



Legal regulations for detecting drug and psychotropic substance use in the educational and employment sectors in Algeria, based on Executive Decrees No. 26-77 and 26-76

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Abstract ;

This research examines Algeria's legal framework for detecting drug and psychotropic substance use in schools and workplaces. It assesses how the law balances preventive measures with protecting individual rights, given the social, health, and security impacts of drug use. The study focuses on Law No. 04-18 and related decrees, which establish early detection procedures with safeguards such as consent, confidentiality, and avoidance of automatic sanctions.

The framework combines prevention, treatment, and deterrence, providing support and reintegration for those who test positive. The research concludes that its effectiveness depends on proper implementation, coordination among relevant authorities, and ongoing public awareness efforts.

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Introduction:

The phenomenon of drugs and psychotropic substances is one of the most serious challenges facing contemporary societies, given its profound repercussions on public health, family stability, social security, and even economic development. It is no longer merely a deviant individual behavior, but has transformed into a complex phenomenon with intertwined health, psychological, social, and legal dimensions, necessitating a comprehensive and multi-layered approach to address it.

As a result of rapid social transformations, media openness, and the evolution of illicit trafficking methods, the spread of these substances threatens various age groups, particularly students and young people of working age. This has prompted legislative and regulatory intervention that balances the necessities of prevention and protection with the guarantee of individual rights and freedoms.

The Algerian legislator has sought to adopt a preventive and therapeutic approach alongside a deterrent one, through the enactment of legal and regulatory texts aimed at combating the illicit use and trafficking of drugs and psychotropic substances. These texts also aim to strengthen early detection mechanisms within educational and training institutions, as well as during recruitment in the public and private sectors, while providing a range of guarantees related to data confidentiality and respect for privacy. Based on this, this research aims to study the safeguards for detecting drug and psychotropic substance use in educational and training institutions, as well as for job seekers, by

addressing the concept of drugs and psychotropic substances and their types, explaining their health and social effects, then analyzing the legal framework regulating the mechanisms for detection and prevention of them, while identifying the safeguards established to protect persons subject to these procedures.

The main question of this study is:

To what extent has the Algerian legislator succeeded in establishing effective mechanisms to prevent drug and psychotropic substance abuse in educational institutions and workplaces?

To answer this question, a descriptive analytical approach was adopted, based on a study of relevant legal texts, an examination of their preventive dimensions and the safeguards they offer, leading to conclusions and practical suggestions.

First topic: The Concept of Drugs and Psychotropic Substances:

First requirement: The Concept of Drugs:

First section: Linguistic and Technical Definition of Drugs:

1- Linguistic Definition of Drugs: A drug is anything that renders the sensitive and motivating spirit of an organ completely unresponsive to psychological influence, or any substance that causes varying degrees of loss of consciousness in humans and animals, such as hashish, opium, and other narcotics. It also refers to anything that clouds the mind without affecting the senses¹.

We can say that Drugs are substances that some people take because of their pleasant effects, but which are usually illegal².

2- Technical Definition of Drugs:

Drugs are any natural or synthetically produced substance that, if used for non-medical purposes (that is, outside of a medical prescription), can lead to a temporary total or partial loss of consciousness. The degree of this total or partial loss depends on the type of drug and the quantity administered. Drugs consist of toxic substances, either natural or synthetic, that have devastating effects on human mental and physical health, noting that some of these substances were originally created by humans for the purpose of treating and curing some intractable diseases³.

3-The legal definition of drugs: The World Health Organization defines drugs as "any raw, prepared, or synthetic substance containing hypnotic, analgesic, or stimulant elements which, if used for non-medical purposes, can lead to a state of habituation or addiction, causing psychological or physical harm to the individual and society." It also defines them as "a state of intoxication resulting from the repeated use of a narcotic." A drug is considered illegal if its production is prohibited and punishable by law, as are its possession and consumption. Cocaine and heroin, for example, are illegal drugs⁴. Conversely, we are dealing with legal or permitted drugs, as in the case of alcohol and tobacco, as well as certain medications prescribed by doctors to treat pain, such as psychotropic drugs like hypnotics and medications for depression, anxiety, and nervous breakdowns⁵. The Algerian legislator defined it as any natural or synthetic substance listed in Schedules I and II of the 1961 Single

Convention on Narcotic Drugs, as amended by the 1972 Protocol⁶.

Second section: Types of Drugs: We must distinguish between drugs in the general sense, which are often of plant origin, and psychoactive substances, which are primarily of chemical origin.

1- Cannabis: Cannabis is an herbaceous plant with a narcotic effect. It affects the nervous system and has several names, including "ganja," "marijuana," or "kif." Cannabis or hashish is often consumed by stuffing it into cigarettes or by inhaling it through the nose⁷.

Consuming cannabis poses numerous health risks to the consumer, including the following:

- A feeling of relaxation and comfort, and muscle relaxation
- Increased auditory, visual, and tactile senses
- Stimulation of the mind and emotions
- A feeling of spontaneity, which helps in connecting with others.
- When cannabis is smoked, the risks are similar to those of tobacco use, including decreased physical stamina, fatigue, headaches, dizziness, and digestive problems (heartburn). In the long term, it can lead to cardiovascular and neurological problems.
- When consumed orally, the user may experience delirium, which can sometimes intensify, becoming disoriented and incoherent.
- Psychological addiction, where the user becomes dependent on the drug and unable to do without it, and is willing to commit any act for the benefit of the supplier.
- Memory impairment and disruption.

- Reduced attention span, paranoia, and fear of others.
- Respiratory problems, bronchitis, shortness of breath, and lung cancer.

2-Opium poppy: This is a flowering herbaceous plant belonging to the poppy family (Papaveraceae). It is known for producing opium, morphine, and codeine from a white, resinous liquid extracted from the pods of its immature seeds. It is used medically as a powerful pain reliever, but its cultivation is restricted and dangerous due to its status as an illicit source of drugs⁸.

The consumption of opium poppy has threatening effects on its users, namely:

- Muscle pain
- Nervousness
- Difficulty falling and staying asleep
- Excessive yawning
- Anxiety
- Runny nose
- Sweating, rapid heartbeat
- High blood pressure
- Fever
- Vomiting and nausea
- Diarrhea
- Panic attacks
- Stomach cramps
- Depression
- Intense cravings
- Deep coma leading to death due to respiratory arrest
- Hepatitis and AIDS: Hepatitis and AIDS are transmitted through the sharing of needles among drug users, from person to person, and through sexual contact⁹.

3-Cocaine: Cocaine is a stimulant drug that can cause addiction. It is made from the leaves of the coca plant, which is

abundant in South America. While some medical professionals use it for medical purposes, such as local anesthesia for certain surgical procedures, it is generally considered an illegal drug.

Cocaine appears as a fine, white, crystalline powder. Dealers often mix it with other substances, such as cornstarch or flour, to increase profits. It is also sometimes mixed with other drugs, such as amphetamine stimulants.

Cocaine is known by several nicknames, including Storm, Coke, Rock, and Ice¹⁰.

The effects of cocaine use include the following:

- Cocaine produces a feeling of euphoria, elation, and heightened brain activity.
- It induces a feeling of relaxation and relief from tension and anxiety.
- The cocaine user may imagine they are soaring through the sky, followed by a rapid heartbeat, fatigue, and feelings of sadness, despair, and lethargy. The addict then seeks to use the drug again to recapture the pleasure, thus remaining enslaved to it¹¹.
- Extreme euphoria and energy.
- Mental alertness.
- Hypersensitivity to sight, sound, and touch.
- Irritability.
- Paranoia or unreasonable distrust in some individuals.
- Oral use causes abdominal pain due to reduced blood flow.
- Injecting cocaine increases the risk of Human Immunodeficiency, hepatitis C, and other blood-borne infections. People who use cocaine in other ways may also be at risk of Human Immunodeficiency infection, as they

may engage in risky sexual behavior with infected partners.

- It can also lead to malnutrition because cocaine suppresses appetite and causes movement disorders, including Parkinson's disease. This can develop after many years of use. Some people may experience paranoia, detachment from reality, and auditory hallucinations.

- An overdose can be fatal, especially with first-time use or unexpectedly.

- Cocaine is often combined with alcohol, a dangerous combination that can lead to an overdose. One of the most serious consequences of an overdose is the cardiovascular problems, including irregular heartbeat and heart attacks, as well as neurological problems such as seizures and strokes.

Other symptoms include muscle spasms, involuntary movements, tremors in the facial and hand muscles, impaired mental function, and frequent diarrhea¹².

Second requirement: Psychoactive substances: Psychoactive substances can be defined as drugs that have an effect on the mid-nerve system and the psyche.

The term "psychoactive substance abuse" refers to the use of any substance that affects the nervous system and mental processes, whether through inhalation, smoking, ingestion, or injection, causing a state of euphoria, lethargy, anesthesia, hypnosis, or stimulation. Such substances are capable of causing addiction¹³.

There are several types of psychoactive substances, including:

- 1- Hypnotics: These affect brain function, impairing cognitive abilities similar to alcohol. This leads to a loss of concentration and attention, and a

decrease in the ability to drive efficiently and other motor skills such as swimming.

- 2- Sedatives: These induce a state of calmness and pain relief, making the user indifferent to problems. They also reduce aggression, fantasies, and depression¹⁴. Despite causing jaundice, inflammation, tremors, and weakened immunity, they are sometimes marketed as "happy pills."

- 3-Volatile Solvents or Derivatives: Volatile solvents are liquid chemicals that rapidly evaporate into gases at normal temperatures. They are often petroleum hydrocarbon derivatives. Common types include polar solvents (such as water and amines) and nonpolar solvents. They are widely used in industry, cleaning, and fuel production. They are characterized by their pungent odor, flammability, and adverse health effects when inhaled or touched¹⁵.

Third requirement: Causes of Drug and Psychotropic Substance Abuse:

First section: Psychological Factors:

According to psychoanalytic theory, analysts believe that addiction is nothing more than a regression from childhood. The pleasure principle is used as a subsequent response to deficiencies in self-development and as an adaptive mechanism for drug use. The psychology of addiction rests on two important foundations:

- 1-The first foundation:** This is represented by psychological conflicts and the expression of the need for security and narcissistic sexual gratification for self-affirmation. Thus, it is considered an attempt by the individual to eliminate personality deficiencies stemming from childhood and troubled interactions with parents from the early stages of life.

Psychoanalytic theory posits that abuse and addiction are merely attempts at self-medication to get rid of psychological problems and emotional pain. Despite these self-treatment efforts, they are doomed to failure due to problems, complications, and unstable patterns of abuse.

2-The second basis: The chemical effects of drugs, as explained by psychoanalytic theory, are based on genetic disturbances experienced in early childhood, between the ages of three and four. These disturbances involve an emotional duality between love and hatred for the parents. The addict resorts to drug use as a coping mechanism, while the use of drugs is an expression of oral and sexual cravings for a sense of security, aiming to achieve balance between their inner self and lived reality¹⁶.

Internal factors related to the addict: Individuals differ in their psychological makeup, traits, and predispositions, both in kind and in degree. This provides a logical explanation for why some become addicted to drugs while others do not¹⁷.

Second section: Genetic factors: Some studies conducted on laboratory animals indicate that the offspring of addicts are more prone to addiction than others. Both parents are more likely to cause addiction in a greater number of their children compared to if only one parent is addicted. This is attributed to genetic factors, as the percentage of new addicts is higher in families of long-standing addicts¹⁸.

The addict's personality is divided into several categories: the immature addict, who is dependent, a failure, who does not trust himself and relies on others, and whose refuge is drugs to forget his

repeated failures in the battle of life; the selfish addict, weak in the face of his desires, who fulfills all his desires without hesitation and resorts to drugs to compensate for the clash of his selfishness with the reality of life; the tense and anxious addict, and this category resorts to drugs to overcome the state of anxiety and tension that he suffers from; and the sexually immature addict, who is suffering from sexual weakness.

Psychological factors play a fundamental role in the tendency to use drugs, especially mental illnesses such as inner conflict, anxiety, nervous tension, and repeated frustration due to numerous demands, particularly in modern society, and the disparity in individuals' financial resources, which can lead to depression, despair, and hopelessness.

Generally, no one personality is predisposed to addiction. However, psychological factors such as stress, anxiety, insomnia, boredom, depression, lack of confidence, dependency, weak personality, inadequacy, sexual dysfunction, bad friends, the erosion of societal moral and religious values, psychological emptiness, ignorance, curiosity, and the desire for excitement, among others, contribute to drug addiction¹⁹.

Third section: Family factors: The family is the first institution of socialization, shaping personality and individual behavior in the early stages of life. Parents represent the driving force for coping with life's difficulties. The most significant family factors leading to drug addiction stem from the nature of relationships, including the relationship

between children and parents or the relationships between Brothers.

the father may be a bad role model for his children, and this is one of the biggest factors contributing to delinquency, as the child imitates his father in word and deed, learning from him to lie, become apathetic, perhaps abandon prayer, smoke, and ultimately end up addicted to drugs²⁰.

Furthermore, excessive harshness towards children and emotional deprivation within the family are enough to cause an explosion when the pent-up emotions are released. Therefore, we see that deprived and repressed children are the most disobedient to their parents and the most prone to experimenting with and becoming addicted to drugs²¹.

Family disintegration, family dysfunction, and domestic violence are factors that drive young people to constantly seek happiness outside this tense environment, leading them to use tobacco and drugs²².

Fourth section: Social Factors of Drug Abuse: There are a number of social factors that contribute to the spread of drug and psychoactive substance abuse, including:

Social and cultural institutions vary according to the activities they offer in society. These include sports, cultural, religious, and social institutions that cultivate a sense of community in individuals and fill the leisure time of young people in particular. The importance of these institutions also varies according to the individuals, their inclinations, and their hobbies. They contribute to shaping their personalities through guidance and direction towards what is beneficial and away from what is harmful. - Weak religious faith: Those

who are not religious become slaves to their desires, beset by temptations from all sides, and strive to find happiness, which they believe they will find with drug dealers, thus choosing sin over righteousness.

- Bad company: Smokers and card players are gateways to drugs. Some young people roll "hashish" into cigarettes and put pills in their tea, leading others into the trap of drug use.

- Idleness and unemployment: A person's idleness and lack of work can lead them to drug use and addiction.

- Poverty and lack of money: The need and desire for abundant wealth can drive young people to deal in prohibited substances like narcotics, especially if they imitate bad friends and are swept away by the current of these poisons, hoping to become rich like others.

- Curiosity: Humans are naturally curious, and some young people, bored with life, may try the taste of drugs they've heard about from their addicted friends.

- Blind imitation of the West: Openness and the pursuit of fashion and clothing, along with imitating Western food, drink, and other aspects of life without discerning what is harmful and beneficial, have led some young people into the clutches of drugs.

- Unregulated travel abroad: The clash of cultures and identities, coupled with young people's exposure to the false notion of openness and freedom, has corrupted the morals of many and weakened their religious faith²³.

- The desire for activity and staying up late to study or for other reasons: Some young people resort to stimulants to temporarily enhance their memory, which

is followed by exhaustion and persistent fatigue. These drugs may then lead them to other narcotics, which vary in form and strength, until they become addicted.

Fifth section: School-related factors:

The school is considered an institution within the educational system, a tool for upbringing and education in society, where the child is prepared to adapt to social responsibilities. However, the school environment can have negative effects on the child's psyche if it contains an excessive number of students. Large numbers affect the quality of education and the child's behavior. The teacher is considered a role model for the student, If the teacher is characterized by good character and the ability to deal with students, they serve as a positive example, which is reflected in the student's success and social balance. Conversely, if the teacher treats the student poorly by insulting, belittling, and humiliating them in front of their peers, the student will lose self-confidence. This will affect the student's future personality, and the consequences of such treatment will appear immediately and later in various forms of delinquency, including drug and psychotropic substance abuse²⁴.

The lack of firm management also pushes students to use drugs, and with the love of learning, curiosity and imitation among students, it is easy for drugs to spread among them. Therefore, the school must train them to adhere to the rules of study, learn to participate in formulating rules and order, help students to accept and respect others, get rid of self-centeredness, provide psychological and social care and help them solve problems.

Among the key factors contributing to the spread of drug and psychotropic substance use are inconsistent student attendance and lack of discipline in schools, poor academic performance, and low school results²⁵.

Second topic: Detection of drug and psychotropic substance use in educational and training institutions, as stipulated in Executive Decree No. 26-77:

This section will address the target groups for drug and/or psychotropic substance testing, in addition to the conditions for conducting these tests as stipulated in Executive Decree No. 26-77.

In the context of combating the phenomenon of drug and psychotropic substance use in society and in educational and training institutions, and in order to ensure a safe and healthy learning environment and to protect the physical and mental health of students, Executive Decree No. 26-77 was issued on January 14, 2026. This decree specifies the conditions and procedures for detecting drug and/or psychotropic substance use in educational and training institutions. This falls within the framework of establishing a preventative system coordinated between the Ministries of Education, Vocational Training, Higher Education, and Justice.

Executive Decree No. 26-77 aims to activate the role of educational and training institutions in raising awareness about the dangers of the illicit use and trafficking of drugs and psychotropic substances to public health, the academic achievement of students and trainees, and the spread of violence and crime in society. It also aims to provide psychological and educational support and follow-up for addicts²⁶.

Furthermore, in order to eradicate the scourge of drug and psychotropic substance abuse in society in general, and in educational, training, and university institutions in particular, the penal policy prepared by the Minister of Justice and Keeper of the Seals must include provisions relating to the prevention and combating of the illicit use and trafficking of drugs at the national and local levels, In application of Article 5 bis 5 of Law 23-05 amending and supplementing Law 04-18²⁷.

First section: Target groups under

Executive Decree No. 26-77:

1- Students in national education institutions: These include middle and high school students, university students, and trainees in vocational training institutions.

As for primary school students, they are not subject to drug or psychotropic substance testing unless their best interests so require²⁸. This means that the objective of any procedure, measure, ruling, or judicial or administrative decision concerning a child must be to achieve their best interests, and that the child's rights and physical, psychological, mental, and social needs must be the primary consideration in any decision or procedure concerning them, whether issued by the family, the judiciary, the administration, or any other entity. In other words, any action concerning a child must primarily aim to protect them, ensure their healthy development, and achieve their well-being. This is stipulated in Article 3 of the Convention on the Rights of the Child of 1989 and Article 7 of Law No. 15-12 of July 15, 2015, concerning child protection (Official journal No. 39 of July 19, 2015)²⁹.

In this matter, we can pose a question, which is: Does the Algerian legislator intend for the criterion for undergoing testing to be age, or is it affiliation with middle school, secondary school, university, or vocational training? It's worth noting that we might find a primary school student whose age is equivalent to that of a middle school student³⁰.

The Director of Prevention at the National Office for Combating Drugs and Addiction, "Ghania Mekdache", stated that drug use is occurring at an earlier age, with psychoactive substances being found in primary schools. She warned that "addiction has become a threat to public security and health."

On Monday, November 24, 2025, at the Ministry of National Education headquarters in "El Mouradia", the Minister of National Education, Dr. "Mohamed Seghir Saadaoui", and the Minister of Health, Professor "Mohamed Seddik NaitMessaoudane", oversaw the installation of the multi-sectoral committee tasked with preparing a comprehensive roadmap for implementing the provisions of the executive decree concerning the detection of drug and psychotropic substance use within educational and training institutions.

This initiative follows the outcomes of the government meeting held on Wednesday, November 5, 2025, and is in accordance with the directives of the President of the Republic, Mr. Abdelmadjid Tebboune, aimed at strengthening the prevention and control of drug and psychotropic substance use, particularly in schools.

In his speech, the Minister indicated that the establishment of the multi-sectoral committee was intended to embody the

national strategy for the prevention of drugs and psychotropic substances. He emphasized that this committee is primarily a protection and prevention body, whose main objective is to safeguard our children within educational institutions from this scourge, in coordination with all relevant parties, particularly parents, who are essential partners in the success of this endeavor, and to provide an atmosphere of comfort and trust for both students and their parents.

The Minister also explained that the measures to be implemented at the level of educational institutions will be part of a system of periodic health screenings, within a preventive approach that accompanies and supports the student. This will allow for the management of potential cases in a therapeutic and preventive manner, while preserving the student's academic progress and providing psychological and social support as stipulated by law.

In the same vein, the Minister affirmed that the roadmap will include:

- Practical procedures for implementing the executive decree upon its issuance;
- Pedagogical, health, and organizational mechanisms;
- Resources to be mobilized from various sectors;
- Deadlines for implementing each measure.

The committee comprises qualified representatives at the director level or higher from the following ministries: Interior, Justice, Higher Education, Pharmaceutical Industry, Youth and Sports, Vocational Training, National

Solidarity, Startups, the High Commission for Digitalization, and the National Authority for the Protection and Promotion of Childhood, in addition to relevant security services. Any other sector or body whose contribution to this endeavor is deemed beneficial may also be included.

For his part, the Minister of Health emphasized the sector's readiness to fulfill its role through detection and monitoring units comprised of physicians, psychologists, and paramedics, considering prevention the cornerstone of combating this phenomenon. He also noted that Algerian society is currently facing an open war due to the escalating drug problem across all segments of society.

At the conclusion of the meeting, the two ministers called upon all participating sectors and bodies to continue working within a coherent and effective framework, embodying a participatory approach that leads to building an integrated national system for prevention, early detection, and intervention, thus ensuring the protection of educational institutions and safeguarding them from all forms of threat, making them safe and secure spaces for our children, who are the cornerstone of the nation's future³¹.

2- Students of higher education institutions:

3- Pupils and trainees in vocational education and training institutions³².

4- Pupils, students, or trainees who exhibit behavioral problems or aggressive behavior towards teachers and/or their peers or the administrative staff of the institution concerned.

5- Pupils, students, or trainees suspected of using drugs and/or psychotropic substances, as evidenced by changes in their behavior, frequent absences from school, declining academic performance, or changes in their mood or their treatment of peers, administrators, teachers, or educational supervisors.

Decree 26-77 assigned an important role to the detection and monitoring structures responsible for health protection in educational and university settings, as well as in vocational training and education, during periodic medical examinations³³. All students in educational institutions are subject to examinations during periodic health checks, as the detection and monitoring structures have a school medical center, which contains several units, namely:

- A unit within a treatment room
- A unit within a multi-service clinic
- A unit within an educational institution

The screening and follow-up units provide medical coverage for students of neighboring educational institutions, allowing them to access these units without transportation. Each unit must cover an educational district that includes a secondary school, one or two primary schools, and their affiliated elementary schools.

The screening and follow-up units aim to ensure regular medical examinations for students, manage and monitor detected injuries, conduct regular visits to educational institutions to maintain hygiene and promote preventative measures, and implement measures to combat social ills within educational institutions, including drugs and psychotropic substances³⁴.

Section two: Conditions for conducting drug and/or psychotropic substance testing in educational and training institutions:

To protect workplaces from drugs and psychotropic substances and ensure a safe and healthy professional environment, an executive decree was issued guaranteeing this protection. This falls within the preventive aspect of combating the scourge of drug and psychotropic substance abuse³⁵.

This executive decree, No. 26-76, implements the provisions of Article 5 bis 9 of Law 04-18 of December 25, 2004, concerning the prevention of drug and psychotropic substance abuse and the suppression of their illicit use and trafficking³⁶.

Firstly: The target group of Executive Decree 26-76: The provisions of this Executive Decree apply to candidates for positions or jobs in the following bodies:

- Public administrations, institutions, and bodies
- Public benefit institutions
- Institutions open to the public
- Private sector institutions and bodies³⁷

Executive Decree 26-76 stipulates that negative medical tests proving the absence of drug and/or psychotropic substance use are required.

These tests are also required for employees and workers applying for professional examinations and tests in both the public and private sectors³⁸.

Secondly: Procedures for conducting drug and/or psychotropic substance tests: Executive Decree 26-76 establishes a set of procedures that must be followed for conducting these tests, namely:

-Tests for the detection of one or more substances classified as drugs and/or psychotropic substances are conducted in laboratories licensed by the Ministry of Health, in accordance with required standards that ensure the credibility, reliability, and accuracy of the results.

-The required tests include the examination of biological samples such as blood, saliva, or other biological samples that allow for the detection of drug and/or psychotropic substance use.

-Verification of test results may be based on QR code technology, which allows for confirmation of the identity of the candidate who underwent the tests, the laboratory where the tests were conducted, and the results themselves.

To ensure legitimacy, transparency, and reliability of these results, the Minister of Health issues a decree specifying the list of laboratories authorized to conduct these tests³⁹.

Thirdly: Guarantees for Conducting and Maintaining the Confidentiality of Medical Tests for Drug and Psychotropic Substance Detection:

To protect workplaces from drugs and/or psychotropic substances and ensure a safe and healthy professional environment, and to protect the privacy of individuals undergoing these tests, the laboratories conducting the tests record the results electronically or in hard copy, and their confidentiality must be maintained⁴⁰.

Candidates for employment or those wishing to participate in professional examinations or tests who use drugs or psychotropic substances for medical reasons are required to disclose the substances they use.

In addition to the required tests, those wishing to participate in professional examinations or tests are required to submit a medical certificate with their application for employment, provided that the nature of the job or position does not conflict with their use of drugs or psychotropic substances.

Those wishing to obtain employment in the private sector may consult an occupational health physician⁴¹.

In order to enhance the confidence of the public and private administrations, institutions and bodies to which the employees or workers who underwent medical analyses belong, they may verify them in all ways, especially by utilizing the databases related to these documents at the issuing authority.

Decree No. 26-76 stipulates that the validity period for these analyses is three months from the date of completion⁴².

Anyone found to have falsified the results of these analyses or submitted a forged medical certificate may be subject to criminal prosecution, with a penalty of imprisonment from five to seven years and a fine of 500,000 to 700,000 Algerian dinars⁴³.

If the application file for employment or the files of employees and workers applying for examinations do not include negative medical analyses (proof of the absence of drug and psychotropic substance use), the application will be rejected⁴⁴.

Executive Decree No. 26-76 surrounds the results of drug and psychotropic substance use tests with a set of safeguards to protect those subjected to them, ensure a safe and healthy professional environment, and preserve the right to privacy.

These safeguards are as follows:

-If it is proven that the person undergoing the tests submitted forged analyses or documents, they will be subject to criminal prosecution and punished according to the penalties stipulated in the Penal Code for the crime of forgery and use of forged documents, in addition to being subject to disciplinary action as stipulated in the Civil Service Law and the Labor Law⁴⁵.

Furthermore, according to Article 11 of Executive Decree 26-76, anyone who discloses information relating to analyses or their results is subject to the penalties prescribed for the crime of breach of professional secrecy and medical confidentiality⁴⁶.

Executive Decree No. 26-76 stipulates that positive drug and/or psychotropic substance test results are not grounds for disqualification from employment or participation in professional examinations or tests, whether in the public or private sector. It further states that if a person tests positive for drug and/or psychotropic substance use, they may still apply for employment in the public or private sector after undergoing the treatment measures stipulated in Law 04-18 of December 25, 2004. This treatment involves addressing the poisoning caused by drug and psychotropic substance use, either within a specialized institution or outpatiently under medical supervision. The treating physician must inform the judicial authorities of the progress and results of the treatment.

The Minister of Health is responsible for establishing a list of specialized poisoning treatment centers, which will be made available to the judicial authorities⁴⁷. The

State is also responsible for developing appropriate services for addiction prevention and combating drug and psychotropic substance use, as per Article 62 of Law No. 18-11 concerning health⁴⁸.

Conclusion:

This presentation demonstrates that combating drug and psychotropic substance abuse is no longer limited to criminalization and punishment, but now relies on a comprehensive approach combining prevention, early detection, and therapeutic support, while ensuring respect for individual rights and freedoms. In this context, the Algerian legislature, through the issuance of Executive Decrees No. 26-77 and 26-76 in recent years, has sought to establish an integrated system extending from educational, vocational, and university settings to workplaces in both the public and private sectors.

In the educational and training framework, the Algerian legislator adopted a preventive approach aimed at protecting pupils, students, and trainees, ensuring data confidentiality, and providing psychological and social support to these groups, rather than focusing solely on deterrence. In the area of employment, the decree included mechanisms for the early detection of drug and psychotropic substance use as a means of protecting workplaces and ensuring a safe and healthy professional environment. However, the results of these tests were not used as a tool for the outright exclusion of those tested, as the opportunity for treatment and reintegration was maintained. This strikes a balance between the requirements of public order and respect for human dignity, and

between achieving individual interests without compromising the public interest. However, the effectiveness of these legal texts remains contingent upon their proper implementation, the need to raise public awareness about the dangers of drug and psychotropic substance abuse, and the establishment of a culture of prevention within educational and training institutions and workplaces. The law provides the framework, but it cannot succeed without collective cooperation and shared responsibility; other means of social control must also be activated.

Combating drug and psychotropic substance abuse is, at its core, a defense of humanity and its right to health, physical safety, security, and stability. It is a commitment to achieving a secure future for the nation, a future built primarily on a generation of young people who are sound in mind and body, capable of building and innovating, free from all forms of deviance and dependency. For a sound mind resides in a sound body.

From the above, we arrive at a number of conclusions:

- The seriousness and spread of the drug phenomenon, particularly in educational and training institutions and workplaces.
- It has become clear that drug and psychotropic substance use is no longer limited to a specific age group, but now affects various segments of society, including pupils, students, and trainees.
- The Algerian legislator has adopted a preventive and therapeutic approach alongside a deterrent approach, particularly through Executive Decrees 26-77 and 26-76.
- The Algerian legislator has enshrined the principles of confidentiality and the

protection of the privacy of those undergoing drug and psychotropic substance testing.

- The regulatory texts have established clear guarantees for the protection of personal data and medical confidentiality, reflecting respect for fundamental individual rights.
- Testing is adopted as a preventive mechanism, not as a means of exclusion from education, training, or employment.
- Test results do not automatically lead to legal prosecution or professional exclusion, but rather open the door to treatment and reintegration.
- There are multiple stakeholders involved in the prevention process.
- Combating this phenomenon requires coordination among the education, health, justice, and interior sectors, as well as labor institutions.
- The legal framework demonstrates the state's commitment to upholding public order and respecting human rights, despite the seriousness of drug and psychotropic substance abuse.
- To address the crime of drug and psychotropic substance abuse in educational and training institutions, as well as in the workplace, we offer the following suggestions:
 - Strengthening awareness and prevention efforts within educational and training institutions and workplaces.
 - Integrating regular educational programs on the dangers of drugs into school curricula.
 - Providing training for educational and administrative staff in the health of students and trainees.
 - Training teachers and administrators on how to detect early signs of drug use and

how to address them administratively, educationally, and psychologically.

- Strengthening the role of families, mosques, parents, and civil society, especially those directly involved with young age groups, and involving them in organizing awareness and prevention campaigns.
- Developing treatment and reintegration centers, particularly detection and follow-up units.
- Expanding the number of specialized centers for treating drug and psychotropic substance addiction and ensuring easy access to them.
- Digitizing educational, training, and health institutions to ensure transparency.
- Adopting secure digital systems for storing the results of drug and psychotropic substance use tests, while strengthening the protection of the personal data of those tested.
- Regularly monitoring the effectiveness of regulatory texts to improve their quality.
- Periodically evaluating the implementation of executive decrees and amending them as needed based on the realities on the ground.
- Strengthening workplace oversight.
- Ensuring that drug and psychotropic substance use detection mechanisms are implemented in a manner that respects human dignity and prevents any abuse or discrimination among those subject to them.
- Launching continuous national awareness campaigns to highlight the dangers of drug and psychotropic substance use.

- Moving beyond ad hoc campaigns and adopting a long-term media strategy to combat the phenomenon.

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