

Legal Basis of Cyberbullying and Legal Protection for Victims in Online Environments and Relationship to Sustainable Development Goals

Edi Yunara^{1*}, Zilmi Haridhi²

^{1,2}Law Faculty of Universitas Sumatera Utara, Medan, Indonesia; edi.yunara@usu.ac.id

Keywords:

Cyberbullying,
Electronic,
Information,
Legal protection,
Victim.

Abstract. The expansion of information and communication technology has yielded certain beneficial results; yet, it has also resulted in unexpected repercussions, including a surge in cyberbullying. Individuals targeted by cyberbullying often endure sadness, isolation, maltreatment, and a profound sense of powerlessness. Consequently, it is essential to implement legislation that protect victims of cyberbullying and govern the punishments imposed on perpetrators. This article aims to examine the issue of regulating cyberbullying and provide legal protection to victims of online harassment. Law enforcement must reference the normative juridical approach used in the creation of this article when identifying cyberbullies and offering legal protection to their victims. The study's results indicate that the Law on Information and Electronic Transactions (UU ITE) governs the use of information and communication technologies that inflict damage on others, including cyberbullying. Furthermore, the Criminal Code provides instructions for addressing those involved in cyberbullying. Nonetheless, neither the Criminal Code nor the Information Technology Law addresses the protection of victims from cyberbullying. The Laws on the Protection of Witnesses and Victims (UU PSK) and Child Protection provide victims of cyberbullying the possibility to get legal protection. The Witness and Victim Protection Agency recommends that the Prostitution Law provides victims with their legal rights. Victims of cyberbullying are seldom identified as such, despite their entitlement to several rights. Consequently, it is imperative to create a comprehensive and clear legal framework to safeguard victims of cyberbullying while reforming prostitution laws and ensuring kid safety. Cyberbullying impacts several Sustainable Development Goals (SDGs), such as peace, justice and strong institutions (SDG16) and quality education (SDG4).

1. INTRODUCTION

United Nations Research on Violence against Children considers bullying to be a pattern of behavior, not an isolated incident. The most common form of bullying is verbal, which, if left untreated, can lead to physical violence (Shetgiri, 2013). The study highlights that almost all bullying is sexual or gender-based, aimed at pressuring the confluence of children with cultural and social values, especially those that define the roles of perceived men or women. Growth of information and communications technology transformed individuals' habits and lifestyles. The advancement of information technology has rendered the globe borderless and has facilitated rapid transformations in social, cultural, economic, legal, and military perspectives and behaviours (Adelakun, 2023). The posits that information technology serves as a double-edged sword, capable of enhancing human happiness, development, and civilisation, but also facilitating illicit acts.

The internet is a significant benefit arising from the present advancements in information technology. It facilitates the execution of daily duties and improves the overall quality of life. Nonetheless, the extensive use of the internet has led to the proliferation of a new kind of unlawful activity termed cybercrime (Jang-Jaccard & Nepal, 2014). In assert that cybercrime is a contemporary offence that utilises electronic media or the internet. Nonetheless, the variety of criminal activities persists in its evolution. Cyberbullying is one of the several manifestations of cybercrime. The only distinction between cyberbullying and conventional bullying is that the former utilises the internet or other digital tools. Cyberbullying is entirely equivalent to conventional bullying.

Although the word "cyberbullying" is relatively recent, its prevalence raises concerns for many. Research undertaken by Dini Marlina, a Lecturer in the Digital Neuropsychology Study Programme at Insan Cita Indonesia University (UICI), indicates that the most common type Cyberbullying occurs on social media platforms, with a prevalence rate of 71%. Subsequently, chat applications account for 19%, online gaming for 5%, and YouTube for 1%. Dini referenced the 2021 study conducted by the Centre for Digital Society, which revealed that 3,077 pupils in junior and senior high school had experienced cyberbullying, with 38.41% of these students having engaged in the practice themselves. Furthermore, data from the United Nations Children's Fund (UNICEF) indicates that 45 percent of 2,777 Indonesian children reported experiencing cyberbullying in 2022 (Nixon, 2014).

Indonesia is said to possess the highest incidence of cyberbullying ever documented globally. The Indonesian Internet Service Providers Association (APJII) reports that sixty-four percent of the populace engages with social media platforms, whilst seventy-seven percent use the internet (Safaria, 2016). The source of this material was Lintang Ratri Rahmijati, a professor of Communication Sciences at Diponegoro University (UNDIP) and a member of the Digital Literacy Activist Network (Japeliidi). The average internet user spends 7 hours and 42 minutes online, whereas the typical duration spent on social media is 2 hours and 53 minutes. Moreover, 49 percent of the 5,900 study participants reported experiencing online bullying. Forty-seven-point two percent of respondents reported never experiencing harassment, however 2.8% did not provide a response.

In comparison to actual violence, cyberbullying, or cyberviolence, is often more detrimental. Victims of cyberbullying often endure sadness, loneliness, harsh treatment, and a profound sense of powerlessness. The severity of depression among victims of cyberbullying significantly exceeded that of victims of physical or verbal bullying (Khadka et al., 2024).

Victims of cyberbullying experience not simply emotions of despondency but often engage in more extreme actions, including

suicide. Although the overall suicide incidence in the United States has declined by 28.5% in recent years, there is an increasing propensity for suicide among children and adolescents aged 10 to 19 years (Kim & Faith, 2019).

Advancing Information Technology and telecommunications may have influenced the development of human conduct. Individuals may modify their behaviour that results in criminal activity to exploit technology improvements. Consequently, it is essential to implement legislation on technical advancements to prevent the proliferation of communal behaviours that infringe upon the rights of others via technology and to impose criminal penalties on perpetrators of cyberbullying, as well as on the victims of such acts (Mishra et al., 2022). Two adjustments have been made to Law No. 11 of 2008, which constitutes the Legal framework for the use of information technology in Indonesia. The latest modification is Law of 1 November 2024, pertaining to Second amendment of Law 11 of 2008. Although this rule has imposed limitations on those who engage in slander and defamation via electronic media, the prevalence of cyberbullying in Indonesia has not diminished; instead, it has markedly escalated. In 2023, the National Commission for Child Protection (Komnas PA) documented at least 16,720 incidents of bullying affecting Indonesian students (Ibipurwo et al., 2024). This article aims to examine the legal protections available to victims of cyberbullying in Indonesia and the regulatory actions implemented to address the issue.

2. RESEARCH METHOD

The topic of this normative legal study is "Legal Basis of Cyberbullying and Legal Protection for its Victims," characterised by a qualitative approach. In states on page 105 that the main aim of qualitative normative juridical investigation is to examine the legal norms embedded in laws, regulations, and court rulings, together with the societal norms that are susceptible to evolution (Janković & Stošić, 2022). The study used secondary data acquired via a library search. This research aims to examine both primary and secondary legal texts as its secondary data focus. The principal legal materials used are the statutes and regulations governing cyberbullying terminology. An instance of this is Law 11 of 2008, which regulates electronic information and transactions, revised twice. The latest improvement is Number 1, Number 11 of Electronic Information and Transactions of 2008, Article 1 of the Criminal Code of 2023 Code (KUHP). Both legislation were enacted in 2024. Meanwhile, secondary legal resources are obtained from the evaluations or critiques of professionals in books and journals, including those available online. Qualitative approaches were also used to evaluate the gathered Cyberbullying Legal Basis (Mukred et al., 2024).

Constitution of the Republic of Indonesia, established in 1945, says in its Article 1,300 that "The State of Indonesia is a State of Law". In addition, Indonesia upholds the principle Rule of Law in Articles 27.1(1) and 28d Constitution of the Republic of Indonesia (1), passed in 1945. Indonesia is a country established on the principle of the rule of law rather than on power (Sesulih et al., 2024). The doctrine of the rule of law, basically, the laws has the paramount place in the governing of a legal state. A.V.: Dicey was the inaugural individual to use the word whilst elucidating the three principal elements that constitute the rule of law. One of these elements is the preeminence of law. This guarantees that the law can protect every individual in society independently of any involvement from individuals or organisations via law enforcement and prioritisation. In these cases, legal repercussions may be placed only on a person if they have violated a law. Similarly, persons who perpetrate cyberbullying risk criminal punishment (Juanda & Juanda, 2023).

"Cyberbullying" refers to bullying in cyberspace via Use of digital technology. The term originates from the English words "cyber" and "bullying." "Cyberbullying" was introduced by, who characterised it as "a deliberate and ongoing act conducted through electronic texts or the internet." In further elucidated cyberbullying as a malicious act executed with intent and displayed to others. It is specifically conveyed via the transmission or diffusion of products or content deemed harmful. It included the notion of cyberbullying into the realm of electronic communication conducted via media such as emails, blogs, instant messaging, and text messages, targeting those who lack the capacity for prompt self-defense (Sahana, 2023).

Cyberbullying, in addition to being categorised as verbal bullying, may also be defined as bullying occurring in cyberspace. This kind of bullying is executed with the purpose to mock, criticise, denounce, and even threaten the victim or other persons who engage with social media (Ray et al., 2024). Wiliard and Kimberly L. Mason examine many manifestations of cyberbullying in their paper, which include the following (Minin, 2018, page 12)

- a. Flaming: The content of the communication comprises abrupt and hostile statements or words.
- b. Harassment: Persistently irritating messages or alerts sent via text messaging or social media.
- c. Denigration: The act of disseminating disparaging information about people on social media with the intent to tarnish their reputation and good name.
- d. Impersonation: Offences involving the act of assuming the identity of another individual and disseminating false information or negative status.
- e. Disclosure: Offences involving the revelation of confidential information belonging to others by photographs and similar means.
- f. Deception: A criminal act that entices individuals via different means to conceal information from the opposing side.
- g. Exclusion: A deliberate action of removing an individual from a social media group.
- h. Cyberstalking: The persistent harassment of an individual via digital means, causing the victim to experience significant dread

The legal foundation for the utilisation Information and communication Indonesian Technology took him away eleventh place 2008 an electronic information and transactions and introduced two changes, the last one until 1 2024, until 11 of 2008.

- a. The globalisation of information has positioned Indonesia within the global information society, necessitating the formulation of regulations concerning information management and electronic transactions at the national level. This is essential for the optimal, equitable, and widespread development of information technology to enhance the nation's educational landscape.
- b. The fast evolution of information technology has transformed human behaviours, directly influencing News release types By Law actions;
- c. The development and the use of information technology must persist to maintain and reinforce national unity in accordance with laws and regulations good.
- d. The Government needs facilitate the advancement Information Technology by establishing Legal Areas & Regulations to ensure its safe use, hence preventing misuse while considering The religious and socio-cultural values of Indonesians populace.

Table 1 below illustrates that the ITE Law has many sections addressing the diverse manifestations of cyberbullying and the possible repercussions of such conduct.

Table 1: Cyberbullying in the ITE law and the threat of sanctions.

[illegible]

Article 27 Paragraph (3) of Law No. 19 of 2016
Not have the right to distribution, transmission or electronic and/or informative information

Article 27 Paragraph (4) of Law No. 19 of 2016
Not the right to distribute, transmit or access electronic and/or electronic information with extortionate and/or threatening content

Article 28 Paragraph (2) of Law No. 19 of 2016
Intentionally and without authorization, disseminating information intended to cause hatred or hostility towards individuals and/or certain community groups based on ethnicity, religion, race and inter-group (SARA)

Article 29 of Law No. 19 of 2016
Knowingly and without rights transmitting electronic information and/or electronic documents containing threats of violence or intimidation aimed at personal

Article 27 Paragraph (1) of Law No.1 of 2024
By deliberately and without the right to broadcast, display, distribute, transmit and/or make accessible electronic information that has content that violates morality for public knowledge

rtf4Article 45, 3. 4 (Four) years in prison and/or 750,000,000.00 rupees (Seterehun fifty million rupees)

Article 45 Paragraph (4) imprisonment for a maximum of 6 (Six) years and/or a maximum fine of Rp1,000,000,000.00 (one billion rupiah)

Article 45A Paragraph (2) criminal imprisonment for a maximum of 6 (Six) years and/or a maximum fine of IDR 1,000,000,000.00 (one billion rupiah)

Article 45B imprisonment for a maximum of 4 (Four) years and/or a maximum fine of Rp750,000,000.00 (Seven hundred and fifty million rupiah)

Article 45 imprisonment for a maximum of 6 (Six) years and/or a maximum fine of Rp1,000,000,000.00 (One billion rupiah)

information and/or electronic documents known to third parties or publics "Accessibility" shall be considered all those actions other than distribution and transmission through electronic systems, such as electronic information and/or electronic documents known to third parties or publics "Accessibility" shall be considered all those actions other than distribution and transmission through electronic systems, such as electronic information and/or electronic documents known to third parties or publics "Accessibility" shall be considered all those actions other than distribution and transmission through electronic systems, such as electronic information and/or electronic documents known to third parties or publics.

The provisions of this subparagraph refer to the provisions relating to defamation and/or defamation regulated in the Penal Code

The provisions of this subparagraph refer to the provisions relating to defamation and/or defamation regulated in the Penal Code+

Quite clear

Pretty Clear

What is meant by "broadcasting" includes the act of transmitting, distributing, and making accessible electronic information and/or electronic documents in an electronic system.

What is meant by "distributing" means transmitting and/or disseminating electronic information and/or electronic documents to many people or various parties through electronic systems.

What is meant by "rasmising" is sending electronic information and/or electronic documents addressed to other parties through an electronic system.

What is meant by "making accessible" is all other acts other than distributing and transmitting through electronic systems that cause electronic information and/or electronic documents to be known to other parties or the public.

What is meant by "violating morality" is committing acts of showing nudity, genitals, and sexual activities that are contrary to the values that live in society in the place and time when the act is committed.

The interpretation of the meaning of morality is adjusted to the standards that apply to society at a certain time and place (*Contemporary community standard*).

What is meant by "public knowledge" is to be able or so that it can be accessed by a group of people who mostly do not know each other.

Article 27 A of Law No.1 of 2024 Deliberately attacking the honor or good name of another person by accusing a thing, with the intention that it is publicly known in the form of electronic information and/or electronic documents carried out through an electronic system.	Article 45 Paragraph (4) imprisonment for a maximum of 2 (Two) years and/or a maximum fine of Rp400,000,000.00 (four hundred million rupiah). Article 45 Paragraph (5) The provisions as intended in paragraph (4) are criminal complaints that are only prosecuted on the complaint of the victim or person affected by the criminal act and not by a legal entity	What is meant by "attacking the dignity or good name" is an act that degrades or damages the good name or self-esteem of another person so that it is detrimental to that person, including blasphemy and/or slander
Article 28 Paragraph (2) of Law No. 1 of 2024 Intentionally and without rights broadcasting, displaying, distributing, transmitting and/or making accessible electronic information that is instigatory, inviting, or influencing others so as to cause hatred or hostility towards certain individuals and/or groups of people based on race, nationality, ethnicity, color, religion, creed, gender, mental disability, or physical disability	Article 45A Paragraph (2) imprisonment for a maximum of 6 (six) years and/or a maximum fine of Rp1,000,000,000.00 (One billion rupiah)	Pretty clear
Article 29 of Law No.1 of 2024 Intentionally and without the right to broadcast, perform, distribute, transmit and/or make accessible electronic information and/or electronic documents that have content that violates decency for public knowledge	Article 45B imprisonment for a maximum of 4 (Four) years and/or a maximum fine of Rp750,000,000.00 (Seven hundred and fifty million rupiah)	What is meant by "victim" is a person who experiences physical, mental, and/or economic suffering caused by a criminal act. Included in the acts referred to in this provision is bullying in the digital space (<i>Cyber bullying</i>)

Laws No. 1 of 2024 and No. 19 of 2016, which were enacted in 2016, address the deficiencies Law 2008, on electronic transactions and information. Cyberbullying that's it term used to describe the distribution, transmission, or availability of electronic resources that contain information that is intended to incite animosity. This includes unethical material, libel, coercion, intimidation, and other related areas. Law No. 11 of 2008 specifically delineates the prohibited actions in Articles 27(1), 27(3), 27(4), 28(2), and 29. Law No. 19 delineated the behaviours that were prohibited in 2016. 27 of the 2016 Law. Article 27. Section(1) defines the terms "distribute," "transmit," and "make accessible." The illegal Code serves as the foundation for the identification of actions that are deemed criminal In Article 3. paragraphs and (4).

Article 29 Law of 1 November 2024 explicitly defines the conditions and activities that have been established. One such activity is cyberbullying, a term that denotes maltreatment that exclusively takes place in online environments (Manoj et al., 2024). This methodology may limit the categories of cyberbullying that are acknowledged, as Article 29 exclusively addresses threats of violence and/or intimidation.

He Unlawful Code regulates ziberjazarar in addition to the designated criminal offences, thereby incorporating a broader spectrum of onduct than the offences previously enumerated. Cyberbullying is classified into the following categories by Ministry of Information and Communications Technologies.

The act of transmitting a text message that contains violent and hostile language is known as bombing. Burning frequently manifests as provocations, obscenities, or satirical creations that are designed to elicit wrath in an individual. This particular form of cyberbullying is addressed by Articles 310 and 311 of the Penal Code, as well as Article 27A of the First Law.

In the following description, harassment is defined as persistent communication through social media, emails, or texts. Individuals who engage in harassment may formulate statements that are intended to induce anxiety in others. Furthermore, harassment incorporates statements that are intended to motivate others to adopt the same conduct. Articles 27.1 and 2 of Law 1 of 2024 may be the framework to deal with this specific form of cybernification, as well as articles 310, 1 and 2 Penal code:

- Flaming: Denigration is the intentional dissemination of inaccurate information about individuals online, which ultimately erodes their reputation and value on social media platforms. This form of cyberbullying may also incur penalties under Article 2024 (Article 1) and 2024. Article 27A of Law 311 of the Criminal Code (paragraph 1) and.
- Harrasment: A series of egregious behaviours, including defamation, harassment, and surveillance, that are directed at an individual or group of individuals is known as a cyber right. Individuals who are affected exhibit a substantial degree of anxiety and feelings of melancholy. This particular form of cyberbullying may be governed by the regulations of Article 315 and paragraph (1) Article 369 of the Penal Code and Article 27A of Law No. 1 2024.
- Impersonation is the act of adopting the identity of another individual in order to engage in specific behaviours, which often leads to negative repercussions and consequences for all parties involved. This phenomenon, which frequently involves deceptive personas, is frequently observed Social media platforms such as Instagram and Twitter. This particular form of cyberbullying may be 1. In accordance with the provisions of Article 28 of the Law 2024.
- Cyberstalking: Information about an individual that is presumed to be private is referred to as "outing" and "deceit." The disclosure of these truths can evoke feelings of melancholy or remorse, as they serve as profound reflections of an individual. At the same time, deception is defined as the act of convincing others to disclose private images or information that is considered confidential. In numerous instances, anomalies have been shown to be indicative of a substantial departure. Legislation regarding this form of cyberbullying is addressed in Article 27A of Legislative No. 1 of 2024.

Individuals who publish allegations intended for public dissemination using electronic information and/or documents through an electronic system may be held criminally liable if they intentionally injure another's reputation or honour, as per Article 27A of the 2024 Law. He term "attaching honour or good name" is defined in Article 27A as acts of slander and defamation that either diminish or eliminate the reputation or self-worth of another individual, thereby causing damage to that individual.

Electronic Information single or aggregated collection Electronic data that may include text, audio, Images, maps, designs, photographs, Electronic Data Interchange (EDI), Email (including telegrams, Telegrams, telecopies, and Similar formats), Letters, symbols, numbers, access codes or perforations. This information is Accused it is comprehensible to those who possess the necessary competence (Article 1, number 1 of the ITe Lawr4). Additionally, Article 1, section 2 of information Technology and Electronics Commerce The law regulates electronics transactions, which are legal activities that are conducted by computers, computer networks, or other electronic means.

He potential punishment for causing damage to an individual's reputation or honour in category II is nine months of Prison sentence or fine of up to ten million rupees (10,000,000.00 rupees), as provided for in the initial paragraph article 433 of the new Penal Code. September 10, 2009, 1 first paragraph article 434, he maximum penalty shall be three years or a fine of 200,000,000,000,000 euros. This is the primary regulation that governs conduct that is considered defamatory.

The Criminal Code of Indonesia, which was implemented under Law No. 1 of 1946, succeeded the previous legal frameworks that were derived from Dutch colonisation. The ITE Law, which was implemented prior to the advent of new technology, was implemented to resolve concerns regarding cyberbullying and to regulate internet and related activities (Mansar & Lubis, 2023).

The consequences for individuals who indulge in cyberbullying are delineated in the ITE Law, specifically sections 45, 45A, and 45B. These sanctions may include imprisonment and monetary penalties. The duration of incarceration is contingent upon the specific offence committed, with a range of four to six years. The penalty's severity is determined by the value of the stolen products, which ranges from 750 million to one billion Indonesian rupiah (IDR). Substantial sanctions are being implemented to protect individuals who are the victims of digital abuse and discourage cyberbullying perpetrators. Furthermore, it is essential to recognise the supplementary rights of victims and to implement criminal penalties on those who engage in cyberbullying (Al-Turif & Al-Sanad, 2023).

2.1. Legal Protection for Cyberbullying Victims

The consensus that legislative measures and societal norms reflect is intended to regulate interactions between community members, as well as between individuals or legal organisations and the government. This framework offers legal safeguards that are in accordance with social objectives (Sitiastuti & Solikhah, 2024). Satjipto Rahardjo contends that legal protection is indispensable for the preservation of human rights that may have been infringed upon by others, thereby enabling to the community in the full exercise of the rights recognized by law.

Protection is the term employed to denote the actions performed by victim and witness protection organisations or other entities to uphold rights and offer assistance, thereby providing witnesses and/or victims with a sense of security (Nebi et al., 2024). The PSK Law incorporates this language. On both a national and international scale, the desire for sufficient legal protections for crime victims presents significant obstacles. In September 1985, the United Nations acknowledged the significance of victim protection by establishing Declaration of Basic Principles on Victims and Abuse of Justice, following Seventh United Nations Congress on the Prevention of Crime and the Treatment of Crime in Milan, Italy. It makes a proposal in this context.

"Those responsible for the facts or third parties, when they justify it, must offer direct retribution to the victims, their relatives or their dependents. Compensation or indemnity for damages caused by the restitution or victimization of property, the reimbursement of expenses derived from the provision of services and the restoration of rights (Ali et al., 2022)."

Criminal activities may induce substantial psychological and physical distress in addition to financial losses. Victims' losses are frequently disregarded when perpetrators of illicit activity are incarcerated. Individuals are proactive in their pursuit of information regarding their rights and the appropriate responses to the atrocities they encounter. This subject was discussed at the United Nations Congress on "Crime Prevention and Treatment of Offenders" in Milan, Italy. It has noted that regulations and rules that are intended to ensure a certain level of security in an individual's daily existence can serve as an example of protection.

The legal protection of internet users is becoming increasingly crucial, as the judicial system frequently prioritises the punishment of perpetrators over the resolution of the concerns of crime victims. Due to the repercussions of their illicit activities, the victim is entitled to receive substantial attention. The rights and interests of the individuals affected are frequently violated by this situation (Amoo et al., 2024). Arief Gosita defines victims as individuals who suffer psychological and physical damage as a result of the actions of others who are pursuing their own objectives.

The term "victim" is defined in the Explanation of Article 29 Law of 1 November 2024 as an individual who suffers immediate physiological, emotional, and/or financial damage as a consequence of a criminal conduct. An individual who is directly experiencing financial, psychological, or physiological difficulties for crime activity is defined as a "victim" in Article 1, Section 3 of the Prostitution Law. In contrast, Law No. 1 of 2024 fails to adequately address the administration of victim protection.

The 2024 Law No. 1 provides protections for juveniles who access or use computer systems that are operated by electronic system operators. Minors' rights in relation to the regulated and specified attributes of electronic system administrators, as well as the associated products and services, are the subject of this legislation. The safety of adolescents is the responsibility of electronic system administrators during the development and administration of their systems. This is accomplished through the implementation of technical and operational standards (Tsai et al., 2020). The following security measures are required of operators and proprietors of electronic systems: a) procedures for verifying the identity of young users; b) mechanisms for validating young consumers; and c) information on the minimum age for juveniles to access their products or services. Article 16A of Law No. 1 of 2024 delineates a reporting protocol for instances of abuse that may violate or imperil the rights of minors in relation to products, services, and features.

As stipulated in Articles 98 to 101 in accordance with article 8 of the Code of Criminal Procedure of 1981, victims and other affected parties have the right to claim compensation. However, this attitude is largely unknown in practice. Penal code, its relevant regulations, and any germane laws must be adhered to by compensation seekers. According to the initial paragraph of Article 98 of the Criminal Code, the presiding judge is authorised to determine whether to consolidate the compensation claim with the criminal proceedings if the conduct that underlying a criminal allegation causes harm to another individual (Dannenbaum, 2018). This alternative is appropriate for the individual who submitted the specific request. The Criminal Procedure Code's provisions reveal numerous deficiencies in compensation. The contribution must be in accordance with the criminal case investigation and must adhere to the public prosecutor's directives. This implies that the victim must adopt a proactive stance in order to assert their rights. Furthermore, the restitution or compensation that has been granted exclusively addresses the actual losses that have been experienced, thereby completely discrediting any claims of lesser significance.

The protection of victims is essential, as it facilitates the cleansing process for those who have been impacted by crimes and reduces the probability of future victims. Cyberbullying is correlated with the growing prevalence of digital technologies (Buçaj & Haziri, 2024). The diversity of psychological and physical disorders among individuals complicates the precise assessment of the impact of cyberbullying on those who are affected.

In order to guarantee the protection of victims of cyberbullying, legislative safeguards are essential. Constitution of the Republic of Indonesia, which was enacted in 1945, includes a number of clauses that are designed to ensure the protection of these liberties.

Cyberbullying is a form of indirect, non-physical violence that has Critical impact on mental health. A notable figure's

humiliation on publicly accessible social media platforms results in the establishment of a persistent digital footprint. The psychological impact of cyberbullying is significant, and it is imperative to recognise its influence on mental health (Chan et al., 2020). Cyberbullying and the development of mental health disorders are significantly correlated in individuals who are subjected to online harassment. Anxiety, depression, and substance addiction are among the potential issues that may arise. Victims may experience feelings of isolation and vulnerability, which can result in the perception of restricted secure spaces. According to research on positive mental resilience, the severity of mental health disorders that result from cyberbullying can vary from mild to severe.

The term "bullying" denotes any form of aggressive or intimidating behaviour that is intended to aggravate and intimidate an individual, thereby perpetuating a cycle of animosity that may become habitual. A new type of bullying, known as "cyberbullying" or "mass media bullying," has supplanted conventional forms. The term "cyberbullying" refers to the intimidation that a person or group employs to isolate, humiliate, or torment another individual in the digital realm (Peebles, 2014).

In argues on page 91 that physical abuse significantly exacerbates cyberbullying, which can lead to victims feeling isolated, humiliated, apprehensive, or wretched. Cyberbullying victims are more inclined to accept their circumstances, as per Sengkey. Furthermore, cybercrime is not restricted by national borders, which enables individuals to participate in cyberbullying from any location. As a result, it is imperative to protect the victims of cyberbullying and to ensure that perpetrators are subjected to legal consequences that are in accordance with the current legal framework.

The primary objective is to guarantee that the victim, who is the most vulnerable party, is provided with the maximum level of protection. The initial clause of Article 5 establishes the victim's entitlements. Unique privileges are granted by the Decree of the Witness and Victim Protection Institute (LPSK) in certain circumstances that are associated with criminal activity (Wingate et al., 2012). This clause, in conjunction with the LPSK Decree, establishes specific rights or protections for victims of cyberbullying.

The Prostitution Law stipulates in paragraph one of Article 6 that "victims of egregious human rights violations, terrorism, human trafficking, torture, sexual violence, and severe persecution, along with their rights detailed in Article 5, are entitled to medical assistance and psychosocial and psychological rehabilitation." This support is delivered in accordance with the LPSK Decree to guarantee that victims receive the requisite supports. The repercussions of cyberbullying may be as severe, if not more so, than those experienced by victims of traditional crimes; however, the current legislation fails to adequately address the needs of individuals who have been cyberbullied (Livazović & Ham, 2019).

Insurance reimbursements facilitate the restoration of victims' rights, social status, and family connections. Restitution has been implemented in a multitude of countries as a means of compensating victims for the damage caused by illicit activity. In Section 11 of Article 1 of the PSK Law, restitution is defined as the compensation that the criminal or a third party provides to the victim or to their family. The perpetrator is obligated to provide the victim and their family with equitable and appropriate restitution, either directly or through an intermediary. The victim's losses, associated expenses, and the right to recurrences are all considered in this compensation, as per Supriyadi.

Victims of cyberbullying must receive specific protection from the national and regional administrations, as well as other relevant agencies. This stipulation is addressed in Article 59, paragraphs (1) and (2) of Law No. 35 of 2014, which amends Law No. 23 of 2002 regarding Child Protection. This Act requires that children who are the victims of physical and/or psychological maltreatment receive specific protection. In order to alleviate the psychological repercussions of cyberbullying, it is essential to pursue therapy and support. It is essential that victims acknowledge that they are not alone and that there are a multitude of services available to offer them support. Emotional support and the psychological effects of cyberbullying may be significantly mitigated by parental, educational, peer, and mental health professional support (Siddiqui & Schultze-Krumbholz, 2023). The emotional support of peers and psychologists may be beneficial to individuals who are experiencing the psychological consequences of cyberbullying.

The implementation of educational programmes and the increase in awareness of the associated dangers are essential for the prevention of cyberbullying and the protection of its victims. The following paragraph is designed to provide law enforcement authorities with recommendations on how to protect minors who have been the victims of cyberbullying (Hendry et al., 2023). This is of the uttermost importance, as the children are a reflection of the nation's future objectives and aspirations.

Impact of cyberbullying on SDG4 (Sittichai et al., 2018).

- (1) Cyberbullying can have an impact on achieving quality education.
- (2) Education can play a role in preventing and overcoming cyberbullying.
- (3) Educational institutions can provide education about the dangers of cyberbullying.
- (4) Educational institutions can hold positive seminars.
- (5) Educational institutions can create programs that promote empathy and tolerance.

How to prevent cyberbullying:

- (1) Enforcing legal consequences.
- (2) Communication between parents and children.
- (3) Supportive environment.
- (4) Social media can raise awareness and respond quickly the intimidation of the cases.
- (5) Social media can provide Emotional support for victims through anti-harassment campaigns and online communities.

3. CONCLUSION

Law 11 of electronic information and transactions Act 11 of 2008 established the legal framework for the use of information and communication technologies. Of the two amendments to this legislation, the most recent is Act No.1 of 2024, which designates a second amendment to the No Act of 2008. PO"Victim" is defined as an individual who has sustained corporeal, psychological, or pecuniary harm as a consequence of criminal activity 29 of the law No. 1 of 2024, which pertains to Second Amendment to the Act No. 11 of 2008. This definition explicitly encompasses instances of cyberbullying. This method may restrict the concept of cyberbullying to the parameters delineated in Article 29, which exclusively addresses matters of intimidation and/or threats of violence. Cyberbullying encompasses the offences delineated in Article 27 paragraph (1), Article 27A, Articles 2 (2) and 29 of the Information Technology Act, as well as the offences listed in the Penal Code. The definition of cyber defamation in the Penal Code is consistent with the defamation limits set out in paragraphs 310(1) and 311(1). The Penal Code is a fundamental basis for the implementation of anti-cyberbullying legislation, which will be ratified by the new Penal Code in January 2026.

Insufficient defences are available to victims of cyberbullying, as defined by the United States Penal Code and ITE Law. Nevertheless, the LPSK Decree outlines the implementation of the Law on Prostitution, thereby safeguarding the rights of specific

victims. The Prostitution Law has an impact on the protection of victims from cyberbullying. This legislation does not expressly provide victims of cyberbullying with access to medical treatment or psychological and mental rehabilitation courses. By amending 2002, of 2014, 35 of Child Protection specialist protective measures to children who have been the victims of physical and/or psychological maltreatment. As a result, it is essential that governmental entities, regional authorities, and relevant organisations offer targeted protection to young individuals who are the victims of cyberbullying, while also ensuring that they comply with legal regulations.

Impact of cyberbullying on SDGs are (1) Cyberbullying +can hinder the provision of adequate justice. (2) The anonymous nature of social networks makes it difficult to find perpetrators and (3) Underreporting of incidents and passive responses hinder justice.

Presently, the Prostitution Law fails to adequately protect the rights of individuals who are victims of cyberbullying, which leads to inadequate legal protections for these victims. In addition to medical care, the Law on Prostitution must be amended to explicitly recognise that victims of cyberbullying have the right to psychological and mental rehabilitation. In addition, the 35th edition of 2014 for victims of cyberbullying, to guarantee that the requisite safeguards are enforced by governmental bodies, regional authorities, and relevant organisations.

REFERENCES

- Adelakun, N. O. (2023). Impact of information and communication technology on students' academic performance. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.4417299>
- Ali, M., Mulyono, A., Sanjaya, W., & Wibowo, A. (2022). Compensation and restitution for victims of crime in Indonesia: Regulatory flaws, judicial response, and proposed solution. *Cogent Social Sciences*, 8(1), 2069910. <https://doi.org/10.1080/23311886.2022.2069910>
- Al-Turif, G. A. R., & Al-Sanad, H. A. R. (2023). The repercussions of digital bullying on social media users. *Frontiers in Psychology*, 14, 1280757. <https://doi.org/10.3389/fpsyg.2023.1280757>
- Amoo, N. O. O., Atadoga, N. A., Abrahams, N. T. O., Farayola, N. O. A., Osasona, N. F., & Ayinla, N. B. S. (2024). The legal landscape of cybercrime: A review of contemporary issues in the criminal justice system. *World Journal of Advanced Research and Reviews*, 21(2), 205–217. <https://doi.org/10.30574/wjarr.2024.21.2.0438>
- Buçaj, E., & Haziri, F. (2024). Cyberbullying and cyberstalking: Parents' role to protect their children. *Multidisciplinary Reviews*, 7(4), 2024079. <https://doi.org/10.31893/multirev.2024079>
- Chan, T. K., Cheung, C. M., & Lee, Z. W. (2020). Cyberbullying on social networking sites: A literature review and future research directions. *Information & Management*, 58(2), 103411. <https://doi.org/10.1016/j.im.2020.103411>
- Dannenbaum, T. (2018). The criminalization of aggression and soldiers' rights. *European Journal of International Law*, 29(3), 859–886. <https://doi.org/10.1093/ejil/chy054>
- Hendry, B. P., Hellsten, L. M., McIntyre, L. J., & Smith, B. R. R. (2023). Recommendations for cyberbullying prevention and intervention: A Western Canadian perspective from key stakeholders. *Frontiers in Psychology*, 14, 1067484. <https://doi.org/10.3389/fpsyg.2023.1067484>
- Ibipurwo, G. T., Suhartono, S., & Mangesti, Y. A. (2024). Legal protection for cyberbullying victims based on the principle of justice. *International Journal of Religion*, 5(11), 4435–4447. <https://doi.org/10.61707/6rjzgr58>
- Jang-Jaccard, J., & Nepal, S. (2014). A survey of emerging threats in cybersecurity. *Journal of Computer and System Sciences*, 80(5), 973–993. <https://doi.org/10.1016/j.jcss.2014.02.005>
- Janković, A., & Stošić, L. (2022). Cyberbullying legislation: The role of cyberbullying law. *Law - Theory and Practice*, 39(4), 97–108. <https://doi.org/10.5937/ptp2204097j>
- Juanda, O., & Juanda, N. (2023). The ideal law state concept in Indonesia; the reality and the solution. *Journal of Law Politic and Humanities*, 3(2), 251–262. <https://doi.org/10.38035/jlph.v3i2.172>
- Khadka, S., Limbu, A., Chalise, A., Pandey, S., & Paudel, S. (2024). Cyberbullying victimisation and its association with depression, anxiety and stress among female adolescents in Deumai Municipality, Nepal: A cross-sectional survey. *BMJ Open*, 14(10), e081797. <https://doi.org/10.1136/bmjopen-2023-081797>
- Kim, S., & Faith, M. S. (2019). Cyberbullying and ICT use by immigrant youths: A serial multiple-mediator SEM analysis. *Children and Youth Services Review*, 110, 104621. <https://doi.org/10.1016/j.childyouth.2019.104621>
- Livazović, G., & Ham, E. (2019). Cyberbullying and emotional distress in adolescents: The importance of family, peers and school. *Heliyon*, 5(6), e01992. <https://doi.org/10.1016/j.heliyon.2019.e01992>
- Manoj, D., James, R. I., Kumaran, S., Devnath, G. P., Varughese, B. T., Arakkal, A. L., & Johnson, L. R. (2024). Behind the screens: Understanding the gaps in India's fight against online child sexual abuse and exploitation. *Child Protection and Practice*, 4, 100088. <https://doi.org/10.1016/j.chipro.2024.100088>
- Mansar, A., & Lubis, I. (2023). Harmonization of Indonesian criminal law through the new Criminal Code towards humane law. *Journal of Law and Sustainable Development*, 11(12), e2381. <https://doi.org/10.55908/sdgs.v11i12.2381>
- Mishra, A., Alzoubi, Y. I., Anwar, M. J., & Gill, A. Q. (2022). Attributes impacting cybersecurity policy development: Evidence from seven nations. *Computers & Security*, 120, 102820. <https://doi.org/10.1016/j.cose.2022.102820>
- Mukred, M., Mokhtar, U. A., Moafa, F. A., Gumaei, A., Sadiq, A. S., & Al-Othmani, A. (2024). The roots of digital aggression: Exploring cyber-violence through a systematic literature review. *International Journal of Information Management Data Insights*, 4(2), 100281. <https://doi.org/10.1016/j.ijimei.2024.100281>
- Nebi, N. O., Sutoto, N. S., Hafrida, N., & Sudarti, N. E. (2024). Existence of witness and victim protection agencies in the perspective of justice for victims' domestic violence. *International Journal of Integrative Sciences*, 3(1), 121–130. <https://doi.org/10.55927/ijis.v3i1.7495>
- Nixon, C. (2014). Current perspectives: The impact of cyberbullying on adolescent health. *Adolescent Health, Medicine and Therapeutics*, 5, 143–158. <https://doi.org/10.2147/ahmt.s36456>
- Peebles, E. (2014). Cyberbullying: Hiding behind the screen. *Paediatrics & Child Health*, 19(10), 527–528. <https://doi.org/10.1093/pch/19.10.527>
- Ray, G., McDermott, C. D., & Nicho, M. (2024). Cyberbullying on social media: Definitions, prevalence, and impact challenges. *Journal of Cybersecurity*, 10(1). <https://doi.org/10.1093/cybsec/tyae026>
- Safaria, T. (2016). Prevalence and impact of cyberbullying in a sample of Indonesian junior high school students. *The Turkish Online Journal of Educational Technology*, 15(1), 82–91. <https://files.eric.ed.gov/fulltext/EJ1086191.pdf>

- Sahana, E. A., V. (2023). A systematic literature review on cyberbullying in social media: Taxonomy, detection approaches, datasets, and future research directions. *International Journal on Recent and Innovation Trends in Computing and Communication*, 11(10), 406–430. <https://doi.org/10.17762/ijritcc.v11i10.8505>
- Sesulih, R., Noor, M. T., & Adriano, N. (2024). The intersection of health laws and human rights in the context of HIV-positive couples. *JILPR Journal Indonesia Law and Policy Review*, 5(3), 461–471. <https://doi.org/10.56371/jirpl.v5i3.249>
- Shetgiri, R. (2013). Bullying and victimization among children. *Advances in Pediatrics*, 60(1), 33–51. <https://doi.org/10.1016/j.yapd.2013.04.004>
- Siddiqui, S., & Schultze-Krumbholz, A. (2023). Successful and emerging cyberbullying prevention programs: A narrative review of seventeen interventions applied worldwide. *Societies*, 13(9), 212. <https://doi.org/10.3390/soc13090212>
- Sitihastuti, S., & Solikhah, S. (2024). The urgency of legal protection for victims of cyberbullying in Indonesia. *Jurnal Cakrawala Hukum*, 15(1), 61–68. <https://doi.org/10.26905/idjch.v15i1.12025>
- Sittichai, R., Ojanen, T. T., & Burford, J. (2018). Tracing the connections between sustainable development, bullying, and cyberbullying: The case of Thailand. In *Social Indicators Research Series* (pp. 223–237). https://doi.org/10.1007/978-3-319-96592-5_12
- Tsai, C. H., Eghdam, A., Davoody, N., Wright, G., Flowerday, S., & Koch, S. (2020). Effects of electronic health record implementation and barriers to adoption and use: A scoping review and qualitative analysis of the content. *Life*, 10(12), 327. <https://doi.org/10.3390/life10120327>
- Wingate, V. S., Minney, J. A., & Guadagno, R. E. (2012). Sticks and stones may break your bones, but words will always hurt you: A review of cyberbullying. *Social Influence*, 8(2–3), 87–106. <https://doi.org/10.1080/15534510.2012.730491>