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**The Effectiveness of the Algerian Written and Electronic Press Law in the  
Context of Digital Transformation: An Analytical and Descriptive Reading of  
Law No. 23-19 of December 2, 2023**

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**Abstract:**

Due to the rapid changes in media and journalism, many countries are updating their media laws. In Algeria, a new law (Law No. 23-19 of 2023) was recently passed to address these changes, particularly the emergence of new media forms. This research aims to analyze this law's effectiveness in the digital age and its ability to adapt to new media practices. The research will use a descriptive and analytical approach to examine the law and relevant literature.

**Keywords:** Law No 23-19 of 2023; media legislation; Algeria; digital transformation,

## INTRODUCTION

The rapid evolution of media and journalistic practices, both in terms of technology and medium and in terms of the professional and practical aspects, has made it necessary to review the legal and regulatory texts related to media activity. Many countries have responded to this need by enacting new laws that are in line with the contemporary context and the digital transformation that has affected all areas, including journalism and media.

In Algeria, media legislation has undergone a series of changes and visions that began with the issuance of new laws in 2023. The first of these was the organic law on information issued in August of that year, followed by other laws such as Law No. 23-19 of December 2, 2023, on the written and electronic press. This law has generated a great deal of debate among media professionals, researchers, and specialists in the field of journalism and media, especially since it comes at a time when the media is facing major technological challenges.

In this research paper, we will attempt to provide a descriptive and analytical reading of Law No. 23-19 of December 2, 2023, on the written and electronic press, and to assess its effectiveness in the context of digital transformation and the emergence of new forms of media and journalistic practice.

## METHODOLOGICAL STEPS OF THE STUDY:

### 1. Research Problem:

The topic of media legislation raises many questions about the possibility of legally and organizationally controlling media and journalistic activity in light of the tremendous development witnessed by the media and the environment in which media and journalism are practiced, especially in the digital environment that has greatly changed the concepts of media practice, and has become available Opportunities and many forms in that. Facebook journalism, social media platform journalism and social media journalism, automated journalism, data journalism, and algorithmic journalism have emerged. These new journalistic forms have made the issue of media legislation face major challenges. Algeria is among the countries that rushed to enact new laws during 2023, which makes the follower of the media issue, especially in Algeria, ask a set of questions about the effectiveness of these laws in the face of the digital transformation and the very rapid technological development.

The problem that we raise in this context is: What is the effectiveness of "Law No. 23-19 dated 18 Jumada al-Ula 1445 corresponding to December 2, 2023, relating to the written press and electronic press" in light of the digital

transformation? Will this law stand up to the new forms of journalistic and media practice?

## **2. Research Questions:**

- What are the main features of Law No. 23-19 of December 2, 2023, on the Written and Electronic Press?
- What are the challenges facing the implementation of this law in the context of digital transformation?
- What are the key provisions of Law No. 23-19 of 2023?
- What are the recommendations for ensuring the effectiveness of this law in promoting press freedom and protecting the rights of journalists in the digital age?
- Will Law No. 23-19 of 2023 stand up to the new forms of journalistic and media practice?

## **3. Methodology:**

This research will use a descriptive and analytical approach to examine the effectiveness of Law No. 23-19 of December 2, 2023, on the Written and Electronic Press in the context of digital transformation. The research will collect data from a variety of sources, including:

- A review of the relevant literature on media law and digital transformation
- An analysis of the text of Law No. 23-19 of December 2, 2023, on the Written and Electronic Press.

## **4. Significance of the Study:**

This study is significant because it will provide a timely and much-needed assessment of the effectiveness of Law No. 23-19 of December 2, 2023, on the Written and Electronic Press in the context of digital transformation. The findings of the study will be of interest to a variety of stakeholders, including journalists, media professionals, government officials, and academics.

## **5. Explanation of Concepts and Terms of the Study:**

The key concepts and terms that will be defined in this section include:

- **Media Legislation:** Media legislation refers to the laws and regulations governing the media and journalism industry. Media legislation varies significantly across countries, reflecting their specific needs<sup>1</sup>, cultural contexts, and political systems. Some countries have very specific and detailed regulations, while others have more broadly defined frameworks. The debate surrounding media legislation often centers on balancing the need for freedom of expression with other societal needs and concerns<sup>2</sup>.

- **Digital environment:** The digital environment of journalism and media refers to the entire online ecosystem where journalistic and media content is

created, distributed, consumed, and evolves. It builds upon the broader concept of the digital media environment but focuses specifically on the journalistic aspects:

**Journalistic websites and platforms:** These serve as primary outlets for news and investigative pieces, often incorporating multimedia elements like videos, podcasts, and data visualizations<sup>3</sup>.

**Social media:** Journalists utilize social media platforms for reporting, fact-checking, audience engagement, and building communities<sup>4</sup>.

**Citizen journalism and user-generated content:** The digital environment empowers individuals to contribute their perspectives and experiences, adding new voices and angles to stories<sup>5</sup>.

– **New forms of media and journalistic practice:** The rise of the digital environment has spawned a plethora of new forms of media and journalistic practice, fundamentally altering how information is created, distributed, and consumed. Here are some notable examples:

**Social Media Journalism:** Journalists leverage platforms like Twitter, Facebook, and Instagram to report breaking news, engage with audiences, and share multimedia content. Live streaming, polls, and Q&A sessions foster real-time interaction and participation<sup>6</sup>.

**Citizen Journalism:** Ordinary people contribute news and information using social media, blogs, and online platforms. This democratizes news production, but raises concerns about verification and accuracy.

**Data Journalism:** Utilizes data analysis tools and visualization techniques to uncover patterns, trends, and insights from large datasets. This allows for deeper storytelling and evidence-based reporting.

**Algorithmic Journalism:** Algorithms play a role in curating and recommending content, personalizing news feeds, and automating aspects of news production. This raises concerns about potential bias and lack of human oversight<sup>7</sup>.

**Mobile Journalism (MoJo):** Journalists employ smartphones and readily available technologies to create high-quality video and audio content on the go. This enables agile reporting and democratizes the tools for content creation.

**Immersive Journalism:** Utilizes virtual reality (VR) and augmented reality (AR) technologies to place audiences in the heart of a story, offering a more immersive and interactive experience.

**Podcast Journalism:** Audio-based storytelling format gaining popularity, offering in-depth reporting, interviews, and investigative pieces in a readily accessible format often consumed on the go.

**Automated Journalism:** Software and algorithms are used to generate reports, summaries, and even entire news articles based on pre-defined parameters and

datasets. This raises concerns about job displacement and potential lack of nuance or critical thinking<sup>8</sup>.

**Personalized Journalism:** Tailoring news content and recommendations to individual users based on their browsing history, interests, and demographics, aiming for a more relevant and engaging experience. This raises questions about potential echo chambers and filter bubbles.

**Crowd sourced Journalism:** Collaboration between journalists and the public to gather information, verify facts, and co-create stories. This leverages collective intelligence and diverse perspectives but requires careful coordination and ethical considerations.

## **6. Research Tools:**

We will rely on various legal and regulatory texts related to the media in Algeria, including both new and old laws. We will compare these texts to each other and to foreign legal texts in order to make a comparison between Algerian media legislation and foreign media legislation.

## **7. Objectives:**

- The Circumstances and Reasons Behind the Enactment of Law No. 23-19
- The Identity of Law No. 23-19 and its Importance in the Context of Modern Algerian Media Legislation
- A Reading of the Content of Law No. 23-19
- A Critical Evaluation of Law No. 23-19 in Light of the Current Technological and Digital Transformation Taking Place in Algeria.

## **8. Significance of the Study:**

This study is significant because it will provide a timely and much-needed assessment of the effectiveness of Law No. 23-19 of December 2, 2023, on the Written and Electronic Press in the context of digital transformation. The findings of the study will be of interest to a variety of stakeholders, including journalists, media professionals, government officials, and academics.

## **THE CIRCUMSTANCES AND REASONS BEHIND THE ENACTMENT OF LAW NO. 23-19 OF DECEMBER 2, 2023 :**

Like all media laws in Algeria, Law No. 23-19 of December 2, 2023, on Information and Communication was preceded by similar circumstances.<sup>9</sup> These circumstances are similar to those that preceded the 1990 Media Law, the 12-05 Media Law, and the 23-14 Organic Law on Information. The Algerian legislator has a habit of enacting new organic or ordinary laws at each new stage that is controlled by internal and regional and international political, economic, and social circumstances, on the one hand, and the transformations that media practice

is experiencing, whether in Algeria or abroad, especially in terms of the technical aspect, and the development of journalistic and media activity in light of the technological development in the media itself. The following are some of the circumstances that accompanied the enactment of this new organic law on information:

### **1. The Political Context:**

Algeria experienced a sudden change in the political system, which resulted from popular and unpopular demands for the need to change the system before the resignation of the late President "Abdelaziz Bouteflika" after he intended to run for a fifth presidential term despite the health, political, economic, and social conditions that Algeria experienced at that time, and its effects are still felt to this day. Bouteflika stepped down from power, and early presidential elections were held amid many accelerating events, and the fall of many of the names that were controlling the political scene at that time. "Abdelmadjid Tebboune" took over the presidency of the country after winning the presidential elections held on December 12, 2019 as an independent candidate. The first commitment made by the new president of the country was to directly carry out extensive reforms at the level of the various state agencies and institutions, and to review the various laws and regulatory texts for many sectors and fields, including the field of media. Abdelmadjid Tebboune, on the day after his election as President of Algeria, gave importance to the national press by emphasizing on many occasions the need to inform the national press of the various developments and decisions.

### **2. The Changing Media Landscape in Algeria:**

This is through the increasing and noticeable shift towards electronic media, and the emergence of new forms of media and journalistic practice through the widespread use of social media networks, websites, and the Internet in general, as an alternative and space for practicing media activity. This has led to a tremendous explosion in media content and content that requires more organization, in addition to the inevitability of adopting media policies that ensure media security. This is what prompted the Algerian legislator to think about enacting new laws and regulatory texts, which began with Executive Decree No. 20-332 defining the practice of online media and publishing the response and correction via the website issued on November 25, 2020.

### **3. Lack of foresight in 2012 law:**

Despite being enacted in response to changing political landscapes, the 2012 law failed to provide a forward-looking vision for regulating the media sector. This is particularly concerning given its organic nature, which implies a long lifespan. As a result, it has failed to keep pace with the aspirations of the media

community and the evolving media landscape both domestically and internationally.

#### **4. Chaos in the media sector:**

The Algerian media landscape is characterized by chaos and disorganization. This is due to the proliferation of media outlets, particularly in the private sector, and the absence of effective regulatory bodies (the Print Media Regulatory Authority and the Audiovisual Regulatory Authority). Despite the 2012 law establishing these bodies and outlining their functions, and further provisions in the 2014 Audiovisual Law, the Algerian legislator was compelled to revisit the laws governing media and journalistic practices in the country.

#### **5. Dominance of financial interests in media institutions:**

This is reflected in certain provisions of the law, which will be discussed later. One of the main reasons the Algerian legislator enacted a new media law was to combat "corrupt money" and protect media and journalistic institutions from its influence. The aim is to prevent the media from being caught between the hammer of financial interests and the anvil of media and journalistic bankruptcy, as well as pressure from businessmen and investors in the media sector. Additionally, the law seeks to combat foreign exploitation.

### **CONTENT OF LAW NO. 23-19 OF DECEMBER 2, 2023:**

#### **1. The general form of the law**

- Date of Issue: December 2, 2023
- Reference as a Written Text: Official Gazette of the People's Democratic Republic of Algeria, No 77, page 4.<sup>10</sup>
- General Structure: Consists of 81 articles divided into six sections:
  - Section One: Contains general provisions in four articles
  - Section Two: Entitled "Activities of the Written Press", and includes two chapter , the first chapter on the publication of periodicals, and the second chapter on the distribution, sale and import of periodicals.
  - Section Three: Entitled "Activities of the Electronic Press", and includes 14 articles.
  - Section Four: Entitled "The Authority for the Regulation of the Written Press and the Electronic Press", and includes 20 articles.
  - Section Five: Entitled "Responsibility and the Right to Reply", from article 51 to article 67.
  - Section Six: Entitled "Offenses Committed in the Context of the Practice of the Written Press and the Electronic Press", and includes two chapter on "Administrative Offenses and Penalties and Criminal Provisions" from article 68 to article 81.



## 2. Analytical Reading of Legal Articles:

### Section One: General Provisions

This section lays the foundation for the entire law by defining its scope and key terms. Here's an analysis of the important points:

Article 1: Defines the law's purpose as setting the rules for written and electronic press activities and guaranteeing the freedom to practice them.

Article 2: Provides definitions for various terms related to print and electronic publications. These definitions clarify the types of publications covered by the law<sup>11</sup>.

Article 3: Ensures freedom for press activities, but emphasizes respect for the Constitution, other relevant laws, and regulations.

Article 4: Specifies who can own and operate media outlets:

Public entities (national and sector-specific)

Associations, political parties, and trade unions (within their governing laws)

Citizens of Algerian nationality only (individuals and legal entities, including those with foreign shareholders/partners)

Requirement for "wholly national capital" (meaning complete ownership by Algerian citizens/companies) for the last group.

### Section Two - Activity of the Written Press

This section dives deeper into the regulations governing periodical publications in Algeria. Here's an analysis of the key points:

Classification:

Periodicals are categorized into general information and specialized (Article 5).

Publication Requirements: A declaration with specific information is mandatory for publishing a periodical (Articles 6 & 7). This includes details about the publication, its director, ownership, and financing.

The director must meet certain qualifications, including Algerian nationality and relevant experience (Article 9). They are limited to managing one general information periodical within the same publishing frequency (Article 10).

Language: Arabic and Berber are the primary languages, with foreign language publications requiring ministerial approval (Article 11).

Printing requirements: Each issue must include specific details like the director's name, address, and printing information (Article 12). Printers are prohibited from printing without a valid declaration receipt (Articles 13 & 14).

Timeliness: The periodical must be published within six months of the declaration, and regular publication is expected (Articles 15 & 16).

Changes and Ownership: Any changes to the declaration details, including ownership structure, must be reported within 15 days (Article 17)<sup>12</sup>.

Ownership restrictions apply: One individual or legal entity cannot own/control more than one general information periodical within the same frequency (Article 18).

Individuals/entities cannot be shareholders in more than one such periodical (Article 18).

Content and Advertising: Advertising space is limited to one-third of the total content, and clear distinction from editorial content is required (Articles 19 & 20).

Supplements and special issues are allowed (Article 21).

Regional/local periodicals must dedicate at least half of their content to their coverage area (Article 22).

Deposit: Two copies of each periodical must be submitted to relevant authorities (Article 23).

This section outlines a comprehensive regulatory framework for print media in Algeria. The requirements for publication, director qualifications, and ownership restrictions are extensive. While some regulations aim to ensure transparency and professionalism, others, like ownership restrictions and language limitations, raise concerns about potential limitations on press freedom and diversity of viewpoints.

#### Distribution, Sale, and Import of Periodicals

This section focuses on regulations regarding the distribution, sale, and import of periodicals in Algeria. Here's a breakdown of the key points:

Distribution: Generally free, The distribution of periodicals, including foreign ones, is generally allowed (Article 24), subject to existing laws and regulations.

Restrictions on location: Selling periodicals through street vendors or in public spaces requires prior authorization from local authorities (Article 25).

Foreign periodicals: Importing foreign periodicals requires prior authorization from the Ministry of Communication, with specific procedures to be defined by regulations (Article 26).

Free distribution: Periodicals intended for free distribution by foreign entities or diplomatic missions require prior authorization from the Ministry of Foreign Affairs (Article 27)<sup>13</sup>.

This section introduces restrictions on the distribution and import of periodicals, particularly for foreign publications. While Article 24 suggests general freedom of distribution, the requirement for authorization in specific situations (sale location, import, free distribution by foreign entities) creates a potential barrier and raises concerns about potential limitations on access to diverse viewpoints.

### **Section Three - Activity of the Electronic Press**

This section outlines the regulations governing electronic press activity in Algeria. Here's an analysis of the key points:

#### **Declaration and Director:**

Similar to print media, electronic publications require a declaration with specific information (Article 28).

The director must meet similar qualifications as print media directors, including Algerian nationality and relevant experience (Article 31).

#### **Content and Hosting:**

The electronic press must operate through a website hosted exclusively in Algeria with a ".dz" domain extension (Article 33).

Online services primarily for advertising or personal websites/blogs don't qualify as electronic press (Article 34).

The website must display mandatory information like the director's name, registration number, and visitor count (Article 35).

The host must verify the declaration receipt before hosting the website (Article 36).

Regular content updates are expected (Article 37).

#### **Responsibilities and Access:**

The publishing institution is responsible for combating illegal content and notifying authorities (Article 38).

They are not liable for proven hacking/piracy, but must take steps to address it (Article 39).

**Content removal and storage:** Content, including removed content, must be kept for six months (Article 40).

The host must retain technical access records for six months (Article 41).

This section establishes a regulated framework for electronic press activity in Algeria. While some requirements aim for responsible online publishing, several aspects raise concerns:

- **Strict hosting restrictions:** Limiting hosting to Algeria with a specific domain extension potentially hinders access and diversity of information.

- **Nationality requirement for the director** restricts opportunities for foreign professionals and potentially limits access to diverse perspectives.

- **Content removal and data retention requirements** could be interpreted as limitations on freedom of expression, depending on their implementation.

### **Section Four - Regulatory Authority for the Written Press and the Electronic Press**

This section establishes a Regulatory Authority for overseeing the press in Algeria. Here's an analysis of its key features:

### Responsibilities:

Regulating press activity: Ensuring compliance with laws, encouraging media diversity, and guaranteeing regular publication and distribution (Article 42).

Monitoring and verification: Checking information accuracy, especially in finance and media management (Article 42)<sup>14</sup>.

Promoting quality and national culture: Upholding media standards and promoting national cultural identity (Article 42).

Regulating advertising: Setting limits for advertising content in electronic media (Article 42).

Advisory role: Issuing opinions on draft laws, responding to inquiries from legal entities, and cooperating with national/international bodies (Article 42).

### Composition and Structure:

Nine members appointed by the President for a five-year term, renewable once (Article 43).

Members are chosen for their expertise in media, law, economics, and research (Article 43).

The Authority has a President and an executive body led by a Secretary General (Articles 52, 55, & 56).

### Ethical Considerations and Independence:

Members are subject to conflict of interest and confidentiality rules (Articles 45, 46, & 50).

They are prohibited from engaging in media-related activities for two years after their term ends (Article 47).

The Authority's decisions can be appealed in court (Article 54).

### Funding and Accountability:

The Authority's budget comes from the state budget (Article 61).

It is accountable for its finances and submits an annual report (Article 60).

The establishment of a Regulatory Authority can potentially offer a framework for regulating the press industry. However, certain aspects raise concerns:

- Appointment by the President: This method of selecting the Authority raises questions about its potential independence from government influence.

- Broad regulatory powers: The Authority's extensive supervisory and monitoring powers, coupled with limitations on media ownership and content, could restrict press freedom and diversity of viewpoints.

- Limited judicial oversight: While decisions can be appealed, the extent of judicial review might be crucial in ensuring accountability and preventing arbitrary actions.

## Section Five - Responsibility, Right of Reply and Correction

This section outlines the legal framework for responsibility, right of reply, and correction in Algerian press publications. Here's a breakdown of the key points:

### Responsibility:

The publication director and their employer bear civil and criminal liability for all published content (Article 62)<sup>15</sup>.

### Right of Reply and Correction:

Individuals and entities can request a free right of reply or correction if they believe published information is inaccurate (Article 63).

The request must specify the contested information and the desired response/correction (Article 64).

Deadlines for submitting requests are 30 days for daily publications and 60 days for others (Article 64).

### Publication Requirements:

The publication director must publish the reply or correction in the same format, location, and font as the original article, without modifications (Article 65).

Publication deadlines are two days for daily publications, next issue for others, and immediate for electronic media (Article 65).

During election campaigns, daily publications must publish corrections within 24 hours (Article 66).

Replies or corrections cannot include new comments (Article 67).

Individuals can still exercise their right to reply or correction even if the initial response/correction included new comments (Article 67).

This section recognizes the right of reply and correction, allowing individuals to address potentially inaccurate information. However, some aspects raise concerns:

- Broad liability: Holding both the director and employer liable could have a chilling effect on free expression, as publishers might be overly cautious to avoid legal repercussions.

- Limited scope: The right to reply might not apply to all types of content, and the restrictions on additional comments in replies could limit the ability to fully address the original information.

## Section Six - Offenses and Penalties

This section outlines offenses and penalties related to the written and electronic press in Algeria, categorized as administrative and criminal offenses.

### Administrative Offenses and Penalties (Chapter One):

The Regulatory Authority can issue warnings for non-compliance with the law (Article 68).

In case of repeated non-compliance, the Authority can suspend a publication for 30 days, refer it to court for temporary suspension, or refer it for final suspension in specific cases (Articles 68 & 69)<sup>16</sup>.

The Authority can also require the publication to publish a notice acknowledging the violation and the penalties (Article 72).

Specific cases for final suspension by court:

- Transferring the declaration receipt (unclear intent)
- Continuous non-compliance

Owning multiple general information publications under the same system or owning one general information electronic newspaper (potential limitation on media ownership diversity)

- Bankruptcy or judicial composition

Immediate final suspension by court without warning:

Violations related to national security, territorial integrity, public order, religion, or public morals (broad categories with potential for misuse).

Initiating the warning procedure:

The Authority can act on its own initiative or upon notification from various entities (political parties, professional organizations, individuals) (Article 71).

Criminal Penalties (Chapter Two):

- Publishing periodicals without following declaration procedures: Fine and closure of premises/confiscation of materials (Articles 73 & 75).

- Creating electronic newspapers without following declaration procedures: Fine, website closure/blocking, closure of premises/confiscation of equipment (Articles 74 & 75).

Failing to declare changes in ownership or partners: Fine and potential closure of premises/website/confiscation of equipment (Article 75).

Printing periodicals or hosting electronic newspapers without declaration: Fine (Articles 76).

This section establishes a system of penalties for non-compliance with the press law. While some penalties aim to ensure compliance, several aspects raise concerns:

- Broad powers for the Regulatory Authority: The authority's extensive powers to issue warnings and refer publications for suspension, with limited judicial oversight, could restrict press freedom.

- Harsher penalties for electronic media: Some penalties, like website closure or blocking, appear harsher for electronic media compared to print.

- Ambiguous and broad bases for penalties: Concepts like "national security," "public order," and "public morals" are open to interpretation and could be used to restrict legitimate criticism or diverse viewpoints.

## **RESULTS:**

Here are the key conclusions we can draw:

**1. Extensive Regulations:** Algerian law imposes a comprehensive set of regulations governing periodical publications. These regulations cover various aspects, including classification, publication requirements, language, printing, timeliness, changes, ownership, content, advertising, distribution, sale, and import.

**2. Emphasis on Transparency and Professionalism:** Some regulations aim to ensure transparency and professionalism within the publishing industry. This is reflected in requirements for declaration of specific details, qualifications of directors, and regular publication schedules.

**3. Potential Limitations on Press Freedom:** However, certain regulations raise concerns about potential limitations on press freedom and diversity of viewpoints. These include:

- Ownership restrictions: Limiting individuals or entities from owning/controlling multiple general information periodicals within the same frequency and restricting shareholding in multiple such periodicals can potentially hinder competition and limit the range of voices reaching the public.

- Language limitations: Requiring ministerial approval for publications in languages other than Arabic and Berber can potentially restrict access to information and diverse perspectives.

- Authorization requirements: While Article 24 suggests general freedom of distribution, the need for authorization in specific situations like selling in specific locations, importing foreign publications, and free distribution by foreign entities can create potential barriers and raise questions about potential censorship.

**4. The Regulatory Authority has the potential to improve the press industry in Algeria:**

- Improved Press Activity: The Authority can ensure compliance with laws, encourage diversity, and guarantee regular publication (Article 42).

- Enhanced Quality and Culture: It can promote quality journalism, uphold media standards, and support national cultural identity (Article 42).

- Transparency and Accountability: The Authority's structure and ethical considerations aim for transparency and hold members accountable (Articles 45, 46, 50, 54, 60).

**5. However, certain aspects raise concerns about its potential impact on press freedom:**

– Government Influence: The President's appointment of members raises concerns about the Authority's independence from government control (Article 43).

– Limited Press Freedom: Broad regulatory powers and limitations on media ownership and content could restrict press freedom and diversity of perspectives (Article 42).

– Limited Judicial Review: The extent of judicial review of the Authority's decisions might be insufficient to guarantee accountability and prevent arbitrary actions (Article 54).

**6. Algeria prioritizes individual rights and information accuracy through the right of reply and correction in press publications:** This allows individuals to challenge potentially inaccurate information published about them.

**7. Strict regulations govern the process:** These involve specific deadlines, formatting requirements, and limitations on additional comments in replies.

**8. The system might have limitations:** The broad liability placed on both publication director and employer could discourage critical reporting due to fear of legal repercussions. Additionally, the limited scope and restrictions on replies might hinder individuals from fully addressing the concerns.

**9. Algeria implements a system of administrative and criminal penalties for press law violations:** This aims to enforce compliance with the regulations outlined in the law.

**10. Concerns exist regarding the potential for restricting press freedom. This is mainly due to:**

– Extensive powers of the Regulatory Authority: Their ability to issue warnings, refer publications for suspension with limited judicial oversight, and initiate proceedings based on notifications from various entities raise concerns about potential arbitrary application of the law and restriction of media freedom.

– Harsher penalties for electronic media: Penalties like website closure or blocking seem harsher compared to those for print media, potentially discouraging online publications and diversity of voices.

– Ambiguous and broad bases for penalties: Terms like "national security," "public order," and "public morals" lack clear definitions, leaving room for subjective interpretations and potential misuse to suppress critical views or diverse opinions.

**11. The system raises questions about the balance between ensuring compliance with press regulations and safeguarding press freedom:** While



maintaining certain regulations can be essential, the current structure seems to favor control over free expression.

## **LAW NO. 23-19 OF 2023 ON THE WRITTEN AND ELECTRONIC PRESS: KEY POINTS AND CHALLENGES:**

### **1. Main Features:**

– Extensive regulations: The law covers various aspects of periodical publications, including classification, language, printing, ownership, content, and distribution.

– Emphasis on transparency and professionalism: It requires specific details from publications, qualifications for directors, and regular publication schedules.

– Right of reply and correction: Individuals can challenge inaccurate information published about them.

– Regulatory Authority: A government body oversees the press industry, aiming to ensure compliance, promote quality, and support cultural identity.

– Penalties for violations: The law prescribes administrative and criminal penalties for non-compliance.

### **2. Challenges in the Digital Age:**

– Adapting to evolving practices: The law struggles to keep pace with the rapid development of digital media and new journalistic forms.

– Balancing control and freedom: The extensive regulations and broad powers of the Regulatory Authority raise concerns about potential restrictions on press freedom and online expression.

– Ambiguous terms and potential misuse: Vague language like "national security" and "public morals" used for penalties can be misused to suppress critical voices.

– Disparity in penalties: Harsher penalties for electronic media compared to print media can discourage online publications.

### **3. Key Provisions:**

– Articles 24-27: Guarantee freedom of distribution, with some limitations requiring authorization in specific cases.

– Articles 42-46: Define the responsibilities and authorities of the Regulatory Authority.

– Articles 49-51: Outline the composition and ethical considerations for the Regulatory Authority's members.

– Articles 63-69: Establish the right of reply and correction for individuals.

– Articles 70-79: Specify penalties for press law violations.

### **4. Recommendations for Effectiveness:**

– Review and update regulations: Regularly assess and revise the law to adapt to the evolving media landscape.

– Promote independent and transparent oversight: Ensure the Regulatory Authority functions with greater autonomy and transparency.

- Clearly define limitations and penalties: Establish clear and specific definitions for terms used to restrict expression or impose penalties.
- Proportionate penalties: Implement penalties that are fair and do not unfairly target specific media types.
- Encourage diverse media and voices: Foster an environment that supports a variety of media outlets and diverse viewpoints.

### **5. Future-proofing the Law:**

The law's ability to adapt to new forms of media practice will depend on its flexibility and commitment to core principles like press freedom and freedom of expression. Regular reviews, promoting independent oversight, and embracing clear communication can help the law evolve alongside the dynamic media landscape.

### **CONCLUSION:**

Algeria's Law No. 23-19 on the Press aims for professionalism and responsible journalism. However, its extensive regulations and broad powers granted to the government raise concerns about press freedom, especially online.

While the law guarantees individuals the right to reply and outlines responsibilities for the regulating body, challenges remain. Adapting to the ever-changing digital landscape and ensuring clear communication regarding limitations and penalties are crucial.

To be effective, the law needs regular updates, independent oversight, and a commitment to protecting press freedom and diverse voices in the digital age. Only then can it truly support a thriving and responsible media landscape.

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