

Criminal Protection of the Child's Identity through the Criminalization of Civil Status Offences and Attacks on the Family Name under Algerian Legislation

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Abstract:

Civil status constitutes the legal framework through which a child's identity is established and their legal personality is formed within society. It represents the primary means by which the child's existence is recognized and through which they enjoy their civil rights. In light of this pivotal role, the Algerian legislator has sought to afford the child's identity special criminal protection by criminalizing acts that undermine the civil status system, foremost among them the failure to declare a birth or obstructing the verification of identity. Additionally, the legislator has criminalized attacks on the family name, considering it a fundamental component of personal identity.

This article aims to highlight the manifestations of such protection within Algerian legislation and to clarify its role in safeguarding the child's integrity and ensuring their familial and legal

affiliation, in fulfillment of the requirements of justice and the protection of public order.

Keywords: Civil status, child's identity, failure to declare birth, obstruction of the verification of the child's identity, family name.

1- INTRODUCTION

Children constitute a category that is inherently unable to protect itself or independently claim its rights; hence, the necessity of providing them with care and protection. In its natural form, child care is based on upbringing within the family environment in which the child grows and interacts with its members. Accordingly, the child is entitled to possess a legal identity that defines their legal personality before both the law and society.

One of the most fundamental guarantees of this identity lies in the child's affiliation with their family through the bond of filiation, which enables the child to bear their name and family surname. This necessitates special legal protection for this bond

and for all rights arising therefrom, ensuring the child's right to a name, lineage, and access to civil status documents that attest to such affiliation. International instruments concerned with the rights of the child have emphasized the need to safeguard these rights, explicitly affirming the child's right to a name, nationality, and to know their parents as essential pillars of identity and social formation.

At the national level, the Civil Status Law establishes strict rules governing the procedures, time limits, and persons responsible for declaring births, as set out in Articles 61 to 69. The declaration of a child's birth constitutes the cornerstone of establishing their identity and attributing filiation, and these rules are considered part of public order, from which no derogation is permitted.

The concern of the Algerian legislator is not limited to procedural rules alone; rather, it is further reinforced through the criminalization of acts that undermine the civil status system under the Penal Code. Such acts are classified among felonies and misdemeanors that may obstruct the verification of the child's identity, in addition to offences involving attacks on the family surname, which constitutes a fundamental element of the child's legal identity. The family surname is not merely an entry in the civil registry but a right inherited by the child from the father. Any act of usurpation or falsification affecting it constitutes a criminal offence punishable by law.

This has led us to pose the following research question: **To what extent has the criminalization of civil status offences and attacks on the family surname contributed to providing effective protection for the child's identity under Algerian legislation?**

In order to address this issue, the study adopts a descriptive and analytical methodology, through an examination of civil status offences and an analysis of the relevant legal texts.

For the purpose of answering this research question, the study is structured as follows:

- **Section One:** Civil status offences and their role in protecting the child's legal identity.
- **Section Two:** The offence of attacking the family surname and its role in protecting the child's legal identity.

2- Section One: Civil Status Offences and Their Role in Protecting the Child's Legal Identity

The phenomenon of concealment or failure to declare a child's birth constitutes one of the most serious violations of the child's legal identity and family stability, as it also affects the civil order of the state. Consequently, the Algerian legislator has defined the persons responsible for reporting a birth, the legal time limit for notification, and criminalized the failure to declare a birth. This aims to ensure that births are registered within the legally prescribed period and to safeguard the child's identity and filiation.

Criminalization also encompasses any act that obstructs the verification of the child's identity in civil status records or impedes the process of establishing their legal identity. This reflects the legislature's concern with protecting the child, the family, and the public interest through the effective criminal prosecution of those who commit the

offences of failing to declare a child's birth or obstructing the verification of their identity.

In this context, we will address the offence of failure to declare a child in **Subsection One**, and the offence of obstructing the verification of the child's identity in **Subsection Two**.

2.1. Subsection One: Offences of Failing to Declare a Child

In recent times, various acts have contributed to the erasure of a child's identity, posing a threat to the child's filiation. This category includes two main offences. Accordingly, we will examine the offence of failing to declare a child's birth in **Division One**, and the offence of failing to hand over a newborn child in **Division Two**.

2.1.1. Division One: The Offence of Failing to Declare a Birth

The offence of failing to declare a birth is among the most serious criminal behaviors, as it leads to the obliteration or falsification of the newborn child's filiation. This offence is characterized by the concealment or silence regarding the occurrence of the child's birth¹.

The birth certificate is considered one of the primary documents proving the legal existence of any natural person, as it indicates their status, filiation, sex, age, and other personal details. In cases where a birth is not declared, no birth certificate can exist. Therefore, the law mandates that every birth occurring on Algerian territory must be reported to the civil status officer of the district where the birth took place, within a specified period, in order to avoid committing the offence of failing to declare a birth. International instruments have also emphasized this right. The International Covenant on Civil and Political Rights provides that: "Every child shall be registered immediately after birth and shall have a name."²

According to Article 442, paragraph 3 of the Penal Code³: "Any person who is present at the birth of a child and fails to make the declaration required by law within the prescribed time, and any person who finds a newborn and does not deliver the child to the civil status officer as required by law, unless they agree to care for the child and acknowledge this before the municipal authority of the district in which the child was found."

¹ Hadj Ali Badereddine: *Criminal Protection of the Child in Algerian Law*, Master's Thesis in Criminal Sciences and Criminology, Faculty of Law and Political Science, Abou Bekr Belkaid University, Tlemcen, 2009/2010, p. 86.

² Article 24(1) of the International Covenant on Civil and Political Rights (1966), to which Algeria acceded by Presidential Decree No. 89/67 of May 1989, Official Journal No. 20, 17/05/1989.

³ Order No. 66/156 dated 8 June 1966, containing the Penal Code, Official Journal of the Algerian Republic, No. 43, as amended and supplemented by Law No. 24/06 dated 19 Shawwal 1445, corresponding to 28 April 2024, Official Journal of the Algerian Republic, No. 30.

From this provision, it can be observed that the offence of failing to declare takes two forms. The first consists of failing to declare a birth, which is a passive act committed by the father, mother, doctor, midwife, the person in whose residence the mother gave birth, or any other person present at the birth. This includes any of these witnesses' negligence or omission to report the newborn to the civil status officer without a legitimate legal or religious justification¹.

As for the civil status officer in whose jurisdiction the birth occurred, they are not permitted to register a child in their records after the legally prescribed period has expired, except in cases where registration is carried out pursuant to an order issued by the president of the court within whose jurisdiction the birth took place².

The law specifies the period for declaring a birth and identifies the persons responsible for doing so. The Algerian legislator sets this period at five (5) days, except for the wilayas of Saoura and the oases, as well as foreign territories, where declarations must be made within twenty (20) days of birth. This period may be extended in certain administrative districts or consulates by decree, which determines the procedures and conditions for extension³.

First: Elements of the offence: The offence comprises three elements:

1. **Legal element:** The legal element of an offence is generally defined as “the existence of a criminalizing provision that must be applied to the act committed.”⁴

The legislator has stipulated that any person present at the birth of a child who fails to make the declaration required by law within the prescribed period shall be punished with imprisonment from ten (10) days to two months, a fine of 8,000 to 16,000 DZD, or one of these penalties⁵.

2. **Material element:** The material element of an offence is generally defined as “everything that constitutes the essence of the crime and has a tangible aspect resulting from the change it produces in the external world.”⁶

In this offence, the material element is realized when the persons referred to in Article 62⁷ of Order 70/20, as amended and supplemented, fail to declare the birth within the periods prescribed by Article 61 of the same law—five days from the date of birth, or twenty days for the southern wilayas. The day of birth itself is not counted, and if the

¹ Abdelaziz Saad: *Crimes Affecting the Family System*, Dar Houma, Algiers, 2013, p. 92.

² Article 61, paragraph 3 of Order 70/20 dated 19 February 1970, concerning civil status, Official Journal of the Algerian Republic, No. 21, 21/02/1970, as amended and supplemented by Law No. 14/08 dated 9 August 2014, Official Journal of the Algerian Republic, No. 49, 20/08/2014.

Khoury, Omar: *Ibid.*, p. 32.

³ Article 62, paragraph 3 of the same law.

⁴ Khoury, Omar: *Lectures on the Explanation of the Penal Code, General Section*, Faculty of Law, University of Algiers 1, 2010/2011, p. 12.

⁵ Article 442, paragraph 3 of the Algerian Penal Code.

⁶ Khoury, Omar: *Ibid.*, p. 32.

⁷ Ahsan Bousquiya: *The Concise Guide to Special Criminal Law, Volume One: Crimes against Persons, Crimes against Property, Certain Special Crimes*, Dar Houma, Algiers, 20th edition, 2008, p. 172.

last day of this period falls on a public holiday, the deadline is extended to the next working day.

The persons targeted by this provision are primarily the father, who is considered the primary guardian of his minor children and thus the most appropriate person to declare their birth. Secondly, consideration is given to the mother's health after childbirth, as she may require rest and medical care. In the absence of the father for any reason, the mother assumes responsibility as the guardian of her children. After the parents, responsibility falls on the doctor, midwife, or any other person present at the birth or in whose residence the birth occurred, to make the declaration, regardless of whether they know that the declaration should be made by the father or mother. Failure to do so incurs criminal liability alongside that of the parents¹.

3. **Moral element:** The offence of failing to declare a newborn within the legally prescribed period is an intentional crime, requiring the presence of criminal intent, whereby the perpetrator deliberately fails to report the child's birth within the legal deadlines. This often occurs in cases of an illegitimate pregnancy, in order to conceal the scandal.²

The offence may also be unintentional, resulting from a variety of factors or justifications such as negligence, procrastination, forgetfulness, or any other factual reason that prevents the declaration of the birth, thereby giving rise to an unintentional offence.

Second: Penalty:

Imprisonment for a minimum of ten (10) days and a maximum of two (2) months, and a fine of 8,000 DZD to 16,000 DZD.

The legislator has broadened the scope of protection by criminalizing not only the failure to declare a birth but also the failure to deliver a newborn child.

2.1.2. Division Two: The Offence of Failing to Declare the Discovery of a Newborn Child

The offence of failing to deliver a newborn child occurs in violation of a legal obligation established by the Civil Status Law. Any person who finds a newborn is required to report it to the civil status officer of the place where the child was found. If the person does not wish to care for the child, they must hand the child over to the civil status officer along with any clothing or belongings present³. Failure to comply with this obligation constitutes an offence under paragraph three of Article 442 of the Penal Code.

¹ See Article 62 of the Civil Status Law.

² Dardous Maki: *Special Criminal Law in Algerian Legislation, Volume Two*, University Publications Office, Regional Printing Press, Constantine, Algeria, 2005, p. 140.

³ Article 67, paragraph 1 of the Civil Status Law.

In practice, this offence often follows another crime, typically the abandonment of a newborn by the mother, often resulting from an illegitimate relationship. This phenomenon is not uncommon in our society, as newborns are frequently found abandoned in waste bins or on the streets.

First: Elements of the Offence

1. Legal Element:

Article 442 of the Algerian Penal Code provides:

“Any person who finds a newborn and fails to deliver the child to the civil status officer as required by law, unless they agree to care for the child and acknowledge this before the municipal authority of the district in which the child was found, shall be punished with imprisonment from ten (10) days to two (2) months and a fine from 8,000 DZD to 16,000 DZD.”

2. Material Element:

The material element is realized in two cases:

- Failure to report the discovery of a newborn to the civil status officer of the place where the child was found and to hand the child over.
- Failure to acknowledge the discovery of a newborn to the civil status officer in cases where the person wishes to care for the child.

3. Moral Element:

The offence of failing to deliver a newborn requires general criminal intent, meaning that the perpetrator's will is directed toward the realization of the offence, with knowledge of its elements as required by law.

Second: Penalty

The Algerian legislator criminalized the failure to declare the discovery of a newborn under Article 442, paragraph 3 of the Penal Code, punishing it with imprisonment from ten (10) days to two (2) months and a fine from 8,000 DZD to 16,000 DZD.

Thus, it can be said that both offences share a single purpose: to protect the child's civil status by combating acts that could deprive the child of their filiation and the rights arising from their birth. The legislator's enactment of this provision safeguards the best interests of the newborn, including the protection of their identity and verification of their legal personality.

This offence becomes more serious when it involves concealing or falsifying filiation—for instance, falsely claiming the parentage of a known child by depriving them of their father's identity and assigning them another parent without legal justification¹. In short, this constitutes unlawful adoption, which the legislator has

¹ Abdelaziz Saad: *Op.Cit.*, p. 185.

prohibited both legally and religiously, as it significantly contributes to the confusion of filiation.

2.2 Subsection Two: The Offence of Obstructing the Verification of a Child's Identity

This offence is sometimes referred to as the deliberate erasure of a newborn's identity¹. In the Algerian Penal Code, it appears in the third section of the second chapter under the title: "*Felonies and misdemeanors that obstruct the verification of a child's identity*".

The Algerian legislator addressed this offence in Article 321 of the Penal Code. This offence comprises two forms²: the offence of concealing the filiation of a living child in **Division One**, and the offence of failing to deliver a child's body in **Division Two**.

2.2.1. Division One: Concealing the Filiation of a Living Child

This concerns a minor who lacks discernment and has not reached the age of 13³. The child must be born alive and viable, regardless of whether they are legitimate or illegitimate⁴. The Public Prosecutor must establish the child's life; if life cannot be proven, the case falls under another offence—failure to deliver a child's body.

First: Elements of the Offence

1. Legal Element:

"Anyone who deliberately transfers a child, conceals a child, substitutes another child for them, or presents them as the child of a woman who did not give birth, under circumstances that make it impossible to verify the child's identity, shall be punished with imprisonment from five (5) to ten (10) years and a fine from 500,000 DZD to 1,000,000 DZD. However, if the child is presented as the child of a woman who did not give birth due to voluntary delivery or negligence by the parents, the penalty shall be imprisonment from one (1) to five (5) years and a fine from 100,000 DZD to 500,000 DZD."⁵

2. Material Element:

The material element occurs in four forms⁶:

¹ Abdelaziz Saad: *Op.Cit.*, p. 40.

² Ahsan Bousquiya: *Op.Cit.*, pp. 173–174.

³ Article 42 of Order No. 75/58 dated 26 September 1975, containing the amended and supplemented Civil Code.

⁴ Dardous Maki: *Op.Cit.*, p. 139.

⁵ Article 321, paragraphs 1 and 4 of the Algerian Penal Code.

⁶ René Garraud, translated by Lin Saleh Matr: *Encyclopedia of General and Special Criminal Law*, Volumes 6 and 7, Al-Halabi Legal Publications, Beirut, Lebanon, n.d., pp. 236–237.

- **Transferring the child:** Moving the child from one place to another, or from one country to another, under circumstances that prevent recognition and verification of their identity and true filiation.
- **Concealing the child:** Abducting a child and hiding or raising them secretly, preventing others from knowing their origin and filiation.
- **Substituting one child for another:** Replacing a child born to a woman with a child born to another woman, either by the woman herself or a third party. This constitutes a crime, whether exchanging a legitimate child with another or a natural child with a legitimate one.
- **Presenting a child as the offspring of a woman who did not give birth:** This often occurs in urban areas, allowing an infertile woman to obtain a child without formal adoption¹.

The offence is established if the perpetrator performs any of these acts and achieves the intended result².

3. Moral Element:

The offence of concealing a living child's filiation requires criminal intent, meaning the perpetrator's will is directed toward obstructing the verification of the child's identity. The abductor must be aware that they are taking a child from their family with the aim of removing, separating, or altering the child's filiation. Full criminal intent, encompassing both knowledge and will, is required.

2.2.2. Division Two: Failure to Deliver a Child's Body

This concerns a child who was not born alive or whose live birth has not been established. The offence occurs only if the fetus has reached at least 180 days, or six months, except in cases of abortion. This provision does not protect the child's filiation but rather the child's legal personality³.

First: Elements of the Offence⁴

1. Material Element: This offence takes two forms:

- **If it cannot be established that the child was born alive:** Provided for in Article 321, paragraph 2 of the Algerian Penal Code. In this case, the child has disappeared, and the law requires the birth to be declared to allow society to protect the child. The offence is constituted as soon as the body is concealed.
- **If it is established that the child was born dead:** Provided for in Article 321, paragraph 3 of the Algerian Penal Code. The offence occurs if the perpetrator proves that the child was stillborn.

By specifying these two forms, the legislator intended to criminalize all behaviors that affect the child's legal personality, clearly defining them and

¹ Dardous Maki: *Op.Cit.*, p. 143.

² René Garraud: *Op.Cit.*, pp. 236–237.

³ Ben Al-Taybi, Mubarak: "Crimes Affecting the Legal Personality of the Newborn Child," *African Journal of Legal and Political Studies*, Ahmed Draia University, Adrar, Vol. 3, No. 2, December 2019, p. 191.

⁴ Ahsan Bousquiya: *Ibid.*, pp. 175–176. Hadj Ali Badereddine: *Ibid.*, p. 92. Ben Al-Taybi, Mubarak: *Ibid.*, p. 191.

providing protection for the child. The penalties vary according to the severity of the act, whether the behavior constitutes a felony, a misdemeanor, or an infraction¹.

2. Moral Element:

The offence requires criminal intent, consisting of obstructing the verification of the child's identity through transfer, concealment, or presenting the child as the offspring of a woman who did not give birth. The aim is to alter the child's civil status and prevent recognition of their true identity². The act may be motivated by revenge or concealment of an illegitimate pregnancy, with the essential result being the concealment of the child's filiation, making it difficult to identify their legal personality.

Second: Penalty : The penalties for this offence vary according to its forms, as enumerated by the legislator in Article 321 of the Algerian Penal Code³.

1. **Victim is a living child:** The offence takes two forms—one a felony, the other a misdemeanor:
 - **Concealment or alteration of a living child's filiation:** Article 321, paragraph 1, provides imprisonment from five (5) to ten (10) years and a fine from 500,000 DZD to 1,000,000 DZD.
 - **Assigning a child as the offspring of a woman who did not give birth:** If this occurs voluntarily or through parental negligence, the offence is a misdemeanor, with imprisonment from one (1) to five (5) years and a fine from 100,000 DZD to 500,000 DZD.⁴
2. **Victim is a deceased child:** The legislator punishes the attack on the child's legal personality rather than their civil status, whether it is established that the child was not born alive or their live birth is not proven. The law aims to combat the killing of newborns or unverified live births and illegal burial, often resulting from an illegitimate pregnancy. The offence takes two forms—one a misdemeanor, the other an infraction:
 - **Attack on the personality of a child whose live birth is not established:** Imprisonment from one (1) to five (5) years and a fine from 100,000 DZD to 500,000 DZD.⁵
 - **Attack on the personality of a child whose live birth is not proven:** Imprisonment from one (1) to two (2) months and a fine from 10,000 DZD to 20,000 DZD.⁶

¹ Saadani, Noura: "Criminal Protection of the Family's Civil Status," *Journal of Legal Studies*, Yahia Fares University, Médéa, Vol. 2, No. 1, 2016, p. 7.

² Dardous Maki: *Op.Cit.*, p. 144.

³ Ahsan Bousquiya: *Op.Cit.*, p. 176.

⁴ Paragraph 4 of Article 321, Algerian Penal Code.

⁵ Paragraph 2 of Article 321, Algerian Penal Code.

⁶ Paragraph 3 of Article 321, Algerian Penal Code.

3 Chapter Two: The Offence of Assaulting the Family Name and Its Role in Protecting the Child's Legal Identity

One of the most distinctive features of a human being is having a family name or surname in addition to their personal name. The Civil Status Law, in Articles 30, 63, 73, and 80, establishes rules regulating the use and preservation of the family name. The family name is not merely an element of the birth certificate; it is a right inherited by the child from the father¹.

In fact, only a legitimate child has the right to bear the family name according to the father's surname. In this context, Article 48 of the Civil Code provides:

“Anyone whose use of their name is unjustly contested or impersonated by another may request the cessation of this violation and claim compensation for any damage suffered.”

To ensure protection of the family name from all forms of violation, the Penal Code criminalizes acts such as assaulting the family name or impersonating it. The Algerian legislator codified this under the provisions concerning: “*Usurpation of functions, titles, and statuses and their misuse.*”

Based on this, we will examine the **elements of the offence** in Subsection One and the **penalties** in Subsection Two.

3.1 Subsection One: Elements of the Offence

Every crime requires specific elements. Here, we examine the **legal element** in Division One and the **material element** in Division Two.

3.1.1. Division One: Legal Element

Anyone who usurps a family name for themselves in a public or official document, or in an administrative document intended for submission to a public authority, without right, is punishable by a fine of 500 DZD to 5,000 DZD². Anyone who obtains a criminal record under another person's name, by assuming a false name or title, is punishable by imprisonment from six (6) months to three (3) years and a fine of 50,000 DZD to 300,000 DZD³.

Other acts⁴ indirectly constitute an attack on the family name. This highlights the value of the family name, as it binds all family members through a strong moral link. An assault on it is, in effect, an assault on the family system and all its members⁵.

¹ Bouziane, Abdelbaki: *Criminal Protection of the Family Bond in Algerian Legislation*, Master's Thesis in Criminal Sciences and Criminology, Abu Bakr Belkaid University, Tlemcen, Algeria, 2009–2010, pp. 63–64.

² Article 247 of the Penal Code.

³ Article 248 of the same law.

⁴ Articles 249, 252, and 253 of the Penal Code.

⁵ Abdelaziz Saad: *Op.Cit.*, p. 182.

3.1.2. Division Two: Material Element

The material element of this offence consists of several components:

1. **The physical act:** The primary element requires that someone assume a family name that is not theirs as if it were their real surname, with the intent to evade legal responsibility, gain advantage, or achieve another purpose.
2. **The document involved:** The usurpation must occur on a public or official document or an administrative document intended for submission to a public authority. Usurping a surname on a private or customary document, even if it could constitute another offence under the Penal Code, does not constitute the offence specified in Article 247 of the Penal Code.
3. **The target of usurpation:** This occurs when someone assumes or seizes another person's family name without any legal or legitimate justification. Legitimate and justified use may occur by coincidence, for example, when two or more families share the same family name without intent to usurp.

3.1.3. Division Three: Moral Element

Criminal intent must be present for the offence of assaulting a family name. It consists of the perpetrator's will to assume another person's surname or materially assault it, with awareness that such an act is punishable by law.

Exempt from criminalization are cases of using another person's surname under Article 56¹ of the Civil Status Law, and Decree 71/157 regarding surname changes, which grants a guardian, under a sponsorship contract, the right to petition the Ministry of Justice to change the surname of a minor of unknown filiation to match the guardian's family name².

3.2. Subsection Two: Penalty

To ensure the legal use of surnames, the Algerian legislator provided criminal protection. Several acts constituting unlawful usurpation of a family name are penalized, with penalties varying according to the seriousness of the offence.

- Article 247 of the Penal Code punishes the usurper who assumes a surname in a public or official document with a fine of 20,000 DZD to 100,000 DZD.

¹ Article 56 of the Civil Status Law provides: "Anyone who wishes to change their surname for a specific reason may be authorized to do so under the conditions specified by decree."

² Decree No. 71/157 dated 03/06/1971 concerning surname changes, published in the Official Journal of the Algerian Republic, No. 07, 11/06/1971, as amended and supplemented by Decree No. 20/223 dated 08/08/2020 concerning surname changes, published in the Official Journal of the Algerian Republic, No. 47, 11/08/2020.

- Anyone who assumes another person's surname falsely or under a false title, obtaining a criminal record under that name, is punished with a fine of 50,000 DZD to 300,000 DZD and imprisonment from six (6) months to three (3) years¹.
- Article 249 of the Penal Code punishes the usurpation of a surname that could result in recording a criminal judgment under another person's record—or is likely to do so—with imprisonment from one (1) to five (5) years and a fine of 100,000 DZD to 500,000 DZD. This is without prejudice to further prosecution for forgery if necessary.

These penalties show that the Algerian legislator intervened criminally to ensure the protection and respect of the family name. The family name is a distinctive marker, intended to protect filiation and distinguish one family group from another. Its importance is reflected in its characteristics: an assault on the family name constitutes an assault on the family system and all its members².

4- Conclusion

In conclusion, the study and analysis show that criminal protection of the child's identity represents a fundamental principle in Algerian legislation, aimed at ensuring respect for the child's rights and safeguarding their legal personality from the moment of birth.

From the discussion, we can highlight the following points:

- Through the Civil Status Law and the Penal Code, the Algerian legislator has given special attention to the procedures for registering births and determining identity and filiation. Declaring a child's birth is considered a mandatory procedure that cannot be ignored or circumvented, as it has a direct impact on establishing identity, assigning filiation, and obtaining civil and social rights.
- The mandatory nature of these procedures is reinforced by the penalties provided for violations of the legal provisions relating to birth registration, which serve as an important guarantee that the responsible parties comply with the legal deadlines.
- To combat the phenomenon of abandoning children, the legislator criminalized the failure to deliver a newborn to the civil status officer or to declare the child at the municipal office where they were found if there is no intention to care for them. Moreover, to prevent the falsification of a child's filiation, the legislator criminalized all acts that obstruct verification of the child's identity.

Based on these findings, the following can be proposed:

- Introduce legal provisions consistent with the legislator's general policy and preventive approach, by activating the role of society in protecting this vulnerable group through awareness-raising and educating the public about the risks posed by such crimes and their impact on the child's identity.

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¹ Article 248 of the Algerian Penal Code.

² Abdelaziz Saad: *Ibid.*, p. 182.

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