



International Policy Regarding Cyberbullying of Children: What Extent is the Response of Education Units in Indonesia?

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Abstract

Cyberbullying is a phenomenon of violence perpetrated against children via the internet. It might be said that Indonesia is going through a bullying emergency because the number of cases is rising annually. In this research, two issues will be discussed, namely, the course of international policy in tackling cyberbullying and anti-cyberbullying policy in the educational environment in Indonesia. This research is normative juridical research examining the synchronization and harmonization of laws in dealing with the issue of cyberbullying in Indonesia. The findings show that the course of international policy regarding the protection of children from cyberbullying proceeds from various discussion angles, namely, the protection of personal data, cybercrime, and child protection. However, there are international legal instruments that explicitly discuss anti-bullying. In national law, cyberbullying only exists in the Elucidation of Article 29 of Law Number 1 of 2024, the Ministerial Regulation of 2015, and the Ministerial Regulation of 2019. Without policies at the school level, which is the most significant social environment for children, good legal substance will be meaningless.

I. Introduction

Growing internet usage in a world where technology is empowering people might be harmful to the younger generation by encouraging cyberbullying on social media sites. Cyberbullying statistics continue to increase every year, giving rise to detrimental consequences¹. The main definition of cyberbullying is bullying that occurs online and via digital devices, where other members of the community can see, comment on, and share the content. Cyberbullying often occurs through any social media containing online interactions. When someone is accused verbally on the internet, the nature of cyberbullying will surface and infect other people.² This conduct is a methodical display of harmful behavior that has a social role structure. The individual or collective bullies use information and communication tools to injure the victim by intimidating them

¹ Manpreet Kaur dan Munish Saini, "Indian government initiatives on cyberbullying: A case study on cyberbullying in Indian higher education institutions," *Education and Information Technologies* 28, no. 1 (2023): 581-615, <https://doi.org/10.1007/s10639-022-11168-4>.

² Kasthuri Subaramaniam dkk., "Cyberbullying Challenges on Society: A Review," *Journal of Positive School Psychology* 6, no. 2 (23 Maret 2022): 2174-84.

morally and psychologically. Growing instances of cyberbullying among young pupils lead to low self-esteem, demotivation in the classroom, and even PTSD, among other issues.³ Cyberbullying is an action that involves children as victims.

David D. Luxton et al.⁴ said that when another child or adolescent purposefully and persistently singles out a kid or adolescent for threats, harassment, or humiliation through mobile devices or internet technology—like e-mail, SMS, websites, social networks, or instant messaging—it is commonly referred to as cyberbullying. Janine M. Zweig⁵ said that as well as cyberbullying victimization, the most frequently reported forms of action were calling other students names they did not like via text messages and sending text messages to other students intended to hurt their feelings. Cell phone use among children increases the amount of cyberbullying. Zweig's view places children as perpetrators of cyberbullying against other children.

Cyberbullying, also known as online bullying, is comparable to other forms of bullying with the exception that it occurs online and through mobile device text messaging. This definition could include behavior such as students harassing teachers by creating Facebook pages about them or adults sending sexually harassing emails. Lyriisa Lidsky and Andrea Pinzon Garcia⁶ said that there are two sorts of legislation that target cybercriminals: some of these laws update existing criminal statutes, particularly those related to harassment or stalking, to include cyberbullying, while others establish new criminal laws specifically for cyberbullying. This view shows that perpetrators and victims of cyberbullying include children and adults.

According to the Federation of Indonesian Teachers' Unions (FSGI), there were 30 incidents of bullying in educational institutions throughout 2023, up from 21 cases in the previous year. As many as 80% of bullying cases in 2023 occurred in schools under the Ministry of Education, Culture, Research and Technology (Kemendikbudristek) and 20% in schools under the Ministry of Religion.⁷

³ National Aviation University, Kyiv, Ukraine dkk., "Peculiarities of Manifestation of Student Youth' Roles and Positions in the Cyberbullying Process," *International Journal of Modern Education and Computer Science* 13, no. 6 (8 Desember 2021): 1-10, <https://doi.org/10.5815/ijmecs.2021.06.01>.

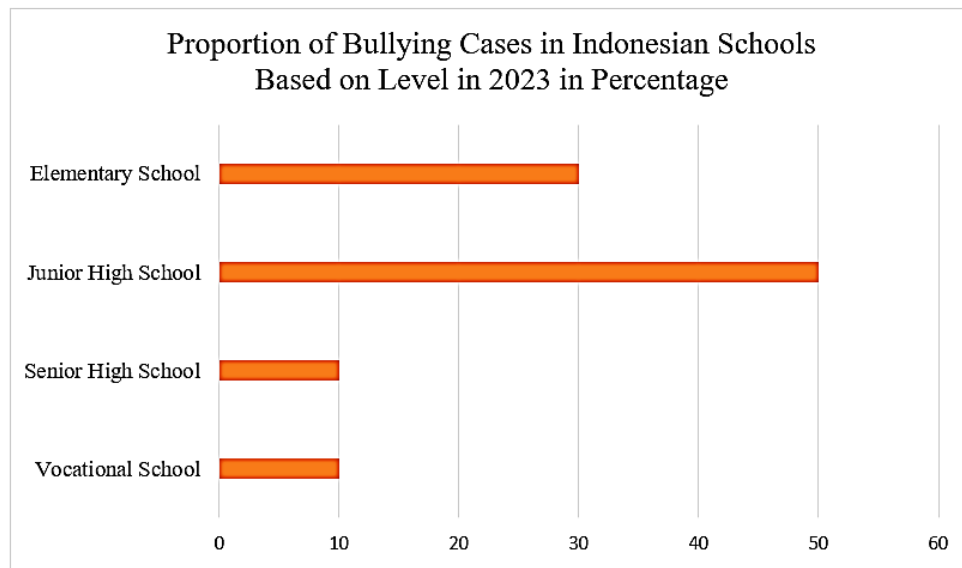
⁴ David D. Luxton, Jennifer D. June, dan Jonathan M. Fairall, "Social Media and Suicide: A Public Health Perspective," *American Journal of Public Health* 102, no. S2 (Mei 2012): S195-200, <https://doi.org/10.2105/AJPH.2011.300608>.

⁵ Janine M Zweig, *Teen Dating Violence and Abuse, and Bullying* (Washington: Urban Institute, 2013).

⁶ Lyriisa Lidsky dan Andrea Garcia, "How Not to Criminalize Cyberbullying," *Missouri Law Review* 77, no. 3 (1 Juni 2012), <https://scholarship.law.missouri.edu/mlr/vol77/iss3/6>.

⁷ Cindy Mutia Annur, "Ada 30 Kasus Bullying Sepanjang 2023, Mayoritas Terjadi Di SMP," 2024, <https://databoks.katadata.co.id/datapublish/2024/02/20/ada-30-kasus-bullying-sepanjang-2023-mayoritas-terjadi-di-smp>.

Figure 1. Proportion of Bullying Cases in Indonesian Schools Based on Level (2023)⁸



Source: <https://databoks.katadata.co.id/datapublish/2024/02/20/ada-30-kasus-bullying-sepanjang-2023-mayoritas-terjadi-di-smp>

Cyberbullying victimization is a widespread occurrence that is rapidly growing on a global scale.⁹ The development of international policy addressing information technology crimes is inextricably linked to the research on cyberbullying against minors. At first, countries only showed the importance of discussing a new crime based on information technology. Still, as time went by, countries began to see the vulnerability of children to becoming victims of this technological crime. Furthermore, countries are starting to talk about cyberbullying at the international level. This research discusses two problems, namely the international policy journey in overcoming cyberbullying and anti-cyberbullying policy in the education environment in Indonesia.

Several previous studies that discussed similar issues include Donna Pennell, Marilyn Campbell, Donna Tangen and Andrew Knott in their research entitled "Should Australia Have a Law against Cyberbullying? Problematising the Murky Legal Environment of Cyberbullying from Perspectives within Schools." The findings of this study were that Australia does not have specific cyberbullying legislation, leaving schools to respond with a range of laws that are neither designed for the online world nor young people. Thematic analysis identified three themes: that educational approaches were preferred over legal ones, current legislation mediated limited discussion about the benefits of new cyberbullying-specific legislation for schools and there were unmet gaps identified by schools where legislation could provide better solutions to cyberbullying among young people. Legal responses with implications for reducing cyberbullying among young

⁸ Annur.

⁹ JongSerl Chun dkk., "An international systematic review of cyberbullying measurements," *Computers in Human Behavior* 113 (1 Desember 2020): 106485, <https://doi.org/10.1016/j.chb.2020.106485>.

people are discussed.¹⁰ This research examines cyberbullying in Australia, both in the framework of laws and policies in schools. In contrast, the author's research examines cyberbullying policies in the framework of international law, which are then adopted in legal provisions in Indonesia, especially in regulations in the educational unit environment.

Aleksandra Janković and Lazar Stošić researched "Cyberbullying Legislation: The Role of Cyberbullying Law." This study examined how each European country sanctions cyberbullying. The first group to countries that have treated cyberbullying as a specific criminal act. This paper aims to provide suggestions for possible changes, based on an analysis of the existing legislation on cyberbullying in our country and several European countries, to protect victims of cyberbullying more effectively.¹¹ The author's research examines the international aspects of cyberbullying and policies in Indonesia, while Janković and Stošić's research identifies policies for dealing with cyberbullying in European countries.

Arron Chakan and Muhammad Fauzan Millenio researched "Protection of Cyberbullying Victims in Indonesia (An Overview of Law and Victimology)." Researchers found a tendency for cyberbullying victims to be reluctant to report and to close themselves off because the threat of cyberbullying is getting worse when the victim speaks out. Thus, there needs to be protection and supervision by the authorities against various threats that can endanger the victim's life, the victim's mental condition and adequate laws, a fair examination and trial process for perpetrators of criminal acts as a manifestation of human rights in Indonesia.¹² This research specifically examines aspects of victimology and revictimization for victims of cyberbullying. Thus, this research differs from the study of International Policy Regarding Cyberbullying of Children: What Extent is the Response of Education Units in Indonesia?

2. Research Method

To harmonize and standardize laws regarding cyberbullying against children, a normative legal study was carried out, specifically looking at the existence of norms pertaining to this type of behavior. This research, in terms of its form, is diagnostic research, namely research conducted to obtain data regarding cyberbullying against children, which occurs at the macro level, namely in Indonesia. This research examines library material or secondary data, including primary legal materials, namely Article 29 of Law Number 1 of 2024, the Ministerial Regulation of 2015, the Ministerial Regulation of 2019, and international instruments used in this research. Secondary legal materials

¹⁰ Donna Pennell dkk., "Should Australia Have a Law against Cyberbullying? Problematising the Murky Legal Environment of Cyberbullying from Perspectives within Schools," *The Australian Educational Researcher* 49, no. 4 (2022): 827-844, <https://doi.org/10.1007/s13384-021-00452-w>

¹¹ Aleksandra Janković dan Lazar Stošić, "Cyberbullying Legislation: The Role of Cyberbullying Law," *Pravo - Teorija i Praksa* 39, no. 4 (2022): 97-108, <https://doi.org/10.5937/ptp2204097J>

¹² Arron Chakan dan Muhammad Fauzan Millenio, "Protection of Cyberbullying Victims in Indonesia (An Overview of Law and Victimology)," *Semarang State University Undergraduate Law and Society Review* 3, no. 1 (2023): 1-26, <https://doi.org/10.15294/lsr.v3i1.53757>

include articles in scientific journals, books, and data uploaded on official websites. The data analysis was conducted using qualitative methods.

3. Result and Discussion

3.1 International Policy Journey in Overcoming Cyberbullying

Nowadays, most international crimes involve computers and the internet, both as targets and as weapons used in those crimes.¹³ The legal politics of electronic information regulation is a crucial theme in discussions of countries' policy agendas worldwide. Various international policies have been issued to increase global efforts to combat cybercrime, which then links cybercrime with child protection. Likewise, international policies on personal data protection can protect children from cyberbullying attacks. Cyberbullying of children is a very important thing to study. This is a paradigm shift where previously violence was limited to physical violence. Verbal violence has extraordinary destructive power; therefore, children shall be protected.

The Convention for the Protection of Individuals concerning Automatic Processing of Personal Data in Strasbourg, 1981 (European Treaty Series - No. 108) (hereinafter referred to as European Treaty Series - No. 108) mandates participating countries to prevent unauthorized access, change, distribution, and accidental or intentional harm to individual information stored in automated data files; proper security measures must be implemented. The Convention also regulates additional protections for data subjects, in which each person must be empowered:

- a. To prove that a personal data file is automatically created, its primary purpose, and the identity and location of the file controller;
- b. To promptly and efficiently confirm whether automated data files are used to store personal information and receive communication about such data in a comprehensible format;
- c. To request that such data be corrected or deleted if it is processed in violation of domestic laws that uphold the fundamental principles of this Convention;
- d. To seek legal remedies if confirmation, communication, correction, or deletion is requested.

Convention on Cybercrime, Budapest, 23.XI.2001 (hereinafter referred to as Convention on Cybercrime) has an essential significance for countries in the world, in which it is the initial international agreement with legal force and is globally binding. This Convention comprises four chapters: Chapter I, concerning the Use of Terms; Chapter II, concerning Approaches that must be taken at the National Level; Chapter III, International Cooperation; and Chapter IV, Closing Provisions. Paolo Balboni and Enrico Pelino¹⁴ said

¹³ U.S. Embassy & Consulates in Brazil, "Transnational Organized Crime: A Growing Threat to National and International Security," t.t., <https://br.usembassy.gov/transnational-organized-crime-growing-threat-national-international-security/>.

¹⁴ Paolo Balboni dan Enrico Pelino, "Law Enforcement Agencies' Activities in the Cloud Environment: A European Legal Perspective," *Information & Communications Technology Law* 22, no. 2 (Juni 2013): 165-90, <https://doi.org/10.1080/13600834.2013.821812>.

the 2001 Council of Europe Convention on Cybercrime is a significant legal document due to its specific focus on crime-related data, wide-ranging applicability, large number of signatories, and the authority it grants to signatory countries to enact legislation. Regarding child protection, the Council of Europe stated that the Convention on Cybercrime aims to update criminal law provisions that prohibit the use of computers to facilitate child exploitation and sexual abuse.¹⁵

The Convention on the Rights of the Child (CRC) is a worldwide agreement aiming to provide child protection. Children are one of the vulnerable groups that must be protected, therefore countries have a legal obligation to provide child protection. According to this Convention's Article 43, paragraph (1), a Committee on the Rights of the Child was created to assess how well the Contracting States fulfilled their commitments under the convention. This Convention serves as a worldwide legal foundation. Therefore, the reporting mechanism for non-implementation of this Convention is based on international human rights agreements (The Treaty-Based Mechanism). Treaty-Based Human Rights Bodies are limited to recommendations to countries committing human rights violations. The suggestions mentioned above are not legally binding and are not coercive.¹⁶

Article 44 of CRC specifies the following particular duties that nations must fulfill to implement the convention:

1. States Parties are expected to report to the Committee through the UN Secretary-General on their efforts to protect the rights specified in this declaration and the advancements they have made in ensuring the enjoyment of those rights:
 - a. The appropriate State Party is required to submit these reports within two years of the Convention's implementation;
 - b. Reports must then be turned in every five years.
2. Reports submitted under this provision must explain any relevant variables and challenges. Submissions made in compliance with this article must list any obstacles or contributing factors that may impact how well the duties under this Convention are being fulfilled. Reports must also provide enough details to give the Committee a thorough grasp of how the Convention is being implemented in the relevant nation.
3. After submitting a thorough initial report to the Committee, a State Party is not required to reiterate basic material in subsequent reports that are submitted in line with paragraph 1(b) of the current article.
4. The Committee can request additional data pertinent to the Convention's implementation from States Parties.
5. The Committee will report on its operations to the General Assembly via the Economic and Social Council every two years.
6. States Parties agree to provide the public with broad access to their reports inside their respective nations.

As a commitment to the implementation of CRC, the UN General Assembly issued a Resolution adopted by the General Assembly on 18 December 2014 [on the report of the

¹⁵ Council of Europe, "Protecting Children against Sexual Exploitation and Abuse," t.t., <https://www.coe.int/en/web/cybercrime/protecting-children>.

¹⁶ I Made Pasek Diantha, *Hukum Pidana Internasional Dalam Dinamika Pengadilan Pidana Internasional* (Jakarta: Prenadamedia Group, 2014).

Third Committee (A/69/484)] 69/158 (hereinafter referred to as A/RES/69/158). The resolution establishes a benchmark for advancing and safeguarding children's rights. States that are party to the Convention must enact the necessary laws, regulations, and other actions to enforce the rights outlined in the resolution. This resolution adopted by the General Assembly encourages UN member:

- a. To take all necessary steps to protect kids, especially in school environments, from aggressiveness of any kind, including bullying, by responding quickly to such situations and providing proper support to kids who are both affected by and participating in bullying;
- b. To further advance and allocate resources towards education, with a focus on fostering tolerance and respect for the inherent worth of all individuals, and implementing strategies to uphold such respect in all societies, recognizing education as an ongoing and lifelong endeavor for everyone;
- c. To collect and analyze statistical data at the national level, broken down by gender, age, 636and other pertinent factors, and to specifically gather information on instances of bullying, including those involving individuals with disabilities, to inform the development of impactful public policies;
- d. To raise public awareness through the active participation of children and the involvement of all parties such as family members, schools, communities, the media, civil society groups and others in the cause of protecting children from bullying;
- e. To share best practices and national experiences in preventing and dealing with bullying, including cyberbullying;

A/RES/69/158 directs the prohibition of cyberbullying carried out against children (excluding adults). Adults are seen as being able to have attitudes and make decisions to protect themselves, whereas children are not. Based on this Resolution, countries are urged to actively participate in gathering information about cyberbullying against children. This data is used to formulate penal and non-penal policies in each country. The General Assembly Resolution, based on the international agreement A/RES/69/158, is not legally enforceable and consists solely of suggestions. It can be found in the provisions of Articles 11 and 13 of the Charter of the United Nations. The legal product issued by the General Assembly is in the form of a general opinion (*communis opinio*) which has a major influence on various countries' legal products and is relevantly referred to as an origin of international law. Resolutions passed by the General Assembly possess two distinct attributes: they are solely binding within the organization itself and serve as recommendations.¹⁷

UNESCO and the French Ministry of Education, Youth, and Sport organized the International Conference on Bullying in Schools on 5 November 2020. This conference expands upon the pledges made during the G7 meeting of education ministers in July 2019, during the French Presidency. The day is observed as the International Day Against Violence and Bullying at School, which includes Cyberbullying.¹⁸ An overview

¹⁷ Teddy Nurcahyawan dan Lauw Wisnu, "Efektivitas Sanksi Dewan Keamanan Perserikatan Bangsa-Bangsa Terhadap Konflik Bersenjata di Suriah," *Era Hukum - Jurnal Ilmiah Ilmu Hukum* 16, no. 1 (25 September 2018): 49–86, <https://doi.org/10.24912/erahukum.v16i1.2373>.

¹⁸ France Ministère de l'éducation nationale authorCorporate:UNESCO dan online authorEvent:International Conference on School Bullying, "International Conference on

of the Scientific Committee's initial suggestions on three major topics is provided in this document: 1) How might the concept of bullying in schools be updated to provide more thorough and focused programs to address bullying in all of its manifestations? What elements ought to be taken into account for a more inclusive definition? 2) How successful should national responses to bullying be in light of the available data? What are the essential elements and traits of an all-encompassing strategy for dealing with bullying and cyberbullying? When organizing and reacting to cyberbullying, what other or particular tactics and measures must be considered?¹⁹

As seen by the Declaration on the Elimination of Bullying of Children in ASEAN Adopted at Bandar Seri Begawan, Brunei Darussalam, on October 26, 2021, ASEAN nations are paying attention to cyberbullying.²⁰ This was followed by the ASEAN Leaders' Declaration on Southeast Asia's Early Childhood Care and Education.

In legal construction in Indonesia, the term cyberbullying is not found as a separate criminal act in special laws. This term is actually in the Explanation of Article 29 of Law of the Republic of Indonesia Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions (hereinafter referred to as Law Number 1 of 2024). Article 29 of this Law states, "Every person intentionally and without right sends Electronic Information and/or Electronic Documents directly to the victim which contains threats of violence and/or intimidation." Elucidation of Article 29 of this Law states a "victim" refers to an individual who undergoes bodily or mental distress and/or financial detriment as a consequence of a criminal act. The acts referred to in this provision include bullying in the digital space (cyberbullying).

Based on these provisions, the elements of actions in accordance with Article 29 can be outlined, namely:

- **Every person:** (Article 1 number 21: A person is an individual, regardless of whether they are a foreign national, Indonesian national, or a legal organization).
- **intentionally:** perpetrator: knowing and realizing what was done. Deliberation here is a form of error in the sense of intentionality in the gradations of intention as intention, as awareness of possibility or as awareness of certainty;
- **without rights:** Without rights is part of "against the law" namely any action that violates written law (legislative regulations) and/or general legal principles of

School Bullying: Recommendations by the Scientific Committee on Preventing and Addressing School Bullying and Cyberbullying," 2020, <https://unesdoc.unesco.org/ark:/48223/pf0000374794>.

¹⁹ See: International Conference on School Bullying: recommendations by the Scientific Committee on preventing and addressing school bullying and cyberbullying. ED/PSD/HAE/2020/06 Rev.

²⁰ "Declaration on the Elimination of Bullying of Children in ASEAN," ASEAN Main Portal, 26 Oktober 2021, <https://asean.org/declaration-on-the-elimination-of-bullying-of-children-in-asean/>.

unwritten law. More precisely, "without rights" refers to not having the necessary authorization and/or consent from the relevant authorities;

- **send electronic information and/or electronic documents to the victim directly.** This component can be described as the process of using an electronic system to send electronic documents and/or information to another party. Electronic information - Article 1, Section 1 - refers to electronic data that may include writing, sound, pictures, maps, plans, electronic data interchange, e-mail, telegrams, letters, signs, numbers, access codes, etc. Following processing, this data has meaning or may be comprehended by people with the necessary skills. According to Article 1 Number 4, electronic documents include any electronic data created, sent, received, or stored in analogue, digital, electromagnetic, optical, or comparable formats. Computer systems and other electronic devices can be used to view, display, and/or play these documents. Some examples of electronic documents are written text, audio recordings, pictures, maps, plans, photos, access codes, perforations, etc.;
- **which contains threats of violence and/or intimidation.** Article 29 of Law Number 1 of 2024 adds the phrase "and" to threats of violence and/or intimidation so that threats of violence can be accompanied by acts of intimidation or only one of the acts is carried out; then, this offence has been proven. This article also eliminates the object of the action, namely that it is directed personally.

According to the Explanation of Article 29, a "victim" is someone who suffers financially, psychologically, or physically as a result of a criminal act. The acts referred to in this provision include bullying in digital space (cyberbullying). Article 45B of Law Number 1 of 2024 governs the offence of criminal threat. According to this, anyone who willfully and illegally sends electronic documents and/or information to the victim containing threats of violence and/or intimidation as defined by Article 29 faces a maximum penalty of four years in prison and/or a fine of Rp 750,000,000.00 (seven hundred and fifty million rupiah). The implication of the threat of imprisonment of less than five years causes investigators to be unable to detain suspects because they do not meet the objective detention requirements. This condition causes victims not to feel protected because the suspect is still free and may seek revenge.

Law Number 1 of 2024's second amendment to the Law on Information and Electronic Transactions demonstrates how seriously state officials take kid protection. Electronic system providers are required by law to safeguard children who use or access electronic systems under Article 16A. The rights of minors as stated in laws and rules pertaining to the use of goods, services, and features created and arranged by Electronic System Providers are part of this protection. Electronic system providers must use technology and operational technical procedures when offering features, services, and goods for children in order to safeguard the development stage of the system before it is implemented. Electronic system providers are required to give information on the minimum age at which minors can use their services or products, how to verify child

users, and how to report instances of misuse of features, services, and goods that infringe upon or may infringe upon the rights of minors.²¹

3.2 Anti-Cyberbullying Policy in the Education Environment in Indonesia

Cyberbullying is a highly pertinent social phenomenon due to its potential psychological consequences for both victims and perpetrators. Consequently, with the backing of their governments, the educational community is endeavoring to eliminate cyberbullying through inventive educational initiatives, as it has emerged as a significant obstacle. The significant occurrence of cyberbullying on social networks, along with the lack of defined limits in terms of distance and time and a deficiency in adult oversight, presents a tremendous obstacle considering the inherent characteristics of the internet.²² Kinanti Pinta Karana, a Communications Specialist at UNICEF Indonesia, asserted that bullying is a primary concern that detrimentally affects the well-being of children in Indonesia. Based on the most recent data, 66.7% of adolescents aged 13-17, regardless of gender, have encountered at least one kind of violence during their lifetime. Approximately 41 percent of 15-year-old children have encountered bullying frequently, occurring more than a few times each month. Of the 2,777 youngsters aged 14 to 24 who took part in UNICEF's youth engagement tool, U-Report, approximately 45% reported having been the victim of cyberbullying.²³ The actual number of victims is likely to be higher than the recorded data. This is due to the reporting mechanism which is not yet comprehensive, the understanding of cyberbullying which is not yet adequate and the fear of telling the experiences felt by the victims.

Countries are actively looking for efficient ways to impose sanctions in response to the rising incidence of cyberbullying and its related consequences.²⁴ The sanctions are criminal sanctions for the perpetrators and the organizers of the electronic system. Electronic System Providers that do not fulfil their child protection obligations are subject to administrative sanctions. Administrative sanctions may include temporary blackouts, administrative fines, written warnings, and/or access termination.²⁵ The Indonesian government also involves educational environment units to tackle cyberbullying carried out against children. The Government of the Republic of Indonesia has put into effect Regulation of the Minister of Education and Culture Number 82 of 2015 about the Prevention and Handling of Acts of Violence in Educational Unit Environments (hereinafter referred to as the Ministerial Regulation of 2015) in order to combat cyberbullying against children in that country. This regulation serves as a directive for schools to effectively combat violence, including cyberbullying, and ensure the safety of children in educational settings. Schools can play a role in creating a conducive educational climate by providing understanding and the courage to talk

²¹ See: Article 16A of Law Number 1 of 2024.

²² Raquel Lozano-Blasco, Alejandra Cortés-Pascual, dan M.Pilar Latorre-Martínez, "Being a Cybervictim and a Cyberbully – The Duality of Cyberbullying: A Meta-Analysis," *Computers in Human Behavior* 111 (Oktober 2020): 1-33, <https://doi.org/10.1016/j.chb.2020.106444>.

²³ "Indonesia: Hundreds of Children and Young People Call for Kindness and an End to Bullying," diakses 26 Juli 2024, <https://www.unicef.org/indonesia/press-releases/indonesia-hundreds-children-and-young-people-call-kindness-and-end-bullying>.

²⁴ Aleksandra Janković dan Lazar Stošić, "Cyberbullying Legislation: The Role of Cyberbullying Law," *Pravo - Teorija i Praksa* 39, no. 4 (2022): 97-108, <https://doi.org/10.5937/ptp2204097J>.

²⁵ See: Article 16B of Law Number 1 of 2024.

about cyberbullying, having rules and regulations that can prevent potential cyberbullying, making incident reporting mechanisms simpler, providing an understanding of the positive impact of technology, and implementing regular policy evaluation. Nevertheless, schools contribute to the accumulation of cyberbullying cases.²⁶

School serves as a venue for youngsters to interact socially in their immediate surroundings. The competitive atmosphere that characterizes children's relationships at school might lead to unhealthy competition. A school atmosphere that is not safe and comfortable will make students frustrated and tend to commit acts of aggression, one of which is cyberbullying. Individuals who are provoked will be more motivated to carry out cyberbullying acts.²⁷ In this case, the school, which should be a place to instill values, becomes unsafe for children.

The policy on child cyberbullying looks at the problem of child cyberbullying in the framework of Indonesian laws and regulations that do not impose penalties. To prevent cyberbullying directed at minors, the government has adopted a non-punitive strategy. The Ministerial Regulation of 2015 contains this policy, which states that aggressive behaviors and attacks in an educational setting are deemed acts of violence, whether they are physical, psychological, sexual, online, or textual. These actions cause trauma, anxiety, property damage, impairments, injuries, and potentially even death. It is an action taken by the government to prevent cyberbullying that targets children in educational environments. This legal instrument is in accordance with A/RES/69/158, which encourages countries to develop policies to prohibit various types of bullying through the education system. Article 6 of the Ministerial Regulation of 2015 determines the various forms of violence that occur within the educational setting, including:

- a. Harassment refers to the intentional use of physical, psychological, or online violence.
- b. Bullying involves consistently disruptive, annoying, or troublesome behavior.
- c. Persecution encompasses arbitrary acts such as torture and oppression.
- d. A fight is an action that involves disagreement, either verbal or physical.
- e. Hazing is the act of introducing someone to a new environment by eroding their previous thought system.
- f. Extortion refers to the act, matter, method, or deed of obtaining something through coercion.
- g. Obscenity involves actions, processes, methods, or deeds that are vile, dirty, indecent, and violate standards of politeness and decency.
- h. Rape is the act of violently coercing or overwhelming someone in order to subjugate them.

²⁶ Lucky Nurhadiyanto, "Analisis Cyber Bullying Dalam Perspektif Teori Aktivitas Rutin Pada Pelajar SMA Di Wilayah Jakarta Selatan," *IKRA-ITH HUMANIORA: Jurnal Sosial Dan Humaniora* 4, no. 2 (2020): 113–24.

²⁷ Calvin Zannua Prihambodo, Zainul Anwar, dan Devina Andriany, "Peran Regulasi Diri Terhadap Perilaku Cyberbullying," *Psycho Holistic* 2, no. 1 (30 Mei 2020): 108–17, <https://doi.org/10.35747/ph.v2i1.616>.

- i. Violence motivated by discrimination on the basis of race, religion, ethnicity, or between groups (SARA) includes a variety of ways that SARA-based difference, exception, restriction, or selection are practiced. These actions result in the recognition, achievement, or enforcement of equality-based freedoms and human rights being diminished or withdrawn.
- j. Additional acts of violence as stipulated in statutory regulations.

Concerning cyberbullying behavior toward children, this regulation regulates bullying as an act of being disruptive, persistently annoying, or troublesome. These acts of violence involve actions carried out in cyberspace or in the regulations referred to as online. Article 4 of the Ministerial Regulation of 2015 states that efforts are directed towards preventing and overcoming acts of violence in the educational setting for the following groups: students, teachers, staff, parents/guardians, school committees, the general public, and both local and central government. The scope of this regulation includes:

- a. Prevention of acts of violence inside the educational component. Prevention refers to implementing actions, methods, or processes aimed at deterring individuals or groups from engaging in violent behaviour.
- b. Countermeasures; Countermeasures refer to systematic and thorough activities, strategies, or processes implemented to address acts of violence within an educational setting.
- c. Sanction.
- d. As an implementation of the regulation, the Ministry of Education and Culture has launched an anti-violent safe school.²⁸ This policy is a concrete step taken to tackle cyberbullying against children, especially through policies in the education system.

Moreover, the policy prohibiting cyberbullying can be seen in the provisions in the Regulation of the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia Number 12 of 2019 concerning Guidelines for the Participation of Community Media in Preventing Violence Against Children (hereinafter referred to as the Ministerial Regulation of 2019). Article 4 of this regulation determines the following:

The prevention of violence against children through community media involves the implementation of the following measures:

1. Identify regions that are susceptible to or frequently witness acts of violence against children.
2. Train personnel who possess the capacity to comprehend and effectively disseminate valuable knowledge and resources for education on preventing violence against children.

²⁸ Muhammad Kurnianto, "Menteri Anies Luncurkan Sekolah Aman Anti-Kekerasan," *tempo.co*, 25 Januari 2016, <https://nasional.tempo.co/read/739157/menteri-anies-luncurkan-sekolah-aman-anti-kekerasan>.

3. Compile and develop informative and instructional resources aimed at deterring violence towards children. These materials should be presented in an appealing and superior fashion while also being tailored to accommodate the unique conditions of the community.

In the Attachment section to the Ministerial Regulation, a form of violence against children is described, namely emotional violence. Emotional violence includes all acts against children resulting in or are most likely to cause psychological, mental, and social disorders. The attachment to the 2019 Ministerial Regulation states psychological oppression or bullying, which includes: direct bullying (teasing, mocking, attacking with words); indirect bullying (spreading harmful rumors, jokes); cyber-bullying (use of mobile phone and internet technology, including digital websites, digital and electronic messages).

The Ministerial Regulation of 2019 describes indicators of the success of media messages about "the dangers of bullying (both physical and psychological) for children" with a target of children, teenagers and parents, namely:

Table 1. Indicators of Communication Success

No.	Rate of Change	Target Group	Indicators
1.	Knowledge	- Children - Teenagers - Parents	Children, teenagers, and parents know the dangers of bullying for each other.
2.	Attitude	- Children - Teenagers - Parents	- Children and teenagers agree with the content of media messages about the dangers of bullying and the importance of looking after fellow friends. - Adults participate in disseminating information to their children about the dangers of bullying, both physical and psychological, for children.
3.	Behaviour	- Children - Teenagers - Parents	- Children and teenagers report acts of bullying and violence to school and/or their parents. - Children, teenagers and parents prevent acts of bullying if they find or witness acts of violence. - Inform the appropriate authorities if you come across instances of child abuse.

Source: *The Attachment of the Ministerial Regulation of 2019*

Cyberbullying poses a substantial issue for young individuals, with secondary schools being the primary institutions responsible for tackling it. The implementation of anti-bullying measures in schools has had limited success in mitigating the issue thus far. Cyberbullying arises not just from inadequate educational practices but also from societal pressures. The data analysis revealed three overarching elements in the macrosystem: technology culture, legal framework, and media portrayals of

cyberbullying. The macrosystem directly impacts four school ecosystems: the school's business, parent, organization, and support and guidance community.²⁹ The difficulty in establishing a clear definition arises from the ongoing expansion of cyberbullying, facilitated by the emergence of novel internet tools and methods for targeting individuals. The complexity of cyberbullying is demonstrated when the victim receives verbal abuse in addition to harassment via remarks shared online.³⁰ In order to confront and eradicate bullying in schools, school practitioners' viewpoints and comprehension of the issue are essential.³¹

4. Conclusion

The journey of international policy in tackling cyberbullying has started with various international agreements entered into by various countries. International agreements that protect children from cyberbullying start from provisions about protecting personal data, as seen in the European Treaty Series – No.108. The Convention on Cybercrime was an essential moment for countries in the world where this convention was the first one in the field of cybercrime. The CRC was enacted by issuing A/RES/69/158 after states worldwide agreed to protect children. ASEAN countries' attention to cyberbullying can be seen in the Declaration on The Elimination of Bullying of Children in ASEAN. The legal construction of the prohibition on cyberbullying can be seen in the Explanation of Article 29 of Law Number 1 of 2024. The placement of the phrase cyberbullying in the explanation of Article 29 has occurred since the previous law. The cyberbullying formulation in the article's Explanation shows that this act has received little attention from legislators. The Indonesian government issued the Ministerial Regulation of 2015 and Ministerial Regulation of 2019 in education units. This policy will certainly not be meaningful without supervision from the competent authorities to ensure schools have anti-bullying policies.

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²⁹ Donna Pennell, Marilyn Campbell, dan Donna Tangen, "What Influences Australian Secondary Schools in Their Efforts to Prevent and Intervene in Cyberbullying?," *Educational Research* 62, no. 3 (2 Juli 2020): 284–303, <https://doi.org/10.1080/00131881.2020.1795701>.

³⁰ Youping Xu dan Paula Trzaskawka, "Towards Descriptive Adequacy of Cyberbullying: Interdisciplinary Studies on Features, Cases and Legislative Concerns of Cyberbullying," *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique* 34, no. 4 (September 2021): 929–43, <https://doi.org/10.1007/s11196-021-09856-4>.

³¹ Muthanna Samara dkk., "Practitioners' Perceptions, Attitudes, and Challenges around Bullying and Cyberbullying," *International Journal of Emotional Education* 12, no. 2 (November 2020): 8–25.

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