

Regulating Digital Content in Light of the Risks of Media Disinformation to National Sovereignty

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Abstract: In light of the rapid expansion of new media platforms and the growing use of digital channels to spread fake news and disinformation, Misleading digital content has become a real threat to national security and sovereignty. This issue has attracted growing attention from international and regional bodies, especially the United Nations, which has issued repeated warnings about the impact of disinformation on state stability and human rights. In response, many countries—including Algeria—have moved to revise their legal frameworks and activate institutional and regulatory mechanisms capable of confronting this growing digital threat, which now carries significant political, security, and social dimensions.

Keywords: National sovereignty, media disinformation, regulation of digital content

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Introduction:

In recent decades, the world has undergone profound changes due to the digital revolution, which has reshaped the media landscape and marked a break with traditional communication platforms. This shift has led to the emergence of an open media space where geographical boundaries are increasingly blurred and informational flows are greatly intensified. Digital content has thus established itself as an essential tool for promoting freedom of expression and facilitating broad-based information exchange, becoming an integral part of the daily lives of individuals and societies alike.

Amidst this rapid evolution, digital media has emerged as a powerful force with a dual impact. On one hand, it offers unprecedented opportunities for free expression and unrestricted communication among individuals across diverse regions; on the other hand, it poses significant risks of media disinformation and the manipulation of public perception. This latter phenomenon now constitutes a clear threat to national sovereignty, as it undermines security in its various dimensions—intellectual, political, cultural, and digital—particularly in the face of the fragility of traditional legal frameworks when confronted with the complexities of today's digital environment.

The seriousness of digital media disinformation has compelled states and international bodies to place this issue at the forefront of their agendas. Regulating digital content has become an urgent priority to safeguard national stability and protect sovereign decision-making processes from systematic intrusions and cyber-attacks. Algeria, too, has experienced such threats from hostile entities, particularly in the context of the current geopolitical climate and especially since the popular movement of 2019, during which sophisticated communication technologies were deployed to erode public trust and cast doubt on state institutions. These developments have necessitated an accelerated response by Algeria to regulate digital media content and elevate its cybersecurity defenses.

Nevertheless, the fundamental challenge remains: how to strike a balance between the imperatives of national sovereignty protection and the obligation to uphold freedom of expression, a right enshrined in both constitutional and international legal instruments. This delicate equilibrium has rendered the pursuit of an effective legal framework for digital content regulation a complex endeavor—one that requires both legal and technical efficacy.

It is in this context that the importance of this research lies. It aims to underscore the critical need to regulate digital media content in the contemporary era, given the significant challenges posed by the rapid dissemination of information, particularly in light of the growing phenomena of fake news and organized disinformation campaigns. Such campaigns have the potential to destabilize the country and threaten its political, cultural, and national security. The research further emphasizes the necessity of adopting appropriate mechanisms to protect the public sphere from media distortions, while ensuring a balanced approach between informational openness and the legal and ethical considerations governing communication in the digital environment.

In light of these considerations, this research poses the following central question: What are the national legal mechanisms and international efforts in place to regulate digital media content in a manner that counters the risks of media disinformation and safeguards national sovereignty?

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To address this research question, this study adopts an analytical approach, examining key concepts and the analysis of Algerian and international legal texts governing the digital domain. The study will also seek to identify the challenges hindering the effective legal regulation of digital content and highlighting major national, regional, and international efforts to combat the phenomenon of digital media disinformation.

To ensure a comprehensive treatment of the subject, the research will be structured into two main sections:

The first section will focus on the conceptual and legal framework governing the regulation of digital content and the risks associated with media disinformation; The second section will be dedicated to the study of the legal mechanisms adopted for digital content regulation and the fight against media disinformation, with a view to achieving effective protection of national sovereignty.

TITLE 1: The Conceptual Framework for Regulating Digital Media Content and Addressing the Phenomenon of Disinformation in the Digital Space

In light of the rapid digital transformations that have redefined the global communication sphere, digital media content—particularly disinformation—has acquired legal and security dimensions that transcend the boundaries of free expression, thereby necessitating regulatory intervention by state systems. Accordingly, and prior to delving into the core of this subject, it is essential from a research standpoint to first establish the relevant conceptual and legal frameworks. This serves as a foundational entry point for grounding the key concepts related to the regulation of digital content clarifying the nature and methods of media disinformation, and analyzing its profound implications on the political, cultural, and security structures of the state.

First Subtitle: The Concept of Digital Content Regulation and Its Legal Foundations

In light of the profound transformations experienced by the contemporary media landscape as a result of the digital revolution, content is now being produced and disseminated within an open digital space that transcends the geographical and sovereign boundaries of states. This reality has given rise to new challenges that directly affect the concepts of media sovereignty and information security. Consequently, states have been compelled to seriously consider the necessity of establishing legal frameworks to regulate such content, while ensuring compliance with constitutional and international obligations related to freedom of expression. Against this backdrop, it becomes imperative to examine the concept of digital media content regulation and to outline the national and international legal foundations behind such regulation.

First Subdivision: The Concept of Digital Media Content Regulation

Before addressing the concept of digital media content regulation, it is necessary—if only briefly—to first define what is meant by digital media content.

Firstly: Definition of Digital Media Content

Content, in its general sense, refers to any form of expression conveyed through various media, whether by means of spoken or written words, or through diverse forms of art that embody human emotions and ideas.¹

With the advancement of technological media in the cyber age, the term 'digital or electronic content' has emerged to encompass all documents and data that are created or stored on electronic media, or that can be transmitted through digital networks. this includes text and audio-visual media, whether stored in databases or distributed independently in an unorganized form."².

The concept of digital content extends to encompass a wide range of media and entertainment or informational materials accessible via the Internet, such as audio recordings, video clips, written texts, and both static and animated digital images. It further includes smartphone applications, web pages, websites, interactive games, as well as digital animations and emoticons designed using modern digital technologies³.

Thus, digital content emerges as a multifaceted product that combines informational, communicative, and entertainment functions, relying on technologies that enable its production, storage, and transmission with flexibility and speed across cyberspace."

The Algerian legislator addressed this matter in Article 02 of the Organic Law on Information⁴ In his definition of media activity, he transcends the traditional concept of media, viewing it instead as any form of discourse directed at the public—or a segment thereof—regardless of where it is disseminated or by what means or electronic medium it is conveyed.

Secondly: Regulation of Digital Media Content

The regulation of digital media content constitutes a necessary response to the challenges imposed by the new communication environment. It has become imperative for Algeria to develop effective legal and institutional frameworks aimed at governing digital publishing—whether through the enactment of specialized legislation or the establishment of independent regulatory bodies supported by advanced technological tools capable of efficiently monitoring violations. In this regard, the regulation of digital media content represents a cornerstone in the management of cyberspace and the organization of information flows, without infringing upon the fundamental essence of freedom of expression and opinion. This approach is grounded in a set of international conventional norms, such as those enshrined in Article 19 of the International Covenant on Civil and Political Rights⁵. or even what has been affirmed by the

¹ راضية بن جاوحد، صناعة المحتوى الهادف في الفضاء الرقمي الجزائري: عرض لبعض النماذج الجادة والناجحة، مجلة رقمنة للدراسات الاعلامية والاتصالية، المجلد 02 العدد 01، 2022، ص266

² هند علوي، محمود مسورة، اقتراح تصميم بوابة عربية لإدارة المحتوى الرقمي العربي، مجلة علم المكتبات، المجلد 12، العدد 01، ص 46

³ سامية خبيزي، المحتوى الاعلامي في الفضاء الرقمي: خطوات صناعته وتحديات تطويره، مجلة التشريع الاعلامي، المجلد 02، العدد02، الجزائر، 2024، ص3

⁴ Organic Law No. 23-14 of 10 Safar 1445, corresponding to 27 August 2023, relating to Information

⁵ Article 19, paragraph 3 of the International Covenant on Civil and Political Rights of 1966, to which Algeria acceded pursuant to Presidential Decree No. 89-67 dated 16 May 1989, concerning accession to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the Optional Protocol to the International Covenant on Civil and Political Rights, all adopted by the United Nations General Assembly on 16 December 1966 (Official Gazette No. 20, issued on 17 May 1989, pp. 531–532).

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Johannesburg Principles of 1995⁶, as well as numerous reports issued by both governmental and non-governmental organizations, in addition to the relevant national legislative texts⁷.

which seek to strike a balance between, on the one hand, the right to freedom of expression, and, on the other, the requirements of maintaining public order and ensuring information security. This notion of regulation extends to encompass all processes concerned with the filtering and screening of published information, as well as verifying its compliance with legal and ethical standards, while protecting individual rights and the State's strategic interests⁸.

The importance of regulating digital media content is not limited solely to protecting individuals from informational risks; rather, it extends to reinforcing the State's sovereignty over its informational space and ensuring its political and social stability in an ever-evolving, transnational digital world. In this context, content regulation becomes a strategic instrument for achieving digital national security, without undermining the essence of public freedoms that constitute one of the cornerstones of a democratic society.

Second Subdivision: The Legal Foundations for the Restriction and Oversight of Digital Media Content under International and National Legislation

Article 19 of the International Covenant on Civil and Political Rights of 1966 has constituted the cornerstone of the international legal framework for regulating and monitoring media content. It recognizes the right to freedom of opinion and expression as an inherent entitlement of every individual, while simultaneously acknowledging that this right may be subject to certain restrictions, provided that such limitations are prescribed by law and are necessary for the respect of the rights or reputations of others, or for the protection of national security, public order, public health, or morals, and are subject to judicial oversight. Moreover, the guiding standards issued by UNESCO—such as the principles of freedom of expression and the fight against online hate speech—also serve as key reference points in this regard⁹ an international reference framework has been established to support states' efforts in regulating the digital space in a manner that safeguards society against the dangers of disinformation, without allowing the adopted measures to become instruments for suppressing fundamental

⁶ The Johannesburg Principles on National Security, Freedom of Expression and Access to Information, dated 1 October 1995, available at: <https://www.article19.org/data/files/pdfs/publications/jo-burg-principles-overview.pdf> (last accessed on 30 April 2025 at 14:19)

⁷ In this context, a number of legislative texts have been enacted, most notably Organic Law No. 23-14 on Information, as well as Law No. 23-19 concerning the press and print media, and Law No. 23-20 relating to audiovisual media. In addition, Executive Decree No. 20-332 of 6 Rabi' al-Thani 1442, corresponding to 22 November 2020, sets out the procedures for practicing online media activity and the publication of replies or corrections on electronic platforms.

Furthermore, several national bodies and agencies have been entrusted with the mission of safeguarding cybersecurity. It is also worth noting that the regulation of media content necessarily requires the activation of additional legal instruments, including legislation on combating cybercrime, the protection of personal data, and the regulation of digital platforms and internet service providers. Such measures aim to prevent the misuse of cyberspace for disseminating false information, hate speech, or content that threatens social cohesion.

Of particular relevance in this regard is Law No. 09-04 of 5 August 2009, which sets out specific provisions for the prevention of and fight against offenses related to information and communication technologies (Official Gazette No. 47, dated 16 August 2009, Articles 3, 4, and 5).

⁸ سامية خبيزي، المحتوى الاعلامي في الفضاء الرقمي: خطوات صناعته وتحديات تطويره، المرجع السابق

⁹ <https://www.unesco.org/ar/articles/wsayl-altwasl-alajtmay-alywnskw-ttrastqwd-hwaraan-almyaan-yrmy-aly-thsyn-mwthwqyt-almwmat> Last accessed on 29 April 2025 at 15:30

freedoms. In addition to this, guiding decisions issued by regional organizations and unions have contributed to shaping this domain. At the national level, many legislative frameworks governing this field have been based on constitutional provisions that guarantee freedom of expression, coupled with restrictions aimed at protecting public order, public morality, and combating hate speech and media disinformation¹⁰. In this regard, numerous legislative texts pertaining to information and communication technologies have been enacted, most notably the Organic Law on Information¹¹.

Article 3 sets forth a number of restrictions that must be observed in the exercise of media activity, primarily concerning national identity, the fundamental principles of the Nation, national sovereignty, public order, and public morality. In addition, other legal provisions govern liability for content published on digital platforms, including the law relating to the prevention and combat of discrimination and hate speech¹², as well as the amended and supplemented Penal Code¹³. This has compelled media content creators to bear criminal and civil liability for the dissemination of harmful and unlawful content. Meanwhile, the law governing the specific rules for the prevention and suppression of crimes related to information and communication technologies has regulated the possibility of content monitoring under judicial supervision and with prior authorization, as provided in Articles 3, 4, and 5¹⁴.

Second Subtitle: Digital Media Disinformation and Its Impact on National Sovereignty

The new digital communication environment has been characterized by the fluidity and rapid flow of information, thereby creating fertile ground for the proliferation of media disinformation in various forms. This phenomenon has evolved into a direct threat to state sovereignty in its multiple dimensions—political, cultural, and security-related. In light of this, it becomes imperative to examine the concept of media disinformation and its methods within the digital sphere, and to assess its profound implications for the fundamental pillars of national sovereignty.

First Subdivision: The Concept of Media Disinformation and Its Methods in the Digital Space

According to a report issued by the United Nations, media disinformation is defined as a complex phenomenon aimed at manipulating public opinion through spreading false or misleading information intentionally, with the intent of influencing attitudes, decisions, and behaviors¹⁵. Media disinformation is defined as a set of communicative activities aimed at presenting partial, fabricated, or distorted facts as if they were accurate truths, thereby deceiving the public or distorting its perception of reality¹⁶. Some scholars maintain that the essence of media disinformation lies in the manipulation of public opinion, achieved by influencing

¹⁰ Article 54 of the 2020 Constitutional Amendment, enacted by Presidential Decree No. 20-442 dated 30 December 2020, and approved by the referendum held on 1 November 2020 (Official Gazette No. 82, issued on 30 December 2020).

¹¹ Organic Law No. 23-14 on Information, op. cit

¹² Law No. 20-05 dated 5 Ramadan 1441, corresponding to April 28, 2020, relating to the prevention and combating of discrimination and hate speech

¹³ Law No. 20-06 dated 5 Ramadan 1441, corresponding to April 28, 2020, amending and supplementing Ordinance No. 66-155 dated 18 Safar 1386, corresponding to June 8, 1966, bearing the Penal Code.

¹⁴ Law No. 09-04 of 5 August 2009, laying down specific rules for the prevention and combating of crimes related to information and communication technologies, Official Gazette No. 47, issued on 16 August 2009, Articles 3, 4, and 5.

¹⁵ <https://www.un.org/ar/countering-disinformation> Accessed on 28/04/2025 at 16:00

¹⁶ <https://experts.arizona.edu/en/publications/what-is-disinformation> Accessed on 28/04/2025 at 15:16

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individuals' thoughts and awareness through the dissemination of information that may be either accurate or false. Disinformation isn't limited to spreading false news; it also appears in how information is framed and used to mislead.¹⁷

The perpetrator of disinformation may seek to persuade the recipient of the validity of a false notion or, conversely, may endeavor to cast doubt upon a truthful idea with the aim of undermining its credibility. Disinformation is not limited to the dissemination of false data; it may also be carried out through the transmission of accurate information, strategically timed or deliberately framed in a manner intended to deceive the audience and divert their attention toward less significant matters, thereby keeping more critical issues deliberately outside the scope of public concern¹⁸. From this perspective, the scholar Jean-Marc argues that media disinformation at times exploits facts in the same manner it exploits falsehoods, relying primarily on the strategic engineering of public perception and the systematic and calculated steering of audience priorities¹⁹.

From the foregoing, it is evident that media disinformation can take on various forms and methods, depending on the purpose, the medium used, and the target audience. One of the most prominent techniques is the dissemination of false news, whereby fabricated stories are crafted to appear credible, with the aim of sowing confusion or achieving political influence. Another common method is information manipulation, which involves selectively extracting parts of factual events or removing them from their original context to distort their meaning and convey a misleading message. Disinformation may also involve the deliberate exaggeration or minimization of certain events, through the amplification of secondary occurrences and the suppression of core truths.

Among the modern tactics of disinformation is digital propaganda, which has gained significant notoriety in recent times. This involves the strategic use of social media platforms to launch orchestrated campaigns designed to spread misleading content on a massive scale. Notably, this includes the use of artificial intelligence technologies to generate "deepfakes," wherein thousands of images or recordings of a particular individual are processed to train algorithms to replicate that person's facial features, voice, and gestures with astonishing accuracy—often rendering the fabricated material indistinguishable from reality.

The multiplicity and intensification of disinformation techniques in the digital sphere have become a major concern for States, posing serious challenges to the regulation of media content, especially given the difficulty of verifying sources and the rapid circulation of information. These realities underscore the urgent need to strengthen legal and regulatory

¹⁷ Christiane DE CRAECKER-DUSSART, Willy DE CRAECKER, «LES DANGERS DE LA DÉSINFORMATION Appel au sens critique, aux documentalistes et experts», Cahiers de la documentation, 2011/2, p36.

¹⁸ الدكتور بعزیز ابراهيم، تقنيات وأساليب التضليل الإعلامي المعاصرة بين تغييب الوعي وتوجيه اهتمامات الأفراد، مجلة دراسات الدفاع والاستقبال، العدد 06، 2016، ص3

¹⁹ Jean-Marc NOCHER, «Désinformation ou mésinformation», «La désinformation : tous responsables», Actes du 5ème colloque de Passy , Editions Fauxtroll, Lorient, 2006, p27

frameworks to safeguard public opinion and ensure the preservation of national security and social stability.

Second Subdivision: The Impact of Media Disinformation on the Foundations of National Sovereignty

In recent years, the negative repercussions of media disinformation have grown significantly, rendering it one of the most serious contemporary threats to the core pillars of national sovereignty—political, cultural, and security-related. Disinformation seeks to undermine the internal stability of the State by manipulating information and steering public opinion in directions that serve the interests of hostile foreign powers or even certain internal factions operating with external support.

Politically, the spread of false and misleading information weakens public trust in State institutions and weakens the legitimacy of elected governments. This directly undermines the principle of political public order, which is predicated upon stability, the peaceful transfer of power, and respect for constitutional legitimacy. Such dynamics create fertile ground for the escalation of political crises and internal conflicts—phenomena that Algeria itself has experienced, and which the country's highest authorities, including the President of the Republic, have frequently warned against in his regular addresses to the press.

Culturally, media disinformation targets the deconstruction of national identity by introducing foreign values that undermine the social fabric. It aims at cultural, religious, and even historical symbols, misrepresenting facts and promoting cultural models at odds with local values.

From a security perspective, disinformation serves as an effective tool for sowing disorder and disseminating malicious rumors that diminish national morale, disrupt the operations of State security and military institutions, and undermine public safety—a key component of public order, as it is intrinsically linked to the protection of lives and property and the maintenance of societal stability. These threats, if left unchecked, could lead to institutional fragmentation and expose the State to heightened risks of foreign intervention. What further exacerbates the gravity of this phenomenon is its exploitation of technological advances and artificial intelligence, which accelerate its spread and complicate the task of detection and containment through traditional mechanisms²⁰, the recent wave of misleading digital media content witnessed in Algeria—aimed at fabricating perceptions of scarcity regarding widely consumed goods and inciting the crime of illicit speculation—may be regarded as part of broader attempts to undermine social peace and destabilize public security and order.

²⁰ Marwick, Alice & Lewis, Rebecca (2017). "Media Manipulation and Disinformation Online". Data & Society Research Institute, On the website, <https://citap.unc.edu/publications/media-manipulation-and-disinformation-online/>

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TITLE 2: National Legal Mechanisms and International Efforts to Regulate Misleading Media Content in the Digital Environment

Following the attempt to address the conceptual and legal framework for regulating digital media content and to identify the challenges posed by media disinformation to national sovereignty, the research context necessitates a transition toward exploring the various legislative and institutional tools adopted to combat media disinformation. This includes national legal provisions as well as the efforts of regulatory bodies and regional and international cooperation aimed at confronting the challenges presented by the digital media landscape.

First Subtitle: Legal and Regulatory Mechanisms for Controlling Misleading Digital Media Content

In light of the severity of disinformation and fake news on public security and national sovereignty, and the growing threats resulting from unregulated media practices in the digital sphere, the Algerian legislator has hastened to adopt a penal legal arsenal. This framework is grounded in criminal laws and provisions combating hate speech and discrimination, as well as regulatory rules primarily concerning digital journalism. In parallel, oversight bodies have been established to ensure the regulation of such content within the constitutional and legal boundaries of freedom of expression.

First Subdivision: Penal and Regulatory Provisions for Combating Fake News and Disinformation

This section shall address, first, the penal provisions related to misleading digital media content and fake news, and second, the regulatory rules concerning digital journalism aimed at preventing disinformation and fabricated content.

Firstly: Penal Provisions Pertaining to Misleading Digital Media Content and Fake News

Despite its constitutional status, digital freedom of expression has become a double-edged sword. It may be exploited as a pretext for perpetrating serious criminal acts that infringe upon national sovereignty, state security, and public order. These offenses may result either from reckless and irresponsible exercises of those freedoms or from deliberate criminal intent—whether originating domestically or from foreign sources. In response, Law No. 20-06 amending the Penal Code was enacted...²¹..in order to keep pace with these developments, through Article 196 bis of Chapter VI bis, entitled “Dissemination and Promotion of News or Information Undermining Public Order and Security,” which criminalizes the act of disseminating or promoting false or malicious news among the public, regardless of the means used—including, notably, cyber platforms. These are considered among the most dangerous tools for media practices that threaten security and stability in the digital age.

Within its provisions, the law includes the criminalization of acts that may undermine elements of national sovereignty, in alignment with the broader penal framework found in

²¹ Law No. 20-06 dated 28 April 2020, amending and supplementing Ordinance No. 66-156 dated 8 June 1966, bearing the Penal Code, Official Gazette No. 25, issued on 29 April 2020

Articles 61 through 101 of the Penal Code, which set forth various sanctions for offenses threatening the fundamental interests of the State²².

a category of offenses classified as crimes against state security, including treason, espionage, attacks against national defense and the national economy, assaults on the authority of the State and the integrity of the national territory, in addition to acts of mass killings, sabotage, terrorism, and participation in insurrection and unlawful assembly.

Furthermore, the same legal text—in Articles 144 to 175—addresses offenses that infringe upon public order, thereby reinforcing the overarching legal framework intended to safeguard the stability and sovereignty of the State against both traditional and emerging threats, particularly those amplified in the digital environment²³. along with numerous other provisions falling under crimes against sovereignty, wherein digital media content may serve as a means of perpetration or incitement. In certain cases, the use of such content is even regarded as an aggravating circumstance due to its inherent danger in this context, the law concerning the prevention of discrimination and the fight against hate speech is also of particular relevance²⁴, a major step in strengthening the legal framework to confront speech-related violations in the digital sphere, given its explicit provisions criminalizing incitement to hatred and discrimination that may be carried out by individuals through digital platforms under the guise of freedom of expression. Such acts may constitute a serious threat to sovereignty and public order.

Article 2, paragraph 3, of the said law clearly affirms that the offense is established regardless of the means employed. Moreover, the law—particularly from Article 30 onward—emphasizes the gravity of such conduct, providing for penalties that may reach up to ten years' imprisonment in certain cases, depending on the nature of the offense and the circumstances in which it is committed.

Secondly: Regulatory Provisions Concerning Digital journalism for the Prevention of Disinformation and Fake News

Both the law governing print and digital journalism²⁵, as well as Executive Decree No 20-332²⁶, set forth a series of conditions and obligations required for engaging in digital media activities. These requirements apply both to the individual establishing the digital media outlet and to procedures concerning registration, accreditation, and the mandatory disclosure of funding sources—on the condition that such funding must not originate from foreign entities.

These regulatory safeguards are intended to protect digital newspapers from falling into the trap of media disinformation, with potential administrative or criminal penalties. Such penalties are in addition to those already stipulated in the law governing written and digital

²² Law No. 82-04 dated 13 February 1982, amending and supplementing Ordinance No. 66-156 dated 8 June 1966, bearing the Penal Code, Official Gazette No. 7, issued on 16 February 1982.

²³ نوح عبد الله، حرية التعبير والإعلام الرقمي في القانون الجزائري: بين المنظور الحقوقي والمنظور السيادي، المجلة النقدية للقانون والعلوم السياسية، المجلد 16 العدد 04 السنة 2021، ص16

²⁴ Law No. 20-05 dated 28 April 2020, relating to the prevention of discrimination and hate speech, Official Gazette No. 25, issued on 29 April 2020.

²⁵ Law No. 23-19 dated 18 Jumada al-Awwal 1445, corresponding to 2 December 2023, relating to print and digital journalism.

²⁶ Executive Decree No. 20-332 dated 6 Rabi' al-Thani 1442, corresponding to 22 November 2020, specifying the modalities for exercising online media activity and for publishing replies or corrections on the website.

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journalism²⁷, The sanctions consist of formal warnings, temporary suspension, and final revocation of registration, all of which may be judicially enforced with immediate effect, in accordance with Article 70, in cases where violations affect or undermine the requirements of national defense, state security, territorial integrity, public order, Islamic religion, or public morality.

Second Subdivision: The Effectiveness of These Laws in Safeguarding National Sovereignty

Given the complex threats posed by the digital environment, the importance of an effective national legal framework is evident in the protection of national sovereignty against the dangers of media disinformation. The researcher observes that, despite notable legislative progress in Algeria—particularly through the enactment of the Law on Combating Hate Speech and Discrimination, along with various amendments to the Penal Code criminalizing the dissemination of false information and content inciting sedition—these texts, in practice, demonstrate limited effectiveness when applied on the ground. Their limitations are apparent in several respects, which may be summarized as follows:

1. The difficulty of identifying, tracking, and prosecuting perpetrators of digital content crimes produced outside national borders;
2. The occasional insufficiency of the technical and human capacities of oversight bodies, especially when compared to the countries from which such content originates, and particularly in light of the exponential advancement of information and communication technologies and the use of artificial intelligence;
3. The persistent tension between the need to protect public order and the obligation to uphold freedom of expression, which renders legal practice subject to interpretation and controversy. This ambiguity opens the door for certain actors to launch attacks and justify their violations of state sovereignty under the guise of defending freedom of expression and the sanctity of opinion, especially in a world increasingly plagued by double standards—a phenomenon illustrated vividly by the case of Boualem Sansal;
4. The absence of a comprehensive and integrated national response to media disinformation, incorporating educational, awareness-raising, and technical dimensions, significantly weakens the effectiveness of the current legal framework and impedes the achievement of sovereign objectives.

Consequently, the effectiveness of national laws remains contingent upon their ability to adapt to digital transformations, maintain full control over technology, ensure strong institutional integration, foster societal awareness, and benefit from active regional and international cooperation.

²⁷27 professions, thereby excluding a broad segment that constitutes a major source of harm in the digital space—particularly with the proliferation of digital platforms and the emergence of what is now known as 'citizen journalism.' This stands in contradiction to Article 02 of Law No. 23-14 on media, which provides a broader definition of media activity

Second Subtitle: Institutional Oversight Mechanisms for Regulating and Combating Disinformation in Digital Media Content

This discussion will first address, under the first subsection, the primary national institutional oversight mechanisms, followed by a review of key external cooperative efforts in the second subsection, all aimed at countering digital media disinformation in a manner that enhances cyber governance and protects the foundations of the state.

First Subdivision: The Role of Oversight Bodies and Media Institutions in Combating Disinformation in the Digital Environment

In line with the state's commitment to ensuring cybersecurity and protecting national sovereignty from digital threats—specifically disinformation in digital media content—the Algerian legislature has undertaken the establishment of a comprehensive legal and institutional arsenal aimed at preventing and combating cybercrimes. This includes institutions created under media laws, such as the National Authority for the Regulation of Printed and digital Press, which has been entrusted with various responsibilities.

These legal and institutional initiatives have been prompted by reckless or irresponsible use of freedoms, or by explicit criminal intent originating from internal or external sources. In response, Law No. 20-06, which amends the Penal Code, was enacted²⁸, Foremost among its responsibilities is ensuring the strict enforcement of the Organic Law on Media ²⁹, as well as the relevant legislative and regulatory texts, including those aimed at limiting the misuse of digital communication platforms, such as the law establishing specific rules for the prevention and suppression of crimes related to information and communication technologies³⁰, which pertains to crimes related to information and communication technologies, thereby establishing the principle of legal oversight over cyberspace, while highlighting the importance of legal safeguards and to guarantee citizens' fundamental rights and freedoms. It stipulates that no surveillance or monitoring of electronic communications may be carried out except pursuant to a written authorization issued by the competent judicial authority, thereby clearly affirming judicial oversight over state intervention in the digital realm³¹. In implementation of these provisions, several specialized regulatory bodies have been established, foremost among them the National Authority for the Prevention and Suppression of Information and Communication Technology-Related Crimes, which was restructured pursuant to Presidential Decree No. 21-439³² Accordingly, the Directorate of Preventive Monitoring and Digital Vigilance was entrusted with the tasks of surveillance and investigation, yet always within the bounds of an explicit judicial warrant. In further strengthening the national cybersecurity framework—particularly in matters relating to sovereignty—Presidential Decree No. 20-05 was enacted³³, an institutional framework encompassing the National Council for Information Systems Security and the Agency for Information Systems Security, both under the authority of the Ministry of

²⁸ Articles 42 and 70 of Law No. 23-19 on print and digital journalism, previously cited reference

²⁹ Law No. 23-14 relating to the Organic Law on Media, previously cited reference..

³⁰ Law No. 09-04 of 5 August 2009, laying down specific rules for the prevention and combating of crimes related to information and communication technologies, previously cited reference.

³¹ نوح عبد الله، حرية التعبير والإعلام الرقمي في القانون الجزائري: بين المنظور الحقوقي والمنظور السيادي، المرجع السابق، ص. 18.

³² Presidential Decree No. 21-439 dated 7 November 2021, concerning the reorganization of the National Authority for the Prevention and Combating of Crimes Related to Information and Communication Technologies, Official Gazette No. 86, issued on 11 November 2021.

³³ Presidential Decree No. 20-05 dated 20 January 2020, relating to the establishment of a national system for information systems security, Official Gazette No. 04, issued on 26 January 2020

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National Defence, has been established with the aim of safeguarding the State's digital infrastructure.

In the same context, broad powers have been conferred upon the Central Department of the Judicial Police of the Army Security to investigate cybercrimes of a military nature, pursuant to Presidential Decree No. 21-284³⁴. In addition, a specialized judicial division for offences related to information and communication technologies was established pursuant to Article 211 bis 22 of Ordinance No. 21-11³⁵, within the territorial jurisdiction of the Court of Algiers, which holds competence over investigation, inquiry, and adjudication, current legislative proposals—still under deliberation within the parliamentary chambers—demonstrate a clear stance against the dissemination of false information and disinformation, particularly when such actions pertain to national sovereignty, public security, and public order. Among these proposed texts is the Mobilization Law, which reflects a serious political will to confront the security challenges posed by the digital space—especially those infringing upon national sovereignty—through effective legal and institutional mechanisms.

Second Subdivision: International and Regional Cooperation in Combating Cross-Border Disinformation

In light of the alarming rise of disinformation and its growing capacity to influence public opinion from beyond national borders—posing significant threats to national security and state sovereignty—the international community has, in recent years, witnessed a marked increase in both vigilance and mobilization. Efforts to intensify international cooperation in combating this escalating phenomenon have multiplied accordingly. In this context, numerous international and regional organizations and unions have issued a range of warnings and taken various measures to address the issue.

At the United Nations level, the General Assembly has expressed deep concern over the widespread proliferation of disinformation. It has commended the Secretary-General's efforts to strengthen international cooperation in countering this threat, as outlined in his report, which examined the legal challenges and international legal frameworks governing disinformation. The report also proposed measures to be undertaken by states and technology companies alike, emphasizing the need to address the phenomenon while upholding the protection of human rights and fundamental freedoms³⁶. In a similar vein, UNESCO, responding to growing societal concerns over digital disinformation, revealed that a global survey indicated that 85% of citizens worldwide are increasingly worried about the impact of fake news on their communities. In light of these findings, the organization's Director-General, Audrey Azoulay, unveiled a comprehensive framework comprising a set of principles and measures to be observed by governments, regulatory bodies, civil society, and even digital platforms. This framework is aimed at guiding these actors in the self-regulation of their operational

³⁴ Presidential Decree No. 21-284 dated 13 July 2021, amending and supplementing Presidential Decree No. 19-179 dated 19 June 2019, establishing a central criminal investigation unit for Army Security, defining its missions and organization, Official Gazette No. 56, issued on 18 July 2021.

³⁵ Ordinance No. 21-11 dated 25 August 2021, supplementing Ordinance No. 66-155 dated 7 June 1966, bearing the Code of Criminal Procedure, Official Gazette No. 56, issued on 26 August 2021."

³⁶ United Nations, Countering Disinformation. Available at: <https://www.un.org/ar/countering-disinformation> (accessed on 04 May 2025 at 21:00).

mechanisms and algorithms³⁷, Conversely, and by way of example, the European Union has established a legislative framework under the Digital Services Act (DSA), which imposes a legal obligation on digital platforms to remove disinformation content within a maximum period of 24 hours—particularly content used for political purposes or aimed at manipulating public opinion³⁸, Accordingly, social media platforms could not remain passive or outside the scope of these mounting efforts and pressures. In response, platforms such as Facebook (Meta) and Twitter (X) have revised their internal policies, taking steps to remove disinformation posts that are likely to contribute directly to physical harm or that may obstruct political processes. As for other forms of false or misleading information, these platforms claim to limit their dissemination, while justifying their reluctance to remove such content by citing the inherent difficulty in distinguishing disinformation from other types of content³⁹, YouTube has likewise modified its recommendation algorithms to reduce the spread of such content, while simultaneously developing partnerships with international fact-checking organizations to verify the accuracy of information⁴⁰.

In the same vein, the International Criminal Police Organization (INTERPOL) has issued warnings regarding the growing threat of cybercrimes that rely on advanced information technologies, particularly those used to disseminate false propaganda and disinformation content, thereby endangering the stability of states. INTERPOL stressed the importance of coordinated efforts at both regional and international levels. It has also conducted several joint operations with numerous countries, which have resulted in the dismantling of multiple criminal networks operating in this field⁴¹. At the regional level, Algeria hosted, from April 19 to 22, 2025, the regional workshop of the North Africa Office of the Committee of Intelligence and Security Services of Africa (CISSA), which focused on the implications and impact of misleading digital media content and fake news on the security and stability of states. During the opening remarks, the Director General of Documentation and External Security of Algeria, Brigadier General Rachdi Fethi Moussaoui, emphasized that Algeria, with its historical legacy and deep African roots, is at the forefront of the battle for awareness against electronic warfare. He highlighted the threat posed by digital disinformation as one of the most prominent tools used to undermine national security, state stability, and sovereignty⁴². This underscores the importance that Algeria, alongside its African counterparts, places on the need to strengthen

³⁷ UNESCO, Online Disinformation: UNESCO Unveils Action Plan to Regulate Social Media Platforms. Available at: <https://www.unesco.org/en/articles/online-disinformation-unesco-unveils-action-plan-regulate-social-media-platforms> (accessed on 04 May 2025 at 22:15).

³⁸ European Commission, Digital Services Act Package. Available at: <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package> (accessed on 04 May 2025 at 01:30)

³⁹ <https://transparency.meta.com/policies/community-standards/misinformation> accessed on 06 May 2025 at 10:30

⁴⁰ YouTube, Fighting Misinformation. Available at: <https://www.youtube.com/howyoutubeworks/our-commitments/fighting-misinformation/> (accessed on 06 May 2025 at 11:15).

⁴¹ INTERPOL, Cybercrime. Available at: <https://www.interpol.int/Crimes/Cybercrime> (accessed on 05 May 2025 at 22:00).

⁴² Algerian News Network (ANN DZ), Launch of the Regional CISA Workshop on Disinformation. Available at: <https://anndz.dz/%D8%A7%D9%84%D8%AC%D8%B2%D8%A7%D8%A6%D8%B1-%D8%AA%D8%B9%D8%B2%D8%B2-%D8%B1%D9%8A%D8%A7%D8%AF%D8%AA%D9%87%D8%A7-%D8%A7%D9%84%D8%A3%D9%85%D9%86%D9%8A%D8%A9-%D9%81%D9%8A-%D8%A5%D9%81%D8%B1%D9%8A%D9%82/> (accessed on 06 May 2025 at 12:39), and YouTube, Statement by Brigadier General Rachdi Fethi Moussaoui. Available at: <https://www.youtube.com/watch?v=TcYvQMG-fl0> (accessed on 06 May 2025 at 12:50)

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cooperation, coordination, and the exchange of expertise and information among various security and intelligence agencies. Such efforts are essential to meeting the challenge posed by this threat, which has grown from a media issue into a real threat to national sovereignty.

Ultimately, this kind of multilateral coordination—whether at the international or regional level—and the concerted efforts of all stakeholders reflect a growing awareness of the serious implications that disinformation poses to digital security and national sovereignty. It also lays the foundation for a new era of digital governance with an international dimension.

Conclusion

This study has demonstrated that, notwithstanding the immense potential offered by the digital environment for disseminating knowledge and expanding the scope of freedom of expression, it has simultaneously become a fertile ground for the phenomenon of media disinformation—an issue that fundamentally threatens the core foundations of national sovereignty. Digital media, endowed with rapid dissemination capabilities and a powerful influence, has become a powerful double-edged sword: it may serve to build societies and entrench noble values, or conversely, it may be instrumentalized to undermine state stability, erode citizens' allegiance to their national institutions, and transform nations into digital colonies serving the interests of dominant global powers.

Through an analysis of the legal framework governing digital media content, it has become evident that, despite the plurality and diversity of national legislative approaches, these frameworks remain in a state of flux, still grappling to effectively address the intricate challenges posed by the evolving landscape of digital media. The research has observed a significant disparity between legal texts and their actual capacity to counter the risks of media disinformation, particularly given the ever-changing nature of digital practices and the adaptability of modern technologies, which often transcend traditional state boundaries and legal systems.

This study has sought to affirm that the imperative of regulating digital content to safeguard national sovereignty should not come at the cost of fundamental freedoms such as freedom of expression, and the right to access information. This tension constitutes the principal challenge facing lawmakers, who must endeavor to adopt legal mechanisms that are both precise and flexible, grounded in the principles of transparency, shared digital responsibility, international cooperation, and the promotion of a culture of responsible digital media within society.

Based on the findings of this research, several key recommendations may be put forward, most notably: the development of national legislation tailored to the specificities of the digital environment; the establishment of national platforms for monitoring and combating fake news; the enhancement of legal and digital awareness among digital space users through the involvement of civil society in educational and awareness campaigns; and the reinforcement of regional and international cooperation mechanisms to confront cross-border media disinformation.

In conclusion, it is manifestly clear that the “New Algeria” is acutely aware of the magnitude of the challenges and threats it faces. The objective of regulating digital content in the face of disinformation risks can only be attained through a comprehensive vision that fully

embraces the rapid transformations of the digital sphere—internally, by establishing an integrated legal system that contributes to the protection of national sovereignty without compromising the fundamental rights and freedoms that underpin any sound democratic system, and externally, through coordination and the consolidation of efforts at both regional and international levels.