

Neighborhood Gangs in Algeria under the Legal Approach: The Legislative Framework and Deterrence Mechanisms between Effectiveness and Challenges.

ATMANI FATIMA

University of Algiers 3, athmanifatima2023@gmail.com

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Abstract: Over the past decade, Algeria has witnessed a dramatic escalation in the phenomenon of neighborhood gangs, a form of organized urban criminality threatening public security and social cohesion. Emerging primarily in the context of large-scale urban relocation programs toward newly constructed residential complexes lacking adequate security infrastructure, this phenomenon has entrenched itself as a persistent social pathology across Algeria's major cities. In response to the inadequacy of pre-existing criminal legislation, the Algerian legislator enacted Order No. 20-03 of August 30, 2020, on the Prevention and Combat of Neighborhood Gangs, confirmed by Law No. 20-12 of October 22, 2020. This article undertakes a comprehensive critical analysis of the Order, examining its definitional framework, preventive institutional architecture, victim protection mechanisms, procedural innovations, and graduated penal sanctions system. Adopting a descriptive-analytical legal methodology supplemented by comparative reference to French and Canadian experiences, the study finds that while Order 20-03 constitutes a structurally coherent legislative instrument, its deterrent value remains constrained by the failure to operationalize its preventive mechanisms and the persistence of socioeconomic root causes.

Keywords: neighborhood gangs, Algeria, Order 20-03, penal deterrence, urban security, gang prevention

Corresponding author: Atmani fatima, e-mail: athmanifatima2023@gmail.com

Introduction:

The phenomenon of neighborhood gangs in Algeria has evolved from a marginal social concern into one of the most pressing security and governance challenges confronting the state and its citizens. Over the past decade, Algerian society has witnessed a systematic and geographically expanding entrenchment of organized criminal groups operating within residential neighborhoods, deploying violence, intimidation, and territorial domination as instruments of control over civilian populations. This development is neither accidental nor isolated; it is deeply embedded in a set of structural transformations that have reshaped Algeria's urban landscape, altered community dynamics, and exposed critical vulnerabilities in the country's security architecture.

As documented in the academic literature, most major Algerian cities experienced large-scale relocation programs that displaced populations from informal and fragile settlements toward newly constructed residential complexes that were built rapidly under state housing programs but were systematically deprived of adequate police and gendarmerie coverage (Barakat and Masika, 2021, p. 39). The resulting vacuum of social control and institutional presence created fertile conditions for the emergence and consolidation of neighborhood gangs. Scholarly research further underscores that the daily news cycle in Algeria's major urban centers has become inseparable from incidents and crimes committed by these criminal formations, generating a pervasive climate of insecurity and social anxiety that corrodes the fabric of civic life (GribHaeythem and Balgith, 2024, p. 612).

The Algerian state's legislative response culminated in Order No. 20-03 of August 30, 2020, on the Prevention and Combat of Neighborhood Gangs, confirmed by Law No. 20-12 of October 22, 2020. Notwithstanding this significant legislative intervention, a substantial body of scholarship has consistently noted that the phenomenon has persisted and in certain respects intensified, raising fundamental questions about the relationship

between legislative design, institutional activation, and practical deterrent effect (Abdulkarim, 2026, p. 162; Makhluhi, 2023, p. 114).

The research question governing this article is the following: Does Order No. 20-03 constitute a sufficient and effective legal framework to combat neighborhood gang crime in Algeria, or does the gap between legislative text and practical application continue to undermine its deterrent value? The study advances three working hypotheses: first, that Order 20-03 introduces a comprehensive definitional and criminalization framework superior to the prior legal arsenal; second, that the preventive institutional mechanisms remain insufficiently activated in practice; and third, that effective deterrence requires complementary socioeconomic and community-based policies beyond criminal law.

The methodology is primarily descriptive-analytical, engaging in close textual analysis of Order 20-03's forty articles and Executive Decree No. 21-123 of March 29, 2021, supplemented by comparative reference to the French and Canadian experiences (Brahimi, 2023, p. 75). The article proceeds as follows: Section II establishes the conceptual and definitional framework; Section III examines the legislative context; Sections IV through VI analyze the preventive, victim protection, and procedural mechanisms; Section VII examines the penal sanctions system; Section VIII offers an effectiveness assessment; and Section IX presents conclusions and recommendations.

II. Conceptual and Definitional Framework of Neighborhood Gangs:

2.1 Sociological and Academic Definitions:

Any rigorous legal and political analysis of neighborhood gang criminality must be grounded in a clear conceptual understanding of the phenomenon. Dr. Haeythem Grib defined neighborhood gangs as a group of individuals sharing certain traits rejected by society and contrary to social values, customs, and traditions, who engage in habitual deviant and criminal conduct within a framework of two or more persons, routinely inciting panic and fear in residential populations, typically armed with

bladed weapons and trained attack dogs, for the purpose of imposing control over residential neighborhoods and creating an atmosphere of insecurity (GribHaeythem and Balgith, 2024, p. 613). This definition emphasizes the sociological dimension of shared deviant identity, the habitual character of criminal conduct, and the specific instrumental methods deployed as expressions of a deliberate strategy of territorial intimidation.

Professor Smira Bittam characterized neighborhood gang activity as involving communication and coordination between individuals from different residential areas who conspire to plan and execute criminal acts such as residential burglaries or physical assaults, and that the gang's composition is not required to remain confined within a single neighborhood but extends to outsiders engaged in criminal activity (Bittam, 2020). This formulation rejects any requirement that gang membership be spatially confined to a single neighborhood, recognizing that criminal networks frequently transcend neighborhood boundaries and recruit participants from diverse residential contexts.

Ms. Musa'id Ilham Houriya's definition offers a victim-centered perspective, encompassing every physical, moral, or verbal assault that carries within its meaning any form of intimidation or terror inflicted upon others (Musa'id, 2020, p. 74). While broad, this definition has the merit of centering the analysis on the harm experienced by victims and provides a normative foundation for the victim protection mechanisms embedded in Order 20-03. From the international perspective, a gang has been described as a group of youth - most likely those aged sixteen or older - with a clear organizational structure, whose members interact frequently, gather in a particular neighborhood, use collective symbols for identification, and engage in acts of violence including threats, intimidation, and drug-related crimes (North Carolina Department of Public Safety, n.d., p. 3).

A comparative synthesis reveals convergences and divergences across these definitions. All four frameworks recognize the centrality of fear and

intimidation, the significance of collective action, and the territorial character of gang operations. Divergences appear with respect to age threshold, spatial scope, organizational formality, and the inclusion of drug criminality. These tensions have direct implications for the legislative definition analyzed in the following section.

2.2 The Legal Definition under Order No. 20-03:

Article 2 of Order No. 20-03 (2020) defines a neighborhood gang as every group, under whatever designation, composed of two or more persons belonging to one or more residential neighborhoods, which commits one or several acts with the purpose of creating an atmosphere of insecurity in residential neighborhood environments or in any other spatial setting, or with the purpose of imposing control over them, through moral or physical assault against others, or by exposing their lives, freedoms, or security to danger, or by damaging their property, while carrying or using bladed weapons, whether visible or concealed (Order No. 20-03, 2020, Art. 2). The same article specifies that moral assault includes every verbal assault capable of creating fear or terror in others, such as threats, insults, slander, defamation, intimidation, or deprivation of a right.

A rigorous doctrinal analysis identifies six constitutive elements. The first is the plurality of persons: the gang must be composed of a minimum of two individuals, a threshold deliberately set low to capture the most common manifestations of gang activity. As one scholar observed, this definitional choice represents a significant departure from traditional criminal law categories that typically required a larger minimum membership (Ben Khalifa, 2021, p. 1287). The second is the residential nexus: members must belong to one or more residential neighborhoods, with no requirement that all members originate from the same neighborhood, incorporating the insight that criminal networks transcend spatial boundaries (Barakat and Masika, 2021, p. 40). The third is the criminal purpose: the conduct must be directed at creating insecurity or imposing territorial control - distinguishing gang criminality from ordinary group violence and recognizing gangs as forms of counter-sovereign domination. The fourth encompasses the means of commission, covering

both moral and physical assault, with moral assault defined expansively to include threats, insults, defamation, and deprivation of rights. The fifth is the instrumental requirement: the carrying or use of bladed weapons, whether visible or concealed. The sixth is the definition of bladed weapons as all cutting, piercing, or blunt instruments and devices capable of causing bodily harm or threatening public security, as defined in Order No. 97-06 of January 21, 1997, which classifies such weapons in Category Six (Order No. 20-03, 2020, Art. 2).

From a critical doctrinal perspective, the multi-element structure of the definition serves as a safeguard against over-criminalization (Uqbawi, 2022, p. 91). However, concerns arise about evidentiary ambiguity, particularly with respect to proving the specific intent to create insecurity or impose territorial control, which may present significant challenges for prosecutors (Ben Khalifa, 2021, p. 1290). Despite these tensions, the definition represents a landmark contribution: for the first time in Algerian criminal law, neighborhood gang activity has been given a precise, purpose-specific legal definition capable of generating coherent jurisprudence.

III. Legislative Context and Emergence of Order No. 20-03:

3.1 Failure of the Pre-existing Legal Arsenal:

Prior to Order 20-03, Algerian criminal law addressed gang-related violence through general provisions on assault, criminal association, and public disorder. These provisions suffered from a fundamental structural limitation: they were designed to address criminality in its individual or generic collective dimensions and lacked the specificity necessary to capture the distinctive features of neighborhood gang activity as a territorial, organizational, and purposive phenomenon. The application of generic assault provisions to gang violence failed to address the collective and territorially-oriented character of the conduct, treating it as a more serious form of individual violence rather than as a qualitatively distinct social and criminal phenomenon (Falih, 2021, p. 485). The absence of specific criminalization of gang membership, organization, financing, or support

constituted a critical gap, allowing the non-violent periphery of gang structures to operate with relative impunity (Makhlufi, 2023, p. 115). The failure to address the territorial dimension of gang activity in prior law meant that the specific harm of insecurity creation was legally invisible, as individual criminal acts could be prosecuted only for the harm they caused to specific identified victims (Barakat and Masika, 2021, p. 39).

3.2 Socio-Urban Drivers of Gang Proliferation:

The emergence of neighborhood gangs as a mass social phenomenon in Algeria is rooted in structural socio-urban processes. The large-scale urban relocation program displaced hundreds of thousands of residents from established community environments toward newly constructed residential complexes characterized by high population density, rapid construction, and a systematic absence of social, cultural, and security infrastructure (Barakat and Masika, 2021, pp. 39-40). Field research in the new city of Draa Riche, Annaba, documented how relocation disrupted existing social networks, depositing populations into environments that were simultaneously overcrowded and socially anonymous, with the study concluding that neighborhood gangs have become a daily reality for residents of new cities (Maddah, 2024, pp. 331, 344). The phenomenon spread progressively from new urban complexes to adjacent established neighborhoods and cities, demonstrating a capacity for geographic diffusion that outpaced the state's law enforcement response (Zantut, 2023, p. 12). Youth unemployment and social marginalization constitute a second structural driver (, while the role of social media and information and communication technologies in glorifying gang activity constitutes a third driver that complicates traditional law enforcement responses.(GribHaeythem and Balgith, 2024, p. 614)

3.3 The Legislative Response: Order 20-03 and Its Confirmation by Law 20-12:

Order No. 20-03 of August 30, 2020 was issued by President Abdelmadjid Tebboune during the parliamentary recess and confirmed by Parliament as Law No. 20-12 on October 22, 2020. The issuance of a

modern legal arsenal that defined gang formations, established accusation and conviction criteria, and tightened penalties represented a decisive step forward in Algeria's legislative response to organized urban criminality (Kharshaf, 2022, p. 804). The decision to address neighborhood gang criminality through a standalone legislative text rather than amendments to the Penal Code reflected a deliberate policy choice to signal the qualitative distinctiveness of the phenomenon and to establish a comprehensive, purpose-specific normative framework combining preventive, procedural, and penal elements within a single coherent instrument.

IV. Preventive Mechanisms under Order No. 20-03:

4.1 The National Prevention Strategy (Articles 3–6):

Order No. 20-03's architecture rests on a foundational commitment to prevention as the primary long-term instrument for addressing neighborhood gang criminality. Article 3 imposes upon the state the obligation to prepare a national prevention strategy for neighborhood gangs with the explicit purpose of preserving public security and tranquility and protecting persons and their property (Order No. 20-03, 2020, Art. 3). Article 4 elaborates five specific preventive measures that the state, public administrations, and local communities are obligated to adopt (Order No. 20-03, 2020, Art. 4). The first is the adoption of early warning, alerting, and early detection mechanisms for neighborhood gang activity. The second consists of information and awareness campaigns concerning the risks of gang membership and the effects of the use of information and communication technologies in promoting gang activity, directly addressing the social media dimension documented in the literature (Abdulkarim, 2026, p. 165). The third involves the promotion of institutional cooperation. The fourth requires the provision of balanced security coverage for residential neighborhoods, directly acknowledging the security vacuum identified as a primary enabling condition for gang formation (Barakat and Masika, 2021, p. 39). The fifth mandates a general policy in the implementation of residential housing programs that takes into account the requirements of

crime prevention. Articles 5 and 6 extend the preventive architecture by mandating the involvement of civil society and the private sector and imposing on media outlets the obligation to include gang prevention messaging in their programming (Order No. 20-03, 2020, Arts. 5-6).

4.2 The National Prevention Committee (Articles 7–10):

The institutional centerpiece of Order 20-03's preventive architecture is the National Prevention Committee for Neighborhood Gangs, established by Article 7 and placed under the authority of the Minister of the Interior. The Committee's mandate, as enumerated in Article 8, is extensive and multifunctional, encompassing the preparation of the national prevention strategy draft and its submission to the government; the collection and centralization of data relating to gang prevention; the definition of standards and methods for prevention; the proposal of measures to ensure effectiveness; the assurance of information exchange and coordination among all actors; the evaluation of legal and administrative instruments; and the monitoring and evaluation of provincial committee activities across all 69 wilayas (Order No. 20-03, 2020, Art. 8). The pluralistic composition specified in Article 9 and elaborated in Executive Decree No. 21-123 of March 29, 2021 includes representatives of concerned ministries and public institutions, security services, civil society, and specialists in criminology, sociology, and psychology (Order No. 20-03, 2020, Art. 9). Article 10 establishes an annual reporting obligation to the President of the Republic, creating a direct line of accountability to the head of state (Order No. 20-03, 2020, Art. 10).

4.3 The Provincial Prevention Committees (Articles 11–13):

The territorial implementation of the national prevention strategy is entrusted to Provincial Prevention Committees established by Article 11. Article 12 assigns these committees ten operational missions: the implementation of the national strategy at the local level; the early detection of gang activities and notification of relevant authorities; the development of awareness programs; the study and analysis of local gang activity and surrounding factors; the prioritization of youth-focused prevention

programs; the execution of National Committee directives; the notification of competent judicial authorities of known offenses; the submission of proposals to local authorities for public facilities and prevention measures; and the preparation of periodic and annual reports transmitted to the National Committee (Order No. 20-03, 2020, Art. 12). Article 13 specifies a composition including representatives of public administrations, security services, civil society, locally elected officials, and specialists in criminology, sociology, and psychology (Order No. 20-03, 2020, Art. 13).

The critical evaluation of the provincial committee mechanism must acknowledge the significant gap between normative ambition and documented reality. Provincial committees remain largely inactive or absent across most of Algeria's forty-eight provinces, the national strategy has not been formally adopted, and inter-agency coordination mechanisms have not been fully activated (Hammani, 2022, p. 147; Buhlit, 2022, p. 208; Kharshaf, 2022, p. 810). As one scholar noted, deterrence is achieved through the practical activation of procedures aimed at achieving prevention, and the non-activation of provincial committees represents a critical failure point in the implementation chain (Abdulkarim, 2026, p. 168).

V. Victim Protection Mechanisms:

One of the most doctrinally innovative dimensions of Order No. 20-03 is its dedicated chapter on victim protection contained in Articles 14 through 16. Article 14 establishes the state's guarantee to victims of comprehensive healthcare, psychological, and social support, ensuring their security, safety, physical and psychological integrity, and dignity, while facilitating their access to justice (Order No. 20-03, 2020, Art. 14). The comprehensiveness of this guarantee extends beyond physical medical care to encompass psychological support — an acknowledgment of the traumatic impact of gang violence. The psychological dimension of gang violence — the systematic creation of fear and subjugation — is in many respects more socially damaging than physical harm, and the legislative

recognition of this dimension constitutes an important normative advance (Musa'id, 2020, p. 74).

Article 15 confers upon victims two automatic entitlements: legal aid as of right, without means testing, and the application of existing legislative provisions on witness and victim protection (Order No. 20-03, 2020, Art. 15). The automatic conferral of legal aid is particularly significant in the Algerian context, where financial barriers to justice access represent a significant obstacle for victims drawn from economically marginalized residential communities. Article 16 introduces the emergency injunction mechanism, enabling any victim to petition the emergency judge for the adoption of any conservatory measure necessary to put an end to ongoing aggression, enforceable under a daily compulsory payment (Order No. 20-03, 2020, Art. 16). This mechanism, adapted from civil law provisional measures to the criminal context of gang intimidation, provides victims with a practical, rapid, and judicially enforceable remedy filling a critical gap in the pre-existing legal framework (Ben Khalifa, 2021, p. 1295).

VI. Procedural Rules and Investigation Mechanisms:

The procedural chapter of Order No. 20-03, comprising Articles 17 through 20, introduces innovations to Algerian criminal procedure designed to facilitate the investigation and prosecution of gang offenses. Article 17 establishes the principle of mandatory *ex officio* prosecution by the public prosecutor whenever a gang offense is of a nature to threaten public security and public order, overriding the general principle that criminal prosecution requires a prior victim complaint (Order No. 20-03, 2020, Art. 17). This means that prosecution cannot be blocked by the unwillingness or intimidation of individual victims — a particularly important safeguard given gang formations' tendency to intimidate potential witnesses into silence.

Article 18 extends standing to file complaints and join proceedings as civil parties to national associations active in the field of human rights and neighborhood associations, creating an institutional mechanism through which organized civil society can exercise a prosecutorial function in the

public interest (Order No. 20-03, 2020, Art. 18). This constitutes an important mechanism for democratizing access to criminal prosecution and ensuring that victimized communities are represented in judicial proceedings (Uqbawi, 2022, p. 95). Article 19 provides that sentences imposed under the Order are cumulated with any other custodial sentences (Order No. 20-03, 2020, Art. 19). Article 20 authorizes the use of special investigation techniques as provided in existing legislation, for the purpose of facilitating evidence collection relating to gang offenses (Order No. 20-03, 2020, Art. 20). The availability of special investigation techniques constitutes one of the key procedural advantages of Order 20-03 over the pre-existing framework, providing prosecutors and investigating judges with tools necessary to penetrate gang organizational structures and gather evidence against leaders and financiers (Brahimi, 2023, p. 82).

VII. The Penal Sanctions System: Criminalization and Graduated Deterrence:

7.1 The Architecture of Criminal Offenses:

The penal chapter of Order No. 20-03, spanning Articles 21 through 38, establishes a comprehensive and carefully graduated system of criminal offenses and sanctions covering every dimension of participation in, support for, and facilitation of neighborhood gang activity.

Article 21 establishes the foundational offense category, imposing three to ten years imprisonment and a fine of 300,000 to 1,000,000 Algerian dinars upon any person who establishes, organizes, or joins a neighborhood gang with knowledge of its purposes, or recruits persons for the benefit of a gang (Order No. 20-03, 2020, Art. 21). Article 22 elevates the penalty substantially for gang leaders and commanders, imposing ten to twenty years imprisonment and a fine of 1,000,000 to 2,000,000 dinars, with the minimum raised to fifteen years if aggravating circumstances under Article 29 are present (Order No. 20-03, 2020, Art. 22). The explicit targeting of gang leadership as a distinctive offense category is particularly important, as the prior criminal law's failure to specifically criminalize criminal

command authority had allowed gang leaders to operate behind organizational screens (Uqbawi, 2022, p. 94).

Article 23 addresses the support network sustaining gang operations, imposing two to five years imprisonment and a fine of 200,000 to 500,000 dinars on persons who knowingly finance a gang, support its activities, provide meeting or lodging facilities, conceal members, or obstruct arrest (Order No. 20-03, 2020, Art. 23). The enumeration of these accessory conduct forms within a specific criminal offense closes the doctrinal gaps that previously allowed the non-violent periphery of gang structures to escape accountability (Kharshaf, 2022, p. 812). Article 24 provides for five to twelve years imprisonment and a fine of 500,000 to 1,200,000 dinars for coercing a person to join a neighborhood gang or preventing their withdrawal (Order No. 20-03, 2020, Art. 24).

Article 25 addresses the most physically dangerous manifestation of gang activity: armed confrontations between gang formations. The article imposes five to fifteen years imprisonment for participation in inter-gang violence during which a gang member is killed; mandates life imprisonment when a non-member is killed; provides two to seven years for injuries; and doubles the minimum sentence for nighttime occurrences (Order No. 20-03, 2020, Art. 25). Article 26 targets the supply chain providing gangs with their means of violence, imposing five to twelve years imprisonment for the manufacture, importation, distribution, or sale of bladed weapons for gang use (Order No. 20-03, 2020, Art. 26). Article 27 criminalizes the failure to report known gang offenses, imposing six months to two years or a fine of 60,000 to 200,000 dinars (Order No. 20-03, 2020, Art. 27). Article 28 imposes one to five years imprisonment for retaliation, intimidation, or threats directed against victims, witnesses, or reporters (Order No. 20-03, 2020, Art. 28). Articles 30 and 31 establish criminal liability for legal persons and provide that attempt is punished as a completed offense (Order No. 20-03, 2020, Arts. 30-31). Article 32 provides for mandatory confiscation of instruments and proceeds, and Article 36 treats instigation as equivalent to the principal offense (Order No. 20-03, 2020, Arts. 32, 36).

7.2 Aggravating Circumstances (Article 29):

Article 29 establishes six aggravating circumstances whose presence doubles the minimum custodial sentence: the recruitment of a child or person with a disability or mental incapacity; commission through violation of the sanctity of a home; the use of information and communication technologies; the carrying or use of a firearm, incendiary bottles, fireworks, incapacitating aerosol devices, tear gas, or attack dogs; commission under the influence of narcotics or psychotropic substances; and perpetration by more than twelve persons (Order No. 20-03, 2020, Art. 29). Each factor reflects a specific legislative judgment about enhanced culpability. The use of ICT reflects the contemporary reality that social media has become critical infrastructure for gang recruitment and glorification, and its deliberate deployment warrants enhanced punishment. The large-group circumstance recognizes that the presence of more than twelve armed individuals in residential areas generates a qualitatively higher level of danger than smaller gang formations.

7.3 Immunizing and Mitigating Mechanisms:

Article 33 establishes a two-tier immunity system: the first tier grants full exoneration from punishment to any person who, before prosecution proceedings are initiated, informs authorities of a gang offense and assists in identifying or arresting its perpetrators; the second tier, applicable after proceedings commence, reduces the applicable penalty to half for persons cooperating in the arrest of participants or identification of contributors (Order No. 20-03, 2020, Art. 33). Article 35 imposes a constraint on mitigating circumstances: a convicted person may not benefit from mitigating circumstances to reduce their sentence below half the statutory minimum (Order No. 20-03, 2020, Art. 35). Article 37 mandates the doubling of penalties upon recidivism, and Article 38 applies the security period regime — prohibiting early release — to all gang offenses (Order No. 20-03, 2020, Arts. 37-38).

7.4 Critical Evaluation of the Penal Framework:

The graduated structure of offenses reflects a defensible judgment about the relative culpability of different forms of gang participation (Ben Khalifa, 2021, p. 1296), and the immunity provisions and restriction of mitigating circumstances together create a system that is both incentive-compatible and deterrence-focused. However, important concerns arise about the practical operability of the penal framework in the face of evidentiary challenges (Uqbawi, 2022, p. 96; Falih, 2021, p. 492). The proof of gang membership and criminal purpose requires evidence of specific intent that is often difficult to establish beyond reasonable doubt. The paradox that despite the Order's severity the phenomenon has persisted suggests that penal deterrence cannot substitute for the preventive and socioeconomic interventions that the Order also contemplates but which have not been adequately implemented (Abdulkarim, 2026, p. 170).

VIII. Effectiveness Assessment: Achievements and Persistent Challenges:

8.1 Legislative Strengths of Order No. 20-03:

Prior to Order 20-03, Algerian criminal law lacked the conceptual and normative infrastructure to address neighborhood gang criminality in its organizational, territorial, and purposive dimensions. The Order remedies this deficit through several important innovations. The introduction of a specific, comprehensive legal definition in Article 2 provides a doctrinal foundation enabling prosecutors and judges to address the collective and territorial dimensions of gang criminality rather than being confined to the prosecution of individual constituent offenses — the Order's most fundamental contribution to Algerian criminal law (Falih, 2021, p. 485). The graduated criminalization system achieves comprehensive coverage of all roles within the gang structure, eliminating the peripheral impunity that had protected the non-violent elements of gang organizations under prior law, with the specific criminalization of gang financing and support activities in Article 23 being particularly important (Kharshaf, 2022, p. 812). The victim-centered innovations of Articles 14 through 16 represent a meaningful advance in the legal protection of gang crime victims. The multi-actor preventive architecture integrating state institutions, civil

society, the private sector, and the media reflects a sophisticated understanding of prevention as a whole-of-society endeavor, with the legislative design of this architecture being genuinely innovative within the Algerian normative tradition (Hammani, 2022, p. 148).

8.2 Comparative Reference: French and Canadian Experiences:

The comparative analysis of the French and Canadian experiences provides a valuable international perspective (Brahimi, 2023, pp. 78-85). The French approach is characterized by the close integration of criminal law responses with urban renewal policies, social investment in disadvantaged neighborhoods, educational and vocational programs targeted at at-risk youth, and community policing strategies. The key lesson is that legal deterrence cannot function effectively in isolation from a broader urban policy addressing structural conditions of social exclusion and institutional distrust that enable gang recruitment and persistence. The Canadian experience has placed greater emphasis on community-based prevention models — including mentoring programs, gang exit pathways, restorative justice mechanisms, and community outreach initiatives — engaging directly with at-risk youth and former gang members as agents of their own reintegration (Brahimi, 2023, pp. 82-85). The common thread is that sustainable reduction in gang criminality requires addressing the social and economic root causes of gang formation alongside criminal law deterrence mechanisms.

8.3 Persistent Challenges and Structural Gaps:

Order No. 20-03 confronts a set of persistent challenges that significantly constrain its practical effectiveness. The first and most fundamental challenge is the implementation gap: the phenomenon has continued to spread despite the new legal framework, as the Order's normative ambition has not been matched by the operational investments necessary to translate legal provisions into enforcement outcomes (Abdulkarim, 2026, p. 168). This gap is attributable primarily to the failure to operationalize the Order's preventive architecture, which remains largely

aspirational in the absence of functioning prevention committees, a coherent national strategy, and the cross-sectoral coordination that the Order contemplates (Makhlufi, 2023, p. 120).

The second challenge is the non-activation of prevention committees: provincial committees remain largely unestablished or ineffective across the majority of Algeria's forty-eight provinces, the national strategy has not been formally adopted, and media obligations under Article 6 have been implemented only partially (Hammani, 2022, p. 149; Buhlit, 2022, p. 215; Kharshaf, 2022, p. 814). The third challenge is the persistent security coverage deficit: despite the explicit mandate of Article 4, the structural absence of adequate police and gendarmerie presence in new urban residential complexes has not been systematically addressed (Barakat and Masika, 2021, p. 39), and field research confirms that new city residents continue to experience this security vacuum as a defining feature of their daily lives (Maddah, 2024, p. 342).

The fourth challenge concerns the socioeconomic root causes of gang formation, which lie entirely beyond the reach of criminal law intervention. Youth unemployment, educational failure, social exclusion, and the absence of recreational, cultural, and vocational infrastructure in new residential areas constitute the deep structural drivers of gang recruitment that no penal framework, however sophisticated, can independently address (Zantut, 2023, p. 18; GribHaeythem and Balgith, 2024, p. 617). The fifth challenge is the role of ICT and social media in enabling gang activity in ways that transcend the capacity of traditional policing, including the use of platforms for gang recruitment, the glorification of gang culture, and the coordination of criminal activities (Abdulkarim, 2026, p. 165; Makhlufi, 2023, p. 122). The sixth challenge is the persistent problem of recidivism: the strong empirical link between neighborhood gang crime and repeat offending suggests that custodial sentences alone do not achieve rehabilitation, and the absence of meaningful reintegration programs means offenders are frequently returned to the same structural conditions that contributed to their initial gang involvement (Bittam, 2020). The seventh challenge concerns legal gaps in the definitional and evidentiary framework: the

ambiguity of the standards required to prove gang purpose and the creation of insecurity creates practical difficulties for prosecutors and risks the over-criminalization of ordinary group disputes (Ben Khalifa, 2021, p. 1298; Zantut, 2023, p. 20).

IX. Conclusions and Policy Recommendations:

This article has undertaken a comprehensive critical analysis of Order No. 20-03 of August 30, 2020, evaluating its definitional framework, preventive institutional architecture, victim protection mechanisms, procedural innovations, and graduated penal sanctions system. The analysis supports the following conclusions. The first hypothesis is confirmed: Order 20-03 introduces a comprehensive definitional and criminalization framework structurally superior to the prior legal arsenal. The second hypothesis is confirmed: the preventive institutional mechanisms remain insufficiently activated in practice, neutralizing a substantial portion of the Order's anticipated preventive effect. The third hypothesis is confirmed: effective and durable deterrence requires a coordinated set of complementary socioeconomic, urban, educational, and community-based interventions that address the structural drivers of gang formation.

Seven concrete policy recommendations emerge from this analysis. The first and most urgent recommendation is the immediate activation of all provincial prevention committees across Algeria's forty-eight provinces, with the allocation of dedicated operational budgets, permanent secretariats, and qualified personnel under Executive Decree No. 21-123 of March 29, 2021. Without functioning provincial committees, the Order's preventive architecture exists on paper alone, and the crucial local-level functions contemplated by Article 12 cannot be performed (Order No. 20-03, 2020, Art. 12).

The second recommendation is the systematic integration of crime prevention requirements into all future urban housing program designs, as contemplated by Article 4. Future housing programs should incorporate security infrastructure, community facilities, police and gendarmerie posts,

social services, cultural centers, and recreational spaces that sustain social cohesion and reduce the conditions in which gang formation flourishes (Order No. 20-03, 2020, Art. 4).

The third recommendation calls for the development of a national employment strategy specifically targeting youth in high-gang-density urban areas. Youth unemployment and social marginalization are among the most powerful drivers of gang recruitment (GribHaeythem and Balgith, 2024, p. 617; Zantut, 2023, p. 22), and no penal or preventive framework can be sustainably effective in the absence of legitimate alternatives to gang membership.

The fourth recommendation is the mandating of digital literacy and counter-gang-glorification programs across all educational institutions and public media platforms, in fulfillment of the obligations established by Articles 5 and 6 (Order No. 20-03, 2020, Arts. 5-6). Countering the glorification of gang culture on social media requires both regulatory action against platforms hosting such content and affirmative educational investment in media literacy programs.

The fifth recommendation involves substantial investment in rehabilitation and reintegration programs for incarcerated gang members, designed to address the recidivism problem (Bittam, 2020) and ensure that custodial sentences produce genuine rehabilitative outcomes. Evidence-based rehabilitation programs combining psychological support, vocational training, educational development, and mentoring by former gang members should be developed systematically in correctional facilities.

The sixth recommendation is a legislative amendment to Order 20-03 to introduce clearer evidentiary guidelines for the application of Article 2's constitutive elements, particularly the gang purpose and insecurity creation requirements, avoiding both the under-prosecution of genuine gang formations and the over-criminalization of ordinary group conflicts (Ben Khalifa, 2021, p. 1299; Zantut, 2023, p. 21).

The seventh recommendation is the pursuit of international cooperation frameworks and the systematic adaptation of French and

Canadian best practices to the Algerian context, building on the comparative analysis demonstrating the value of integrated prevention and enforcement approaches (Brahimi, 2023, pp. 85-91).

In conclusion, Order No. 20-03 represents a significant, structurally coherent, and doctrinally sophisticated legislative advance in Algeria's response to the neighborhood gang phenomenon. Its definitional framework is precise, its criminalization architecture is comprehensive, its victim protection provisions are innovative, and its preventive institutional design is ambitious. Yet the Order's deterrent value will remain constrained, and the neighborhood gang phenomenon will continue to threaten the security and dignity of Algerian communities, until the preventive architecture that the Order establishes is fully operationalized, until the socioeconomic root causes of gang formation are systematically addressed, and until the whole-of-society mobilization that the Order contemplates is translated from legislative aspiration into social reality.

References:

I. Legal Texts:

Order No. 20-03 of August 30, 2020, on the Prevention and Combat of Neighborhood Gangs, confirmed by Law No. 20-12 of October 22, 2020. *Official Gazette of the People's Democratic Republic of Algeria*.

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