

Cybercrime Personal Data Leakage

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Abstract

This research aims to identify the forms of internet fraud practices through social media and networks as a form of cybercrime and to understand the prevention efforts against internet fraud practices through networks and social media as a form of cybercrime from the perspective of international law and electronic information technology laws. This research was conducted in the Cyber Security Team Section of PT. Cipta Raya Data Makmur in the Bogor area. The research method used in data collection is through literature research. Secondary data from literature and books related to the issues being studied by the author. The obtained secondary data is analyzed qualitatively. The results obtained from the research are as follows: 1) Web Fishing is an attempt to exploit fake websites to deceive potential victims; fishing websites will look similar to official websites and use domain names that are almost identical. This is called domain spoofing. 2) Internet fraud is regulated under international criminal law provisions and existing international cybercrime regulations. 3) International legal efforts and electronic information technology (ITE) laws in preventing internet fraud practices are made through the establishment of legal rules regarding cybercrime, both multilaterally and regionally.

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1. INTRODUCTION

Naturally, it is impossible for humans to be separated from technological progress whose aim is to make their lives easier. At this time, the development of telecommunications and information is accelerating and increasing throughout the world every year, especially in the current era of globalization.

Globalization has driven the birth of the era of information technology development. This phenomenon of the speed of development of information technology has spread throughout the world. Not only developed countries, but developing countries have also spurred the development of information technology in their respective societies. So that information technology has an important position for the progress of a nation.

Along with the development of society's needs in the world, information technology plays an important role, both now and in the future. Information technology is believed to bring great benefits and interests to countries in the world. There are at least two things that make information technology considered so important in spurring world economic growth. First, information technology drives demand for information technology products themselves, such as computers, modems, facilities for building internet networks and so on. Second, it makes financial business transactions easier in addition to other businesses.

In this way, information technology has succeeded in triggering and spurring changes in the order of social and economic needs of society, which in fact previously carried out

conventional transactions or socialization towards electronic transactions or socialization. This is considered more effective and efficient. As a result of this very rapid technological development, information technology has gradually changed the behavior of society and human civilization globally. In addition, the development of information technology has caused the world to become borderless and has caused significant social changes to occur very quickly. The internet is evidence of the development of communication and information technology, which in its history has developed very rapidly and has created a new world or cyberspace. Cyberspace, a world of computer-based communication (computer mediated communication), offers a new reality, namely virtual reality.

With the creation of virtual reality from the use of the internet, users are pampered to explore the world of cyberspace by penetrating the boundaries of a country's sovereignty, cultural boundaries, religious boundaries, geographical boundaries, politics, race, hierarchy, bureaucracy and so on. With the development of the internet, more and more people are enjoying the new reality on offer. Humans can do various things on the internet like in the real world. 5 Activities Cyberspace enthusiasts, also known as netizens, sit for a long time in front of a computer screen, take off all their attributes and enjoy the internet offerings offered. Looking at the above, everything that develops will certainly have an impact in the form of both positive and negative impacts. Likewise, with the development of the internet, as explained above, the very rapid development of the internet also has positive and negative impacts on the lives of the people who use it, which has reached the global level today. In general, the positive impact of using the internet is ease of communication with anyone throughout the world; as a data exchange medium using search engine facilities that make it easier for users throughout the world to exchange information quickly, cheaply, important and accurately so that people can find out what is happening; used as an information site for education, culture and others; as well as ease of transactions and doing business on-site in the trade sector

Crime is closely related to the development of society. The more advanced society becomes, the more crime advances. Crime has also become part of culture itself. This means that the higher the culture and the more modern a nation is, the more modern the crime will be in its form, nature and method of implementation. Apart from the above, there are also many negative impacts that arise as a result of the development and use of the internet to date. It has been explained previously that with increasingly sophisticated technology and the development of internet facilities, everyone can easily use and enjoy everything presented on the internet.

Information and communication technology has changed the behavior of society and human civilization globally. Besides having caused the world to become limitless (borderless) and causes significant social changes that take place very quickly, such as shifts in society's social values and tend to create individualistic personalities, as well as opening up big opportunities for crimes to occur through the use of the cyber world or what is known as cybercrime. With the occurrence of these unlawful acts, the scope of the law must be expanded to cover these acts, such as acts of data manipulation, hacking and acts of fraud that use facilities on the internet.

The case of data leakage occurred again in Indonesia. First, A total of 6.4 million Bank Central Asia (BCA) credit card user data was allegedly leaked and sold to a forum of *hackers*. This data includes address, cell phone number, and others. *Second*, the case of the Indonesian Ministry of Education, Culture, Research and Technology (kemendikbudristek) has been the victim of a massive data hack. Based on information uploaded by members of the Breach Forums, more than 5.6 million rows of sensitive data were reported to have been leaked, the largest in cyberspace. The leaked data includes personal information such as full name, IP address, email address, home address, cell phone number, and others. This data

was obtained from hacked ministry systems which are available on the platform for free download. This leak was first reported by a Twitter account *FalconFedds.io* which informed that the data had been leaked. This leak includes very crucial personal information data from millions of people, including ministry employees, students and the government.

Historically, in 1960 the basic concept of personal data protection began to emerge, around the 1970s, Germany was the first country to seriously pay attention to personal data rights. With this, Germany implemented regulations regarding data protection, and was followed by Sweden in 1973 by enacting the same regulations, and then the United States in 1974 and France in 1978.

One of the international regulations that regulates cybercrime is the European Union Convention on Cybercrime or commonly known as the Budapest Convention of 2001, which is a regulation regarding cybercrime formed by an international organization, namely the Council of Europe, which clearly regulates the forms of cybercrime and the obligations of ratifying countries in handling cybercrime nationally and internationally.

Problem Formulation

Based on the background description above, in this research

The author raises the problem as follows:

1. What is the form of internet fraud (Internet Fraud) through social media as a form of Cyber Crime?
2. Governance and protection of personal data in Law Number 27 of 2022 concerning Personal Data Protection (UU PDP)?

2. RESEARCH METHODS

1. Types of research

The type of research used is a literature review (*library research*) by using sources such as books, journals and applicable laws and regulations.

2. Descriptive nature of the analysis

The nature of the analysis description in research is:

- a. Form a policy on the performance of business actors.
- b. Having poor legal quality in efforts to protect data for online-based victims who have caused harm due to data leaks.

3. Research approach

The research approach used is normative juridical. In this research the author uses secondary data. Secondary data will be obtained by searching for related data to be used as a basis for making appropriate policies in efforts to protect consumers legally.

4. Research Data

Then to complete the secondary data used writer among others:

- a. Primary Legal Materials, namely legal materials that are directly related and binding to research, consisting of:
 - 1) Legislation:
 - a) The 1945 Constitution of the Republic of Indonesia
 - b) Law Number 19 of 2016 concerning Information and Transaction Electronic
 - c) Regulation of the Minister of Communication and Information Technology Number 20 of 2016 concerning the protection of Personal Data in Electronic Systems.
 - 2) Government Regulation in Lieu of Law on Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions
 - a) Articles, journals, lecture materials and the internet that are relevant to the problems in this research.

5. Data Collection Techniques

Data collection was carried out in this research through literature study. This literature study, or better known as library research, is carried out to collect primary data. The technique used is documentary study. The tools used include written legal documents such as statutory regulations and relevant legal literature. The technique used is to examine legal materials related to protection policies for victims of personal data leaks by comparing existing regulations with new regulations that will be made regarding the security of victims regarding their use.

6. Data Analysis Techniques

The results analysis technique that the author applied in compiling this research is descriptive qualitative. This analysis is carried out by collecting data obtained from research according to its quality and truth, then analyzing it using relevant laws and regulations. The data obtained from the literature study will be analyzed by combining legal theory in the form of *analytical positivism*. Existing problems are described by combining data in systematic written form so that it is easier to provide identification, then conclusions are drawn to answer the problems in the research in order to produce solutions in the form of new policy views so that the problems can be resolved properly.

3. RESEARCH OBJECTIVES

The aims of this research are:

1. To find out forms of internet fraud practices through social media as Cyber Crime.
2. To find out about efforts to prevent internet fraudulent practices
3. Prevent personal data leakage.

Benefits of Research

1. It is hoped that the results of this research will be useful and can be used as reference for all interested parties in order development of science in general and more specifically development of international law and technology law in the field of telecommunications and information law, in this case regarding cybercrime.
2. It is hoped that the results of this research will provide in-depth information use of the internet for society nationally and internationally to understand forms of internet fraud and leakage of personal data, preventing internet fraud practices as a form of cybercrime in technology and information law.

4. CONCLUSION

The Indonesian government has currently made efforts to overcome data leaks, including by establishing a National Data Center (PDN) and improving data security. To protect personal data, the government and society need to know that the impact of technology is very vulnerable to internet fraud and factors that cause data leaks.

- Configuration error software
- Avoid fishing websites
- Fraud through social engineering
- Software vulnerabilities

The government's effort to overcome data leaks is to establish a PDN (National Data Center), to integrate data with very strict network protection. And all companies providing digital platforms to improve the security of users' personal data, coordinate with the National Cyber and Crypto Agency (BSSN).

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