

*The crime of child abduction in Algerian legislation***Dr. Ouranader Rabah**

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Abstract:

The crime of child abduction as a universal phenomenon is a sign of family and social disintegration, as it expresses the extent of the deterioration of religious and moral scruples on the one hand, and the negative impact of the civilizational development of humanity in its economic and technological aspect on human behavior and It facilitated its rapid spread. Therefore, in this article, we had to address in some detail the linguistic, terminological and legal meaning of the concept of the crime of child abduction, and to distinguish it from other crimes, it was necessary to identify the characteristics of this type of crime so that we can take note of it and start the treatment process at all levels and with the participation of all.

Keywords: crime, kidnapping, child, criminal conduct, serious crime, damage crimes

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Introduction:

The study of crime did not begin a scientific study only recently ago when research into the causes of crime began to tend scientifically, so theories that try to explain criminal behavior rolled, and in this regard, researchers did not agree on a word whether about the interpretation of the phenomenon of crime, but rather dispersed them ways and directed each of them to his point of view that is consistent with his views and philosophy, where no one of them has yet provided a convincing explanation of the criminal phenomenon due to three reasons:

- The difference between the humanities and the natural sciences is that in the natural sciences, as the natural sciences when they reach an explanation for a phenomenon, the scientific theory related to it settles definitively, while in the humanities in which there are many conflicting opinions, each of them seeks to deny the previous one, and criminology, like the humanities (١).

- The criminal phenomenon is a complex phenomenon that requires the concerted cooperation of a large number of sciences to research it, such as biological sciences, psychology and sociology, so knowledge branched, which led to the specialization of criminology and its division into several branches (٢).

- In the end, we did not find, within the scope of the theories that were said, a single integrated theory of criminal causation coupled with means of criminal policy stemming from and derived from that theory, many of which include only a partial explanation of the criminal phenomenon, some of them focus on the collective phenomenon, i.e. criminality, while others went to focus on the interpretation of the individual phenomenon, and the result of this was that several explanations of crime appeared throughout history, most of which included philosophical, social, organic, positivist or other interpretations (٣).

Knowing that almost all crimes have psychological factors either in the offender or in the victim or in both, while the psychological factor prevails over some crimes and affects them more than others, including the crimes of indecent assault, rape, wandering with sex, sodomy, lesbianism and love to torture the victim and pleasure with the infliction of pain on her.

One of the psychological factors is the exploitation of some adults for children with weak minds in theft and prostitution, and accordingly, and from the above, we say that criminal behavior is a human behavior issued by the human being to say the least that it is not social because it contradicts the values and standards prevailing in society, where human behavior was affected by the changes experienced by societies from social, economic and technological events to bring about changes in quantity, type and direction of crime, and among the crimes that have been talked about recently in Algeria is the phenomenon of child abduction and It is a phenomenon born of modernization and technological development, but it has worsened terribly during the Black Decade.

In order to besiege this phenomenon alien to the Algerian Muslim and conservative society, it was necessary for the Algerian legislator to intervene strongly by developing deterrent mechanisms and laws to protect the minor child from this crime using modern scientific methods, both in defining the concept of this phenomenon alone on the one hand, and issuing special legislation more appropriate for child protection by involving the family and the school in taking integrated preventive measures between them on the one hand. The article revolves around two main points:

١- What is meant by the crime of child abduction?

٢- What are the characteristics of this type of crime?

١: The concept of the crime of child abduction:

In order to give the subject its due, we try in this requirement to give a linguistic and legal definition of crime, kidnapping and the child, in order to clarify the meanings of this heinous act as follows:

١,١ Linguistic definition of the crime of child abduction:

Through this title, we will try to define the concept of the crime of child abduction, which we begin with the linguistic definition and then the legal definition of the term crime, abduction and child separately.

A- Linguistic definition of crime :

It is stated in the surrounding dictionary (٤): the crime by annexation, i.e. guilt, such as crime, and the combination is a crime, and criminals in the religious sense, i.e. the disbelievers, and any alleged offense against it, even if it is not criminalized, and we criminalized them, i.e. we departed from them.

This definition implies that the crime comes from the offender, i.e. from guilt, i.e. from the commission or commission of guilt.

Among the meanings of crime is language, that the word crime is based on the basis on which the accusation is built, and its meanings include accountability and punishment, or it is any act that opposes or contradicts the law, and the word crime may refer to it as an act of evil or any sin or wrongdoing.

The linguistic definition of the word crime, which has a direct relationship with the subject of the research, is the crime contrary to nature, crime against nature and means sexual intercourse contrary to nature such as sodomy, lesbianism, sexual intercourse and other abnormal moral crimes.

Ramses Benham (٥) defines it by saying: The crime can be defined in this regard as satisfying a human instinct in an abnormal way that the average man does not follow when he satisfies the instincts themselves, due to abnormal psychological conditions that the perpetrator of the crime experienced at the moment of its commission itself.

B- Linguistic definition of kidnapping:

Abduction is taken from kidnapping, expropriation or embezzlement, and it is said to be rapid taking and robbery. The word kidnapping is derived from the word kidnapping, i.e. taking and snatching by pounce, like an eagle snatching its prey (٦).

The name of the kidnapper was given to the person who is often kidnapped, so it is said that a thief is a hook, and it is also said that he kidnapped a kidnapper, that is, he stole and snatched quickly,

so he kidnapped a person, for example, that is, caught him, took him a palace and detained him somewhere in the hope of ransom or for the sake of something else (٧).

In the Holy Qur'an, the word kidnapping is mentioned in different places and in many surahs, such as the Almighty's saying, "Lightning almost catches their eyes (٨) and the Almighty's saying, "And kidnaps the people around him (٩) and his saying as well, "Except for the one who kidnaps the first kidnapping, followed by a piercing meteor." (١٠)

The observation here is that the linguistic determination of kidnapping is based on rapid taking, rapid robbery or rapid embezzlement (١١).

C- Linguistic definition of the term child (minor):

The child means the plural of the singular children in the language, born and is also said to him until puberty according to the Almighty's saying, "And if the children of you reach the dream..." (١٢).

The minor is the name of an actor of the minor, it is said that he fell short of the matter, that is, if he was unable to do so, and it is said that the arrow fell short of the target, i.e. did not reach it (١٣). It came on the tongue of the Arabs, the palace and the palace in everything other than the length, and the shortest of prayer and the shortest short, and the short other than the long and the plural short, and the short female short and shorter collection shorter such as smaller and smaller, and the shortest of the matter shortens the palaces (١٤).

It says in the tongue of rhetoric, deficiencies in the sense of negligence and incapacity, and the minor is said to be deficient in the sense of inability and cessation of it, and the minor physically has deficiencies (١٥).

The child is the small of everything, whether it comes to humans or animals, and the term child includes male and female, and the source of childhood.

١,٢ Legal definition of the crime of child abduction:

In this section, we will address the legal definition of crime, kidnapping and the child separately.

A- Legal Definition of the Crime:

Most criminal legislation is devoid of a legal text that defines the crime, due to the lack of importance of giving a definition of it in light of the application of the principle of legality of crimes and penalties, which necessarily requires that each crime be defined by its elements, as each type of crime has its own text, unlike what is in force in the Civil Code, in which the crime is subject to a one-year provision mentioned in Article ١٢٤ of the Algerian Civil Code (١٦) Which stipulates the following: "Every act, whatever committed by a person, through his fault, and causing harm to others, obliges the person who caused its occurrence to compensate" and accordingly the criminal legislator has always set a definition for each crime separately and determine its elements and the penalty prescribed for it.

As for the Algerian legislator, the Penal Code does not contain a definition of an offence, like other criminal legislation.

- Mahmoud Najib Hosni defined crime as "any illegal act issued by a criminal will for which the law determines a penalty or security measures from security measures." (١٧)

- Professor Mohamed Fadel also defined it as "any act or omission for which the law imposes a punishment" (١٨)

- As defined by Professor Ali Abdul Qadir Al-Qahwaji: as "voluntary behavior prepared by law and determined for the perpetrator of a criminal penalty." (١٩)

We conclude from the above that crime in its criminal concept has four elements:

– The crime assumes the commission of criminal behavior in the form of a positive act or omission, and this behavior represents the material aspect of the crime.

– That this behavior is criminalized by the Penal Code or complementary laws, so the crime does not exist unless there is a legal text that criminalizes it.

– To be a behavior issued by a person with a conscious criminal will.

– The conduct must be a criminal behavior for which the Penal Code or complementary laws determine a criminal penalty, a penalty or a security measure (٢٠).

B- Legal Definition of the Term Abduction:

With the exception of the Sudanese legislator, which defined the crime of kidnapping, in which he said: "Anyone who forces a person by force or entices him by any means of deception to leave his place is said to have kidnapped that person (٢١). All legislations did not develop a precise definition of the crime of kidnapping in line with its policies in not defining the crime in the first place, as all of them focused on determining the elements of the crime and stipulating the punishment prescribed for it, leaving the matter to jurisprudence and the judiciary in its definition, so jurisprudence developed several definitions, including, for example:

- Defined by the United Nations as "the transfer, detention, arrest or taking of a child under eighteen arrest, detention or temporary or permanent capture by force, threat or deception." (٢٢)
- Professor Abdul Wahab Ahmed Al-Maamari defined it as "the rapid introduction of the use of material or moral force through trickery or luring what may be the object of this crime and removing it from its place or diverting its route with full control (٢٣) "
- This definition was followed by Professor Kamal Abdullah Muhammad (٢٤) with a slight difference in the terminology used.

It is noticeable in the above definitions that they all focus on mentioning the material act with reference to the place of the crime and the means used to do so.

C- Legal definition of the term child:

It is recognized that the behavior of the individual is linked quantitatively and qualitatively to his age, as a person at every stage of his life is affected by changes in his physical and psychological composition, as well as the changes in the environment that surrounds him, as he moves from one environment to another according to the age stage in which he lives, and the extent of his response to environmental factors varies according to his age, and accordingly age is associated with an internal development in the composition of the individual, and an external development in the surrounding environment, this development of both types is reflected in its impact on Human behavior.

Researchers in criminology divide the human age into four stages: childhood, adolescence, maturity, and finally old age, we are interested in these stages only two stages, namely childhood and adolescence because of their direct relationship with the subject of research. (٢٥)

- Childhood: This stage extends to include the period from birth to adulthood, and is one of the most important stages in the formation of the human personality and determine its future directions, it is the period in which the factors that guide the growth and development of the child's personality crystallize, so the child feels a desire for adventure, and his aversion to restrictions on his freedom and actions, sometimes pushing him the power inherent in him to resort to violence, at this stage the child needs care, guidance and accompaniment in order to protect him from the effects of the nature of the biological composition in it, and the narrowness of his relationship Therefore, most if not all countries did not recognize the responsibility of the juvenile in their legal organization. (٢٦)

- Adolescence: Adolescence includes the period of human life located from the age of ١٢ to ١٨ years, the adolescent in this period experiences physiological and psychological changes, in addition to environmental conditions that have a significant impact on his behaviors.

The juvenile is also exposed at this stage to external changes and circumstances, so he goes outside the scope of his family and rebels against the restrictions that limit his freedom, increases his love of adventure and expression of his personality and the predominance of emotion over reason, and weakness in resisting external influences.

The separation of children is mentioned in many international documents and conventions and human rights publications, for example, in the conventions on the rights of the child that "every human being under the age of eighteen unless he reaches the age of majority earlier under the law applicable to him." (٢٧)

This agreement is the one that laid the jurisprudential ground for the launch of the sail across the globe in setting limits, foundations and controls for what is known as childhood, so it hastened to ratify it to legitimize its laws on this subject, including the Algerian legislator, so what is his position?

- The position of the Algerian legislator:

The position of the Algerian legislator has known a qualitative leap in addressing the conditions of the child and his family, social and even economic conditions by issuing a special law for his protection, (٢٨) as this law included the organization and arrangement of the provisions of the rules and procedures related to juvenile justice, in a systematic and organized manner that excluded the errors and contradictions that characterized the old legal texts, including the reform of the relationship between them, and the refinement of the child's behavior instead of the policy of reprisals and punishment, as for what is related to his definition of the term child as well as determining the stages that he passes through Until he reaches the age of majority, the Algerian legislature includes it as follows:

- The Algerian legislature introduced the term child in Ordinance No. ٧٢/٠٣ on the protection of children by: minor.
- Ordinance ٥٧/٦٤ on the creation of institutions and services responsible for the protection of children and adolescents, the term juvenile is used to refer to the child.
- Article ٤٩ of the Penal Code, as amended by Act No. ١٤/٠١, uses the term minor.
- The term child is defined in article ٢/١ of Act ١٥/١٢: "A child is any person under the age of ١٨ and ١٨ full years".

In this law, the legislator has carefully written the three stages of the child's life:

- The first stage under the age of ten: during which the child is considered non-discriminatory, i.e. not criminally responsible, as article ٥٦ of Law ١٥/١٢ states: "A child who has not completed ١٠ years of age shall not be subject to criminal prosecution" (٢٩).

Article ٤٩/١ of the Algerian Penal Code corresponds to it under Law No. ١٤/٠١ of ٠٤/٠٢/٢٠١٤, which states: "A minor who has not completed ten (١٠) years shall not be subject to criminal prosecution." (٣٠)

- The second stage from ten to thirteenth grades: during which the juvenile is subject to criminal accountability, but is subject only to protection measures only, and cannot be stopped for consideration by the police of Article ٤٨ Law ١٥/١٢ (٣١) which states: "A child under the age of thirteen (١٣) years who is suspected of committing or attempting to commit a crime cannot be subject to custody."

Article ٤٩/٢ corresponds to the following: "Only measures of protection or discipline shall be imposed on minors between the ages of ١٠ and less than ١٣." (٣٢)

- The third stage from thirteenth to eighteenth time: during which the juvenile can be arrested for consideration by the police, and the juvenile delinquent at this age is subject to protection and discipline measures or reduced penalties. (٣٣)

Article ٤٩/٢ of the Algerian Penal Code corresponds to the following: "A minor between the ages of ١٣ and ١٨ is subject to protection, discipline or reduced penalties." (٣٤)

It is noticeable here that the provisions to which each stage or stage of pre-eligibility is subject, due to the degree of perceptual capacity and discrimination, are included.

Thus, the Algerian legislator has established criminal responsibility on the basis of the ability to recognize and discriminate as well as freedom of choice as a public asset, and with the promulgation of the Child Code in ٢٠١٥, Algeria has adopted the Convention Framework adopted

by the United Nations on the Rights of the Child at the National Conference held in Alexandria from ٢١ to ٢٣ November ١٩٨٨.

٢- Characteristics of the crime of kidnapping:

The crime of child abduction is characterized by a set of characteristics that distinguish it from other crimes, and even from other social phenomena, this is primarily due to the impact of social, economic as well as scientific development, which caused great tensions and overlap in concepts and means of planning, accuracy of implementation, speed in achieving results through modern technology, and the penetration of its use positively and negatively among society of different categories and degrees.

One of the basic features that distinguish the crime of kidnapping from other crimes is that it belongs to the category of complex crimes, rapid in execution, good mental management of the kidnapping process in quantity and quality, as well as serious and harmful crimes.

٢,١ The crime of kidnapping is a composite crime:

This characteristic means taking quickly and away from the child's whereabouts, meaning that the two acts are independent of each other, so the crime is not achieved by leaving one of them, and it is not adapted as a crime of kidnapping.(٣٥)

Professor Gerard Corneau believes that composite crime is: "a crime that presupposes the commission of several material acts of a different nature, which can be separated by rules in time and place, and to complete the material element of the crime, it is necessary to take and remove the minor from his place of residence."(٣٦)

So, according to the foregoing, it can be said that the crime of kidnapping necessarily requires two simultaneous acts, the first is the act of taking, and the second is the act of deportation, and if the two acts are united, we are facing a compound crime.

٢,٢ The crime of kidnapping children is quick to execute:

The act of kidnapping, whatever its type and subject matter, whether it is an individual or a group, whether it is an object or an animal, is rejected and only receives condemnation and contempt from society.

In the case of the abduction of children, the offender to reach his goal using the ugliest and most despicable methods, he uses trickery and coercion to lure the minor, taking advantage of his weakness and lack of help, and the implementation is carried out very quickly and in the shortest possible time, the perpetrator resorts to the method of speed in the implementation so as not to be discovered.

To achieve and succeed in the kidnapping process, the perpetrator or the perpetrator determines a set of procedures with careful and deliberate study of all methods and possibilities, so that the process of thinking and planning may take hours or days and may extend to months and years as required by the client and the circumstances surrounding her, and the quality of the desired goals, and all these things ultimately lead to facilitating the process of pounce on the victim and the completion of the kidnapping process, hijacking a plane is not hijacking a car, and kidnapping hostages is not kidnapping a boy tread, the motives for kidnapping are different from each other, It has social, political, economic, material and religious... Therefore, focus and good management are necessary so that the process is completed as soon as possible and with a guaranteed result.

٢,٣ Abduction of children for serious crimes:

The crime in its criminal sense may be a natural crime, and it may be a positive crime, and what interests us in this sense, the first type, any natural crime, which represents every aggression or assault on the moral feeling that prevails at all times and places, it is an attack on moral values that no society can be stripped of, such as murder, looting, indecent assault, rape, and kidnapping (٣٧). Therefore, the legislator resorted to dividing crimes into types according to their gravity and danger to the group and to its security, stability and tranquility. Crime progresses in its gravity, severity and gravity.

The crime of kidnapping children is a serious crime because of its negative effects at all levels. It affects the child in his body and soul, and affects the family in its honor, security and stability, whether materially or morally, as well as affects the entire society and injures him in death, which leads to moral and social destabilization, and has been regulated by the Algerian legislator in Article ٣٢٦ of the Pen, which states: "Anyone who kidnaps or deports a minor who has not completed ١٨ years without violence, threats or deception, or attempts to do so, shall be punished by imprisonment for a period of one to five years and a fine of ٢٠,٠٠٠ to ١٠٠,٠٠٠ dinars." (٣٨)

It is also regulated in Article ٢٩٣ bis ١ of the Code of Criminal Procedure, which states:

The penalty provided for in the first paragraph of Article ٢٦٣ of this Law shall be applied to the perpetrator if the kidnapped minor is subjected to torture or sexual violence, if the motive for the kidnapping is the payment of a ransom or if it results in the death of the victim.

The offender shall not benefit from the mitigating circumstances provided for in this Law, subject to the provisions of Article ٢٩٤ below.

On the other hand, the legislator stressed the period of expiry of the public action, setting it at ١٠ years, and setting the statute of limitations for the lapse of ٢٠ years from the day on which the judgment becomes final.

٢,٤ The crime of abduction of children is a crime of harm:

Crimes are described in terms of their criminal result to crimes of damage or endangerment, and the criminal result means what the offender caused in the place of criminal protection, the change he brought about does not come out of being harm or just a danger, and it is noted that most of the crimes mentioned in the Penal Code are crimes of damage, which occur as a result of a specific phenomenon that is an element in its material corner.

Endangerment offences are those offences for which the law requires a specific harmful consequence, but it is sufficient for a dangerous act to cause harm to the abductee.(٣٩)

We conclude that the crimes of child abduction are considered crimes of harm because it is not conceivable at all that this type of crime will occur without harming the abductee, and that this crime has visible material consequences represented in harming the abductee by deporting him and transferring his place against his will.

From the foregoing, it is clear that the crime of child abduction is one of the crimes that have characteristics that distinguish it from other crimes, as it is concerned with speed in implementation, and it is also a complex crime because it contains several acts, so that each act constitutes a stand-alone crime, which often ends in harm to the kidnapped, a characteristic added to the crime of child abduction.

٢,٥ The crime of kidnapping is one of the ongoing crimes:

From our definition of crime, we find the material element in it consists of more than one act that is likely to continue by its nature, compared to the temporary crime, in which the material element consists of an act that ends if it occurs or in a limited time by achieving the criminal result that the offender aims at.

From our definition of the crime of child abduction, the material element consists of more than one act to complete it, so it takes a long period of time to complete.

Grabbing a child from a place to a place other than the place from which he was taken takes a long time and the continuation of the offender's activity in this period, and as long as his will controls the material of the crime during this time, the crime of kidnapping is considered to exist at every moment that passes on the victim during the period of his abduction and does not end unless the offender puts an end to it, that is, by releasing the victim.

Conclusion:

The phenomenon of child abduction in Algerian society has worsened dangerously, and the wildfire has spread rapidly. Ghada Independence This phenomenon was not known to society, but was limited to the category of mixed marriage, then came the stage of the black decade, which was

caused ostensibly religious, but the truth was to bring the Algerian family and behind it the whole society to its knees by sowing fear to show the inability of the state and its security institutions in protecting the citizen.

But now, things have intensified and spread with the spread of corruption, illiteracy, moral decay, unemployment, social and economic crises, and the penetration of the problem of drugs and hallucinogenic pills among the segments of society without discrimination, which instilled in the hearts of children a lack of self-confidence, frustration, and complicated their psychological and behavioral problems resulting from the trauma of kidnapping.

Therefore, all families, state institutions at all levels, non-governmental organizations and charities must work on warning, guidance, awareness and accompaniment, and the legislator must tighten the penalty and deprive the offender of any mitigating circumstance. Without forgetting the involvement of the media, media professionals and clerics, and the concerted efforts of everyone in introducing the dangers of this phenomenon by spreading the anti-crime culture, planting religious and moral values, customs and good traditions, and working hard to develop appropriate solutions to the phenomenon, and it seems that things are moving towards developing a new strict legal framework with the perpetrators of this crime. This is thanks to the political will to build a new Algeria and the goodwill of those who watch over it.

Bibliography

-Quran.

-Literature:

- ١- Muhammad Fadel, General Principles of Penal Code, ٤th Edition, Damascus University, Syria, ١٩٦٤.
- ٢- Mahmoud Naguib Hosni, Explanation of the Penal Code, General Section, General Theory of Crime, ٤th Edition, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, ١٩٧٧.
- ٣- Ramses Benham, Crimes Harmful to the Public Interest, Knowledge Foundation, Alexandria, Egypt, ١٩٨٦.
- ٤- Sewerage Conciliation System, Crimes Harmful to Public Interest, Knowledge Foundation, Alexandria, Egypt, ١٩٨٦.
- ٥- Ibn al-Manzur, Lisan al-Arab al-Muheet, ٢nd Edition, Dar al-Sader, Beirut, Lebanon, ١٩٩١.
- ٦- Ali Abdel Qader Al-Qahwaji, Explanation of the Penal Code, General Section, A Comparative Study, Al-Halabi Human Rights Publications, Beirut, Lebanon, ٢٠٠٢.
- ٧- Abd al-Rahman Muhammad al-Issawi, New Directions in Criminal Psychology, Al-Halabi Human Rights Publications, Beirut, Lebanon, ٢٠٠٤.
- ٨- Abdul Wahab Abdullah Ahmed Al-Maamari, Kidnapping Crimes, Modern University Office, Aden, Yemen, ٢٠٠٦.
- ٩- Ahmed bin Abdul Aziz Haddad, Rulings of minors in the light of Islamic Sharia and personal status, Dar Al Thaqafa, United Arab Emirates, ٢٠٠٦.
- ١٠- Fotouh Abdullah Al-Chadli, Fundamentals of Criminology and Punishment, ١st Edition, Al-Halabi Human Rights Publications, Beirut, Lebanon, ٢٠٠٧.
- ١١- Mohammed Al-Sayed, Criminalization of Child Trafficking in Laws and Conventions, Naif Arab University for Security Sciences, Riyadh, Saudi Arabia, ٢٠٠٩.
- ١٢- Abdallah Ouhaibia, Explanation of the Algerian Penal Code, General Section, National Foundation for Typographic Arts, Algeria, ٢٠١١.
- ١٣- Kamal Abdullah Mohammed, The Crime of Kidnapping in the Anti-Terrorism and Penal Law, ١st Edition, Dar Al-Hamid, Amman, Jordan, ٢٠١٢.

Articles:

١. Faouzia Hamel, The Phenomenon of Child Abduction in Algerian Society, Journal of Legal Studies, No. ١, Mentouri University of Constantine, ٢٠٠٣.

Laws:

١. Algerian Penal Code.
٢. Code of Criminal Procedure.
٣. Civil law.
٤. Child Protection Act.
٥. -Report of the Office of the United Nations.

Dictionaries:

١. Gerard Conroe, Dictionary of Legal Terms, ١st Edition, University Institute for Studies, Beirut, Lebanon, ١٩٩٩.
٢. Al-Munajjid Al-Waseet in Contemporary Arabic, ١st Edition, Dar Al-Mashreq, Beirut, Lebanon, ٢٠٠٣.
٣. Firouzabadi, Ocean Dictionary, ١٩٨٦.

(١) -Fotouh Abdullah Al-Shazly, Fundamentals of Criminology and Punishment, Al-Halabi Human Rights Publications, ١st Edition, Beirut, Lebanon, ٢٠٠٧, p. ٤٩

(٢)- Fotouh Abdullah al-Shazli, ibid., p. ٥٠.

(٣) -Abd al-Rahman Muhammad al-Issawi, New Directions in Criminal Psychology, Al-Halabi Human Rights Publications, Beirut, Lebanon, ٢٠٠٤, p.

(٤)-Ocean Dictionary, ١٩٨٦, p. ١٤٠٥

(٥)-Ramses Benham, Crimes Harmful to Public Interest, Knowledge Foundation, Alexandria, Egypt, ١٩٨٦, p. ١١

(٦) -Al-Munajjid Al-Waseet in Contemporary Arabic, ١st Edition, Dar Al-Sharq, Beirut, Lebanon, ٢٠٠٣, p. ٣١٠.

(٧)-Al-Munajjid al-Waseet, ibid., p. ٣١٠.

(٨)-The Holy Qur'an, Surat Al-Ankabut - Verse ٣٧

(٩)-The Holy Qur'an, Surat Al-Baqarah, verse ٢١.

(١٠)-The Holy Qur'an, Surat As-Saffat, verse ١١.

(١١)- Kamal Abdullah Mohammed, The Crime of Kidnapping in the Anti-Terrorism Law, Dar Al-Hamid for Publishing and Distribution, ١st Edition, Amman, Jordan, ٢٠١٢, p. ٢٥

(١٢)-The Holy Qur'an, Surat An-Nur, verse ٥٩..

(١٣)- Ahmed bin Abdul Aziz Haddad, Rulings of minors in the light of Islamic Sharia and personal status law, Dar Al-Thaqafa, United Arab Emirates, ٢٠٠٦, p. ٢٥.

(١٤)-Ibn al-Manzur, Lisan al-Arab al-Muheet, second edition, Dar al-Sader, Beirut, Lebanon, ١٩٩١, p. ٩٥.

(١٥)- The simple upholsterer in contemporary Arabic, previous reference, p. ٥٥٦

(١٦) -Article ١٢٤ Algerian Civil Code, amended and supplemented by Ordinance ٥٨/٧٥ of ٢٦ September ١٩٧٥ JR No. ٧٨.

(١٧)- Organize Tawfiq al-Majali, Explanation of the Penal Code, Dar Al-Thaqafa for Publishing and Distribution, Amman, Jordan, ٢٠١٢, p. ٦٠

(١٨)- Mahmoud Naguib Hosni, Explanation of the Penal Code, The General Theory of Crime, ٤th Edition, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, ١٩٧٧, p. ٣٦.

- (١٩)-Muhammad Fadel, General Principles in the Penal Code, ٤th Edition, Damascus University, Syria, ١٩٦٤, p ١٩٩
- (٢٠)-Ali Abdul Qadir Al-Qahwaji, Explanation of the Penal Code, General Section, Al-Halabi Human Rights Publications, Beirut, Lebanon, ٢٠٠٢, p. ٤٤
- (٢١)-Abdallah Wahibia, Explanation of the Algerian Penal Code, General Section, Move Publishing, Algeria, ٢٠١١, p. ٦٣.
- (٢٢)-Kamal Abdullah Mohammed, The Crime of Kidnapping in the Anti-Terrorism and Penal Law, Dar Al-Hamid, ١st Edition, Amman, Jordan, ٢٠١٢, p. ٢٦
- (٢٣)- Report of the Office of the United Nations High Commissioner for Human Rights on the abduction of children in Africa, fourth session, second item, March ٢٠١٣, p. ٢٠
- (٢٤)-Abdul Wahab Abdullah Ahmed Al-Maamari, Kidnapping Crimes, Modern University Office, Aden, Yemen, ٢٠٠٦, p. ٢٩
- (٢٥)- Fotouh Abdullah Al-Shazly, previous reference, p. ١٤٩
- (٢٦)-Ali Abd al-Qadir al-Qahwaji, op. cit., p. ٦٤١.
- (٢٧)-Muhammad Al-Sayed, Criminalizing Child Trafficking in Laws and Conventions, Naif Arab University for Security Sciences, Riyadh, Saudi Arabia, ٢٠٠٩, p. ٩١.
- (٢٨)-See Article ٢ of Law ١٥/١٢ of ٢٨ Ramadan ١٤٣٦ corresponding to ١٥ July ٢٠١٥ containing the Child Protection Law. G.R.J.G. Issue ٣٩ issued on ١٥/٠٧/٢٠١٥.
- (٢٩)-Cf. article ٥٦ of the same law.
- (٣٠)-Cf. article ٤٩/١ of the Algerian Penal Code promulgated by the order.
- (٣١)-Cf. Article ٤٨/١ of the aforementioned Law ١٥/١٢.
- (٣٢)-Cf. article ٤٩ of the same law.
- (٣٣)-Cf. article ٤٩ of the same law.
- (٣٤)-Cf. article ٤٩/٣ of the aforementioned Algerian Penal Code
- (٣٥)-Fawzia Hamel, The Phenomenon of Child Abduction in Algerian Society, Journal of Legal Studies, First Issue, University of Constantine, ٢٠٠٣, p. ٢٠١
- (٣٦)-Gerard Corneau, Dictionary of Legal Terms, ١st Edition, University Institute for Studies, Beirut, Lebanon, ١٩٩٩, p. ٦١٦.
- (٣٧)-Abdullah Wahibia, op. cit., p. ٦١
- (٣٨)-Cf. Articles ٣٢٦ and ٢٩٣ of the aforementioned C.P.C.
- (٣٩)-Abd al-Wahhab Abdullah Ahad al-Maamari, previous reference, p. ٥٠