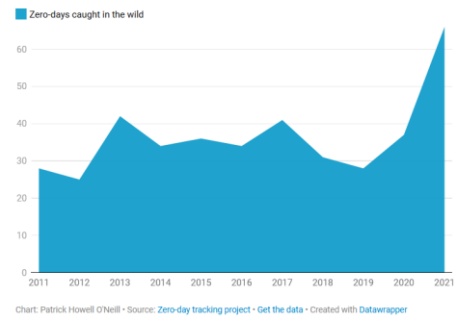
Reason: The current version does not distinguish between researchers doing their work in good faith and hackers with bad intentions.

Prominent cases and voices illustrate the alleged problem.



Objectives

- ➔ Analyzing the legal situation regarding § 202a StGB and its influence on cybersecurity research
- ✓ Debating and analyzing different approaches to solve these problems
- ➔ Raising awareness for the societal and economical impact



The increase of cyberattacks emphasizes the necessity of having cybersecurity researchers. They are an indisputable pillar to ensure better cybersecurity and therefore a safer digitalization. To gain legal certainty for cybersecurity researchers, a review of § 202a StGB is due.

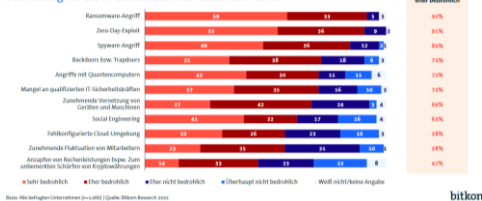
Political discourse and international implications

A regulated responsible disclosure procedure is currently being discussed and proposed. This can be seen in:

- The current coalition agreement
- The proposed NIS-2 directive which also encourages protecting researchers from criminal and civil liability

Unternehmen fürchten Ransomware & Zero-Day-Exploits

Inwieweit betrachten Sie die folgenden Szenarien als zukünftige Bedrohung für die IT-Sicherheit Ihres Unternehmens?

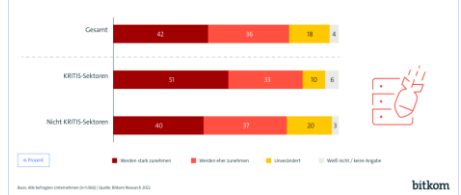


Economic impact

More and more companies are threatened by cyber attacks. Strengthening IT-security research is necessary to ensure the safety of digital economy in Germany.

Wirtschaft rechnet mit verstärkten Cyberangriffen

Wie wird sich die Anzahl der Cyberattacken auf Ihr Unternehmen in den nächsten 12 Monaten im Vergleich zu den letzten 12 Monaten voraussichtlich entwickeln?



In collaboration with:

