

The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement

نظام الاعتراف المسبق بالذنب في القانون رقم 25-14

بين التفعيل القانوني وفعالية التطبيق

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Abstract:

The system of prior admission of guilt constitutes one of the most significant innovations introduced by Laws No. 25--14 concerning the Code of Criminal Procedure, within the framework of a comprehensive reform aimed at enhancing the effectiveness of the criminal justice system. This system is based on enabling the accused to confess to the acts attributed to them in exchange for a reduction in penalty, in accordance with specific procedural rules established by law to ensure a balance between society's interest in deterrence and the accused's right to a fair trial. The establishment of this system draws upon comparative legal experiences, particularly those of Anglo-Saxon and Latin traditions, while taking into account national legal specificities. As such, this newly introduced mechanism represents a qualitative step toward shaping modern criminal policy in Algeria, necessitating its rational and genuine implementation, one that reconciles procedural expediency with the guarantees of a fair trial, thereby achieving the intended objectives of judicial reform in the justice system and its operative procedures.

Keywords: Admission - prior guilt - procedural safeguards - effectiveness

Introduction:

The profound transformations currently characterising the contemporary criminal justice system have necessitated moving beyond traditional mechanisms for managing public prosecution, particularly in light of the challenges posed by the increasing volume of criminal cases, procedural complexity, and the protracted duration of trials. Within this context, Algerian Law No. 25--14 concerning the Code of Criminal Procedure enshrines a new legislative orientation aimed at achieving procedural efficiency without compromising the guarantees of a fair trial. This is achieved through the introduction of a system of prior admissions of guilt, serving as an alternative mechanism for adjudicating certain criminal cases, founded on the principle of legal negotiation between the public prosecution and the accused under judicial oversight.

At its core, this new system is the product of an interaction between practical considerations and the normative objectives of modern criminal policy. It is an attempt to balance the effectiveness of justice, on the one hand, with the rights of the defence, on the other hand. This procedural model traces its origins to Anglo-Saxon legal systems, most notably in the United States of America, where it emerged under the designation of admitting guilt in exchange for a reduced sentence, before gradually extending to some Latin systems, such as French legislation. The Algerian legislature adopted numerous features of modern procedural reforms while preserving the distinctiveness of the national legal and procedural framework.

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“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

The adoption of this measure by the Algerian criminal legislature was not a mere act of legislative imitation but a conscious response to a judicial reality weighted down by voluminous case files. It represents an earnest endeavour to establish a more efficient model for administering criminal justice by reducing litigation timeframes, rationalising the use of judicial resources, avoiding purely formal trials that consume effort and time without yielding substantive judicial outcomes, and promoting a culture of responsibility and acknowledgement rather than denial and evasion within a framework of transparency and rigorous legal oversight.

Nevertheless, integrating the system of prior admission of guilt into the Algerian procedural framework raises profound questions regarding its compatibility with the traditional conception of criminal justice and the capacity of legal texts and judicial institutions to implement and safeguard its integrity effectively, especially in view of concerns related to the liberty of will, parity between parties, and adherence to the principles of legality and equality before the law.

The study of the system of prior admission of guilt under Law No. 25--14, which encompasses the Code of Criminal Procedure, necessitates addressing the following fundamental question: Will the incorporation of the system of prior admission of guilt under Law No. 25--14 related to the Code of Criminal Procedure contribute to achieving the desired effectiveness of the criminal justice system in Algeria, and what challenges face its implementation in practice?

This question is addressed in two main sections:

- The first section: Legal activation of the system of prior admission of guilt
- The second section: The effectiveness of implementing the system of prior admission of guilt

First Section

The legal activation of the system of prior admission of guilt

The legal activation of the system of prior admission of guilt constitutes one of the most prominent innovations introduced by the Algerian legislature through Law No. 25--14, encompassing the Code of Criminal Procedure. This system was established in response to the requirements of modern criminal justice aimed at achieving speed and efficiency in adjudicating criminal cases without compromising the guarantees of a fair trial. Addressing this system requires examining the concept of prior admission of guilt, viewed as a novel negotiation mechanism between the prosecution and the accused, which is distinct from traditional confession. Consequently, it is necessary to consider the procedural provisions through which the Algerian legislature regulated the application of this system to ensure a balance between the interests of justice and the rights of the defence. This will be elucidated in the two following subsections:

First Subsection: The Concept of the System of Prior Admission of Guilt

This system is referred to by various terms, including prior admission of guilt, confession under bargaining, pleading on the basis of admission of the offence, negotiated confession, and conditional appearance with prior admission, among others.¹ Although legal texts do not define the concept of prior admission of guilt precisely,² Law No. 25--14, amended to the Code of Criminal Procedure, in Articles 539--548, stipulates the conditions and procedures for appearing on the basis of prior admission of guilt without providing an exact definition.³ Criminal jurisprudence has also endeavoured to elaborate on differing definitions of this modern procedure. Some view it as an explicit acknowledgement made by the accused before the judicial authority, acknowledging that they committed the criminal act attributed to them, prior to the start of the trial, in exchange for procedural advantages and a reduction in punishment.⁴ Others consider it a new procedural form, primarily based on the accused's consensual admission of guilt in exchange for a mitigation of the penalty and a simplification of procedures, aiming to balance the interests of justice and the rights of defence.⁵

The system is viewed by some as a form of litigation by conviction or bargaining over confession, initially rooted in the American Anglo-Saxon legal tradition. It relies on a negotiated

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

agreement between the public prosecutor's representative and the accused, whereby the latter admits their crime in exchange for a benefit such as a mitigated sentence, dismissal of specific charges, or modification of the legal characterisation of the offence. This negotiation occurs between the prosecution authority and the accused to secure a lighter penalty upon admission of guilt, encompassing discussions over judicial prosecution, the committed acts, and the punishment.⁶

This differs from French legislation, which imposes a more technical and judicially controlled character on the system, requiring judicial approval of the agreement to ensure respect for defence rights.⁷ Notably, American legislation grants the prosecution of broader negotiating powers. In contrast, the French system preserves the judge's role as the guardian of justice, guaranteeing efficiency without compromising the guarantees of a fair trial, unlike the pragmatic nature that dominates the American system.⁸

This procedure differs further in Algerian legislation, which attempts to be more stringent than both American and French laws. The French system broadens the scope of misdemeanours to which this procedure applies, with judicial oversight in France being more flexible and based on mutual trust between the parties, compared with the more cautious approach taken in Algerian legislation.⁹

The quest to establish a precise definition of prior admission of guilt also necessitates distinguishing it from confession as a means of proof employed by quasijudicial and judicial authorities. Confession is one of the traditional means adopted by the Algerian legislature within the criminal evidence system.¹⁰ However, Law No. 25--14, encompassing the Code of Criminal Procedure, introduces a concept distinct from confession, namely, prior admission of guilt or prior acknowledgement of guilt.¹¹ This distinction requires clarification between the two types of confession: confession as a means of proof is admission by the suspect or accused before the judicial police or judicial bodies committing the crime. It constitutes merely one evidentiary element subject to the judge's assessment in accordance with the principle of personal conviction. It does not bind the judge if it is not credible or supported by other evidence.¹² Moreover, it does not create independent criminal liability itself. However, it serves only as an indication of the truth of the facts, which the accused may retract at any stage of the proceedings if it is proven that they were made under physical or moral coercion. Confession before the judicial police or judiciary¹³ It is therefore merely a means of proof subject to the judge's discretionary evaluation, who is not obliged to accept it unless satisfied that it was made voluntarily and aligns with the material facts of the case.¹⁴

Prior admission of guilt is established by Laws No. 25--14, which includes the Code of Criminal Procedure. This system constitutes a special procedural mechanism allowing the public prosecution to propose to the accused, who admits the acts attributed to them, a mitigated penalty in exchange for an explicit admission of guilt, provided that this occurs in the presence of a lawyer and is submitted to the judge for approval after verifying the accused's free will and full awareness of the consequences of their confession.¹⁵ This procedure represents a final acknowledgement of criminal and civil liability for the facts under prosecution, from which there is no recourse following judicial ratification. It aims primarily to achieve procedural efficiency and lighten the burden on courts without compromising the guarantees of a fair trial.

The fundamental distinction between the two types of confession lies in the fact that the first is a traditional means of proof subject to the judge's discretion and does not automatically establish guilt. In contrast, the second constitutes a contractual procedure that establishes direct legal liability upon judicial approval. In essence, it is a criminal judicial settlement rather than merely a means of proof.

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

Second Subsection: Procedural safeguards for the Application of the System of Prior Admission of Guilt

The system of prior admission of guilt is one of the innovations introduced by Law No. 25-14, which pertains to the Code of Criminal Procedure. Articles 539 to 549 of the law allocate procedural provisions regulating it as a new procedural mechanism aimed at achieving efficiency in the administration of justice while preserving the fundamental guarantees of a fair criminal trial. These provisions contain a precise set of procedural rules and legal conditions governing how this system should be applied, both in terms of its substantive scope and its formal requirements to be respected when resorting to it.¹⁶

The Algerian criminal legislature has restricted the substantive application of the system of appearance for prior admission of guilt exclusively to misdemeanours, excluding felonies or violations. This limitation is based on the principle that the severity of the acts under prosecution must be proportional to the nature of the simplified procedure, which is founded on an expedited criminal settlement, where the misdemeanours involved must carry a maximum imprisonment penalty not exceeding five years.¹⁷ This procedure does not apply to misdemeanours where the penalty exceeds this limit, nor to misdemeanours prescribed in the first, second, third, or fourth chapters of the first section of the third book of the Penal Code, which include misdemeanours against state security, misdemeanours of assembly, misdemeanours against the constitution, and misdemeanours against public safety, as well as the misdemeanours listed in the first and third divisions of the first chapter of the second section of the third book of the Penal Code, represented, respectively, by misdemeanours against persons, which include intentional acts of violence, misdemeanours of involuntary manslaughter and involuntary injury, and endangering the life and bodily integrity of others.¹⁸

The system of prior admission of guilt also does not apply to the seven misdemeanours specified in Article 85, paragraph 4 of the Code of Criminal Procedure, which relate to drug trafficking, transnational organised crime, crimes connected to information and communication technology, money laundering, terrorism, crimes related to foreign exchange legislation, and corruption offences. Additionally, this procedure does not apply to misdemeanours committed against children or those that are facilitated by the victim's vulnerability due to age, illness, disability, physical or mental incapacity, or pregnancy apparent or known to the perpetrator. It also excludes misdemeanours subject to special procedures.¹⁹

In this context, the Algerian criminal legislature sought to uphold the principle of criminal justice in severe criminal cases that require thorough investigation and greater guarantees for the accused. The legislature intended to establish this procedure as a mechanism for simplifying and expediting decisions only in minor cases, without jeopardising the fundamental rights of the accused. Accordingly, this system is not applied to the misdemeanours listed in Article 540 of the Code of Criminal Procedure, which are serious in nature or affect public order, thereby ensuring a balance between the procedure and the integrity of the criminal justice system.

The law also requires that the facts under prosecution be clear and established, with the accused making an explicit and unequivocal admission, free from any coercion, to guarantee the sincerity of the will and freedom of choice.²⁰ This prior admission of guilt results in a mitigated penalty compared with the original sentence under prosecution.²¹ The public prosecutor may propose to the accused who admits the facts the execution of one or more principal or supplementary penalties. When the proposed penalty is imprisonment or imprisonment combined with a fine, the duration of imprisonment or the amount of the fine must not exceed half of the legally prescribed maximum penalty. When the proposed penalty is a fine alone and the crime is also punishable by imprisonment, the fine must be at least two-thirds of the legally prescribed maximum amount. The public prosecutor may also propose that the prison sentence or fine be

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

subject to total or partial suspension of execution or that a custodial sentence be replaced with an alternative penalty, in accordance with the conditions specified and stipulated in the Penal Code. These mitigated penalties remain advantageous to the accused, who makes the prior admission of guilt before the public prosecutor.²²

The Algerian criminal legislature has also been keen, from a procedural formal standpoint, to ensure the proper application of the system of appearance for prior admission of guilt by stipulating a set of conditions. These conditions include resorting to this procedure automatically by the public prosecutor as the representative of society's interest, or upon request by the accused or their lawyer, when there is an explicit and unequivocal admission of the criminal facts attributed to the accused.²³ Laws No. 25--14, which includes the Code of Criminal Procedure, expressly recognises the role of the defence at this stage, ensuring that the accused is fully aware of and understands the legal consequences of their admission and can respond to the public prosecutor's proposals regarding the prescribed penalties. Since this system is based on negotiation, the accused may accept or reject the proposals within five days to respond.²⁴ In the event of refusal, the public prosecutor takes the measures they deem appropriate, according to the principle of suitability as indicated in Article 543 of the Code of Criminal Procedure. In the event of acceptance, this consent is recorded in a report signed by the accused, the public prosecutor, and the court clerk. This report, subject to nullity if incomplete, must include the identity of the accused, an accurate description of the facts attributed to them, alongside the place, date, and circumstances of their occurrence, their explicit and unequivocal admissions, the legal characterisation of the acts attributed to them, the proposed penalty by the public prosecutor, and the accused's acceptance to execute it. The public prosecutor then immediately refers to the accused before the court, requesting judicial ratification of the report and notifying the victim of the session date.²⁵

After hearing the defendant and their lawyer, if present, and verifying the accuracy of their confession regarding the facts and their legal characterisation, as well as the legality of the penalties proposed by the public prosecutor, the judge shall decide either to ratify or reject the record.

If the judge decides to ratify the record, they address any civil claim, if present, after listening to the requests of the civil party and the defendant or their lawyer. The judge then issues a single judgment, which is subject to appeal, covering both public prosecution and civil cases.

If the judge rejects ratification, the court orders the referral of the case files back to the public prosecutor to take appropriate action in accordance with the law. The judgement or decision ratifying the record constitutes a conviction and serves as an enforceable judgement in both criminal and civil aspects.²⁶

The penalty becomes enforceable only after the judge's ratification, which ensures transparency and judicial oversight over the procedure's validity and conformity with the law. In the event of nonratification, the record is withdrawn from the case file and kept by the court clerk. It is prohibited to refer back to this record to derive elements or charges against the defendant under the penalty of nullity. This measure protects the defendant from any adverse effects of an incomplete negotiation procedure, prevents it from influencing the judge's conviction, who will decide the case, preserves the court's impartiality, and guarantees a fair criminal trial.

Effectiveness of Implementing the System of Prior Admission of Guilt

Assessing the effectiveness of implementing the system of prior admissions of guilt is a fundamental step in measuring the extent to which the Algerian legislature has achieved its objectives by incorporating it into Law No. 25--14, which includes the Code of Criminal Procedure. This system reflects an orientation toward rationalising criminal justice and expediting the resolution of criminal cases while preserving the essence of criminal justice. However, its practical effectiveness varies depending on the balance it strikes between procedural efficiency

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

and the guarantees of a fair trial. Therefore, this section addresses procedural efficiency, including the advantages of this system, as well as the practical challenges and shortcomings that hinder its full effectiveness in field applications. These aspects are explained in the following two subsections:

Procedural Efficiency of the System of Prior Guilt Admissions

The system of prior admission of guilt is one of the most prominent procedures introduced by the Algerian legislature under Law No. 25--14, which incorporates the Code of Criminal Procedure. It represents a response to the demands of modern justice, striving to balance the speed in resolving cases and the guarantees of a fair trial. This system was developed in the pursuit of more flexible and effective procedural formulas that ease the burdens on the judiciary and contribute to the rationalisation of judicial time without infringing upon the core of criminal justice.²⁷

The procedural efficiency of the system of prior admissions of guilt lies in its nature as an alternative procedural mechanism to the traditional trial, which is based on the accused's admission of legal responsibility for the facts and acts attributed to them, in exchange for specified procedural and punitive privileges delineated by law. This characteristic makes it a tool for achieving both swift justice and effectiveness simultaneously.²⁸

The procedural efficiency of the system of appearance for prior admission of guilt primarily manifests in the reduction of litigation timeframes and the alleviation of pressure on the courts. This system enables the bypass of numerous formal stages typically associated with ordinary criminal trials, such as prolonged investigation sessions and detailed criminal pleadings, thereby accelerating the resolution of simple cases or those with clear, unequivocal, and undisputed evidence.²⁹

Moreover, this system contributes to improving the performance of criminal justice by redirecting judicial efforts toward significant and complex cases that require extended time and in-depth investigation and scrutiny. This approach enhances the principle of judicial economy and ensures an optimal allocation of human and material resources within the judicial apparatus.

The procedural efficiency of this system is not limited to shortening the procedural time alone but also extends to guaranteeing the transparency of procedures and fostering improved trust between the parties to the criminal case and the public prosecution. The voluntary admission of guilt by the accused before the public prosecutor and then before the court, within a regulated, judicially supervised legal framework, constitutes a procedural means for the consensual resolution of criminal disputes, taking into account both the public interest and justice simultaneously.³⁰

The importance of the balance sought by the legislature is evident between the swift resolution of the criminal case and safeguarding the rights of defence and the accused. The legislature ensured that the admission was made in the presence of a lawyer and was subject to the court's approval and ratification, which verified the seriousness of the admission and confirmed that it was made with free and informed will.³¹

The procedural efficiency of the system of prior admissions of guilt embodies a preventive dimension that contributes to promoting a culture of legal responsibility and curbing the phenomenon of denying explicit acts, thereby reducing the intensity of disputes and enhancing the prestige of the judiciary. It also serves the immediate interest of the victim by facilitating compensation for the damage resulting from the crime.³² This efficiency also reflects the state's criminal policy, which aims to address the large volume of cases presented to the courts in a flexible manner that ensures speed without sacrificing justice. The proper application of this procedure is likely to generate renewed dynamism within the judicial system on the basis of the spirit of understanding, recognition, and negotiation of criminal and civil legal responsibility rather

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

than prolonged procedural conflict.³³ which conflicts with the legally guaranteed principle of the promptness of trial procedures.³⁴

The procedural efficiency of the system of appearance through prior admission of guilt represents a legislative gain that enables criminal justice to achieve practical effectiveness by accelerating the resolution of simple criminal cases and alleviating the burden on the courts while preserving the fundamental guarantees of a fair criminal trial.³⁵ However, this procedural efficiency remains contingent on the sound practical application of this procedure and the full awareness of judges, prosecutors, and lawyers regarding the system's objectives and legal limits. Any deviation in its implementation may turn it from a tool of efficiency into one that undermines the rights of defence.

Practical challenges of the system of prior admissions of guilt

The implementation of the system of appearance for prior admission of guilt has revealed a series of practical challenges that limit its effectiveness, particularly in terms of its compatibility with the principles of criminal justice and the guarantees of a fair trial. These challenges include institutional and procedural shortcomings in activating this procedure, with most judicial bodies still lacking the organisational mechanisms necessary for its application in practice. This deficit is evident in both the preparation of case files and the coordination between the public prosecution, judicial authorities, and the defence, leading to disruptions in court sessions and difficulties in managing appearance procedures before the competent judge. Consequently, there is a pressing need to improve the administration of criminal justice.³⁶ Additionally, the absence of clear institutional guidelines from the Ministry of Justice regarding this system leaves a broad margin for judicial discretion, resulting in inconsistent application across different judicial jurisdictions.

Another significant challenge is the weak legal culture among the different parties involved, litigants, lawyers, and judges, given that this procedure remains new and unfamiliar within Algerian criminal judicial practice, which has traditionally adhered to the principle of whole confrontation in criminal trials. The accused often lack knowledge about the nature, provisions, controls, and consequences of prior admission of guilt, which may expose them to unintentional acceptance of the penalty, thereby compromising their right to defence, as well as their rights to appeal and challenge.

This procedure is intended primarily to accelerate the resolution of simple misdemeanour cases where evidence is unequivocal. However, in practice, this procedural acceleration can lead to an undue reduction in defence guarantees, particularly in the absence of adequate judicial supervision or weak oversight of the voluntariness of the confession. Such circumstances may result in violations of the presumption of innocence or infringement on the accused's freedom to determine their own fate.³⁷

Another challenge facing this system concerns the judicial oversight of the legality of the prior agreement between public prosecution and the accused. The law does not precisely define the nature of this judicial review, which remains ambiguous and may include examining the fairness of the penalty or the fairness and integrity of the procedure itself. This ambiguity leads to inconsistency in practical application and risks reducing the system to a formal procedure that legitimises an unequal negotiation.

The system also faces a challenge related to the ethical and professional stance of lawyers. Defence counsel is placed in a difficult position between striving to expedite proceedings in their client's favour and their duty to ensure that the client's legal rights are not impaired. Acceptance by a lawyer of the principle of prior admission of guilt may sometimes be perceived as an implicit waiver of the right to a full and fair criminal trial and the presumption of innocence. This issue sparks practical and professional debate concerning the limits of the defence role within the

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

framework of negotiated justice established by the system of appearance for prior admission of guilt.³⁸

Culturally and socially, Algerian litigants continue to view justice through a traditional lens, one based on public hearings and oral pleadings. In contrast, the system of prior admission of guilt relies on a simplified settlement based on negotiation. This discrepancy raises societal concerns about the integrity and transparency of this procedure, negatively impacting public confidence in the justice system and hindering the long-term acceptance of this system.

Legislative challenges also hinder the success of this procedure, particularly because the law fails to specify cases of nullity and the legal effects of admission, as well as the possibility of withdrawal after judicial ratification. This lack of clarity renders the system vulnerable to interpretation and weakens protection for accused persons.³⁹

The misuse of prior admission of guilt, whether by individuals against whom evidence has accumulated despite their innocence,⁴⁰ Alternatively, perpetrators who pay others to confess on their behalf for crimes they do not commit undermine this system. This practical challenge undermines the principles of criminal justice and the pursuit of truth, which form the ethical foundation of criminal accountability.⁴¹ Such conduct leads to the conviction of innocents and the impunity of true offenders. It also creates difficulty for the judiciary in verifying the credibility of confessions due to factors unknown to the court stemming from unethical and financial motivations. This raises concerns about the weakness of oversight and investigation mechanisms in uncovering the true motives behind confessions, alongside the risk of exploiting materially or socially vulnerable groups, which distorts the philosophy of the procedure on the basis of efficiency and voluntariness and erodes public confidence in the integrity of the criminal justice system.

Conclusion:

The Algerian criminal legislature has taken a bold and meaningful step, expressing a genuine will to modernise the criminal justice system and keep pace with contemporary trends in criminal policy by incorporating the system of prior admission of guilt within the reforms of the Code of Criminal Procedure. The legal activation of this new procedure responds to demands for speed and procedural efficiency, alleviates the burden on criminal courts, and avoids prolonged trials while ensuring an acceptable level of justice for both the accused and the victim. However, the effectiveness of this system requires continuous evaluation grounded in the practical reality of its implementation.

Through the study of this topic, a series of conclusions have been drawn, based on which proposals have been formulated as follows:

Findings:

- This system aims to increase procedural efficiency by expediting the resolution of criminal cases and reducing the duration of criminal trials, thereby alleviating the burden on criminal courts.
- It embodies the principle of judicial flexibility, enabling parties to reach swift, consensual solutions without compromising the essence of criminal justice.
- Despite the procedural speed it ensures, the system contributes to protecting the rights of the accused, as it remains conditional on legal guarantees that safeguard the freedom of confession and the right of defence.
- The system faces practical challenges that may lead to deviations in its application, alongside difficulties related to insufficient judicial training and legal awareness regarding this newly introduced procedure.
- There is a risk of undermining the principle of equality before the law, as poor application may result in disparate treatment of defendants in similar cases due to the absence of a unified judicial practice.

“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

- The system generates hesitation among defence practitioners in adopting it, as some lawyers fear that prior admission may lead to curtailment of their clients' rights or restrict opportunities for criminal defence advocacy.

Recommendations:

- There is a need to reinforce legal training and professional qualifications for judges, prosecutors, and defence lawyers in this field to ensure the balanced and correct application of the law.
- The development of clear, practical procedural guides guarantees uniform and disciplined implementation of this system.
- The judicial oversight concerning the validity of confessions and the voluntariness of the procedure should be strengthened to prevent any violation of defence rights and the principles of a fair criminal trial.
- Launching and intensifying awareness campaigns targeting litigants and the public about the objectives and mechanisms of this new system, highlighting its advantages and conditions to ensure societal acceptance.
- The success of this system is linked to its ability to build confidence in the criminal justice system and embody its modern concept, which balances legal efficiency with humane and fair treatment.
- A periodic evaluation is necessary, requiring continuous review of the system's mechanisms to strike a balance between procedural efficiency and ensuring a fair trial.
- The possibility of introducing alternative procedural mechanisms, such as bail systems or judicial settlements, to alleviate pressure on the judiciary without compromising the guarantees of criminal justice, especially the pursuit of truth, is explored.

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- ³ Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure, Official Journal, No. 54, issued August 13 2025.
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“The System of Prior Admission of Guilt under Laws No. 25--14: Between Legal Implementation and the Effectiveness of Enforcement”

Two, June 2019, p. 16; also Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

¹⁰ Jamal Najimi, *Evidence of Crime in Light of Judicial Jurisprudence – A Comparative Study*, Dar Houma, Second Edition, Algeria, 2013, pp. 158, 165.

¹¹ See Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

¹² Mahmoud Ahmed Taha, *Criminal Evidence: Traditional and Scientific Evidence*, Dar Al-Fikr Wal-Qanun, Mansoura, Egypt, 2024, p. 282 et seq.

¹³ Baha Al-Marri, *Criminal Evidence and the Impact of Scientific and Electronic Evidence on the Judge’s Conviction*, Part Two, Dar Al-Ahram, Egypt, 2024, pp. 20, 26, 27.

¹⁴ See Article 350 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

¹⁵ See Articles 539, 541, 547 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

¹⁶ See Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

¹⁷ This is the same condition adopted by the French legislator in Article 495-7 of the Code of Criminal Procedure, which excludes other misdemeanours from the application of this system. This differs from the Algerian procedural legislator, who was stricter regarding certain misdemeanours; see Reda Muizza, previous reference, p. 16, and Article 540 of Law No. 25-14 dated August 3, 2025, including the Code of Criminal Procedure.

¹⁸ See Order No. 66-156 dated June 8 1966, including the Penal Code, as amended and supplemented, in particular Law 24-06 dated April 28 2024, Official Journal, No. 30, issued April 30 2024.

¹⁹ The legislator excluded these misdemeanours from the application of this procedure due to their serious nature for society; see Articles 540, paragraphs 3 and 4, and Article 85, paragraph 4 of Law No. 25-14 dated August 3, 2025, including the Code of Criminal Procedure.

²⁰ Muhammad Fathi al-Jalawi, previous reference, p. 23.

²¹ Tarek Ahmed Maher Zaghloul, previous reference, p. 48.

²² See Article 541 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

²³ Reda Muizza, previous reference, p. 17.

²⁴ See Articles 539 and 542 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

²⁵ See Articles 543 and 544 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

²⁶ See Articles 545 and 547 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

²⁷ Layla Ben Qella, previous reference, p. 1717.

²⁸ Al-Eid Ben Jabal, previous reference, p. 170.

²⁹ Tarek Ahmed Maher Zaghloul, previous reference, p. 26.

³⁰ Muhammad Fathi al-Jalawi, previous reference, p. 27.

³¹ See Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

³² Sherif Sayed Kamel, *The Right to Trial Speed in Criminal Procedures – A Comparative Study*, Dar al-Nahda al-Arabiya, Cairo, 2005, p. 35.

³³ Layla Ben Qella, previous reference, p. 1722.

³⁴ See Article 1 of Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

³⁵ Tarek Ahmed Zaghloul, previous reference, pp. 25-26.

**“The System of Prior Admission of Guilt under Laws No. 25--14: Between
Legal Implementation and the Effectiveness of Enforcement”**

³⁶ Sarah DuPont, *Le plaider coupable dans le système anglo-saxon et romano-germanique*, Revue Algérienne Droit et Justice, Ministry of Justice, Algeria, Volume 1, Number 1, June 2015, p. 150.

³⁷ Ahsan Al-Askari, previous reference, pp. 523–524.

³⁸ Sarah DuPont, previous reference, p. 145.

³⁹ See Law No. 25-14 dated August 3 2025, including the Code of Criminal Procedure.

⁴⁰ Ahsan Al-Askari, previous reference, p. 524.

⁴¹ Tamer Muhammad Saleh, *Criminal Accountability as a Mechanism of Transitional Justice*, Dar Al-Jameah Al-Jadidah, Alexandria, Egypt, 2017, p. 32.