



The Specificity of Procedural Rules for the Protection of the Child

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Abstract:

This study examines the procedural distinctiveness codified by Algerian legislation to protect minors—whether endangered or delinquent. It explores both socio-judicial mechanisms, emphasizing the roles of the National Child Protection Authority, open-environment services, and juvenile judges, alongside procedural phases involving delinquent minors. Despite normative adequacy, the findings reveal limited field effectiveness due to implementation deficits and insufficient professional training.

Keywords: Juvenile delinquent; Judicial safeguards; Procedural particularities; Best interests of the child.

Introduction:

The child occupies a distinct legal status across contemporary legal systems, being inherently vulnerable and developmentally fragile, thereby necessitating a sui generis protective framework that ensures holistic growth and existence within a secure and stable environment. Within this paradigm, international legal instruments—most notably the 1989 Convention on the Rights of the Child—have conferred paramount importance on the protection of children's rights¹, enshrining foundational principles, chief among them the doctrine of the child's best interests.

In consonance with this protectionist trajectory, the Algerian legislator promulgated a dedicated statutory instrument, Law No. 15-12 of 15 July 2015 instituting a comprehensive

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architecture of social and judicial measures applicable to both children in situations of endangerment and juvenile offenders². Particular emphasis was placed on procedural safeguards tailored to the child's age, psychological disposition, and socio-familial context—thereby establishing procedural regimes distinct from those governing adults. These provisions aim to strike a judicious equilibrium between societal protection imperatives and the individualized protection of the minor, particularly in their interactions with the justice apparatus.

The significance of examining the procedural singularities governing child protection lies in their foundational role in operationalizing substantive legal norms. Abstract legislative provisions are insufficient absent a coherent procedural framework to enforce them. Algeria's criminal policy toward child protection has thus incorporated procedural statutes intended to actualize the rights of this especially vulnerable demographic. This raises two central questions: What are the procedural particularities afforded to children under this legal regime? And to what extent do these measures translate into effective, tangible protection?

To address these questions, the study is structured into two principal sections: the first delineates the procedural specificities concerning children in danger; the second explores those applicable to juvenile offenders.

1. PROCEDURAL SPECIFICITIES PERTAINING TO THE CHILD IN DANGER

Pursuant to Article 2 of Algerian Law No. 15-12 on Child Protection, a “child in danger” is defined as one whose health, morality, upbringing, or security is at risk or potentially exposed to harm, or whose living conditions or conduct may likely endanger their future, or who resides in an environment that jeopardizes their physical, psychological, or educational well-being.

In recognition of the child's vulnerability to criminal harm, the legislator has instituted a framework of protective measures as codified under Title II of Law No. 15-12, entitled Protection of the Child in Danger. These provisions are bifurcated into two main procedural categories: provisional socio-administrative measures, addressed in Chapter I, and provisional judicial measures, delineated in Chapter II. The overarching legislative intent behind these anticipatory interventions is to safeguard the child prior to any delinquent behavior or victimization—merely on the basis of their exposure to risk³. Accordingly, this section shall first examine the provisional social measures (Subsection I), followed by the provisional judicial measures (Subsection II).

1. 1 PROVISIONAL SOCIAL MEASURES

Provisional social measures may be categorized based on the level of institutional authority responsible for their implementation. Accordingly, they are divided into national-level provisional social measures (Part I) and local-level provisional social measures (Part II).

Part I: National-Level Provisional Social Measures

Under Section I titled National Authority for the Protection and Promotion of Childhood, part of Chapter I Social Protection of Title II Protection of the Child in Danger in Law No. 15-12



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of 15 July 2015, the Algerian legislator vested the National Child Protection Commissioner—as head of the authority—with the legal mandate to oversee the protection of at-risk children on a national scale.

Article 11 of the aforementioned law provides for the establishment of a national authority entrusted with the mandate of promoting and protecting children's rights in Algeria. Operating under the supervision and oversight of the Prime Minister, this authority is chaired by the National Commissioner for Child Protection, appointed by presidential decree from among nationally recognized figures with demonstrable expertise and engagement in child welfare. The authority is endowed with legal personality and financial autonomy, with the state ensuring the provision of all requisite human and material resources to fulfill its⁴.

The article defers to implementing regulations regarding the structural organization and operational modalities of the authority, which were subsequently enacted under Executive Decree No. 16-334 of 19 December 2016 governing the authority's internal framework and functioning⁵.

According to Article 28 of the decree, the National Commissioner receives reports of child rights violations through all available channels, whether submitted by the child themselves, their legal representative, or any natural or legal person. Such notifications may be lodged via the dedicated hotline (1111), the official website (www.onppe.dz), traditional mail, or in-person visits to the authority's headquarters, as stipulated in Article 29 of the same decree.

The authority's reporting unit comprises clinical psychologists, legal practitioners, social workers, physicians, and specialized educators. It operates continuously (24/7) in rotating shifts according to a schedule approved by the Commissioner. At the end of each shift, notifications are relayed to the relevant service head; urgent cases, however, are immediately escalated to the National Commissioner or their delegate, who, depending on the circumstances, forwards them to:

- Open-environment child services for investigative follow-up and remedial action;
- The juvenile court, in cases of imminent or acute endangerment requiring the child's removal from their family environment;
- The Ministry of Justice, if the reported incident may entail criminal classification.

Open-environment services are required to inform the National Commissioner of the outcomes of referred notifications within a maximum of one month from the date of receipt. Moreover, they must provide quarterly comprehensive reports detailing the status and management of all children under their care.

In accordance with Article 46 of the same decree, the National Commissioner is also mandated to conduct field inspections of all institutions and facilities tasked with the protection and accommodation of children, and may, at their own initiative, intervene to assist children identified as being in danger.



Part II: Local-Level Provisional Social Measures

Pursuant to Article 21 of the Child Protection Law, the responsibility for providing local-level social protection for children rests with open-environment child services, in coordination with various public institutions and entities entrusted with child welfare. As defined in Paragraph 7 of Article 2 of the same law, open-environment child services refer specifically to entities responsible for observation and educational oversight in non-institutional contexts.

These services are established at the level of each wilaya (province), with the possibility of multiple units in densely populated areas. They are composed of specialized personnel, including educators, social workers, clinical psychologists, legal advisors, and child protection professionals. These services intervene either ex officio or following notification, to assist children and families facing endangerment scenarios that threaten the child's physical or moral integrity. Notifications may be received from the National Commissioner⁶, the child and/or their legal representative, the judicial police⁷. The Wāli (provincial governor), the President of the Municipal People's Assembly, associations or public/private organizations active in child protection, as well as from teachers, physicians, or any natural or legal person.

Upon receipt of a notification, open-environment services are tasked with verifying the existence of an actual endangerment situation. This involves conducting social inquiries, visiting the child's location, and interviewing both the child and their legal guardian concerning the reported facts, in order to assess the child's condition and determine the appropriate protective measure. In urgent circumstances, immediate field intervention is required, and, if necessary, these services may seek the intervention of the Public Prosecutor or the Juvenile Judge.

If no endangerment is established, the child and their legal representative are to be informed accordingly. If the situation is confirmed, the services must engage with the legal guardian to reach a consensual protective arrangement suited to the child's needs and circumstances. According to Paragraph 3 of Article 24, children aged thirteen (13) or older must be involved in determining the proposed protective measure. Additionally, both the child and their guardian must be informed of their right to refuse such an agreement. Any agreed-upon measure must be documented in an official report and signed by all parties after it is read aloud to them.

Where an agreement is reached, the child remains in the family environment under one or more of the measures enumerated in Article 25 of the Child Protection Law, including:

- Obligating the family to implement specific actions to mitigate the danger within a timeframe established by the open-environment services.
- Providing necessary support to the family, in coordination with social welfare bodies.
- Notifying the Wāli, the President of the Municipal Assembly, or any relevant social agency to ensure institutional support for the child.
- Taking appropriate measures to prevent the child's contact with individuals posing a threat to their physical or moral integrity.



Such measures may be partially or fully revised by the open-environment services, either *sua sponte* or at the request of the child or their legal guardian.

If no agreement is reached within ten (10) days from the date of notification, or if the agreement is withdrawn or fails despite revision, open-environment services are obligated—under Article 27—to refer the matter to the competent Juvenile Judge. Moreover, in cases involving imminent danger or situations where retaining the child in their family setting is unfeasible—notably when the child is the victim of an offense committed by their legal representative—open-environment services must immediately escalate the case to the Juvenile Court. These services are further required to periodically report to the Juvenile Judge on all children under their care and the protective measures undertaken, and must provide the National Commissioner with regular quarterly reports detailing the status and management of such cases.

1.2 PROVISIONAL JUDICIAL MEASURES

The legislator has vested the authority to enact provisional judicial measures in the Juvenile Judge, as outlined in Section I titled Intervention of the Juvenile Judge, within Chapter II Judicial Protection of Title II Protection of the Child in Danger, covering Articles 32 through 45 of Law No. 15-12.

The Juvenile Judge may intervene *ex officio* or upon notification submitted by the child, their legal representative, the Public Prosecutor, the Wāli (Governor), the President of the Municipal People's Assembly of the child's place of residence, open-environment child services, or public associations concerned with childhood affairs. In the case of a notification submitted by the child, the law allows for it to be made orally, implying that submissions from all other entities must be in writing⁸.

The territorial jurisdiction of the Juvenile Judge is determined based on the child's place of residence, habitual dwelling, or the domicile of their legal guardian. In the absence of these, jurisdiction is established based on the location where the child is found, pursuant to Article 32 of the Child Protection Law.

Upon receipt of a notification concerning a child in danger, the Juvenile Judge must immediately inform the child and/or their legal guardian and proceed to hear their statements and obtain their perspectives regarding the child's situation and future. In such instances, the child may retain legal counsel, and the judge is also empowered to hear any other individual whose testimony may be deemed beneficial⁹.

The Juvenile Judge then initiates a comprehensive assessment of the child's personal circumstances, including a social inquiry, medical, psychological, and psychiatric evaluations, as well as behavioral observation¹⁰. These procedures are conducted with the assistance of open-environment services. Should the judge determine that no risk exists, they may opt to terminate the proceedings or impose limited protective measures.

The provisional measures available to the Juvenile Judge are classified into two categories:

- Part I: Provisional measures during the investigatory phase.



- Part II: Provisional measures following the conclusion of the investigation.

Part I: Provisional Measures During the Investigative Phase

The Juvenile Judge may issue an order for provisional custody, under which one of two categories of interim protection may be enacted: provisional custodial measures or provisional placement measures.

A. Provisional Custodial Measures

According to Article 35 of the Child Protection Law, the Juvenile Judge may, by virtue of a provisional custody order, impose any of the following measures:

- Retain the child within their family environment;
- Transfer the child to the custody of the father or mother not holding parental authority, provided such authority has not been legally revoked;
- Place the child in the care of a relative;
- Assign the child to a trustworthy individual or family.

The judge may also instruct open-environment services to monitor the child in their familial, academic, and/or vocational setting.

B. Provisional Placement Measures

Under Article 36, the Juvenile Judge may also order temporary institutional placement of the child in:

- A specialized center for the protection of children in danger;
- A designated child assistance service;
- A medical or psychiatric establishment, should the child require healthcare or psychological support.

Pursuant to Article 37, the duration of the provisional measures outlined in Articles 35 and 36 shall not exceed six (6) months, and the child and/or their legal representative must be notified of the enacted measure within forty-eight (48) hours by any appropriate means.

Part II: Provisional Measures Following the Completion of the Investigation

Upon the conclusion of the investigation, the Juvenile Judge submits the case file to the Public Prosecutor for review. Subsequently, the judge issues a registered summons to the child, their legal representative, and, where necessary, the defense attorney, at least eight days before the scheduled hearing, to ensure due participation and the possibility of summoning any person



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deemed relevant to the proceedings. In accordance with Articles 38 and 39, the judge may exempt the child from attending the hearing or order their withdrawal from all or part of the proceedings, if deemed to be in the child's best interests.

The hearing is conducted in the presence of the Juvenile Judge alone, without the lay assessors, and may proceed in the absence of the child or their legal representative if excused. The judge then issues a non-appealable order imposing one of the protective measures listed in Article 40:

- Maintaining the child within their family;
- Transferring the child to the parent not holding parental authority, unless such authority has been revoked by court order;
- Assigning the child to a relative;
- Placing the child in the care of a trustworthy person or family.

Paragraph 3 of the same article permits the Juvenile Judge to mandate open-environment services to monitor the child's development and ensure their educational, social, and psychological welfare, with a duty to submit periodic reports on the child's condition¹¹.

The final paragraph of Article 40 refers to regulatory provisions defining eligibility criteria for individuals and families deemed trustworthy. These were specified in Executive Decree No. 19-70 of 19 February 2019, which stipulates the following conditions (Article 3):

- Algerian nationality ;
- Proven good character and moral integrity;
- Full civil and political capacity;
- Physical and mental fitness ;
- Adequate financial means to meet the child's needs.

When entrusting a family, these conditions must apply to the primary applicant, and when deemed in the child's best interests, the trusted individual may be required to share the same gender as the child.

In addition to the measures listed in Article 40, the Juvenile Judge may, under Article 41, order placement outside the child's current environment when deemed necessary for their protection, namely:

- In a specialized center for children in danger;
- In a child assistance institution.



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It is important to note that the measures provided under Articles 40 and 41 differ from those in Articles 35 and 36 in duration. They may extend up to two (2) years, renewable, but may not exceed the legal age of criminal responsibility, as stipulated in Article 42.

Paragraph 2 of the same article allows the Juvenile Judge to extend protection until the child reaches the age of twenty-one (21), either upon request of the entrusted person or the child themselves, or by judicial initiative. However, protection may also be terminated earlier if the child demonstrates capacity for self-care.

Orders issued under Articles 40 and 41 must be communicated to the child and their legal guardian within 48 hours of issuance and are not subject to appeal through any legal recourse. Pursuant to Article 45, the Juvenile Judge may revise or rescind any protective measure, either *sua sponte* or at the request of the child, their legal guardian, or the Public Prosecutor. Such requests must be adjudicated within one (1) month from the date of filing.

2. CONCERNING THE JUVENILE OFFENDER

Article 2 of the Child Protection Law defines a juvenile offender as a child who has committed a criminal act and who is not less than ten (10) years of age, with the determination of age based strictly on the date of the offense.

Under Title III of the law, titled Special Provisions for Juvenile Offenders, the Algerian legislator has granted this category of children a set of distinct procedural safeguards throughout all phases of criminal proceedings. Chapter I, in particular, is dedicated to Preliminary Investigation, Judicial Inquiry, and Adjudication.

Accordingly, this section is structured into three main subsections:

- Subsection I will address the procedural framework governing the juvenile during the investigative and evidence-gathering phase.
- Subsection II will examine the rules applicable during the judicial inquiry.
- Subsection III will focus on the trial and adjudication phase for juvenile offenders.

3.1 DURING THE INVESTIGATION AND PRELIMINARY INQUIRY

The procedural rules governing investigative and preliminary measures for juvenile offenders are characterized by distinct safeguards that set them apart from those applicable to adult defendants. These procedural particularities are manifested primarily through police custody (*garde à vue*) (Part I) and mediation proceedings (Part II).

Part I: Police Custody Procedures

The procedural regime of custodial detention for minors suspected of committing an offense is subject to stringent limitations and specific guarantees, as follows:



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1. Duration of Police Custody: Only children over the age of thirteen (13) may be placed in police custody. If such custody is deemed necessary for the purposes of preliminary investigation—on suspicion of having committed or attempted a criminal offense—the duration may not exceed twenty-four (24) hours, in accordance with Article 49 of the Child Protection Law.
2. Notification and Presence of the Legal Representative: Pursuant to Article 50, the judicial police officer must immediately notify the child's legal representative upon custody. Under Article 55, the child may only be questioned in the presence of this representative, provided they are identifiable.
3. Presence of Legal Counsel: The presence of a defense attorney during police custody is mandatory to assist the juvenile suspect, as prescribed by Article 54.
4. Types of Offenses Warranting Custody: Police custody is only permitted in the case of misdemeanors (délits) that constitute a manifest breach of public order and for which the statutory maximum penalty exceeds five (5) years of imprisonment, or for felonies (crimes).
5. Medical Examination: A medical examination must be conducted at the beginning and end of the custody period. Additionally, the Public Prosecutor may appoint a physician at any time, either ex officio or at the request of the child, their legal representative, or defense counsel, in accordance with Paragraphs 2 and 3 of the relevant provisions.
6. Conditions of Detention: Custody must occur in facilities that preserve human dignity and are tailored to the specific needs of the child, and must be separate from adult detention areas. The juvenile remains under the authority of the judicial police officer, pursuant to Paragraph 4 of Article 52.

Part II: Mediation Proceedings

Mediation involving juvenile offenders displays further procedural distinctiveness:

1. Applicable Offenses: As per Article 110 of the Child Protection Law, mediation may be initiated in cases involving infractions and misdemeanors committed by children, without restricting the scope of eligible misdemeanors. This contrasts with mediation for adult offenders, which is limited to a closed list of misdemeanors as enumerated in Article 37 bis-2 of the Code of Criminal Procedure.
2. Competent Authority: Ordinarily, mediation is conducted by the Public Prosecutor, either ex officio or at the request of the complainant or the alleged offender, as outlined in Article 37 bis of the Code of Criminal Procedure. However, Article 111 of the Child Protection Law allows the Public Prosecutor to delegate this responsibility to a judicial police officer or assistant prosecutor. According to Paragraph 2 of the same article, mediation may be initiated at the request of the child, their legal representative, or defense counsel, or spontaneously by the Public Prosecutor.



2.2 JUDICIAL INVESTIGATION PHASE

Judicial inquiry in cases involving juvenile offenders is governed by specialized procedures reflecting the child's age, vulnerability, and developmental status. These safeguards are addressed under two headings: protective and rehabilitative measures (Part I) and procedural particularities of the investigation process (Part II).

Part I: Protective and Rehabilitative Measures

According to Article 57 of the Child Protection Law, a child aged between ten (10) and under thirteen (13) years at the time of the offense may only be subject to protective or rehabilitative measures, rather than criminal penalties. These measures may include :

- Placement with the child's legal representative,
- Entrustment to a trustworthy person or family,
- Placement in a certified child assistance institution,
- Placement in a specialized center for delinquent children (pursuant to Article 70).

These provisional measures are subject to appeal before the Juvenile Chamber of the Court of Appeal within ten (10) days, by the child, their legal representative, or counsel, as per Article 76(2).

The Juvenile Judge or the Juvenile Investigating Magistrate who issued such measures may also, when appropriate, subject the child to judicial supervision, with open-environment services tasked with its implementation. These measures remain subject to review and modification.

Part II: Procedural Particularities of Judicial Inquiry

Judicial investigations involving juveniles differ from those involving adults in several key respects:

1. Competent Authority:
 - Misdemeanors and infractions are under the jurisdiction of the Juvenile Judge.
 - Felonies fall under the authority of the Juvenile Investigating Judge, who also serves as the trial judge.
2. Mandatory Investigation:
 - Judicial investigation is compulsory in both misdemeanors and felonies involving juveniles; it is optional in infraction-level offenses (Article 64).
3. Inapplicability of Flagrante Delicto Procedures:



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- The procedures related to in flagrante delicto are inapplicable to juvenile offenders (Article 64, para. 2).

4. Mandatory Social Inquiry:

- A social inquiry is obligatory in felonies and misdemeanors, and discretionary in infractions (Article 66).
- It may be conducted by the Juvenile Judge or delegated to open-environment services.

5. Compulsory Legal Counsel:

- The presence of defense counsel is mandatory during the investigative phase (Article 67).

6. Pretrial Detention Periods:

- Misdemeanors:
Under Article 73, pretrial detention for offenses punishable by more than three (3) years and that constitute serious disruption of public order:
 - Children aged 13 to under 16: 2 months, non-renewable.
 - Children aged 16 to under 18: renewable once.
- Felonies:
Under Article 75, pretrial detention may last two (2) months, and is renewable under the conditions set by the Code of Criminal Procedure.

2.3 TRIAL AND ADJUDICATION PHASE

The trial of a juvenile offender features multiple procedural and substantive distinctions from that of adults. These are examined in two parts: judgment-related measures (Part I) and procedural particularities of the hearing (Part II).

Part I: Judgment – Protective, Rehabilitative, and Punitive Measures

According to Article 84(2) of the Child Protection Law, upon the child's conviction, the Juvenile Division may impose:

- Protective or rehabilitative measures,
- Custodial sanctions, or
- Fines.

As specified in Article 85, such protective/rehabilitative measures may include:



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- Entrustment to the legal representative or a trustworthy individual/family,
- Placement in a certified child welfare institution,
- Enrollment in a boarding school suitable for minors of school age,
- Placement in a specialized center for juvenile delinquents.

These measures must be imposed for a defined period, not exceeding the child's age of criminal majority, and may be executed immediately, regardless of appeals.

The Juvenile Judge may also place the child under judicial supervision, executed by open-environment services. This supervision may be revoked at any time (Article 85, para. 2). The nature, purpose, and obligations of the measure must be communicated to both the child and their legal guardian (Article 100).

Supervision is carried out by permanent or volunteer delegates.

- Permanent delegates are child welfare professionals.
- Volunteer delegates are trusted individuals aged at least 21, appointed by the judge, and tasked with monitoring the child's moral, physical, educational, and recreational well-being.
They must submit a detailed report every three (3) months, and immediate reports if the child's conduct deteriorates or if complications arise.

According to Article 87, if the offense is classified as an infraction, sanctions may include either a reprimand or a fine, in accordance with Article 51 of the Penal Code.

For children aged 10 to under 13, only a reprimand or judicial supervision may be imposed if it serves the child's best interests.

As per Article 96, protective and rehabilitative measures are subject to review or modification, either at the request of the Public Prosecutor, based on a report by open-environment services, or at the judge's own initiative, regardless of the issuing body.

Furthermore, under Article 49(4) of the Penal Code, minors aged 13 to 18 convicted of infractions may benefit from mitigated penalties, as per Article 50.

Part II: Procedural Particularities of Juvenile Hearings

The adjudication of juvenile cases entails specific procedural safeguards:

1. Exemption from Court Appearance:

- Under Article 82(3), the Juvenile Court may exempt the child from attending hearings if deemed beneficial. In such cases, the child is represented by their legal guardian and attorney. Judgments rendered in absentia are deemed present



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judgments. The presiding judge may also order the child's withdrawal from the courtroom during part or all of the proceedings.

2. Confidentiality of Proceedings:

- Hearings before the Juvenile Division are strictly confidential, in accordance with Article 82.

3. Compulsory Legal Representation:

- The presence of a defense attorney is mandatory throughout the trial phase, pursuant to Article 67.

CONCLUSION

In conclusion, it becomes evident that the legal provisions—both substantive and procedural—intended to ensure penal protection for children in danger and juvenile offenders appear, at least normatively, to be comprehensive and protective in nature. However, the empirical reality reveals a considerable implementation gap. Despite the legislative abundance and diversity, many of these provisions remain inoperative in practice, primarily due to their incompatibility with societal realities and local institutional constraints.

Furthermore, numerous material and human obstacles impede effective enforcement, including insufficient training of judicial police officers and investigating magistrates, and their limited familiarity with the psychosocial specificities of childhood. These shortcomings compel the conclusion that such legal instruments, while well-intentioned, fall short of delivering genuine protection for one of the most vulnerable categories of individuals—children—and therefore necessitate greater institutional commitment and state-driven reinforcement.

¹ Convention on the Rights of the Child (1989), adopted by the United Nations General Assembly on 20 November 1989, entered into force in September 1990. Ratified by Algeria under Presidential Decree No. 92-461 dated 19 December 1992, published in the Official Gazette No. 91 of 23 December 1992, p. 2318.

² Law No. 15-12 of 15 July 2015 on Child Protection, published in Official Gazette No. 39 of 19 July 2015, p. 4.

³ Messaoud, R., Measures Taken Regarding Children in Danger under Law No. 15-12 on Child Protection, *Journal of Ijtihad for Legal and Economic Studies*, Vol. 7, No. 2, 2018, pp. 125–141, p. 128.

⁴ Aiquoun, W., Protection of the Child in Danger: An Analytical Study Based on Law No. 15-12, *Journal of Law and Human Sciences*, Vol. 15, No. 1, 2022, pp. 1419–1432, p. 1421.

⁵ Executive Decree No. 16-334 of 19 December 2016, establishing the conditions and modalities for the organization and functioning of the National Authority for the Protection and Promotion of Childhood, published in Official Gazette No. 75 of 21 December 2016, p. 9.

⁶ According to Paragraph 2 of Article 16 of the Child Protection Law, if the facts reported to the National Commissioner for the Protection and Promotion of Child Rights contain elements that may constitute a criminal offense, the Commissioner is required to immediately forward the notification to the Minister of Justice, Keeper of the Seals, who in turn refers the matter to the competent Public Prosecutor for the potential initiation of public proceedings.



⁷ The term “legal representative of the child”, as defined under Paragraph 5 of Article 2 of the Child Protection Law, refers to the guardian (wali), custodian (wasi), sponsor (kafil), curator (muqaddam), or foster carer (hadin) responsible for the child’s care and legal representation. Haroun, N., Social Protection of Children in Danger via Open-Environment Services: A Legal Reading of Law No. 15-12 on Child Protection, Journal of Studies on the Effectiveness of Legal Norms, Vol. 1, No. 1, 2017, pp. 126–144, p. 132.

⁸ Boukhalfa, F., Judicial Protection of Children in Danger: A Study in Light of Law No. 15-12 on Child Protection, Journal of Afak for Sciences, Ziane Achour University – Djelfa, Vol. 3, No. 4, 2018, pp. 288–296, p. 289.

⁹ Cheikh, N., & Belhadj, F. Z., Preventive Measures for Protecting Children in Danger: A Study Based on Law No. 15-12 on Child Protection, Journal of Legal Studies, Vol. 8, No. 2, June 2022, pp. 218–235, p. 223.

¹⁰ Fekhar, H. B. I., Criminal Protection of the Child in Algerian Legislation and Comparative Law, Doctoral Thesis in Criminal Law, Faculty of Law and Political Science, University of Mohamed Khider – Biskra, 2014/2015, p. 381.

¹¹ Souighat, B., Criminal Protection of the Child in Algerian Law, Master’s Thesis in Criminal Law, Faculty of Law and Political Science, Kasdi Merbah University – Ouargla, 2010/2011, p. 50.

Bibliography List

First: Legal Texts

1. Convention on the Rights of the Child (1989), adopted by the United Nations General Assembly on 20 November 1989, entered into force in September 1990. Ratified by Algeria under Presidential Decree No. 92-461 dated 19 December 1992, published in the Official Gazette No. 91 of 23 December 1992.
2. Law No. 15-12 of 15 July 2015 on Child Protection, published in Official Gazette No. 39 of 19 July 2015.
3. Executive Decree No. 16-334 of 19 December 2016, establishing the conditions and modalities for the organization and functioning of the National Authority for the Protection and Promotion of Childhood, published in Official Gazette No. 75 of 21 December 2016.

Second: Theses & Dissertations

1. Fekhar, H. B. I., Criminal Protection of the Child in Algerian Legislation and Comparative Law, Doctoral Thesis in Criminal Law, Faculty of Law and Political Science, University of Mohamed Khider – Biskra, 2014/2015.
2. Souighat, B., Criminal Protection of the Child in Algerian Law, Master’s Thesis in Criminal Law, Faculty of Law and Political Science, Kasdi Merbah University – Ouargla, 2010/2011.

Third: Journal Articles

1. Boukhalfa, F., Judicial Protection of Children in Danger: A Study in Light of Law No. 15-12 on Child Protection, Journal of Afak for Sciences, Ziane Achour University – Djelfa, Vol. 3, No. 4, 2018, pp. 288–296.
2. Cheikh, N., & Belhadj, F. Z., Preventive Measures for Protecting Children in Danger: A Study Based on Law No. 15-12 on Child Protection, Journal of Legal Studies, Vol. 8, No. 2, June 2022, pp. 218–235.



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3. Messaoud, R., Measures Taken Regarding Children in Danger under Law No. 15-12 on Child Protection, *Journal of Ijtihad for Legal and Economic Studies*, Vol. 7, No. 2, 2018, pp. 125–141.
 4. Haroun, N., Social Protection of Children in Danger via Open-Environment Services: A Legal Reading of Law No. 15-12 on Child Protection, *Journal of Studies on the Effectiveness of Legal Norms*, Vol. 1, No. 1, 2017, pp. 126–144.
 5. Aiquoun, W., Protection of the Child in Danger: An Analytical Study Based on Law No. 15-12, *Journal of Law and Human Sciences*, Vol. 15, No. 1, 2022, pp. 1419–1432.