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Abstract :

This paper analyses the phenomenon of cyberbullying on social media in Algeria, which turned into a vivid reality in the digital world that endangers individuals and societies. In this regard, we try to understand the concept, types, methods, and the socio-psychological effects of cyber bullying. Then, we shed light on its status-quo in Algeria according to the statistics. Besides, we shall focus on the counter-efforts, mainly in the legal and procedural sides through speaking about the legal frame of fighting cyber bullying, namely Law 09-04 of 2009 on the rules of preventing and combatting ICTs crimes, the Algerian Penal Law and its amendments of 2014, and Law 20-5 of 2020 on the prevention and combatting of segregation and hate speech. Moreover, we shall detail the Algerian security and legal institutional system of fighting cyber bullying and solving its issues. Finally, we point to the challenges faced by the entities assigned with fighting the phenomenon. The study recommends collaboration among the institutions to end this negative phenomenon. An abstract is a brief, comprehensive summary of the contents of the article

Keywords: cyberbullying, cyber security, social media.

الملخص :

تناولنا من خلال هذه الورقة البحثية موضوعا مهما يتعلق بتحليل ظاهرة التنمر الإلكتروني عبر منصات التواصل الاجتماعي في الجزائر، التي أصبحت واقعا معاشا في اليوميّات الرقمية للأفراد، وتشكل خطرا على السلامة الفردية والمجتمعية، حيث هدفنا إلى فهم التنمر الإلكتروني وأشكاله وأساليبه، وآثاره النفسية والاجتماعية، ثم واقع التنمر الإلكتروني في الجزائر حسب الاحصائيات، إضافة للتفصيل في الجهود المبذولة للتصدي له خاصة من الجانب القانوني والاجرائي في الجزائر، من خلال تناول الإطار القانوني لمكافحة التنمر الإلكتروني، والذي يتألف من القانون رقم 04-09 لعام 2009 المتعلق بالقواعد الخاصة للوقاية من جرائم تكنولوجيايات الاعلام والاتصال ومكافحتها، وقانون العقوبات الجزائري خاصة بتعديلات 2014، والقانون رقم 05-20 لعام 2020 المتعلق بالوقاية من التمييز وخطاب الكراهية ومكافحتها، كما فصلنا في النظام المؤسسي الجزائري الأمني والقضائي المتكفل بمكافحة التنمر الإلكتروني ومعالجة قضاياها، وفي الأخير اشرنا إلى التحديات التي تواجهها الجهات المعنية أثناء قيامها بمكافحة ومتابعة التنمر الإلكتروني في الجزائر، وفي الأخير من خلال التوصيات أكدنا على ضرورة تنوع وتكاتف الجهود من مختلف المؤسسات والجهات لمكافحة هذه الظاهرة السلبية التي باتت تهدد الأفراد خاصة من الفئات الهشة والاصغر سنا، وفي الخاتمة ذكرنا بضرورة الاهتمام أكثر بمعالجة التنمر الإلكتروني ومكافحته بشئ الوسائل المتاحة.

الكلمات المفتاحية: التنمر الإلكتروني، الجرائم الالكترونية، الامن المعلوماتي، الخصوصية.

1. *Introduction*

Like the other states, the digital life in Algeria witnessed big development thanks to internet and its applications, mainly social media, which are based on the central role of the users who communicate and exchange electronic contents. This paved the way for new chances of social interaction, as the users have a huge freedom of expression on these media. Therefore, many electronic phenomena and behaviors appeared; some are positive, such as collaboration, empathy, and donation campaigns, while others are negative, such as the electronic spying, theft, etc. In this regard, we shall shed light on cyberbullying that is one of the social and psychological challenges that face the modern human in his digital life.

This phenomenon manifests in the use of the digital communication tools, such as social media, to share a defamation content or threaten someone in a fast and sustainable way, as the content cannot be definitively deleted most of the times, creating an environment of fear and isolation. Studies show that these activities have risky psychological effects, such as depression, anxiety, and social alienation. Therefore, the importance of this topic methodologically increases to find radical legal, educational, social, and technological solutions that limit the spread of these practices on internet platforms.

In Algeria, this phenomenon is a reflection of the sociocultural transformations resulting from reliance on technology in life. Therefore, the phenomenon is getting more complicated, mainly among the youths and adolescents. Despite the update in laws that aim at regulating the digital practices and combatting the electronic crime, cyberbullying cannot be exactly surrounded, as it still represents a big challenge in all the directions, either in the educational side that is exercised by the schools, families, civil society, mosques, etc, or in the legal side that is exercised by the police and the judicial bodies. Based on what was said, this study aims at analyzing the status-quo of cyberbullying in Algeria to find out more about its causes, social and psychological effects, and the efforts of its combatting. In so doing, we raise the following problematic, “what is the status-quo of cyberbullying in Algeria? What are the legal methods to face it?”.

2. The nature of cyberbullying:

2.1 The concept of cyberbullying:

It is the use of digital technology, such as internet, smartphones, and social media to harm, threaten, or defame someone (Smith P. K., 2005, p. 376). This definition focuses on the technological side that represents the basis of the phenomenon. This bullying includes harmful activities, such as sending defaming texts, sharing fake news online, sharing embarrassing images or videos without approval, or targeting someone through recurrent attacks on social media (Kowalski, Giumetti, Schroede, & Lattanner, 2014). Cyberbullying is an aggressive behavior that happens recurrently, and witnesses power imbalance between the victim and the bully (Patchin, 2010, p. 615). Thus, it is a deliberate negative behavior.

According to Kaufman (2019), cyberbullying is an aspect of electronic harm that aims at harming the victim through verbal attacks or sharing harmful contents, leading to dangerous social and psychological effects on the victim. Technology provides bigger chances to exercise this bullying because of the fast speed of news spread on internet, the potential of continuous access to the victim, the possibility of hiding the bully identity, etc (Slonje & Smith, 2008, p. 148). Thus, cyberbullying differs than the traditional in many aspects, such as the possibility of its occurrence at anytime and anywhere, making the victim subject to attacks all the time (Tokunaga, 2010, p. 278). In addition, its traces cannot be deleted because they are on internet and can be viewed and shared at any time.

Scientifically speaking, it is one of the psychological assaults that provoke physical and psychological repercussions, such as depression, isolation etc. It takes place via social media and smartphones to send threatening or blackmailing texts, or to share false news that defame others or cause mockery, harassment, personification, etc. These activities target one person or a whole group. Their risk lies within the possibility of easy spread, continuous existence, and difficult control due to the digital nature.

In addition, cyberbullying is characterized by the relative hiding of the bully identity, what gives ability to harm the others without fear of direct consequences (Slonje et al, 2013, p. 29). Its negative effects can rapidly affect many people, what increases the social and psychological effects (Kowalski et al, 2014, p. 74). We can define cyberbullying as a deliberate aggressive act by one person or a group of people using social media against a victim who cannot

easily defend himself (Ben Rokia, 2023, p. 119). It is an electronic violence using modern technology, such as smart phones and internet to harm the others.

2.2 The types of cyberbullying:

It has different types based on the tools and methods used, mainly:

1. The verbal bullying: It includes sending humiliating or intimidating messages via email or social media. These messages may include insults, racist comments, or menaces of physical attacks (Patchin, 2010, p. 616), and are private between the bully and the victim.
2. Defamation: The bully shares rumors or false information to defame the victim on social media, platforms, or websites. This negatively affects the social life of people who may experience isolation and exclusion, and may even affect their families and surroundings (Slonge & Smith, 2008, p. 149).
3. Personification; Here, the identity of the victim is stolen online and used to send humiliating messages or fake information using his name. This defames the victim and brings about problems and even lawsuits to the victim. Besides, it affects his professional and personal life, and his social status (Willard, 2007, p. 58).
4. The digital exclusion: The victim is deliberately excluded from the groups online, leading to his isolation and feeling of exclusion from the open digital society; it is a racist exclusional behavior (Tokunaga, 2010, p. 278).
5. The electronic stalking: It is about the permanent monitoring of the victim online activities and threatening him, what causes anxiety and fear (Kowalski et al., 2014, p. 1080).

These were the main types of cyberbullying; however, it still has other unmentioned types.

2.3 The psychological and social effects of cyberbullying:

Psychologically speaking, cyberbullying distorts the psychological structure and increases anxiety, stress, and depression, making the victims unable to control their feelings and ideas. In addition, most of the victims feel low self-esteem due to the recurrent threats they face online. The continuous threats on social media increase the possibility of post-trauma effects, as the individuals may feel continuous fear and anxiety due to the recurrent psychological harm (Tokunaga,

2010, p. 278). Besides, we may notice depression and social alienation, and even suicidal thoughts, mainly for the adolescents who lack the necessary psychological resources, such as the relationships that support them in such crises. These situations, filled with negative feelings, numb the good thinking and interaction with the surroundings. Thus, the creative thinking and the individual's ability to build good relationships decrease.

Studies show that 30% of the cyberbullying victims in Algeria suffer psychological troubles, such as social anxiety, depression, and fear. This weakens their ability to take legal measures to claim their rights (Bouazza, 2021). Socially speaking, cyberbullying takes the victims into a social alienation. Researches point that the victims become less interactive with their surroundings due to fear of being in public spaces and dealing with new people, what increases social alienation (Slonje & Smith, 2008, p. 149). This phenomenon breaks the social relationships and creates gaps, as the victims lose ability to positively and efficiently deal with the individuals, causing their social skills to decrease. Moreover, their productivity and daily performance deteriorate due to the permanent anxiety. Furthermore, the phenomenon undermines the self-confidence and creates feeling of disability, even in the places they used to feel secure in, such as in schools and family gatherings.

Besides, cyberbullying may have permanent effects, even after the end of the offense, as the victims remain prisoners of the negative memories and chronic anxiety, mainly if the bully was not punished. Studies show that 30% of cyberbullying victims in Algeria suffer psychological troubles, such as anxiety and depression, which reduce their ability to take legal decisions against the bullies (Bouazza, 2011). This is confirmed by the study of the Algerian Association of the Psychological Health, which mentioned that 40% of the cyberbullying victims suffer psychological troubles, such as anxiety and depression, what affects their ability to claim their legal rights and start legal suits (Association Algérienne de Santé Mentale, 2022).

Therefore, providing the social and psychological support is necessary to alleviate the negative effects of the issue, through listening to the victims and guiding them socially and legally to increase their awareness about how to deal with cyberbullying. In addition, the family and the social institutions must provide support through positive interaction with the individual, simplifying the problem, and punishing the bully to help the victim regain self-confidence. In general, these institutions help improve the psychological health and gain social and psychological balance.

3. The status-quo of cyberbullying on social media in Algeria:

3.1 The status-quo of cyberbullying on social media in Algeria according to the statistics:

In coping with the digital openness of the Algerian society, we notice an increase in the rates of cyberbullying with the increase of internet users. For instance, more than 350 cases of electronic defamation have been registered in Algiers in 2020. Besides, suicide cases due to internet use have been reported (The official journal of the electronic police, 2020, p. 05). A report by the Ministry of Communication in Algeria shows that the number of complaints from cyberbullying increased with a rate of 30% in 2021, compared to the previous years. These statistics reflect the increase of the problem, mainly among the youths, adolescents, and even children, who are the most victimized due to their extensive use of social media, and technology in general. The rate of users who faced cyberbullying in Algeria is 27%. About 64% of the cases were on Facebook and 22% on Instagram.

As for the most victimized age categories, we find the users aged between 12 and 25 years (Ministry of Post and Telecommunications, 2022, p. 18). In addition, statistics of the Algerian Association for Combatting the Electronic Crime in its annual reports show the increase of cyberbullying with a rate of 40% between 2020 and 2022, what reflects the spread of the issue (Drouiche, 2022, p. 58). Moreover, the numbers show the Algerians' awareness about the risk of cyberbullying, as a study showed that 51% of the Algerians believe that is worse than the direct. Despite that, most victims prefer silent sufferance without telling their families due to fears of shame and guilt (Alioua, 2019). Besides, around 60% of the victims do not report the cyberbullying fearing revenge or the absence of the sufficient judicial sanctions (Bouazza, 2021, p. 50).

A report by the Algerian Association for Combatting the Electronic Crimes states that 150 cases of cyberbullying were reported in 2021, of which only 20% were brought into courts, reflecting the challenges faced in enforcing the sanctions effectively (Drouiche, 2022). Even when the cases reach courts, it is difficult to prove the offense. For example, the Ministry of Justice in Algeria declared in 2022 that 40% of cyberbullying cases ended with no proof of guilt due to the lack of evidences and difficulty of proving the offense (Ministère de la Justice, 2022).

On the other hand, researchers show that challenges face the enforcement of law in combatting the digital offenses, including cyberbullying, such as the lack of the sufficient technical potentials, experience, and weak collaboration between the competent authorities and internet providers to trace the offenders. Besides, the societal awareness about the risk of cyberbullying and the available legal measures to combat it is low (Benmebarek, 2020, p. 45). The causes of the spread of cyberbullying in Algeria include:

- The increase of internet users and spread of technology, as the number of users in Algeria reached 27 million in 2023. Reports point that the use of internet in Algeria reached 75% in 2023, as the users increased to 32.9 million, with an increase in the use of social media, such as Facebook, Instagram, and TikTok, what increases the digital activities. In the start of 2023, Facebook users were 20.8 and Instagram users were 8.4 million, showing a remarkable increase (Abd al Razak, 2023).

- The family and school control is low and helps the spread of the cyberbullying.
- The digital awareness and education are low, leading to ignorance of ethical interaction rules on internet and lack of responsible use culture.
- It is possible to hide the digital identity using fake accounts, allowing the bullies to assault and harass the others without fear of consequences.
- The social and cultural changes, such as the socioeconomic and political tensions manifest in the digital behaviors, and the societal and political struggles affect the electronic debates, increasing the severity of cyberbullying.

The main subjects of cyberbullying are the influencers who have a wide base, as they face criticism and digital attacks due to their personal attitudes, lifestyle, and look. These are the main axes of cyberbullying on social media in Algeria:

- Criticizing the appearance: One of the famous influencers in Algeria, known for her content on styles and beauty, faced a cyberbullying campaign on Instagram due to posting personal photos without makeup. Thus, she was victim of humiliating comments on her natural look, describing her as “ugly”, unlike how she looks when sharing content. This campaign affected her psychological state, as she later declared taking a break from social media to overcome the stress.
- After declaring the official results of the Baccalaureate exam, a wide campaign of congratulations started on the official media and social media such as Facebook, Instagram, and Tik Tok to celebrate the success of the valedictorian

“Mohamed al Amine Mokrane” in 2024, making him a source of pride and admiration in the educational and social milieus. However, a wave of negative comments and cyberbullying mocked his simple outlook, sharing negative and hurting memes and photos about his outlook during his meetings with the media outlets. In this context, comments undermining his hard efforts were shared, such as “the grade is not a measure of intelligence”.

- **Bullying the political and social attitudes:** In 2022, a comedian influencer known for his intellectual and political content on Facebook faced a wide violent wave of comments after sharing a post on his attitude towards a sensitive social issue regarding the unemployed youths. His page faced thousands of negative comments that showed threats and insults. Besides, Facebook groups were created to attack him and doubt his credibility, obliging him to close his account for two months.

- **Defamation campaigns by organized groups:** A female influencer in the field of cooking and family life witnessed an organized campaign by a group on Whatsapp and the other platforms. The campaign targeted her personal life and accused her of lying about the ideal life. This led to leaking personal photos, which affected her reputation amid the society. The influencer drew the case into court, which sentenced the offenders to fines and prisons.

- **Mockery of the accent and the cultural look:** A famous influencer who posts content in Tamazight faced bullying due to his language and culture. Comments calling him to speak Arabic started. The influencer lost many followers due to the boycott campaigns. Later, he appeared in a video showing his sadness and commitment to defending his cultural identity.

- **Targeting the female influencers due to their personal lives:** A female influencer, known for her content on travel and tourism, faced a wide electronic attack after posting images of a journey. The followers criticized her for travelling alone, considering this a violation of traditions. The influencer received personal menaces and humiliating messages, pushing her to stop sharing her personal life on social media, and to focus only on the tourism content.

The Algeria institutions made huge efforts to raise awareness and increase initiatives against cyberbullying, such as the campaigns of awareness and the psychological support programs by the Ministry of Education, the non-governmental organizations, and UNICEF (the Algerian Ministry of Education, 2022, p. 12). These efforts aimed at teaching the ethics of the digital life,

fostering the digital safety, reducing cyberbullying in schools, supporting the victims of cyberbullying in schools, integrating lessons about the responsible and secure use of technology, focusing on the media education, establishing phone lines to psychologically support the victims and reduce the psychological effects, and establishing electronic platforms, such as “electronic reporting” to report cyberbullying (The official journal of the electronic police, 2020). The study of this phenomenon remains difficult due to the lack of exact information, its modernity, and the method of its facing, as individuals avoid reporting and suing the offenders.

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3.2 The legal frame of combatting cyberbullying in Algeria:

Algeria aims to fight cyberbullying and its related crimes, such as insult, mockery, and electronic harassment through establishing security and societal entities specialized in the field, and adopting new methods in investigation, research, and training of the cyber security agents. Moreover, it enacted different laws, as we shall discuss.

The Algerian legal system on the electronic crimes: This system is basically made up of:

First: Law 09-04 of 2009 on the special rules to prevent and combat ICTs crimes:

This law is the 1st comprehensive legislative frame for combatting the electronic crimes in Algeria. It regulates the modern ICTs crimes, such as electronic piracy, violation of the data secrecy, digital spying, and cyberbullying. Its texts include different procedures to deter these acts through protecting the victims and suing the bullies (Benmebarek & Bendjedid, 2020). Thus, the law is the legal basis of combatting the electronic crimes in Algeria, as it identifies the provisions on prevention from ICTs crimes and protecting the individuals and society from the threats of the negative use of technology. It covers the procedures to combat such crimes, and the electronic actions that aim at insulting and defaming people via internet, such as cyber fraud, privacy violation, and information systems hacking.

Law 09-04 was issued on 05 August 2009 and published in the Algerian official gazette 46 of 2009 (the Algerian official gazette, 2009, p. 05). It aims at

setting special rules to prevent and combat the crimes of using ICTs. In this regard, it set legal guarantees to protect the cyber systems from any electronic threats that menace their persistence (Hamid, 2015, p. 110). In addition, it focused on the national cyber security through combatting the use of digital technologies in the criminal activities, including terrorism and the organized crime (the Algerian official gazette, 2009, p. 19). Besides, the law aims at providing a flexible legal nature that suits the rapid growth of technology and fosters the digital investment (al Zebidi, 2012, p. 121). The law goes with the international commitments of the state, mainly the Convention of Budapest of 2001 regarding the electronic crime, what reflects the Algerian will for international cooperation (the UN General Assembly, 2001, p. 14).

The main items of the law cover the definition of the electronic crimes and its aspects, mainly hacking the cyber systems; the unauthorized logging into the computer systems or nets; data manipulation, distortion, or deletion without approval of its owners; violation of the privacy; the digital spying; the illegal collection of personal information; the digital fraud, and the use of the electronic tools to achieve illicit gains (al Zebidi, 2012). The law mentioned the investigation procedures and the justice guarantees, as it provided a legal frame to investigate the digital crimes and allowed recording the digital data through cooperation with the internet providers, searching the electronic devices based on a warrant, and providing the legal guarantees to protect the individual rights and avoid coercion (the Algerian official gazette, 2009, p. 12).

For the sanctions, the law provides that they are between monetary fines and prison, according to seriousness of the crime. For instance, simple crimes such as the illegal logging in are sentenced to 03 months to 03 years of prison and to a monetary fine between 50.000 and 500.000 Algerian Dinar (Ibid., p. 14). Concerning the high-risky crimes, such as digital falsification, the sentence may reach 10 years of prison (Hamid, 2015, p. 107). As for the method of international cooperation, they ensure the efficiency of suits against the transnational crimes. For instance, the law provides for cooperation with the Interpol and the organization of combating the electronic crime (the Algerian official gazette, 2009, p. 17).

The enforcement of the law witnessed different challenges, such as the lack of technical competencies. Despite the clarity of the law, the lack of the specialized competencies in the digital investigation is the main factor (Hamid, 2015, p. 125), all along with the rapid development of the digital crimes. In this context, studies show that the methods of these crimes rapidly develop and exceed the legislative amendments, what weakens the law efficiency (the cyber security office, 2020, p. 45). Furthermore, the low societal awareness increases the risks of hacking (Ibid., p. 48). This law is a legal frame against the electronic crime in Algeria. Despite the achievements, the rapid development of these

crimes requires adaptive strategies and continuous international cooperation to ensure the achievement of the target results.

Second: The Algerian Penal Law and its amendments of 2014:

The Algerian legislator was obliged to amend the Penal Law in 2014 to cover the electronic crimes and respond to the news of technology and digital life, which had flourished since 2010 with the increase of internet use and decrease of its costs. In this regard, the development of ICTs, such as smartphones and tablets, and the start of 03G and 04G services by the mobile phone operators increased the users to 9.82 million (The Authority of Regulating the Post and Wired and Wireless Telecommunication, 2014, p. 07). Therefore, it was necessary to regulate the digital life to protect people and organize their electronic behaviors.

The cyberbullying is one of the negative electronic practices and a digital crime subject to the law of the electronic crimes by the amendments in the Penal Law of 2014. This amendment was issued by order 66-156 of 08 May 1966, and is the basic legislative frame to identify the crimes and their sanctions. Since the law was set in a sociopolitical context different than the present, it was subject to amendments to suit the developments, mainly those initiated by Law 14-01 of 04 February 2014, which established a new section in the Penal Law, entitled (Violation of the Systems of the Automatic Procession of Data).

The amendments focused on the treatment of the electronic crimes (The Algerian Ministry of Justice, 2014) and covered different axes on the electronic practices and crimes. In addition, among the main articles mentioned in the amendment, we find Article 298 that provides for a sentence of 06 months of prison or a monetary fine against any humiliation or libel using the digital tools, such as the electronic messages and social media posts (Djouadi, 2019, p. 30). This was mentioned in Article 303 Bis that provided for protecting the personal data and criminalizing the violations against the privacy of individuals using the technical tools. In this context, it banned posting or sharing tapes or photos without permission of their owner. Furthermore, Article 296 Bis provided for sanctioning the electronic defamation that harms the reputation with prison or monetary fines.

As for cyberbullying, it is among the electronic crimes covered by the amendments, mainly those regarding the psychological and verbal harassment. The law sanctions these crimes with prison and monetary fines, based on the severity of the crime (Djoaudi, 2019, p. 30). Article 146 Bis 02 provided for protecting the minors and victims of cyberbullying, and for sentencing the criminals that target the vulnerable categories and minors to 03 years of prison and monetary fines (the Algerian Ministry of Justice, 2014, pp. 28-43). These amendments are a positive step in combatting the modern crimes, including

cyberbullying. However, more investment in the technical and infrastructure is needed, all along with social awareness raising.

Third: Law 20-05 of 2020 on the prevention and combatting of segregation and hate speech:

The law was issued on 28 April 2020 and published in the official gazette 27 in 2020 (the Algerian official gazette, 2020, p. 04). It aims at fighting the hate speech to ensure the human rights, foster the national unity, and protect the social peace. It bans any practice that menaces the social harmony or incites for violence (Hamid, 2021, p. 65). Besides, it supports equality and ensures equal treatment to all the citizens far from segregation. The law provides for stringent sanctions to deter people and communities that exercise or incite for hate speech (the Algerian media office, 2021, p. 16). The Law is based on constitutional and international principles, such as the Human Rights Declaration of 1948, which insisted on equality among people regardless their religions, ethnicities, or languages (the UN General Assembly, 1948).

Article 02 of Law 20-05 defines hate speech as any oral, written, or symbolic expression that incites for hatred, segregation, or violence against one person or a community, and defines segregation as any exclusion or restriction based on ethnicity, color, race, religion, or any other unjustified criterion (The Algerian official gazette, 2020, pp. 05-06). These behaviors aim at hindering the recognition, enjoyment, or practice of human rights in the political, economic, social, cultural or other fields (The Algerian media office, 2021, p. 12). As for the sanctions, Article 30 of the Law provides for sentencing commissioners of hate speech to 01 to 05 years of prison and to a monetary fine between 100.000 and 500.000 Algerian Dinars. Regarding segregation, the sentence is from 06 months to 03 years with a monetary fine of 300.000 Algerian Dinars. The monetary fine increases to 200.000 to 500.000 Algerian Dinars if the crime is made by a public official, or is against vulnerable people, such as the sick people or those with physical or mental disabilities, according to paragraphs 01 and 02 of Article 31. By this text, the Algerian legislator respected the specificity of people with specific needs. In addition, Article 32 of the Law provides that if hate speech calls for violence, it is sanctioned with 03 to 07 years of prison with a monetary fine of 300.000 to 700.000 Algerian Dinars. The legislator considered the hate speech and segregation a aggravated crime in case it is made by a party that manages a website or electronic account to post information that promotes for programs, information, images, or news that shall trigger hate and segregation in the society (the Algerian official gazette, 2020, pp. 10-12).

Furthermore, the Law provides for the right of the victims to submit complaints, and discussed the methods of their settlement and the protection of the witnesses and victims (Ibid., p. 15). In addition, it mentioned preventive measures, such as awareness campaigns in schools and on media outlets to

foster tolerance (Ibid., p. 08) and control the media campaigns to ensure they do not promote hatred and segregation (the Algerian media office, 2021, p. 12). Among the important legal and technical measures provided for by Law 20-05 on the prevention and combatting of hate speech and segregation, Articles 09 and 10 establish the National Observatory for Prevention of Hate Speech and Segregation. It is an entity that monitors and analyses all the aspects and causes of this negative phenomenon. Besides, it suggests the suitable solutions. Moreover, Article 26 confirms the legality of using the electronic leak, which is a modern investigation system that allows the police officers to hack the cyber system and monitor the suspected offenders after the approval of the attorney general.

In its enforcement, the law witnessed different difficulties, such as the difficulty of proving the intention (Hamid, 2021, p. 78), in addition to the low legal awareness of citizens, as many people are still unaware about the risks of hate speech and aspects of segregation, hindering the efficient enforcement of the law (the Algerian official gazette 2020, p. 18). Besides, the digital media represent a fertile ground for spreading hate speech due to the lack of control (the Algerian media office, 2021, p. 19).

4. The Challenges of fighting cyberbullying in Algeria:

4.1 The legal challenges:

- The difficulty of monitoring and knowing the offenders: The electronic bullies generally use fake accounts, and even virtual private nets and encryption programs to hide their identities and make them unidentifiable. Statistics show that 65% of the electronic crimes, including cyberbullying, are conducted with fake accounts or on external platforms, to make their recognition difficult without cooperation with the companies that own the platforms (Drouiche, 2020). These tools hinder the legal procedures and leave the offenders without prosecution, as confirmed by the Association of Combatting the Electronic Crimes in Algeria, whose report revealed that 70% of the bullies use fake accounts to hide their identities and hinder their recognition and prosecution by the authorities (Bouazza, 2021). A modern study revealed that taking advantage of technology, such as data analysis and position localization, may facilitate tracking and prosecuting the offenders and protect the victims (Mebarek & Seba, 2021, p. 120).

- The difficulty of legally identifying the cyberbullying: Identifying the nature and details of cyberbullying is one of the main difficulties for the victims, as many laws of combatting cyberbullying still lack exact definitions, making the victims unable to prove the offense. For instance, the Algerian law defines the electronic crimes in Law 20-05, but does not provide clear definitions to the practices under cyberbullying, limiting the ability of victims to start legal suits against the bullies (Bouazza, 2021). The lack of specialized laws brings about

the difficulty of classifying many cases under the concept of cyberbullying, leaving the victims in a legal foggy. According to a study by the Algerian Association of Combatting the Electronic Crimes, more than 60% of cyberbullying cases were not brought into courts due to the lack of laws and exact definitions on cyberbullying (Drouiche, 2021). Therefore, many studies point to the importance of enacting laws on cyberbullying to widely reflect the nature of the digital crime, as the current laws do not sufficiently deal with the details of such crimes. Moreover, it is necessary to raise social awareness to inform the citizens about their rights and the necessity of reporting the bullying they face (Djouadi, 2019, p. 25).

- The lack of legal evidences and difficulty of proving the crime: The use of evidences faces legal challenges regarding their credibility and methods of collection. In this regard, the collection of digital evidences is one of the big challenges, as they must be legally accepted and show the will of the bully to cause harm. However, the digital evidences, such as messages and posts, may be manipulated and easily deleted, making them unreliable and unaccepted in some courts. The justice relies on conversation tapes and testimonies, but many victims face difficulties in maintaining these evidences or in proving their credibility. In a report by the Algerian Ministry of Justice, 45% of cyberbullying cases that reach courts face difficulties of accepting the digital evidences or proving the validity of the submitted information (Ministère de la Justice, 2022).

- The victims' lack of legal awareness: Many victims do not know their legal rights or how to report cyberbullying. Therefore, the complaints are not efficiently submitted, hindering the authorities from taking the suitable decisions. According to a poll by the Ministry of Justice, 50% of the victims are unaware about the available legal procedures (Ibid.).

- The insufficiency of sanctions: The sanctions are not sufficient and do not reflect the harm caused to the victims. In many cases, the offenders escape sanctions or get slight ones, what reduces the efficiency of the current laws.

4.2 The technical challenges:

- The rapid technological development: It makes it hard for the police to cope with the new cyberbullying methods, what imposes the need to continuously train police officers on the technological news.

- The balance between the individuals' protection and the freedom of expression: The Algerian judicial entities aim at establishing balance between the freedom of expression and the right to protection from the social and psychological effects of cyberbullying. In this regard, these cases require exact procedures to preserve the rights of everybody.

- The limited potentials and victims' lack of technical experience: Victims, often, lack the sufficient technical knowledge and face difficulties in reaching the necessary technological tools that help prove the cyberbullying and correctly document the evidences, such as the immediate screen record and the extraction of the digital data. Thus, they cannot provide strong evidences that support their cases. In a study by the Algerian Ministry of Telecommunications in 2022, 55% of the youths who faced cyberbullying do not know how to document these offenses, and reduce their chances of starting legal suits. Besides, a study in 2021 revealed that 70% of the cyberbullying cases in Algeria have not been reported due to the difficulty of proving, or to the fear of the social repercussion. Moreover, international statistics found that 80% of cyberbullying victims face challenges in documenting the digital crimes due to the legal and technical complexities, mainly in the absence of the suitable laws (World Bank, 2022).

4.3 The social and psychological challenges:

- The fear of revenge and stigma: Stigma and fear of revenge are a main obstacle for the victims who want to submit complaints, as they fear that reporting bullying would subject them to more bullying or to revenge of the bullies, mainly in the societies that do not sufficiently support the victims or lack a clear understanding of these issues. Besides, the victims fear stigma, pushing them to avoid complaints. In some Algerian societies, reporting crimes is seen as weakness and leads to social isolation; therefore, the victims do not complain to the police.

- The victims' lack of the psychological support: The victims need social and psychological support of the experts to help deal with the effects of cyberbullying and overcome the problems. However, the Algerian context does not provide enough psychological services, leaving the victim unsupported.

- The need for international cooperation: Due to the nature of the electronic crime, including cyberbullying, it is necessary to establish international cooperation to exchange information and evidences and ensure the offenders' prosecution.

5. Recommendations to fight cyberbullying in Algeria:

To successfully fight cyberbullying and reduce its effects, we recommend:

- Focusing on the media education: It is the process of raising awareness to help the citizens understand the role of media outlets, use them efficiently, and foster the critical thinking towards the media content. It plays a vital role in fighting cyberbullying, teaching the ethical digital behaviors, increasing awareness about the dangers, introducing the students to the social and psychological effects of cyberbullying, teaching the methods of digital protection of personal data, reducing bullying and targeting, and showing how to deal with the challenges of the digital environment, such as cyberbullying, checking the data validity, and

privacy protection. Some schools started cooperation with non-governmental organizations to initiate programs that aim at informing students about the dangers of cyberbullying and the importance of the ethical digital behavior. Despite the challenges, the development of media education in the school curricula may be an efficient tool against cyberbullying, mainly with the spread of internet amid the youths. Besides, it is a tool to shape a responsible and aware digital community.

- The necessity of awareness raising: In addition to the legal frame needed against cyberbullying in Algeria, the government, civil society, educational institutions, and the societal organizations must make efforts to raise awareness, mainly of the youths, adolescents, and children about the risks of cyberbullying and all electronic crimes to train them on how to prevent and face these crimes. In this context, campaigns and workshops must be organized to teach them. In addition, local phone applications may be designed to tell the users about the methods of dealing with cyberbullying and provide them with the necessary psychological support. Furthermore, awareness programs must be included in the school curricula to teach students about the risks and methods of facing cyberbullying. Finally, the parents and teachers must be trained on the detection of cyberbullying and how to deal with its issues.

- Fostering the family control: It needs raising families' awareness about the need to control the digital activities of their children without violating their privacy, insisting on the importance of accompanying them in using the websites and reporting the cyberbullying. Besides, the educational and information institutions must participate in fostering the religious and ethical values of children and youths to build a positive use of the electronic devices.

- Enacting deterrent laws: the Algerian legal system reflects a clear development against the electronic crimes. However, there is still a need to update the laws continuously to cope with the rapid technological changes, and to foster the infrastructure to facilitate the law enforcement. Thus, clear laws that criminalize cyberbullying and all the electronic crimes must be enacted.

- Establishing channels of digital reporting: Secure and fast electronic platforms must be founded to report cyberbullying secretly and securely, and to help the authorities efficiently prosecute the offenders.

- Fostering the law enforcement and training specialized security teams and judicial entities on dealing with the digital crimes, mainly cyberbullying, and on investigating the different digital incidents. Thus, it is necessary to develop the judicial training and programs meant for lawyers and judges regarding the electronic human rights and the mechanisms of fighting hate speech and cyberbullying (Hamid, 2021, p. 81).

- The social and psychological support of the victims through providing psychological advice freely and secretly via applications, and providing the legal support to help overcome the feelings of anger, fear, anxiety, isolation, and inferiority. In this regard, some victims may use violence or murder, or resort to isolation or, even, suicide.

- Encouraging the scientific researches and making sure to get exact statistics to better understand cyberbullying in the Algerian context and find solutions. In addition, research in the technological field is needed to foster the mechanisms of electronic protection and encourage the use of privacy protection and filters on social media to ban the bad interactions. Moreover, cooperation with the big technology companies is needed to develop algorithms that detect and ban the negative behaviors.

6. CONCLUSION

The question of cyberbullying is one of the increasing challenges in the Algerian digital environment, mainly with the spread of internet and social media. It is an inevitable international phenomenon that needs efficient intervention from institutions to deal with it and protect the victims, mainly the youths, adolescents, and children. Despite the efforts of the Algerian authorities, either through enacting laws that ban the phenomenon, or through social awareness raising campaigns, we still need more efforts and cooperation between the legal, security, technological, and social institutions, including schools, families, and civil society to ensure a safe electronic environment without bullying or negative behaviors.

Therefore, it is necessary to improve the laws and enact deterrent ones, enhance the competencies of the concerned parties, provide the modern technology, and ensure the good management of technology. In addition, it is necessary to foster social, legal, and electronic awareness of people to ensure their positive interaction. Finally, the social and psychological support to the victims must be provided to overcome its effects. In general, combatting cyberbullying requires a comprehensive method that covers the stringent sanctions and preventive programs.

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