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CONFRONTING
CYBERESPIONAGE UNDER
INTERNATIONAL LAW

Oğuz Kaan Pehlivan

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Confronting Cyberespionage Under International Law

We have witnessed a digital revolution that affects the dynamics of existing traditional social, economic, political and legal systems. This revolution has transformed espionage and its features, such as its purpose and targets, methods and means, and actors and incidents, which paves the way for the emergence of the term cyberespionage. This book seeks to address domestic and international legal tools appropriate to adopt in cases of cyberespionage incidents. Cyberespionage operations of state or non-state actors are a kind of cyber attack, which violates certain principles of international law but also constitute wrongful acquisition and misappropriation of the data. Therefore, from the use of force to state responsibility, international law offers a wide array of solutions; likewise, domestic regulations through either specialized laws or general principles stipulate civil and criminal remedies against cyberespionage.

Confronting Cyberespionage Under International Law examines how espionage and its applications have transformed since World War II and how domestic and international legal mechanisms can provide effective legal solutions to this change, hindering the economic development and well-being of individuals, companies and states to the detriment of others. It shows the latest state of knowledge on the topic and will be of interest to researchers, academics, legal practitioners, legal advisors and students in the fields of international law, information technology law and intellectual property law.

Oğuz Kaan Pehlivan, received his B.A. from Bilkent University, Department of Law. He pursued his studies as an exchange student in Katholieke Leuven University, Belgium in 2010-2011. While pursuing his LL.M studies at the unique francophone Galatasaray University in Turkey, he has worked as a lawyer and legal advisor focusing on international law and security in a think-tank environment. In 2014, he was granted a UK Government Chevening Scholarship to pursue his studies at Queen Mary University of London. He is focusing on information technology law, cyber security and applicable international law to cyberspace.

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Dedicated to my family...



Contents

<i>Preface</i>	ix
<i>Acknowledgements</i>	xiii
<i>Cases</i>	xiv
<i>Abbreviations</i>	xv
Introduction	1
1 Cyberspace, espionage and cyberespionage	4
2 Legal responses to economic and industrial cyberespionage	47
<i>Bibliography</i>	114
<i>Index</i>	126

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