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Striking a Balance Between the Right to Knowledge and the Protection of Copyright in the Digital Environment: An Analysis in Light of International Law and Algerian Legislation

Samira ABDEDDAIM *

Mouloud Mammeri University, Algeria

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Abstract:

The digital revolution has brought about a radical transformation in knowledge and its dissemination. Whereas it was previously made available to the public on traditional physical media, thanks to the digitization of intellectual works, it is now presented in modern digital formats. This has necessitated a re-evaluation of the relationship between knowledge and the legal texts that govern copyright protection. Given that these works contain scientific knowledge and confer economic and moral rights on their creators, which are legally protected, it has become difficult to regulate the enjoyment of these rights by authors and their heirs without infringing the fundamental rights and freedoms of individuals and society regarding the free use of scientific knowledge. While access to knowledge is one of the fundamental pillars of human rights and comprehensive development, copyright protection is a legal necessity for promoting innovation and creativity.

Against this backdrop, this study analyzed the transformations undergone by the concept of knowledge in the digital environment. It also assessed the effectiveness of international and national legal texts in balancing the right of individuals to acquire and utilize knowledge, as determined by positive law, with the protection of copyright arising from the legal protection of intellectual creations. The study also proposed new technical and legal mechanisms designed to re-establish this balance in the digital age.

Keywords: *Right to knowledge; Legal protection of copyright; International conventions; Algerian legislation; Striking a balance.*

* Corresponding author.

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Introduction:

The development of contemporary societies is based on two fundamental principles. The first is the ability to harness the modern digital revolution, which has impacted various sectors of national development over the past few recent decades. The most important of these sectors is the science and knowledge sector, which provides the foundation for building civilised societies across their intellectual, scientific, cultural, and social dimensions.

Moreover, this sector has taken on an economic character following the attribution of financial value to it as intellectual property. The exploitation of this property benefits its original owner, particularly in an age where rights holders are eager to acquire intellectual capital. This is considered the second principle that guarantees the development and continuity of societies.

The importance of this is further underscored by the focus of international conventions and national legislation on ensuring comprehensive protection for scientific knowledge that constitutes intellectual works. This is achieved by establishing extensive exclusive rights that guarantee authors the rights arising from the legal protection afforded to their intellectual creations. However, these rights are granted to authors in return for enabling every individual to access the knowledge contained in these works. This is particularly important given that access to and acquisition of knowledge are rights guaranteed by international conventions and national constitutions. This is an attempt by positive legislation to strike a balance between enabling authors and subsequent rights holders to benefit financially from their intellectual creations and ensuring individuals can acquire scientific knowledge and participate in cultural life.

However, recent technological developments have significantly transformed the nature of scientific knowledge and the means by which it is disseminated, shifting from traditional methods to digital ones. This has given rise to profound legal issues due to the ease with which digital works can be copied, distributed, and circulated via electronic networks. The most significant of these issues relates to the difficulty of striking a fair balance between the legal protection of digital works, as set out in intellectual property legislation, and the right of every individual to access scientific knowledge, which is considered a fundamental right.

Therefore, the central question of this study is extent To what extent **has the traditional model of copyright protection—with its exclusive rights and restrictions on use—been able to strike a balance between protecting the rights holder and ensuring effective access to digital knowledge?**

Before addressing the issue at hand, it is important to emphasise the significance of this study, which is determined by several factors. Legally speaking, it is important to analyse the legislative texts governing the economic aspects of copyright protection and identify the limits of their impact on the public's right to access, acquire, and benefit from knowledge. The study also has growing academic significance, as demonstrated by its contribution to legal debates concerning the relationship between the right to knowledge and copyright protection in the digital age. In contemporary legal scholarship, the expansion of exclusive copyright protection in the digital environment has raised numerous issues regarding this relationship**.**

In terms of its practical significance, this is evident in the attempt to put forward a range of legal proposals that could contribute to the development of positive law, particularly national legislation, in a manner consistent with the requirements of the digital environment. This would help strike a balance between protecting and encouraging creativity, while ensuring the free exercise of the right to utilise knowledge.

The objectives of the study can be summarised as follows:

1) To identify the legal basis for the right to knowledge and copyright in the digital environment as set out in international conventions and national legislation.

2) To evaluate the ability of the current legal system to balance the protection of copyright with the right to access knowledge.

3) Proposing legal and technical mechanisms that are more effective in achieving this balance.

To this end, a descriptive approach has been adopted to outline the legal protection standards established for both rights. An analytical

approach will also be used to assess the effectiveness of these standards in achieving a balance between the right to knowledge and the protection of intellectual property in the literary and artistic spheres within the digital environment.

I. The Right to Knowledge: Between Legal Recognition and Digital Transformation.

The legal recognition of the right to access knowledge upholds the principle that individuals enjoy their fundamental rights and freedoms. This is achieved by enshrining the right in international conventions and national constitutions. However, digital transformations in the field of knowledge have altered the concepts and characteristics of this right, raising legal issues regarding the public's ability to benefit from it.

a) The Right to Knowledge – Between Legal Text and Legal Protection

The Universal Declaration of Human Rights[1] enshrines the right to knowledge as an internationally recognised principle and right, and as a fundamental pillar upon which every democratic society is founded. This is evident in Article 19, which states that the right to knowledge is a fundamental principle linked to the development of science and knowledge within individuals, and that protecting this right has positive implications for contemporary society. This right is embodied in the right of every individual to express their opinion. This right can only be realised through the enshrinement of the principle of freedom of expression. This principle encompasses the freedom to hold opinions, to receive and impart ideas, and to exchange them with others by any means. The same article affirms the right of people to seek knowledge by receiving and transmitting its principles amongst themselves, regardless of the boundaries that separate them. This principle is also enshrined in Article 26 of the same Declaration. It was emphasised that this right can only be realised through the acquisition of knowledge, which is made possible by access to it. These means of access have evolved from traditional to digital forms and have helped to fulfil the objectives of the Declaration regarding the freedom to acquire and disseminate information, regardless of geographical or political boundaries.

[1] -The Universal Declaration of Human Rights was adopted by the United Nations General Assembly in December 1948, under Resolution 217 A.

Furthermore, this right is enshrined in the International Covenant on Civil and Political Rights[1], specifically in Articles 18 and 19. The first [2]paragraph of Article 18 establishes the principle of guaranteeing freedom of thought, conscience, and religion for everyone. Many other rights stem from these; the most important are the rights to education and access to knowledge. Article 19 of the same Covenant emphasises this principle by broadening its scope and forms. Paragraph 2 stipulates that everyone has the right to exercise their right to Freedom of expression, which includes the right to seek, receive and impart information and ideas of all kinds, regardless of the means or form in which such reception or imparting takes place, whether in writing, in print, in the form of an artistic work, or by any other means, provided that no restrictions are imposed on this practice other than those necessary to respect the rights or reputations of others, or To protect national security, public order, public health, or public morals[3] Such restrictions shall only be imposed if they are necessary and provided for by the domestic legislation of the relevant State, in accordance with the provisions of Article 19, paragraph 3, of the Covenant.

As stipulated in the aforementioned article, expanding the methods and forms of acquiring knowledge to include any means or form is consistent with the evolving nature of science and knowledge. Recent scientific and technological developments have confirmed this, demonstrating that scientific and intellectual creativity takes on new and innovative forms over time, both in the content of knowledge and the methods of its dissemination. Whereas knowledge was previously presented to the public in paper form, it now exists in advanced digital formats.

In light of the international nature of the right to knowledge, Article 13(1) of the International Covenant on Economic, Social and Cultural

[1] - The International Covenant on Civil and Political Rights was adopted and opened for signature, ratification, and accession by the United Nations General Assembly in Resolution 2200 A/22 on 16 December 1966. It entered into force on 13 March 1976.

[3] - Public order and public morality are flexible concepts that vary from place to place and from one historical period to another. Consequently, what constitutes a breach of public order and public morality in one country may not constitute a breach in another. Therefore, the definition of these concepts is subject to each state's discretion, depending on its society's mindset and the nature of its beliefs and ethical principles.

Rights was introduced[1]. Member States are required to recognise this right and enshrine it in national legislation. This will lead to the full development of the human personality, the preservation of individual dignity, and the consolidation of respect for human rights and fundamental freedoms. This can only be achieved by building bridges of communication between individuals and the principles of education and learning. It must enable every person to make a useful scientific and cultural contribution to a free society and to exercise their right to access information fully. This will imbue them with the principles of science and knowledge[2]. This can only be achieved if States Parties to the Covenant develop education systems at all levels and adhere to the minimum educational standards set by each State. Additionally, a system must be established that fulfils the objective of enabling the free and unconditional exercise of the right to knowledge and culture.

Scientific knowledge is not merely intellectual and cultural; it also has a significant economic dimension, evident in the economic returns that can be derived from exploiting it. The right to knowledge is indeed regarded as a vital strategic resource, no less important than traditional economic resources. In fact, it has surpassed them in importance, particularly since it has taken on a financial dimension.

This type of knowledge enables its owner or acquirer to develop, utilise, and invest in it. This is particularly important in the current knowledge economy, where an economic system based on intellectual capital can be created. This is achieved by producing, distributing, utilising, and commercially exchanging scientific knowledge as a production factor that benefits both individuals and society. This is stipulated in Article 15, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights. This imposes a significant obligation on Member States to ensure individuals can enjoy the benefits of scientific research and its applications. It also requires them to ensure individuals benefit from the protection of their material, and moral interests arising from any scientific, artistic or, literary work they create. This right must be exercised fully to guarantee the preservation, development and dissemination of science and culture.

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[1]- The International Covenant on Economic, Social and Cultural Rights is a United Nations treaty that was adopted in 1966 and came into force in 1976.

[2] - Please refer to Article 13(2) of the International Covenant on Economic, Social and Cultural Rights.

The right to knowledge is recognised not only at the international level, but also in most, if not all, national constitutions and pieces of legislation, which have sought to enshrine it by establishing the principles of freedom of the Media and access to information. The Algerian legislature has adopted this approach by recognising the fundamental right of every individual to access knowledge forms and in all its diverse content. This is evident in Article 52 of the Algerian Constitution[1] The Algerian legislature has guaranteed freedom of expression and opinion to every individual, regardless of the form it takes or, how it is exercised, including through the press in any form—print, audiovisual or electronic—in accordance with Article 54. This grants journalists the right to access information sources, provided they respect the law and the other rights and freedoms enshrined in the Constitution, such as privacy rights and the legitimate rights and interests of others.

Article 74 of the same Constitution affirms that freedom of intellectual creation and scientific research, including their scientific and artistic dimensions, cannot be restricted. It also guarantees their protection under the provisions of Article 75 of the Algerian Constitution, except where the dignity of individuals, the higher interests of the nation or national values and principles are infringed. The State is also responsible for ensuring legal protection for the material and moral rights arising from intellectual creations, as provided for in Decree 03 – 05 on the d under protection of copyright and related rights[2].

b) Manifestations of the challenge of balancing the right to knowledge with the protection of copyright in a digital environment.

In this age of technological advancement, knowledge has taken on new forms, leading to a significant shift in its concepts and characteristics. This has raised legal issues concerning the extent to which a balance can be struck between the right to access and acquire knowledge, and the ability to enforce intellectual property laws designed to protect this knowledge and the intellectual creations resulting from human thought, These issues stem from several technological and legal

[1] - The 2020 Algerian Constitution
[2] - Decree No. 03-05 of 19 July 2003 on Copyright and Related Rights, published in the Official Journal No. 44 on 23 July 2003

factors that intertwine to create significant obstacles to achieving the desired balance between protecting intellectual property and copyright, and fulfilling the interests of individuals and society by enabling them to access and benefit from knowledge.

The ease with which digital works containing legally protected scientific knowledge can be copied and circulated online owing to contemporary digital technologies is considered one of the most significant technological factors contributing to the failure to achieve this balance, Whilst copying such works is considered an economic right of the original owner—which cannot be infringed except within legal exceptions—third parties cannot copy or distribute these works commercially without the owner's authorisation[1], In accordance with the provisions of Article 27 of Decree 03-05, the author of a work has the exclusive right to exploit their intellectual creation in any form in return for financial remuneration. The author alone has the right to authorise others to reproduce the work[2]. Except of the special cases set out in Article 41, relating to copies made for personal or family use or for scientific research purposes, the digitisation of intellectual works has led to a breach of the aforementioned articles' provisions due to the rapid dissemination and circulation of these works in digital form, disregarding the legal provisions in this area. This raises a legal issue: the difficulty of enforcing legal protection for intellectual works in the digital sphere, due to the difficulty of controlling the speed at which the scientific knowledge contained in these works is disseminated. This has facilitated and expanded the digital copying and piracy of such works. This involves downloading them, profiting from them, and sharing them via digital networks, all without obtaining prior permission or a licence from the rights holders and with no regard for the legal protection afforded to the rights contained therein. Strengthening legal protection for digital works

[1] - An intellectual property exploitation licence is defined as a contractual licence granted by the author or rights holder to a third party, on fair terms, to exploit and benefit from the work in return for agreed financial remuneration. See: Rida Metwally and Hadan, Protection of the Author's Economic Rights, Dar al-Fikr wa al-Qanun, Mansoura (no year of publication), p. 36.

[2] - Reproduction refers to the creation of one or more identical copies of an intellectual work; it is the right to copy and fix a protected intellectual work in a way that can be communicated to the public, by any means. Reproduction is one of the most important means of enabling individuals to access information. See: Saeed Saoudi, 'Exceptions to the Author's Economic Rights in Algerian Law', Journal of Law and Humanities, Vol. 4, No. 4, 2011, p. 99.

is therefore necessary to preserve the rights granted to their owners, and to encourage creativity among thinkers, creators, and authors. Most legislation concerning the protection of intellectual creations has sought to achieve this by relying on technological measures[1]; these measures are designed to enhance the protection of intellectual property rights. For example, digital rights management systems prevent the copying or sharing of digital works, even when the law permits it. While these measures do enhance copyright protection, many scholars have noted that they may lead to negative consequences related to the 'privatisation of knowledge'. This is the transformation of knowledge into an economic commodity subject to market forces, which runs counter to its nature as an intellectual asset intended to serve human development[2].

Furthermore, while the argument that intellectual property should be better protected through digital technologies may be seen as an effective solution for safeguarding rights holders' rights, it is not considered a viable solution for safeguarding others' right to access knowledge. Tightening security measures will inevitably restrict access to knowledge, particularly in scientific and academic fields. This is because most scientific research is now subject to paywall restrictions and organised in commercial databases. This restricts access for researchers and students in the same or related fields, particularly in developing countries. Indeed, the emphasis on protecting intellectual property, including scientific knowledge, is one of the most significant legal factors hindering the balance between protecting intellectual creations and ensuring individuals have access to knowledge.

[1] - Technological measures are defined as technical mechanisms implemented by the owner of a digital work to prevent unauthorised copying or alteration. These measures are recognised as legitimate under numerous legal texts, such as the WIPO Convention, which criminalise any act that would render them ineffective. One of the most important technological measures is blockchain technology, widely considered the most secure way to protect digital works in a digital environment.

[2] - Ammar Abbas Al-Husayni, 'Intellectual Property and the Challenges of the Digital World: A Comparative Study of Authors' Economic Rights in the Digital Domain', Zain Legal Publications, Beirut, 2022, p. 121.

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II. The Legal Protection of Digital Knowledge in International Law and National Legislation Shortcomings and Re-establishment

In recent times, intellectual property rights have taken on particular significance, as most countries around the world have realised the economic importance of copyright as an intangible asset. Exploiting this asset benefits the original owner. However, the emergence of the digital environment has threatened this importance by facilitating the transfer, piracy, and imitation of these rights, as well as their commercial circulation. This has led these states to strengthen the protection of these rights through national or international legislation. However, in reality, shortcomings have been revealed in the traditional approach to balancing the protection provided by intellectual property laws with the public's right of access to information. This has necessitated a review of the foundations of traditional legal mechanisms to achieve this balance.

a) The shortcomings of the traditional approach to striking a balance between digital literacy and the protection of intellectual property in a digital environment.

Legislation governing the protection of intellectual creations provides extensive protection for such works. This has resulted in numerous exclusive rights being granted to the owner, who has the sole right to exploit, use, and dispose of their intellectual creation as embodied in the work. These rights are set out and protected by the Berne[1] Convention for the Protection of Literary and Artistic Works; this is reinforced by the TRIPS Agreement[2]. These have been enshrined in national legislation, including Algeria's.

[1] - The Berne Convention for the Protection of Literary and Artistic Works was signed in 1886. Algeria acceded to it with reservations pursuant to Presidential Decree No. 97-341, published in the Official Journal No. 61 on 14 September 1997.

[2] - The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which was concluded in 1994 and came into force in 1995, is the most significant international agreement concerning the protection of intellectual property, covering both literary and industrial property. The TRIPS Agreement bridges the gap between the traditional protection system overseen by the World Intellectual Property Organisation, which aimed to protect intellectual property rights regardless of their commercial nature, and the new system administered by the World Trade Organisation. The latter's key principle is to prioritise the protection of rights holders by establishing a comprehensive legal protection system.

The principle of legal protection for authors' exclusive rights forms the basis and essence of the copyright system. It enshrines authors' sole and exclusive right to exploit their work commercially by placing it on the market and receiving financial remuneration for a specified period of time. Such exploitation may take the form of reproduction, distribution, public performance, rental, or licensing. The terms are determined in accordance with the authors' economic interests. For example, licensing may be carried out at a price agreed with the licensee or to specific categories of users to the exclusion of others. Alternatively, authors may exercise their right to claim appropriate compensation for unlawful infringements of their work, such as piracy and imitation.

Through Articles 6(2), 8, and 9, the Berne Convention requires member states to recognise the need to provide legal protection for a range of economic and moral rights vested in the author. It also requires them to specify the duration of such protection in respect of economic rights, which constitute the author's exclusive rights in literary and artistic works, for the duration of the author's life and for fifty years after their death; Moral rights, on the other hand, are perpetual rights that remain with the author even after their death. The WIPO Convention[1] has reinforced this approach, ensuring wide-ranging protection for digital works such as computer programmes and databases, regardless of their form or mode of expression, provided the necessary conditions are met; The TRIPS Agreement has further strengthened this protection by referring to the Berne Convention in this regard, whereby it requires all member states of the World Trade Organisation to grant authors exclusive rights such as the right of reproduction, distribution, public performance and the right of translation, by providing them with strong legal protection achieved through the adoption of a minimum term of protection of not less than the author's lifetime plus 50 years after their death, The TRIPS Agreement has ensured that authors receive legal protection, enabling them to exploit their intellectual creations commercially. This bolsters their confidence in investing in the intellectual sphere, particularly by establishing a uniform international

[1] - The WIPO Copyright Treaty is an additional agreement to the Berne Convention, requiring member states to protect intellectual works in the digital environment.

standard for the legal protection of authors' exclusive rights. This creates a secure environment for authors in all global markets[1].

In line with other national legislation and as part of Algeria's bid to join the World Trade Organisation, which requires Algeria to amend its intellectual property laws — including those relating to copyright and neighbouring rights — in accordance with the TRIPS Agreement, the Algerian legislature has adopted the principle of granting authors exclusive rights over their intellectual creations. This means that a work may not be reproduced or distributed without the author's permission or a legal licence from the author or subsequent rights holders, such as heirs. This ensures that authors' economic rights are protected, thereby encouraging creativity and intellectual output. However, the legal provisions contained in Decree 03-05 do not sufficiently detail the protection of digital works in a digital environment.

In reality, although these rights are regarded as a legal means and an effective mechanism through which authors can protect their creative works and ensure the continuity of their intellectual output, thereby reaping material and moral benefits, they must be subject to the fundamental principle of striking a balance between ensuring authors' financial benefit and guaranteeing knowledge is made available to the public. This can only be achieved by not granting authors exclusive rights to their intellectual work without giving sufficient consideration to the right of access to knowledge. Furthermore, the length of the statutory protection period for intellectual works — set at the author's lifetime plus 50 years after their death[2] — is likely to result in higher costs for accessing knowledge. This is particularly detrimental in scientific fields, where researchers rely on prior knowledge. Restricting access to such information in commercial databases prevents researchers and individuals interested in intellectual production and creativity,

[1]- GN.Okek, Kemet vezor, An appraisal of the protection of copy right under international law, Journal of law and conflict resolution, volume 06, faculty of law, Nnamdi, AzikiwUniversity, Awka,Anambra state,Nejeria,2014 , p12.

[2]- The protection period for intellectual property is usually calculated as the author's lifetime plus fifty years after their death. During this time, the rights are held by their heirs. However, the starting point of this period varies from work to work.

particularly in developing countries, from using it. This hinders cultural and intellectual development in those countrie[1]s.

In short, prioritising the protection of authors' economic interests without making sufficient exceptions to ensure broad public access to knowledge, particularly in scientific research and education, is likely to create a knowledge monopoly and hinder its dissemination. This would make it difficult to strike a balance between the right to access knowledge and ensuring that authors' exclusive rights, which are an important economic resource, are not infringed upon[2].

b) To re-establish the balance between digital knowledge and intellectual property protection.

The analysis above makes it clear that the traditional legal approach, which is based on extending the scope of legal protection for creators' exclusive rights, has limitations when it comes to striking the necessary balance between protecting copyright and ensuring individuals' right to access knowledge, Consequently, numerous legal opinions and legislative proposals have emerged that emphasise the need to reconsider the legal basis for the relationship between copyright protection and the right of access to knowledge. Given the widespread use of digital media, which has facilitated the online dissemination of intellectual works, it is possible to implement legal and institutional mechanisms that strike a fairer balance between the interests of authors and the rights of society and individuals to access and acquire knowledge.

One of the most important legal mechanisms that can be relied upon to achieve the desired balance is to expand the exceptions to copyright, whilst adopting a broad definition and a flexible interpretation. Although authors enjoy exclusive rights over their work, exceptions to these rights have been established that permit the use of such works in certain circumstances without the need to obtain prior permission from the original owner. However, these exceptions must not conflict with the fair exploitation of the work by its owner or those to whom the rights have been transferred, nor must they prejudice their legitimate interests.

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[1] Arun Shibu, BBA LLB (Hons.), Christ (Deemed to be University), COPYRIGHT LAW AND TECHNOLOGY: CHALLENGING THE CONCEPT OF BALANCE, India Journal of integrated research in law, volume 111, issue01,fqculty of law, p08.-

[2]- Ammar Abbas al-Husayni, op. cit., p. 100.

To strike a balance between the right to access knowledge and the protection of intellectual property rights, the scope of these exceptions must be broadened, and the conditions for their application relaxed, particularly in the context of scientific research. This can be achieved by adopting a more flexible interpretation of these exceptions that allows for their optimal use and exploitation in the digital environment. To argue otherwise would restrict states' ability to expand the scope of these exceptions in ways that serve their scientific, intellectual and cultural interests. This, in turn, would significantly restrict individuals' access to knowledge.

On the other hand, to mitigate the negative effects of the author's exclusive rights over the dissemination of knowledge, an effective modern mechanism can be employed: the promotion of an open-access policy for scientific knowledge through establishing a digital system that allows intellectual works to be made available immediately and for free in the digital environment, This system provides free access for all researchers and interested parties worldwide without imposing excessive financial or legal restrictions. This helps accelerate scientific progress and global knowledge exchange. Many international organisations, such as UNESCO, support this approach as an effective means of promoting knowledge equity and reducing the digital divide between developed and developing countries. However, this principle can only be effectively implemented through national legislation and international agreements that update intellectual property laws to address the challenges posed by the digital environment.

To strike a balance between protecting copyright and the public's right to access knowledge in the digital environment, it is not enough to create new technical mechanisms or amend statutory law; the judiciary also plays a significant role. They do this by interpreting legal texts to ensure justice between conflicting interests. In other words, the protection of copyright must be interpreted by the relevant judge in a way that does not unjustifiably infringe freedom of expression or the public's right to access scientific knowledge.

Conclusion:

Despite the efforts of international laws and national legislation to protect intellectual property rights from digital infringement without undermining individuals' right to acquire scientific knowledge, it can be

concluded from the above analysis that this has not been achieved, However, the traditional legal approach of exclusively protecting rights is no longer sufficient to strike a balance between the two rights in the context of current digital transformation. Consequently, achieving this balance requires modern legislation that considers the specific characteristics of the digital environment when protecting intellectual property rights while promoting individuals' right to access knowledge. This can only be achieved by adopting a more flexible system that considers the interests of both parties and strikes the necessary balance.

The study yielded the following findings:

- The limited effectiveness of statutory copyright exceptions in balancing the right to knowledge with the protection of intellectual property in the digital environment.

- The limitations of traditional legal mechanisms in addressing the challenges of the digital environment.

- The necessity of formulating a new legal framework that links copyright protection provisions with human rights laws.

In light of the above, the following recommendations are made to help strike a balance between protecting intellectual property rights and ensuring individuals have fair access to knowledge:

-Update national legislation on intellectual property rights to keep pace with digital transformation.

-Support open access policies for scientific knowledge.

- Strengthening the balance between copyright protection and the right to knowledge in international policies.

Bibliography:

A. Books

- Al-Husseini, Ammar Abbas. *Intellectual Property and the Challenges of the Digital World: A Comparative Study of Authors' Economic Rights in the Digital Domain*. Beirut: Zain Legal Publications, 2022.
- Metwally, Reda, and Hadan. *Protection of Authors' Economic Rights*. Mansoura: Dar Al-Fikr wa Al-Qanun, n.d.

B. Journal Articles

- Okek, G. N. "An Appraisal of the Protection of Copyright under International Law." *Journal of Law and Conflict Resolution* 6 (2014).
- Saoudi, Saeed. "Exceptions to Authors' Economic Rights in Algerian Law." *Journal of Law and Humanities* 4, no. 4 (2011).
- Shibu, Arun. "Copyright Law and Technology, Challenging the Concept of Balance." *India Journal of Integrated Research in Law* 3, no. 1.

C. Legal Texts

1. International Agreements

- *Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).* 1994. Entered into force 1995.
- *Berne Convention for the Protection of Literary and Artistic Works.* 1886. Algeria acceded pursuant to Presidential Decree No. 97-341 of September 21, 1997, published in Official Journal No. 61.
- *International Covenant on Economic, Social and Cultural Rights.* 1966. Entered into force 1976.
- *International Covenant on Civil and Political Rights.* United Nations General Assembly Resolution 2200 A (XXI), December 16, 1966. Entered into force March 13, 1976.
- *Universal Declaration of Human Rights.* United Nations General Assembly Resolution 217 A (III), December 10, 1948.
- *WIPO Copyright Treaty.* 1996. Supplementary agreement to the Berne Convention concerning copyright protection in the digital environment.

2. Legislative Texts

- Algeria. *Decree No. 03-05 of July 19, 2003, on Copyright and Related Rights*. Official Journal No. 44, July 23, 2003.