



CYBERBULLYING AS A SOCIO-PSYCHOLOGICAL PROBLEM AND LEGAL WAYS TO SOLVE IT ABROAD

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ABSTRACT

This article comprehensively studies the system and problems of applying legal regulation measures in developed foreign countries, one of the obvious threats to information and psychological security - the phenomenon of cyberbullying. Furthermore, it highlights the study of the state of modern legislation, measures, and problems of legal impact in developed countries in relation to cyberbullying. In particular, the legislative norms and the process of their application in the United States, Canada, Australia, and some countries in Europe were analyzed; based on the results of the analysis, including foreign experience, proposals and comments were made taking into account national interests in our country.

KEYWORDS: *cyberbullying, cyberharassment, cyberstalking.*

INTRODUCTION

Cyberbullying, sometimes called online harassment or abuse, refers to behaviours where a person repeatedly causes harm to others using electronic devices and technologies. The modern abundance of devices with internet access makes it easier for cyberbullies to remain anonymous and create multiple accounts with different identities, giving them the freedom to attack multiple social media users simultaneously, often without obstruction.

There are many online platforms in which bullying may take place including e-mail, blogs, social networking websites (eg, Facebook and Twitter), online games, and text messaging. This phenomenon has come to be known as cyberbullying, electronic aggression, or online harassment. Several definitions of cyberbullying exist; most are variations on accepted definitions for traditional bullying. One commonly used definition of cyberbullying is “an aggressive, intentional act or behavior that is carried out by a group or an individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself.” Estimates of the number of youth who experience cyberbullying vary, ranging from 10% to 40%, depending on the age group and how cyberbullying is defined.

Pursuant to the policy pursued by the President of the Republic of Uzbekistan, in accordance with paragraph 5.1 of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan for 2017-2021, there is a need to develop a mechanism to protect against information and psychological threats. It is expedient to study the experience. The vast majority of developed countries in

the world have adopted legal and regulatory documents on the protection of cyberbullying, electronic regulation of human harassment through electronic means of communication.

LITERATURE REVIEW

Scientifically, the Cyberbullying problem was one of the first to be studied in the United States in 1997. Many foreign psychologists, such as L. Robinson, M. Sonnermoser, K. Müller, Kowalski, A. Pellegrini, M. Bartini, have scientifically covered the phenomenon of cyberbullying.

Today, representatives of the Russian scientific community are E.A. Bengina, I.V. Volkova, S.A. Grishaeva, E.A. Kozonina, A. Baranov. Psychologists such as E.A. Makarova, E.L. Makarova, E.A. Makhrina, A.A. Baranov, S.V. Rojina, A.A. Bochaver, K.D. Khlomov presented the results of scientific research on this topic are announcing.

The U.S. experience in cybercrime laws, and in the fight against them in particular, can be highlighted in the first place. In particular, over the years, the first steps have been taken to adequately protect individuals from cyber attacks on the Internet and to legally regulate this process. In particular, the legal regulation of the current situation after tragic, unfortunate events, like suicide as a result of cyberbullying in adolescents has been repeatedly called for. To date, the U.S. federal administration system and state legislation differ on cyberbullying legislation.

In particular, a bill was drafted at the federal level under the name of 13-year-old student Megan Maer in response to her tragic suicide on April 2, 2019, after a cyberbullying incident.



The law is called the Megan Maer Cyber Attack Prevention Act. This bill was planned and intended to be published as an extension of Article 18 of the United States Code [2]. The bill provides for a fine of up to two years in prison if cyberbullying violations are detected. The bill has been widely discussed in Congress but not adopted at the federal level. The main reason for this is that the first amendment to the U.S. Constitution included an article on freedom of speech.

RESEARCH METHODOLOGY

U.S. law requires that a distinction be made between the various terms “Cyberbullying”, “Electronic Harassment”, “Cyberharassment” and “Cyberstalking” and that if these definitions are strictly applied, they will be used under different legal rules. As a rule, the law of cyberbullying is one of the laws that require clarity. In practice, however, this conceptual distinction is often confused or used as a synonym. Nevertheless, the following classifications can be found.

The term “cybersecurity” or “cyberstalking” refers primarily to the harassment, bullying, bullying, and harassment of minors via e-mail or the Internet, and usually attempts to gain the trust of minors through social media, which in turn leads to real sexual activity leads to.

The concept of cybersecurity is also called cyberstalking because it is less intensive. Juveniles - mainly schoolchildren and students, committed by other students or strangers, conflicts have been observed in schools as a result of threats, and teachers are sometimes included in the protection zone. According to sources, special anti-cyberbullying laws have been passed in 19 U.S. states today.

In New Jersey, for example, the Revenge-Porn Laws Act is designed to prevent the distribution of personal photos, movies, nude or sexually explicit images of teenagers without their consent [3].

Currently, only Arkansas, Louisiana, and North Carolina laws criminalize cyberbullying.

In North Carolina, cyberbullying is punishable by a fine of \$ 500 to \$ 1,000 or up to 6 months in prison.

In the U.S., measures to prevent cyberbullying at the government level are primarily aimed at school-wide coverage, in the process of which educational institutions and relevant organizations are forced to take practical measures to prevent cyber attacks.

In particular, New Jersey law provides for the expulsion of a convicted felon for cyberbullying.

At the same time, freedom of speech in the United States is important. In the territorial unit, in the absence of legislation on “Cyberbullying”, the penalty is regulated only on the basis of applicable general legislation, depending on the behavior in a particular individual case.

Canadian law provides for civil and criminal liability for cyberbullying. In particular, the commission of inappropriate behavior on the Internet by a person is described as a criminal offense.

In particular, under section 264 (2) (b) of the Canadian Penal Code, aggression involves, in particular, the direct or indirect repeated contact of one person with another. In cases where communication is widely interpreted, including communication via the Internet, this offense can be punishable by up to 10 years in prison [13,14].

In recent years, the imposition of criminal liability for cyberbullying in Australia has been the subject of widespread debate. According to MP Paul Fletcher, the continuation of sanctions in practice, a system of civil liability, should be developed in consultation with the federal states.

In November 2007, the Weiße Feder - Gemeinsam für Fairness und gegen Gewalt initiative was launched in Austria to prevent violence in general strategic schools and kindergartens [12]. The Federal Ministry of Education, Arts and Culture should provide tools to help students, parents, and teachers prevent and intervene in cyberbullying.

It is also planned to introduce the position of cyberbullying commissioner for the electronic safety of children. Its mission should be to protect and control all social networks, especially youth, from cyberattacks. This serves to reduce the number of cyberbullying victims in the community.

Under a law passed in Australia’s New South Wales Administrative Territorial Unit, cyberbullying is defined as a crime. Criminal liability for cyberbullying applies only when committed against individuals. These regulations also sought to cover all forms of cyberbullying in society.

In 2010, Albania was the first European country to adopt a law on cyberbullying [8]. The law provides for liability for all forms of cyberbullying, even for disseminating false information about a person in order to threaten him.

ANALYSIS AND RESULTS

The results of a comparison of legislation on cyberbullying across the United States, Canada, Australia, and some European countries are presented in the table below.

**Table 1.**

| N^o | State name | Cyberbullying legislation | Note |
|----------------------|--|--|--|
| 1 | In the U.S. Federal Administration System | When it comes to cyberbullying legislation, the U.S. federal administration system and state legislation are different | A bill has been drafted at the federal level under the name of 13-year-old student Megan Maer in response to her tragic suicide on April 2, 2019, after a cyberbullying incident. The law is called the Megan Maer Cyber Attack Prevention Act. The bill has been widely discussed in Congress but not adopted at the federal level. The main reason for this is that the first amendment to the U.S. Constitution included an article on freedom of speech. |
| 2 | At the U.S. state level | New Jersey has a Revenge-Porn Laws Act. | Designed to prevent the distribution of personal photos, movies, nude or sexually explicit photos of teenagers without their permission. |
| 3 | At the U.S. state level | Arkansas, Louisiana, and North Carolina have criminal charges against cyberbullying. | In North Carolina, cyberbullying is punishable by a fine of \$ 500 to \$ 1,000 or up to 6 months in prison. |
| 4 | Canada | There are civil and criminal penalties for cyberbullying. | Almost all provinces have cyberbullying legislation. |
| 5 | Europe. In Albania | There is a law on cyberbullying | It was first adopted in 2010 |
| 6 | In South Korea | There is a law on cyberbullying | Cyberbullying is a crime [1] |
| 7 | Singapore | There is a law on cyberbullying | Approved and adopted in the first reading in Parliament on March 3, 2014 |
| 8 | Australia. In the federal system of government | There is no law on cyberbullying | In recent years, the imposition of criminal liability for cyberbullying in Australia has been the subject of widespread debate. According to MP Paul Fletcher, the continuation of sanctions in practice, a system of civil liability, should be developed in consultation with the federal states |
| 9 | Australia. at the state level | New South Wales has a law criminalizing cyberbullying in schools. | Criminal liability for cyberbullying applies only when committed against individuals. These regulations also sought to cover all forms of cyberbullying in society. |
| 10 | United Kingdom | There is no law on cyberbullying. | Instead, one of the following laws may apply in individual cases: 1997 Arrest Act, 1986 Public Order Act, 1988 Malicious Communication Act 2003 Communication Act (SA) |
| 11 | Switzerland | There is no law on cyberbullying. | In Switzerland, there are penalties for offenses under the Criminal Code. In addition, in case of personal injury, legal action can be taken under Article 28 of the Civil Code. |
| 12 | Spain | There is no law on cyberbullying | There are penalties under applicable criminal law. |
| 13 | Italy | Until 2013, there was no Cyberbullying Act. | Following the suicide of a 14-year-old girl in cyberbullying in January 2013, appropriate measures against cyberbullying were discussed to end the violence on social media. In January 2014, the Italian Minister of Economic Development presented a draft Code of Ethics against cyber-attacks, which sets out measures to combat cyber-attacks. |
| 14 | France | There is no law on cyberbullying | Articles 222-33-2 of the French Criminal Code define "du harcèlement moral". |



CONCLUSION/RECOMMENDATIONS

In conclusion, it should be noted that the issue of imposing legal sanctions against cyberbullying is reflected differently in the national legislation of each state. A special approach to cyberbullying shapes needs the normative legal documents' improvement. These legal norms should not limit people's speech freely in the society. Nevertheless, it ensures the safety of Internet followers, prevent human rights or dignity, protect them from distinctive persecutions, as well as harm the physical or mental health along with professional activities of people within disabilities.

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