

Algeria, People's Democratic Republic of

National Child Protection Legislation

National Legislation

- Age of Child: **Under 18 years of age**
[The Children Act \(2012\)](#)
Art. 3 – Interpretation
“child” means a person under the age of eighteen years.
 - Age of Consent: **16 years of age**
[Penal Code 2015](#)
Art. 334. (Amended)
Any indecent assault committed or attempted without violence on the person of a minor under the age of 16 of one or more the other sex is punishable by imprisonment of five (5) to ten (10) years.
 - Age of Marriage: **Under the age of 19**
[Family Code](#)
Art. 7
The lowest age permitted marriage age is 19 for both sexes.
 - Age of Criminal Responsibility: **13 years of age**
[Penal Code](#)
Art. 49. (Amended)
A minor under the age of ten (10) cannot be prosecuted. Minors aged ten (10) and under thirteen (13) can only be subject to protective or re-education measures. However, in matters of contravention, he is only liable to a reprimand. A minor between thirteen (13) and eighteen (18) years of age may be subject either to protection or re-education measures, or to reduced penalties.
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- **Extraterritoriality**
[Criminal Procedure Code 2007](#)
Art. 588
1. Any foreigner who, outside Algerian territory, is guilty, as author or accomplice, either of a crime or an offense against the security of the Algerian State, or of counterfeiting of currency or banknotes, national bank, legal tender in Algeria, can be prosecuted and tried according to the provisions of the law Algerian, if he is arrested in Algeria or if the government obtains his extradition.

Art. 694

1. Unless otherwise provided by diplomatic treaties or conventions, the conditions, procedure and effects of extradition are determined by the prescriptions of this book.

Art. 695

1. No remittance may be made to a foreign government of a person who has not been the subject of a conviction for an offense provided for in this Title.

Art. 696

1. The Algerian government can deliver, at their request, to foreign governments, any non-Algerian individual who, being the subject of proceedings instituted on behalf of the requesting State or of a sentence pronounced by its courts, is found on the territory of the republic. However, extradition is only granted if the offense, which is the cause of the request, has been committed: - either on the territory of the requesting State by a subject of that State or by a foreigner; - or outside its territory by a subject of that State; - either outside its territory by an individual foreign to that State, when the offense is numbered those for which Algerian law authorizes prosecution in Algeria, even though they were committed by a foreigner abroad.

Art. 697

The facts which may give rise to extradition, whether it is a question of requesting or granting it, are the following:

All acts punishable by criminal penalties by the law of the requesting State;

1. All acts punishable by criminal penalties by the law of the requesting State.
2. Facts punishable by criminal penalties by the law of the requesting State, when the maximum penalty incurred, under the terms of this law, is two years or more, or in the case of a convicted person, when the sentence imposed by the court of the requesting State is equal to or greater than two months' imprisonment.

Under no circumstances will extradition be granted if the act is not punishable by Algerian law with a criminal penalty or tort.

Acts constituting attempt or complicity are subject to the preceding rules provided that they are punishable under the law of the requesting State and that of the requested State.

If the request relates to several offenses committed by the person claimed and which have not yet been judged, extradition is granted only if the maximum penalty incurred, according to the law of the requesting State for all of these offences, is equal to or greater than two years' imprisonment.

If the person claimed has previously been the subject, in any country whatsoever, of a final sentence of two months' imprisonment or more, for a common law offence, extradition is granted according to the preceding rules, that is to say, only for crimes or misdemeanors, but without regard to the rate of the penalty incurred or pronounced for the last offence.

The preceding provisions apply to offenses committed by military personnel, sailors or similar when they are punished by Algerian law as common law offenses.

Art. 698

Extradition is not granted in the following cases:

1. When the individual, subject of the request, is of Algerian nationality, this quality being assessed at the time of the offense for which extradition is requested;
2. When the crime or misdemeanor has a political character or when it results from the circumstances that extradition is requested for a political purpose;
3. When the crimes or misdemeanors have been committed on Algerian territory;
4. When the crimes or misdemeanors, although committed outside Algerian territory, have been prosecuted and tried there definitively;
5. When, according to the laws of the requesting State or those of the requested State, the statute of limitations of the action found acquired prior to the extradition request or the prescription of the sentence prior to the arrest of the requested individual and, in general, whenever the public action of the State applicant will be extinguished;
6. If an amnesty has taken place in the requesting State or if an amnesty has taken place in the State required, provided that in the latter case the offense is among those that can be prosecuted in that State when they have been committed outside the territory of that State by a foreigner to that State.

Art. 699

If, for a single offense, extradition is requested concurrently by several States, it is given in preference to the State against the interests of which the offense was directed or to that on the territory from which it was committed.

If the competing requests are due to different offenses, it is taken into account, in deciding the priority, of any factual circumstances, in particular the relative gravity, the place of the infringements, the date respective requests and the commitment that would be made by one of the requesting States to proceed with the re-extradition.

Art. 700

Subject to the exceptions provided for below, extradition is only granted on condition that the extradited individual will neither be prosecuted nor punished for an offense other than that which motivated the extradition.

Art. 701

In the event that a foreigner is prosecuted or has been sentenced in Algeria and where his extradition is requested for a different offense, the surrender is only made after the prosecution is terminated, and in case of conviction, after the sentence has been served. However, this provision does not prevent the foreigner from being sent temporarily to appear before the courts of the requesting State, on the express condition that he will be dismissed as soon as the foreign justice will have ruled is governed by the provisions

of this article, the case where the foreigner is subjected to constraint by body by application of Algerian laws.

Art. 714

The extradition obtained by the Algerian Government is null, if it took place outside the cases provided for by this title. The nullity is pronounced, even ex officio, by the investigating or judgment court whose extradited reliefs, after its handover. If extradition has been granted by virtue of a final judgment or judgment, the nullity is pronounced by the Criminal Chamber of the Supreme Court. The request for nullity made by the extradited person is only admissible if it is presented within three day, from the formal notice sent to him, immediately after his imprisonment, by the public prosecutor of the Republic. At the same time, the extradited person is informed of his or her right to choose or to be designated a defender.

Art. 715

The same court is the judge of the qualification given to the facts which justified the request for extradition.

Art. 716

In the event that the extradition is annulled, the extradited person, if not requested by the Government required, is released and cannot be recaptured, either on account of the facts which led to his extradition or because of the previous facts, that if within thirty (30) days following release, he is arrested on the Algerian territory.

Art. 717

Is considered to be subject without reservation to the application of the laws of the requesting State, with good reason of any fact prior to the extradition and different from the offense which motivated this measure, the individual delivered who had for thirty (30) days, from his final release, the possibility of leaving the territory of that state.

Art. 718

In the event that the extradition of a foreigner having been obtained by the Algerian Government, the Government of a third country in turn requests the Algerian Government to extradite the same individual to due to a fact prior to extradition, other than that judged in Algeria and not related to this fact, the government, if necessary, to this request, only after having ensured the consent of the country by which extradition was granted. However, the consent provided for in the previous paragraph is not required when the extradited individual has had, during the period fixed in article 717, the possibility of leaving Algerian territory.

[Penal Code](#)

Art. 29.

Judicial cooperation is established between Algerian jurisdictions and foreign jurisdictions during investigations, prosecutions and legal proceedings relating to money

laundering and terrorist financing, subject to reciprocity and in compliance with applicable bilateral and multilateral conventions. in the matter, ratified by Algeria, and in accordance with the internal legislation.

Art. 30. (Amended)

Judicial cooperation may relate to requests for investigation, international letters rogatory, the extradition of persons sought in accordance with the law as well as that the search, freezing, seizure and confiscation of money laundered or intended to be laundered and its proceeds as well as money used or intended to be used for the financing of terrorism, as well as instruments of such offenses or assets of equivalent value without prejudice to the rights of bona fide third parties.

- **Dual Criminality**
[Criminal Procedure Code](#)

Art. 582

Any act qualified as a crime, punishable by Algerian law, committed outside the territory of the Republic, by an Algerian, may be prosecuted and judged in Algeria.

However, the prosecution or judgment can only take place when the criminal has returned to Algeria and does not justify having been finally judged abroad and, in the event of conviction, having undergone or prescribed his sentence or obtained his pardon.

- **Mandatory reporting requirements**
[Criminal Procedure Code](#)

Art. 17

Judicial police officers ... receive complaints and denunciations; they collect the evidence and conduct preliminary investigations.

Art. 36 - The Public Prosecutor:

Receives the reports, complaints and denunciations, decides what action to take, and ensures that the competent investigative or trial entities are informed and seized of these matters, or orders their dismissal by a decision that remains revocable, which is to be relayed to the plaintiff and/or the victim, if known, in a timely manner.

Art. 37

The public prosecutor responsible for the area where the offence took place, or where one of the accused who is believed to have participated in the offence is domiciled, or the place of arrest of one of the accused, even if the arrest was made for another cause, has territorial jurisdiction.

- **Statute of Limitations**
[Penal Code](#)

Art. 7

In matters of crime, public action is prescribed by ten full years from the day on which the crime has been committed if, during this interval, no act of investigation or prosecution has been carried out. It is only otherwise if it has been seized by the public prosecutor before a judgment on the merits has been rendered by the civil court.

If it has been carried out during this interval, it is only prescribed after ten years from the last act.

Art. 8b. - (New)

For crimes and misdemeanors committed against a minor, the limitation period for public action begins to run from his civil majority.

- **Obligations of Educational Institutions**

[Law 15-12](#)

Art. 21

The social protection of children at the local level is entrusted to the services of the open environment, in coordination with the various institutions and public establishments and persons responsible for child protection. The services of the open environment are created at the rate of one service per wilaya. However, several services can be created in wilayas with high population density. They must be composed of specialized civil servants, in particular educators, social workers, psychologists, sociologists and lawyers. The conditions and methods of application of this article are fixed by regulation.

- **Prohibition to hold certain positions**

[Penal Code](#)

Art. 16a. (New)

The prohibition to practice a profession or an activity can be pronounced against the condemned for crime or misdemeanor, when the court finds that the offense committed has a direct relationship with the exercise of the profession or activity and that there is a danger in allowing the exercise of one of them to continue.

This prohibition is pronounced for a period which may not exceed ten (10) years at most in criminal matters, and five (5) years in tort matters.

The provisional execution of this measure may be ordered. (3)

Art. 18a. (Amended)

The penalties incurred by the legal person in criminal matters and tort are:

- 1- The fine, the rate of which is one (1) to five (5) times the maximum fine provided for natural persons, by the law which punishes the offence.

2 - One or more of the following additional penalties:

- ...
- prohibition, permanently or for a period not exceeding five (5) years, from directly or indirectly exercising one or more professional or social activities; ...

▪ **Employment Law**

[Labor Law of Algeria](#)

Art. 66 – The employment relationship ceases as a result of:

- the nullity or legal abrogation of the contract of work ;
- the end of the long-term employment contract determined;
- resignation;
- dismissal;
- total incapacity for work, as defined by legislation;
- dismissal for downsizing;
- the cessation of legal activity of the organization employer ;
- retirement;
- the death.

Art. 73.- Disciplinary dismissal occurs in cases of serious misconduct by the worker.

In addition to serious misconduct sanctioned by criminal legislation, committed during work, are considered as serious misconduct and likely to lead to immediate dismissal, leave or compensation, acts by which the worker:

- refuses without valid reason to execute the instructions related to his professional obligations or those whose non-execution could harm the company and which would emanate from the hierarchy designated by the employer in the normal exercise of his powers;
- discloses information of a professional nature relating to the techniques, technology, manufacturing process, mode of organization or internal documents of the employing organization, except if the hierarchical authority authorizes it or if the law allows it;
- participates in a collective and concerted stoppage of work in violation of the legislative provisions in force in this area;
- commits acts of violence;
- intentionally causes material damage to buildings, works, machines, instruments, raw materials and other work-related objects;
- refuses to execute a requisition order notified in accordance with the provisions of the legislation in force;
- Consumes alcohol or drugs inside the workplace.

▪ **Criminal Law - Defamation**

[Penal Code](#)

Art. 296

Any allegation or imputation of a fact which undermines the honor or consideration of the persons or of the body to which the fact is imputed, is defamation.

The direct publication or by way of reproduction of this allegation or this imputation is punishable, even if it is made in doubtful form or if it targets a person or a body not expressly named, but whose identification is made possible by the terms of speech, cries, threats, writings or printed matter, placards or posters incriminated.

Art. 298 (Amended)

Any defamation committed against individuals is punishable by imprisonment of two (2) to six (6) months and a fine of twenty-five thousand (25,000) DA to fifty thousand (50,000) DA or one of these only two sentences. The victim's pardon puts an end to the criminal proceedings. Any defamation committed against one or more persons who belong to an ethnic or philosophical group, or to a specific religion is punished by imprisonment of one (1) month to one (1) year and a fine of ten thousand (10,000) DA one hundred thousand (100,000) DA or one of these two penalties only, when its purpose is to incite hatred between citizens or inhabitants.

- **Private Fostering**

- [Law 15-12](#)

- Art. 22**

- Open environment services monitor the situation of children in danger and assist their families. They are seized by the child and/or his legal representative, the judicial police, the wali, the president of the communal popular assembly, any association or public or private institution exercising within the framework of the protection of the child, social workers, educators, teachers, doctors or any other natural or legal person of anything that may constitute a danger to the health of the child or his physical or moral integrity. They can also intervene ex officio. They cannot refuse to take charge of a child residing outside their territorial jurisdiction; however, in this case, they can seek assistance from the open environment service of the child's place of residence or domicile and/or transfer him. They must not reveal the identity of the person who seized them unless the latter consents. The terms and conditions of application of this article are set by regulation.

- Art. 24**

- If the services of the open environment ensure that the situation of danger does not exist, they notify the child and his legal representative. If they make sure of the existence of the situation of danger, they contact the legal representative of the child to reach an agreement on the measure most appropriate to the needs of the child and to his situation and which allows him to be removed from the danger. A child who is at least thirteen (13) years old must be associated with the taking of any measure concerning him. The services of the open environment must obligatorily inform the child aged thirteen (13) at least and his legal representative of their right to refuse the agreement. The agreement is recorded in minutes signed, after reading, by all parties.

Sexual Offenses Against Children

The Children Act (2012)

Art. 3 – Interpretation

“child” means a person under the age of eighteen years.

Family Code

Art. 7

The lowest age permitted marriage age is 19 for both sexes.

Penal Code

Art. 269. (Amended)

Whoever willfully injures or strikes a minor under the age of sixteen or willfully deprives him of food or care so as to endanger his health, or voluntarily commits any other violence or assault against him, excluding minor violence, is punished by imprisonment of one (1) to five (5) years and a fine of five hundred (500) five thousand (5,000) DA.

Art. 303 bis 4.

Is considered as trafficking in persons, the recruitment, transport, transfer, harboring or reception of one or more persons, by the threat of recourse or the use of force or other forms of coercion, by kidnapping, fraud, deception, abuse of authority or position of vulnerability, or by offering or accepting payment or benefits, in order to obtain a person's consent having authority over another for the purpose of exploitation. Exploitation includes exploitation of the prostitution of others or any other forms of sexual exploitation, exploitation of others in begging, forced labor or service, slavery or practices similar to slavery, servitude or organ harvesting.

Trafficking in persons is punishable by imprisonment of three (3) to ten (10) years and a fine of 300,000 DA to 1,000,000 DA.

When trafficking is carried out on a person whose situation of vulnerability results from his age, his illness or his physical or mental incapacity, apparent or known to the perpetrator, the penalty incurred is imprisonment for five (5) years fifteen (15) years and a fine of 500,000 DA to 1,500,000 DA.

Art. 303 bis 5.

Trafficking in persons is punished by imprisonment for ten (10) years to twenty (20) years and a fine of 1,000,000 DA to 2,000,000 DA, if the offense is committed with at least one of the following circumstances:

- when the perpetrator is the spouse of the victim or his ascendant or descendant or his guardian or if he has authority over the victim or if he is a civil servant whose function facilitated the commission of the offence,
- when the offense is committed by more than one person,
- when the offense is committed while carrying weapons or threatening to use them,

- when the offense is committed by an organized criminal group or when it has a transnational character.

Art. 303 bis 6.

The person sentenced for one of the acts punishable in this section, does not benefit from the mitigating circumstances provided for in article 53 of this law.

Art. 303 bis 7.

The natural person guilty of an offense provided for by this section is sentenced to one or more of the additional penalties provided for in article 9 of this law.

Art. 303 bis 8.

The ban on residence on the national territory is pronounced by the competent court definitively or for a period of ten (10) years at most, against any foreigner, sentenced for one of the offenses provided for in this section.

Art. 303 bis 9.

Anyone who, before any commencement of execution or attempted commission of the offense of trafficking in persons, informs the administrative or judicial authorities is exempted from the penalty incurred.

The penalty is reduced by half if the denunciation intervenes after the consumption or the attempted commission of the offense but before the opening of the proceedings or after the opening of the proceedings, since it allows the arrest of the perpetrators or accomplices of the same offence.

Art. 303 bis 10.

Anyone who, even bound by professional secrecy, has knowledge of the commission of the offense of trafficking in persons and does not immediately inform the competent authorities is punished by one (1) to five (5) years. years of imprisonment and a fine of 100,000 DA to 500,000 DA.

Apart from offenses committed against minors under the age of 13, the provisions of the preceding paragraph are not applicable to parents, collaterals and allies of the author up to the fourth degree.
inclusive.

Art. 303 bis 11.

The legal person is declared criminally liable, under the conditions provided for in article 51 bis of this law, for the offenses provided for in this section.

The legal person incurs the penalties provided for in Article 18 bis of this law.

Art. 303 bis 12.

The consent of the victim has no effect when the perpetrator uses one of the means set out in article 303 bis 4 (paragraph 1) of this law.

Art. 303 bis 13.

The attempt of the offenses provided for by this section is punished by the same penalties provided for the offense committed.

Art. 303 bis 14.

In the event of a conviction for the offenses provided for in this section, the court orders, subject to the rights of third parties in good faith, the confiscation of the means which were used to carry out these offenses as well as the property obtained illegally.

Art. 303 bis 15.

The provisions of article 60 bis relating to the safety period are applicable to the offenses provided for in this section.

Art. 333 bis 1. (New)

Anyone who represents, by any means whatsoever, a minor under the age of eighteen (18) engaging in explicit sexual activity, real or simulated, or depicting the sexual organs of a minor, for primarily sexual purposes, or producing, distributing, disseminating, the propagation, import, export, offer, sale or possession of pornographic material featuring minors is punished by imprisonment of five (5) to ten (10) years and a fine of 500,000 DA to 1,000,000 DA.

In the event of conviction, the court pronounces the confiscation of the means used to commit the offense as well as the property obtained illegally, subject to the rights of third parties. sincerity.

Art. 334. (Amended)

Any indecent assault committed or attempted without violence on the person of a minor under the age of 16 of one or more the other sex is punishable by imprisonment of five (5) to ten (10) years.

Indecent assault committed by any ascendant on the person of a minor, even over the age of 16, but not emancipated by marriage, is punishable by imprisonment for a period of five (5) to ten (10) years.

Art. 335. (Amended)

Any indecent assault committed or attempted with violence against persons of either sex shall be punished by imprisonment for a period of five (5) to ten (10) years.

If the crime was committed on the person of a minor of sixteen years, the culprit is punished by imprisonment for ten (10) to twenty (20) years.

Art. 336. (Amended)

Anyone who has committed the crime of rape is punished with time imprisonment, from five (5) to ten (10) years.

If the rape was committed on a minor under eighteen (18) years of age, the penalty is imprisonment for ten (10) to twenty (20) years.

Art. 337.

If the culprits are the ascendants of the person on whom the attack or the rape was committed, if they are of the class of those who have authority over her, if they are her teachers or her hired servants, or hired servants of the persons above designated, if they are functionaries or ministers of a religion, or if the culprit, whoever he may be, was aided in his crime by one or more persons, the penalty is that of time imprisonment, from ten (10) to twenty (20) years, in the case provided for in the first paragraph of article 334, and of life imprisonment, in the cases provided for in articles 335 and 336.

Art. 337a. (Modified)

Incest is the sexual relations between:

- 1- relatives in the descending or ascending line;
- 2- full, consanguineous or uterine brothers and sisters;
- 3- a person and the child of one of his full, consanguineous or uterine brothers or sisters or with a descendant thereof;
- 4- the mother or the father and the husband or the wife, the widower or the widow of his child or of another of his descendants;
- 5- stepmother or stepmother and the descendant of the other spouse;
- 6- persons one of whom is the wife or husband of a brother or sister.

The penalty is ten (10) to twenty (20) years of imprisonment in the 1st and 2nd cases, five (5) years to ten (10) years of imprisonment in the 3rd, 4th and 5th cases and from two (2) years to five (5) years imprisonment in the 6th case.

Sexual relations between the holder of the right of legal fostering (kâfil) and the foster child (makfoul) are liable to the penalty provided for incest committed between relatives in the descending or ascending line.

The sentence pronounced against the father, the mother or the holder of the right of legal collection (kafil) involves forfeiture of guardianship and/or legal collection.

Art. 338.

Anyone guilty of an act of homosexuality is punished by imprisonment of two (2) months to two (2) years and a fine of five hundred (500) to two thousand (2,000) DA.

If one of the perpetrators is a minor aged eighteen, the penalty for the adult may be increased to three (3) years imprisonment and ten thousand (10,000) DA fine.

Art. 341a. (New)

Any person who abuses the authority conferred on him by his function or profession, by giving orders to others, by uttering threats, by imposing constraints or by exerting pressure, with the aim of obtaining favors of a sexual nature is deemed to have committed the offense of sexual harassment and will be punished by imprisonment of two (2) months to one (1) year and a fine of fifty thousand (50,000) DA to one hundred thousand (100,000) DA.

In case of recidivism, the penalty is doubled.

Art. 341 bis 1. (New)

The provisions of article 60 bis are applicable to the offenses provided for by articles 334, 335, 336, 337 and 337 bis of this section.

Art. 342. (Amended)

Anyone who incites, promotes or facilitates the debauchery or corruption of a minor under the age of eighteen (18), even occasionally, is punished by imprisonment for five (5) years to ten (10) years and a fine of 20,000 DA to 100,000 DA.

The attempt of the offense referred to in this article is punishable by the penalties provided for the offense committed. (1)

Art. 343. (Amended)

Unless the fact constitutes a more serious offence, anyone who knowingly:

- 1- In any way aids, assists, or protects the prostitution of others or soliciting for the purpose of prostitution;
- 2- in any form, shares the proceeds of prostitution of others or receives subsidies from a person who habitually engages in prostitution or who himself draws resources from the prostitution of others;
- 3- lives with a person who usually engages in prostitution;
- 4- being in habitual relations with one or more persons engaged in prostitution cannot justify resources corresponding to his lifestyle;
- 5- hires, trains or maintains, even with his consent, a person, even an adult, with a view to prostitution, or delivers him to prostitution or debauchery;
- 6- acts as an intermediary, in any capacity whatsoever, between persons engaged in prostitution or debauchery and individuals who exploit or remunerate the prostitution or debauchery of others;
- 7- by threat, pressure, maneuver or by any other means, hinders the action of prevention, control, assistance or re-education undertaken by qualified organizations in favor of persons engaged in prostitution or in danger of prostitution

Is punishable by imprisonment of two (2) to five (5) years and a fine of five hundred (500) to twenty thousand (20,000) DA.

The attempt of the offenses referred to in this article is punishable by the penalties provided for these offenses.

Art. 344. (Amended)

The penalties enacted in article 343 are increased to imprisonment of five (5) to ten (10) years and a fine of twenty thousand (20,000) to two hundred thousand (200,000) AD when:

- 1- the offense was committed against a minor under the age of eighteen (18);
- 2- the offense was accompanied by threat, coercion, violence, assault, abuse of authority or fraud;
- 3- the perpetrator of the offense was carrying a visible or hidden weapon;
- 4- the perpetrator of the offense is the spouse, father, mother or guardian of the victim or belongs to one of the categories listed in article 337;
- 5- the perpetrator of the offense is called upon to participate, by virtue of his functions, in the fight against prostitution, in the protection of health or youth, or in the maintenance of public order;
- 6- the offense was committed against several people;
- 7- the victims of the offense were delivered or incited to engage in prostitution outside Algerian territory;
- 8- the victims of the crime were delivered or incited to engage in prostitution on their arrival or within a short time of their arrival on Algerian territory;
- 9- the offense was committed by several perpetrators or accomplices.

The attempt of the offenses referred to in this article is punishable by the penalties provided for these offenses.

Art. 345.

The penalties provided for in articles 342 to 344 are incurred even though some of the acts which constitute the constituent elements of the offense have been carried out outside the territory of the Republic.

[Law No. 15-12 on Child Protection, 2015](#)

Sec. 1- From the national body for the protection and promotion of childhood

Art. 6

The State guarantees the protection of the child against all forms of prejudice, negligence, violence, ill-treatment, exploitation or any physical, moral or sexual attack. To this end, he takes all the appropriate measures to protect him from it, brings together the conditions necessary for his development, his safeguard, the protection of his life and ensures him an integrated and safe education in an environment, healthy and clean and to protect his rights in situations of emergency, disaster, war and armed conflict. The State sees to it that the information intended for the child, by all means, does not affect his physical and mental balance.

Sec. 5- Penal Provisions

Art. 136-

Anyone who broadcasts a recording or a copy of the hearing of a child victim of assault sexual intercourse is punishable by imprisonment from one (1) year to three (3) years and a fine of 25,000 DA to 50,000 DA.

Art. 137

Any person who publishes and/or disseminates the course of the proceedings of the courts of the minors or a summary of the pleadings, orders, judgments and judgments pronounced by these jurisdictions in books, in the press, radio, cinema, on the Internet or by any other means.

Art. 139

Anyone who economically exploits a child is punishable by imprisonment of one (1) year to three (3) years and a fine of 50,000 DA to 100,000 DA. The penalty is doubled when the perpetrator of the offense is an ascendant of the child or the person is responsible for safeguarding the child.

Art. 140

Anyone who harms or tries to harm, by any means, the privacy of the child, by publishing or by distributing texts and / or photographs, which could harm the latter is punishable by imprisonment of one (1) year to three (3) years and a fine of 150,000 DA to 300,000 DA.

Art. 142

Any person responsible for education or safeguarding the child within the centers specialized services provided for by this law or by establishments education, which exercises violence against a child, is punished in accordance with the provisions of the penal code.

Art. 143

Other offenses committed against the child in particular his sexual exploitation, its exploitation in the pornography and debauchery, child trafficking, begging with the child or his exposure to begging and child abduction are punishable in accordance with the law in force, in particular the penal code.

- Female Genital Mutilation (FGM)/ Female Genital Circumcision
No legislation for FGM was found.

In the Inter-Parliamentary Union, it is stated that, "FGM is reportedly not practiced in Algeria" though no legislation explicitly banning it was found. Additionally, the majority of Muslims across the globe do not embrace FGM and a study conducted in 2020 found that there was "no traceable evidence of [FGM] among...some parts of African-Islamic nations like...Algeria."¹

- Child/Early/Forced Marriage
Family Code

Art. 7

The capacity to marry is deemed valid at the age of 19 for the man and the woman. However, the judge may grant an age waiver for a reason of interest or in case of

¹ Ganiyu O. Shakirat, et al., *An Overview of Female Genital Mutilation in Africa: Are the Women Beneficiaries or Victims?*, NCBI, Sep. 12, 2020, at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7536110/> (last visited Jul. 29, 2021).

necessity, when the suitability for marriage of the two parties is established. The minor spouse acquires the capacity to take legal action regarding the rights and obligations resulting from the marriage contract.