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Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Legal Protection for Child Victims of Cyberbullying in Indonesia

Achmad Arifulloh

Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia,

E-mail: achmadarifulloh@unissula.ac.id

Abstract. *This study examines the adequacy of legal protection for child victims of cyberbullying on social media in Indonesia and formulates an integrated, victim-centred protection model. A normative legal method was employed through statutory, conceptual, and comparative approaches. Primary legal materials include the Child Protection Law, the Electronic Information and Transactions Law as amended in 2024, the Personal Data Protection Law, Government Regulation Number 17 of 2025, Minister of Communication and Digital Affairs Regulation Number 9 of 2026, and Law Number 3 of 2026 on Witness and Victim Protection. The findings show that Indonesia has moved from a predominantly offence-based approach toward risk-based digital platform governance. Nevertheless, protection remains fragmented because cyberbullying has no uniform legal definition, reporting and evidence-preservation mechanisms are not child-friendly, platform responsibilities are insufficiently connected to victim recovery, and coordination among families, schools, platforms, and law-enforcement institutions remains weak. An integrated model should combine age-appropriate design, rapid content restriction, evidence preservation, confidential reporting, psychosocial recovery, restorative measures for child perpetrators, and effective administrative accountability for platforms.*

Keywords: *Child Protection; Cyberbullying; Platform Responsibility; Social Media; Victim Rights.*

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1. Introduction

The rapid development of digital technology has fundamentally transformed children's social interactions, education, and access to information. Social media platforms, instant messaging applications, online gaming communities, and other digital environments provide significant opportunities for communication and participation, but they also create new forms of vulnerability. One of the most significant forms of digital violence affecting children is cyberbullying, which may involve repeated harassment, intimidation, threats, humiliation, impersonation, or the dissemination of harmful content through electronic systems. Unlike conventional bullying, cyberbullying can occur continuously, reach a potentially unlimited audience, and remain accessible through digital records. These characteristics may produce serious consequences for children's dignity, privacy, psychological well-being, education, and social development.

Indonesia has established various legal instruments that can provide protection against technology-facilitated violence involving children. Constitutional guarantees of children's rights are reinforced by child protection legislation and regulations governing electronic information and transactions. The legal framework recognizes the state's responsibility to protect children from violence and discrimination while establishing criminal and administrative mechanisms relevant to harmful conduct in digital environments. Nevertheless, the existing framework remains fragmented because cyberbullying can take diverse forms and does not always correspond directly to a single statutory offence. This situation creates challenges for legal classification, enforcement, and the provision of effective remedies for victims.

Beyond normative limitations, institutional challenges also affect the effectiveness of child protection. Cyberbullying cases require cooperation among parents, schools, law-enforcement agencies, child-protection institutions, psychologists, social workers, and Electronic System Providers. Difficulties in preserving electronic evidence, protecting children's privacy, coordinating reporting mechanisms, and providing psychological assistance may expose victims to secondary victimization and delay legal intervention. A purely punitive approach is therefore insufficient to address the multidimensional consequences of cyberbullying.

2. Research Methods

A normative legal method was employed through statutory, conceptual, and comparative approaches. Primary legal materials include the Child Protection Law,



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the Electronic Information and Transactions Law as amended in 2024, the Personal Data Protection Law, Government Regulation Number 17 of 2025, Minister of Communication and Digital Affairs Regulation Number 9 of 2026, and Law Number 3 of 2026 on Witness and Victim Protection.

3. Results and Discussion

3.1. The Normative Framework for Protecting Child Victims of Cyberbullying in Indonesia

The rapid expansion of digital communication has transformed the way children interact, study, and participate in social life. At the same time, digital technologies have created new forms of violence and harassment, including cyberbullying. Unlike conventional bullying, cyberbullying can occur continuously, rapidly spread to large audiences, and remain accessible through digital records even after the original content has been removed. For children, such conduct may interfere with dignity, privacy, psychological well-being, education, and social development. Consequently, the protection of child victims of cyberbullying requires a comprehensive normative framework that combines constitutional principles, child protection legislation, criminal law, electronic information regulation, and institutional responsibilities.

The constitutional foundation for child protection is reflected in the Indonesian Constitution, particularly Article 28B paragraph (2), which recognizes every child's right to survival, growth, development, and protection from violence and discrimination. This constitutional guarantee establishes a fundamental obligation for the state to create legal and institutional mechanisms capable of protecting children from both conventional and technology-facilitated forms of violence. Cyberbullying should therefore be understood not merely as inappropriate online behaviour but as conduct potentially affecting constitutionally protected children's rights.

At the statutory level, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection provides an important foundation for protecting children from violence, discrimination, and other conduct that threatens their development. Its child-centred orientation requires authorities to prioritize the best interests of the child when responding to harmful conduct. Protection should consequently include preventive measures, access to assistance, confidentiality, psychological recovery, and appropriate legal remedies.

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The Electronic Information and Transactions Law provides an additional criminal-law framework where cyberbullying constitutes an offence involving electronic information or communications. Law Number 1 of 2024, as the second amendment to the ITE Law, strengthens Indonesia's regulatory framework for creating a safer digital environment. Certain forms of online threats, harassment, and unlawful dissemination of electronic information may be addressed through the relevant provisions of the legislation. However, cyberbullying is not established as one comprehensive and autonomous criminal offence, meaning that legal classification must depend on the particular conduct and the applicable statutory elements.

An important development is the introduction of specific obligations concerning child protection by Electronic System Providers. The amended ITE framework requires providers to implement measures designed to protect children using electronic systems, including mechanisms concerning age information, child-user verification, and reporting of conduct that violates or potentially violates children's rights. This development demonstrates that responsibility for children's digital safety should not rest exclusively upon individual perpetrators but should also involve digital platforms and system providers.

Nevertheless, the existing framework remains fragmented. Effective protection requires coordination between child protection legislation, electronic information law, criminal law, victim protection mechanisms, schools, families, law-enforcement agencies, and digital platforms. A normative framework should therefore move beyond punishment and establish an integrated model based on prevention, rapid intervention, evidence preservation, privacy protection, psychological recovery, and access to remedies. Ultimately, strengthening Indonesia's legal response to cyberbullying requires placing the dignity, safety, participation, and best interests of children at the centre of both criminal enforcement and digital governance.

3.2. Legal and Institutional Challenges in Protecting Child Victims of Cyberbullying

The protection of children from cyberbullying in Indonesia faces significant legal and institutional challenges despite the existence of various regulations governing child protection and electronic activities. The development of digital communication has created forms of harassment that are fundamentally different from conventional bullying. Cyberbullying can occur continuously, cross geographical boundaries, reach large audiences, and remain accessible through digital records. Consequently, legal institutions must respond to conduct that may

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simultaneously involve threats, harassment, humiliation, privacy violations, and the dissemination of harmful electronic content. The fragmented nature of the existing regulatory framework may create difficulties in determining the appropriate legal provisions and ensuring consistent enforcement.

One of the principal legal challenges is the absence of a single comprehensive statutory provision specifically defining cyberbullying against children as an autonomous criminal offence. Existing legislation may be applied when particular online conduct fulfills the elements of offences regulated under electronic information, criminal, or child protection laws. However, the diverse forms of cyberbullying create difficulties in legal classification. Repeated insults, intimidation, threats, impersonation, exposure of private information, and the distribution of humiliating content may require different legal approaches. This situation can generate uncertainty for victims, families, investigators, prosecutors, and judges concerning the most appropriate legal basis for intervention.

Evidentiary issues constitute another major challenge. Electronic evidence can be deleted, altered, reproduced, or distributed rapidly across multiple platforms. Victims may also lack sufficient knowledge about preserving screenshots, messages, account information, URLs, and other relevant digital traces. Law-enforcement authorities consequently require specialized digital-forensic capabilities to authenticate, preserve, and analyze electronic evidence. At the same time, evidence-gathering procedures must avoid repeatedly exposing child victims to traumatic material or forcing them to recount harmful experiences unnecessarily.

Institutional fragmentation further complicates victim protection. Cyberbullying cases may involve families, schools, police, child-protection institutions, psychologists, social workers, prosecutors, and electronic-system providers. Without clear coordination, victims may encounter complicated reporting procedures and inconsistent responses. Schools, for example, may prioritize disciplinary measures, while law-enforcement institutions may approach the matter primarily through criminal enforcement. A lack of integrated protocols can delay intervention and increase the risk of continued online abuse.

Another challenge concerns the psychological and social consequences experienced by victims. Legal proceedings that focus exclusively on identifying and punishing perpetrators may overlook the need for psychological recovery, educational continuity, privacy protection, and social reintegration. Children may experience fear, shame, isolation, declining academic performance, and loss of confidence. Therefore, protection must extend beyond the courtroom and

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incorporate accessible counselling, family support, legal assistance, and mechanisms for removing harmful digital content.

The situation becomes more complex when both the victim and alleged perpetrator are children. In such cases, authorities must balance victim protection with the principles of juvenile justice, rehabilitation, and proportionality. A purely punitive response may generate further harm without addressing the underlying causes of the behaviour.

Finally, digital platforms present an additional institutional dimension. Effective child protection requires electronic-system providers to establish mechanisms for reporting, detecting, restricting, and responding to harmful content involving children. Government regulation must therefore be accompanied by meaningful platform accountability, transparency, rapid response procedures, and safeguards for children's privacy.

These challenges demonstrate that protecting child victims of cyberbullying requires more than expanding criminal sanctions. Indonesia needs an integrated institutional model that combines clear legal classification, specialized digital investigation, coordinated reporting mechanisms, child-sensitive procedures, platform responsibility, psychological recovery, and effective remedies. Such reconstruction would enable legal institutions to respond more rapidly and consistently while ensuring that the dignity, safety, privacy, and best interests of child victims remain the central objectives of legal protection.

3.3. Reconstruction of Child-Centred and Technology-Aware Legal Protection

The rapid transformation of digital technology requires Indonesia to reconstruct its legal protection framework for children who become victims of cyberbullying. Existing regulations provide important foundations for addressing unlawful online conduct, but the complexity, speed, and persistence of digital abuse demonstrate the need for a more integrated and adaptive approach.

Cyberbullying should not be treated merely as an extension of conventional bullying because its digital characteristics can intensify the harm experienced by children. Content can be repeatedly reproduced, distributed across platforms, accessed by unknown audiences, and remain available long after the initial incident. Legal protection must therefore combine child-centred principles with technological awareness.

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A child-centred protection model should place the best interests, dignity, safety, and developmental needs of children at the centre of legal and institutional responses. Child victims should be recognized primarily as rights-holders rather than merely sources of evidence in criminal proceedings. Reporting and investigation procedures should be designed according to children's age, maturity, and psychological condition.

Authorities should minimize repeated interviews and unnecessary exposure to harmful digital content while ensuring that children have access to legal assistance, psychological counselling, family support, and appropriate protection from retaliation or further harassment.

Legal reconstruction should also provide greater clarity concerning the legal classification of cyberbullying. Although various forms of online harassment may be addressed through existing criminal and electronic-information provisions, the absence of a comprehensive legal concept of cyberbullying can create uncertainty in enforcement.

A technology-aware framework should identify different forms of digital abuse, including repeated harassment, intimidation, threats, impersonation, dissemination of private information, non-consensual distribution of humiliating material, and coordinated online attacks against children. Clearer legal standards would improve consistency among investigators, prosecutors, judges, schools, and child-protection institutions.

Technology-aware protection must further strengthen the responsibilities of Electronic System Providers. Digital platforms should be required to maintain accessible reporting mechanisms, respond promptly to complaints involving children, preserve relevant evidence in accordance with legal procedures, and establish safeguards against repeated exposure to harmful content.

Age-appropriate design, privacy protection, parental or guardian support mechanisms, and transparent content-moderation procedures can form part of a preventive regulatory model. Platform responsibility should complement, rather than replace, the state's responsibility to enforce children's rights.

Digital investigation should also become an integral component of legal protection. Law-enforcement agencies require specialized capacity to collect, authenticate, preserve, and analyze electronic evidence. Effective digital-forensic procedures can reduce excessive reliance on child testimony and strengthen the evidentiary basis for prosecution.

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Inter-agency cooperation among police, prosecutors, schools, social workers, psychologists, child-protection institutions, and digital platforms should be institutionalized through clear protocols and referral mechanisms.

Furthermore, legal protection should extend beyond criminal prosecution toward recovery and long-term prevention. Child victims should have access to psychological rehabilitation, educational support, privacy restoration, and appropriate remedies. Preventive programmes should promote digital literacy among children, parents, educators, and communities so that harmful behaviour can be recognized and reported at an early stage.

Ultimately, reconstructing child-centred and technology-aware legal protection requires a shift from a predominantly reactive model toward an integrated digital child-protection system. The state must combine effective criminal accountability, platform responsibility, digital-forensic capacity, child-sensitive procedures, prevention, and victim recovery. Such a framework would strengthen Indonesia's ability to address cyberbullying while ensuring that technological development remains consistent with children's dignity, safety, privacy, and fundamental rights.

4. Conclusion

The legal protection of child victims of cyberbullying in Indonesia requires a comprehensive approach that integrates child protection, criminal law, digital governance, and victim-centred mechanisms. The normative framework provides an important foundation through constitutional guarantees, child protection legislation, and electronic information regulations. However, the existing framework remains fragmented because cyberbullying can take various forms and is not comprehensively regulated as a single autonomous offence. Consequently, legal enforcement must carefully connect applicable criminal provisions with the specific characteristics of digital violence against children. The analysis also demonstrates that significant legal and institutional challenges remain. Difficulties in classifying cyberbullying, collecting and preserving electronic evidence, coordinating institutions, protecting children's privacy, and providing psychological assistance can reduce the effectiveness of legal protection. Institutional responses must therefore extend beyond criminal prosecution and involve families, schools, law-enforcement agencies, child-protection institutions, psychologists, and Electronic System Providers.

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