

RESEARCH ARTICLE	The effectiveness of legal protection for juveniles in Algerian correctional institutions	
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Abstract	<p>The legal framework for the protection of juveniles within Algerian penal institutions forms an essential part of modern criminal policy, as it aims to ensure humane and correctional treatment of child offenders. This framework is based on Child Protection Law 15-12, which enshrines the principle of the best interest of the child and calls for the adoption of educational measures instead of custodial sentences, and Prison Organization Law 18-01, which guarantees the separation of juveniles from adults and provides them with the right to education and health care. Algeria is also committed to several international agreements, most notably the Convention on the Rights of the Child and the Havana Rules, which stress that deprivation of freedom must be the last solution. However, there are legal and application gaps such as weak coordination between legislation, lack of specialized training, and the absence of effective oversight mechanisms, which limits the achievement of full protection for juveniles within penal institutions.</p>	
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Introduction:

The category of minors is among the most in need of special protection, especially when they find themselves in conflict with the law. When a minor is placed in a penal institution, the challenge is not only the execution of the sentence but also maintaining their dignity and ensuring their basic rights, while simultaneously working towards their social reintegration and preventing recidivism.

In Algeria, a set of legal texts has been established aimed at protecting minors in this situation, foremost among them the Child Protection Law enacted in 2015, as well as the Prison Organization Law, in addition to Algeria's ratification of several international agreements related to children's rights. However, the application of these texts in reality raises several questions about their actual effectiveness in protecting minors and ensuring detention conditions that align with international standards, away from a purely punitive logic.

Problematic:

What is the effectiveness of the legal protection provided by Algeria for minors within penal institutions, and does this protection achieve its intended goals?

Hypotheses:

1. Algerian legal texts guarantee advanced theoretical protection for minors within penal institutions.
2. There is a gap between legal texts and actual practice that hinders the achievement of effective protection.
3. Algeria's international obligations have not been fully translated into concrete measures within penal institutions.

Sub-questions:

- What is the national legal framework governing the protection of minors within penal institutions?
- To what extent do Algerian legislations align with international standards?
- What are the main challenges and gaps affecting the effectiveness of this protection?
- What measures can enhance the actual legal protection for minors?

Study Objectives:

- Analyze national legal texts related to the protection of minors in correctional institutions.
- Assess the degree of compatibility between these texts and Algeria's international obligations.
- Highlight the challenges and gaps that limit the effectiveness of this protection.
- Propose recommendations to enhance the protection of minors and improve their accommodation conditions and reintegration.

The first requirement: The legal framework for the protection of juveniles in Algerian penal institutions

Algeria has developed a set of legislation and internal techniques aimed at providing legal and objective protection for the juvenile within penal institutions. Procedural protection had an exceptional advantage aimed at providing the interest of the juvenile in the first place, regardless of the type of criminal act committed by him. Therefore, I found that this protection was contained in different and multiple legislation.

Section I: Child Protection Law 15-12 and its role in the protection of juveniles within Algerian penal institutions

About the Law:

The Child Protection Law No. 15-12 was issued in Algeria on July 15, 2015 in the Official Gazette No. 39 on June 19, 2015 as part of the state's endeavor to strengthen the protection of children's rights. It included a legal framework consistent with the international conventions related to children, especially the Convention on the Rights of the Child 1989, and it contains 150 articles. Article 139 of it was canceled under Article 75 of Law No. 23-04 on preventing and combating human trafficking issued in 2023¹, and its articles were divided into several chapters covering many aspects related to the protection of children's rights, namely:

- Prevention of delinquency.
- Protecting children at risk
- Alternative measures to penalties
- The role of the competent judicial and administrative bodies in ensuring the rights of the child.

Scope: This law applies to every child under the age of 18, whether the child is in danger or delinquent, as it seeks to protect them from dangers that may threaten them inside or outside the family or in society. It is also based on providing a set of laws intended to ensure their psychological and physical safety.

Its objectives: Law No. 15-12 works to achieve a set of objectives, which are:

- 1-Protecting children from risks.

2-Compatibility with international standards

3-Rehabilitation of delinquent children

Reasons for the enactment of Law 12-15 on the protection of children:

The enactment of Law No. 12-15 on Child Protection is due to several reasons, namely:

1. Protection of vulnerable groups:

Considering that children are one of the most targeted groups, and are vulnerable to crimes, especially serious ones, and this is due to the lack of criminal responsibility against them. Therefore, this law sought to establish legal mechanisms for the care of children in difficult situations such as delinquents, homeless children, or victims of domestic violence, and provided them with protection, whether in times of war or peace.

2-Compliance with international obligations: Law No. 15-12 came in response to Algeria's international obligations after its ratification of the 1989 Convention on the Rights of the Child and its protocols thereto, such as the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, which oblige States to take legislative measures to ensure the protection of children.

3- Filling legal gaps: Algeria's ratification of international agreements was with the aim of achieving integration and harmonization of international law with the national, and this is to ensure a comprehensive legal environment.

4-Enhancing juvenile justice: This law carried alternative penalties for juveniles. The punishment imposed on them was a reprimand, discipline, and supervisory freedom, and they are placed in prison unless necessary with the imposition of half of the adult's punishment, and they are in special places with their separation from adults, and this is to facilitate their reintegration back into society.

It is noted from this law that it is a good step in promoting the rights of the child and protecting him from all abuses that can target him, as it is one of the most important groups that receive the most serious crimes, including those that can affect him, and it is located inside penal institutions and places of detention. This law specifically focuses on guarantees to protect juveniles from any harm, whether physical or psychological. It is also subject to legal frameworks that determine the nature of dealing with them, including those deprived of liberty, while ensuring the exercise of their rights within a safe environment that contributes to their physical, psychological, and social development.

The most prominent provisions of Law No. 15-12 related to the protection of juveniles within penal institutions:

Law No. 12-15 has played a role in protecting juveniles within penal institutions through:

- **Prevention of delinquency:** Through which the legislator intended post-protection for every child at least 10 years old when he committed the crime².

The legislator also paid attention to tribal protection through the need to take preventive measures to prevent juvenile delinquency by providing education and rehabilitation, and raising awareness of their rights.

* **The role of the juvenile judge:** Referring to the text of Articles 32 to 41, we find that Law No. 15-12 has given the juvenile judge a set of powers, represented in:

- Monitoring the situation of children in penal institutions.
- Monitor the conditions in which the juvenile is detained, and ensure that they are not subjected to any violation³.

* **Establishing specialized bodies:** The law established the "National Authority for the Protection and Promotion of Children " by the Minister, and by a presidential decree headed by the National Commissioner for Child Protection, and it enjoys legal personality and financial independence.

Extrapolating from articles 11 to 20 of Law No. 15-12, we find that the National Authority for the Protection and Promotion of Children works to protect and promote the rights of the child through:

- Providing care and protection, as the law stipulates the prohibition of all forms of physical and psychological violence against the juvenile, and obliges the competent authorities to take all measures to ensure his protection.
- It criminalizes cruel or degrading treatment that a child may be subjected to in penal institutions.

-Provides protection to children at risk of, or in conflict with the law by ensuring that they are not subjected to neglect, or violence within penal institutions⁴.

- Arrest for consideration must be in decent places that respect human dignity, the privacy of the child, his needs, and be independent of adults⁵.

* **Alternative penalties:** Article 58, paragraph 2, stipulates that juveniles shall be placed in re-education centers, juvenile integration centers, or a special juvenile wing in penal institutions if they are between 13 and 18 years of age, and if necessary⁶, if they are between 10 and less than 13 years of age, they shall be subject to protection and discipline measures⁷.

As for less than 10 years, it is not subject to criminal prosecution, and its legal representative bears civil liability for damage to others⁸.

It is noted from the provisions of the articles that the law encourages alternative measures for protection and discipline, which are contained in the text of Article 85, namely:

- Handing him over to his legitimate representative, or to anyone from his family, or trust.
- Placing him in an accredited institution charged with helping children.
- Placed in a boarding school suitable for accommodating school-age children.
- Placing him in a specialized center for the protection of children in conflict with the law.
- Placing it under the system of monitored freedom mandated by the interests of the open center, reprimanding it, and placing it under the system of monitored freedom⁹.

***Rehabilitation and reintegration:** The law obliges penal institutions to provide educational, formative, and pedagogical programs with the development of sports and recreational activities commensurate with his age, gender, and personality. It also obliges him to benefit from health and psychological care. It also recognized the continuation of his school or professional teaching outside penal institutions¹⁰.

From the above, we find that Law No. 15-12 provides a set of roles at the level:

1-Preventive: Preventing the juvenile from being exposed to violence and neglect within penal institutions.

2-Therapeutic: The law requires the provision of psychological support and rehabilitation programs for juveniles inside and outside penal institutions, in order to ensure their reintegration back into society.

3-Censorship: The law has given powers to both the National Committee for the Protection and Promotion of Children, and the investigating judge the role of censorship, to ensure their protection, as well as obliging them to submit periodic reports on their situation inside and outside penal institutions.

Therefore, Law No. 15-12 is a legal basis for the protection of juveniles within penal institutions. It emphasizes the importance of a healthy humanitarian environment inside and outside penal institutions. It also includes a group of specialized centers for juveniles that focus on the rehabilitation of the juvenile without imposing a penalty. However, what is reprehensible is the lack of sufficient mechanisms to monitor their situation within institutions, as well as mechanisms to monitor the extent of the law's application on a regular basis. This is due to the lack of financial, human, and even technological resources.

Law No. 15-12 on the protection of children, according to the extrapolation of the provisions of its articles, was influenced by the Convention on the Rights of the Child 1989. It is the first pillar for the protection of children while ensuring that they enjoy their rights recognized under the Constitution, as well as the principles of human rights. This law deals with the natural and delinquent child, who is in danger, meaning that he did not overlook any exceptional case that could affect him, and by reference to the juvenile in penal institutions. This law is a strong legal framework for them, but with the condition of improving implementation mechanisms, providing the necessary resources, and raising community awareness of the importance of this group in society.

Section II: Law No. 18-01 containing the Law on the Organization of Prisons and the Social Reintegration of Detainees

Law No. 18-01, supplementing Law No. 05-04 issued on January 30, 2018, Official Gazette No. 05 on the organization of prisons and the social reintegration of detainees¹¹, is a legal framework through which the organization of penal institutions is determined. It also includes a set of rights and duties for detainees, and work to achieve a

balance between the punishment and the means of social reintegration through mechanisms that conform to what is stated in international law. This law contains 192 articles distributed over 10 different chapters, including :

General Provisions, Organization of Social Defense Institutions, Penal Institutions and Conditions of Detainees, Re-education and Social Reintegration of Detainees, Re-education and Reintegration of Juveniles, Adjustment of Punishment, Special Provisions for Death Sentences , Common Provisions, Penal Provisions, Various Provisions and Final Provisions.

Law No. 18-01, supplementing Law No. 05-04, which includes the law regulating prisons and the social reintegration of prisoners, applies to all penal institutions in Algeria, of all kinds, and also includes prisoners sentenced to final sentences, deprivation of liberty, as well as those temporarily detained.

This law also seeks a set of objectives, the most prominent of which are the following:

1- Securing penal institutions, for the purpose of:

*Maintaining order and security within penal institutions.

*Maintaining a safe environment for detainees to perform their sentence .

2- Rehabilitation of detainees, and this is done through:

*Involving prisoners in education and vocational training programs, as well as benefiting from health, physical, and psychological care programs, as well as opening the way for recreational and sports activities.

3-Reducingthe rates of increase in crimes. The process of reducing the increase in the number of crimes committed in Algeria is done through:

*Combating crime, and this is by educating the detainee in itself that the act committed is considered a legal criminal.

*Reducing recidivism. In both cases, detainees must be rehabilitated before and after the end of their sentences.

*Promoting human rights, given that Algeria has ratified many international conventions and treaties related to human rights, in general, and which are related to the rights of juvenile prisoners in particular. It has ensured that they keep pace with developments in the international community, and this is due to the sensitivity of the issue from several sides, as the juvenile" child" is the first building block of the formation of society , as well as the international obligations that Algeria has in return for its ratification and accession to various international laws.

Mechanisms for applying the penalty to the juvenile in accordance with Law No. 18-01 :

Law No. 18-01 has approved specialized centers and directs them to certain groups according to gender and age, according to the text of Article 28 thereof, which are as follows:

Centers specialized in juveniles, and centers specialized in women. According to statistics, the number of centers specialized in juveniles has reached 03 , and they are competent to receive juveniles under the age of 18, who are concerned with temporary detention, and who have been issued orders, judgments of status, or placement by the competent judicial authorities, especially the juvenile department in the courts, or juvenile chambers in the judicial councils¹², and who are sentenced to a custodial penalty regardless of their duration, and juveniles who have been issued protection and discipline measures, or who can be placed, when necessary, in special wards, separate from adults, under Article 86 of Law No. 15-12 on Child Protection.

Juveniles can also be placed in centers affiliated to the Ministry of Solidarity, in accordance with the provisions of Order No. 75-64 of September 26, 1975, which includes institutions and departments charged with protecting adolescent children. Juvenile delinquents and juveniles in danger are directed to centers for the re-education and integration of juveniles, and they are arranged and distributed according to their age and criminal status. This is stipulated in Article 116 of Law 05-04. They are also subject to the collective public order, and for health and preventive reasons, they are isolated. This is stipulated in Article 117, and they are also directed to open center centers, in accordance with Articles 36 and 41, which are known as the system of controlled freedom.

These penal institutions aim at re-educating the juvenile and integrating him into society , according to his cultural and scientific level, as well as granting them cultural and recreational activities.

According to Article 123, the task of providing protection, caring for the juvenile, and following up their behavior within penal institutions is entrusted to a group of employees. At the level of these centers, there is a disciplinary committee headed by the director of the center, as well as the head of the detention department with a specialization

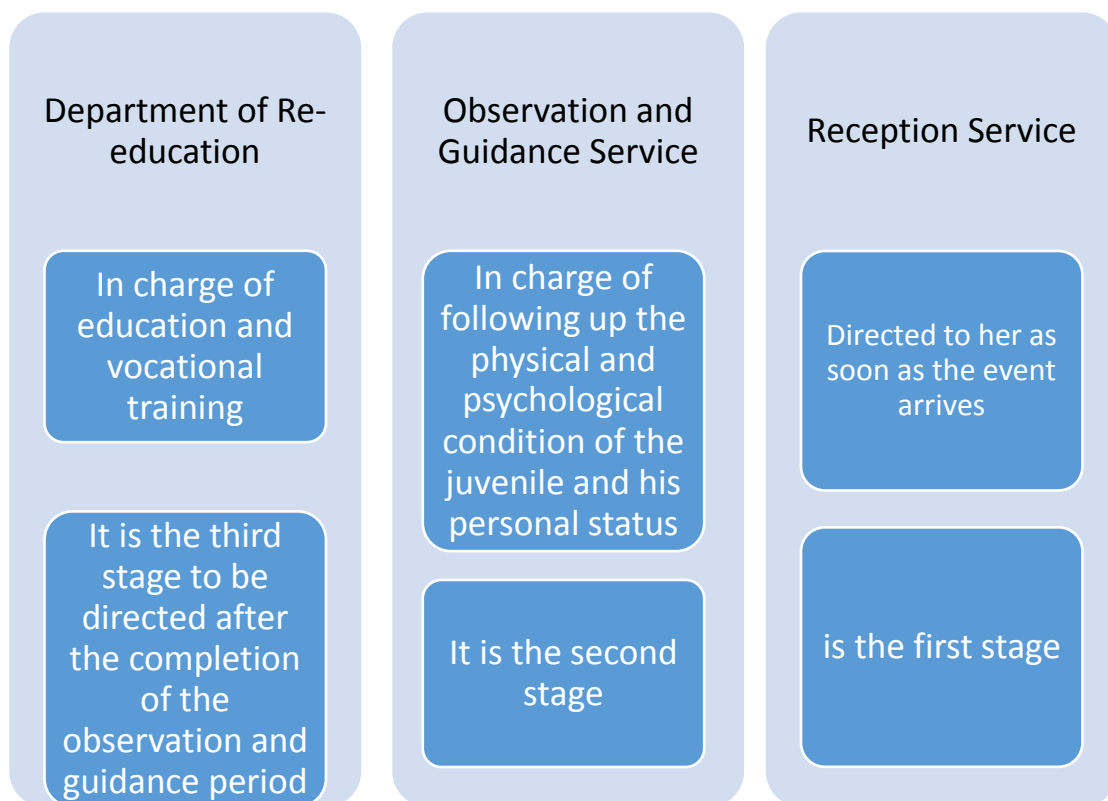
in psychology, social assistance and nanny. This is stipulated in Article 122. We also find doctors and paramedical specialists attached to the Ministry of Health who examine the juvenile as soon as he comes to the center, and they also examine him periodically every month. These centers are:

*The Center for Re-education and Integration of Juveniles " Girls in Al-Bayar", Algiers Judicial Council. This center accommodates girls who are at risk because the centers are few.

* The Center for Re-education and Integration of Male Juveniles in Tijlabin, Boumerdes District Council.

* Juvenile Reeducation and Reintegration Center for males "Beautiful Landscape Neighborhood" Setif District Council.

These centers share a set of interests that are subject to the supervision of the juvenile judge periodically every month¹³, which is represented in :



Prepared by the researchers

Article 29 also stipulates that private penal institutions shall be segregated to receive juveniles, women over 13 years of age, and those who are finally sentenced to a penalty of deprivation of liberty regardless of its duration. They shall also be subject to the regime of isolation at night, and this is due to the sensitivity of their age and body.

The Algerian legislator has also introduced the mechanism of placement under electronic surveillance, where under the text of Article 150 bis2, it has been recognized that the consent of the convict, or his representative, must be taken in the event that he wants to be placed under electronic surveillance, and this is due to the young age of the convict, and when a person is subject to the electronic surveillance system, the dignity of the person, his safety, and his personal life must be respected, in the sense that the legislator does not want the minor to have his life affected by this system, and to live it freely as if he is not subject to it¹⁴.

When extrapolating Article 118, we find that the juvenile is subject to the provisions of sections 3 and 4 of the law related to:

Punitive institutions, the conditions of detainees, the reeducation and social integration of detainees within the limits of his own interest.

As a result of the sensitivity of the age of the juvenile, the legislator has approved a set of rights, which are contained in the text of Article 119, namely:

- A balanced meal is enough to meet his physical and mental needs.
- Dress appropriately.
- Health care and periodic medical examinations.
- Talking to his visitors directly without a break with the possibility of using remote means of communication under the supervision and control of the administration.

The juvenile in re-education centers, integration centers, or majority institutions may also benefit from a 30-day summer vacation to spend with his family, in one of the summer camps, or recreation centers, as stipulated in Article 125, paragraph 05.¹⁵

As an exception, a juvenile of good behavior may also take a holiday on national and religious holidays, in accordance with Article 125, paragraph 2

The total number of holidays that the event can benefit from, especially the exceptional ones, is 10 days to 3 months .

One of the most important mechanisms for the reintegration of juveniles into society is the Re-education Committee, which is present at the level of each center for the re-education and reintegration of juveniles into penal institutions, and is headed by the juvenile judge, the director of the Re-education and Integration Center for Juveniles , or the director of penal institutions, and every person specialized in psychology , the representative of the governor , educator , the head of the Municipal People's Assembly or his representative , and every person who can benefit in the performance of the committee's interest, and this is stipulated in Article 126 , and it works to :

- Reinstatement of education programs in accordance with approved national standards and programs.
- Preparing settlement programs for literacy and vocational training.
- Studying and proposing all measures aimed at forming intensification and individualization of the penalty stipulated in Law No. 05-04, as amended and supplemented by Law No. 18-01.
- Evaluate the implementation of re-education and social reintegration programs¹⁶.

Law No. 05-04 on the organization of prisons, amended and completed by Law No. 18-01, showed the extent of Algeria's commitment to modern international standards for prison management and the rehabilitation of incarcerated juveniles, as it sought to achieve a balance between special deterrence and reform, while Law No. 18-01, amended and completed by Law 05-04, represents an important step towards modernizing the prison system, especially for juveniles in terms of applying alternative punishment to electronic bracelets in line with human rights principles, as it made the Center for Re-education and Integration of Juveniles, or penal institutions institutions focused on reform rather than just places of punishment.

The internal laws that Algeria has put in place to protect juveniles within penal institutions reflect its awareness of the specificity of this group and the need to deal with them in ways that focus on reforming them, rehabilitating them instead of punishing them while ensuring the protection of their rights from any violations within them. Laws have been issued that have emerged in particular in Law No. 15-12 on child protection, Law No. 18-01 on the organization of prisons and the social reintegration of detainees, as amended and supplemented by Law 05-04. These laws seek to enable juveniles to overcome their mistakes and integrate again into society as normal citizens.

The second requirement: Algeria's international obligations in the field of juvenile protection

The protection of human rights, especially those related to the rights of juveniles, is one of the most important issues that have had a share of attention in international law, and this is because of its impact on the future of future generations. In this context, Algeria has ratified many international conventions and protocols related to the protection of juveniles, and this is to strengthen national efforts in terms of ill-treatment, and to ensure their special needs. Despite these international obligations, there are gaps and challenges facing their actual implementation. In this requirement, I will address:

Section I: International Law

International conventions and treaties related to human rights are the cornerstone that guarantees the basic rights of juveniles who are subjected to detention within penal institutions, as they provide them with a humane and safe environment that helps to rehabilitate them and reintegrate them back into society instead of imposing harsh

punishment that affects their psyche. Their personal and educational development also works. The most prominent of these laws are:

1. Convention on the Rights of the Child 1989:

Content:

The Convention consists of a preamble and 54 articles, as its preamble refers to what is stated in the United Nations Convention, which provides for the protection of human rights and the recognition of human dignity, as well as what is stated in the Universal Declaration of Human Rights 1948, the Declaration of the Rights of the Child 1959, in the International Covenant on Economic, Social and Cultural Rights, especially Article 10, and in the International Covenant on Civil and Political Rights, especially Articles 23.24, as Algeria ratified it in April 1993 and issued in the Official Gazette No. 91 of 19 December¹⁷ 1992.

Scope of application:

The provisions of the Convention apply to the child in the sense that the provisions contained in the Convention apply only to those who have not exceeded 18 years of age, and this is approved by Article 01 of the Convention, and it also applies to juveniles deprived of liberty.

Therefore, the Convention on the Rights of the Child is an international legal document that seeks to protect the rights of the child throughout the world. It is also the first building block of all policies related to child protection in judicial systems inside or outside penal institutions, whether in time of peace or war. Among the most prominent articles related to the protection of juveniles with in penal institutions are:

Article 37: " States Parties shall ensure that:

A/ No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment shall be imposed for offences committed by persons under eighteen years of age without possibility of release.

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in accordance with the law and may only be exercised as a measure of last resort and for the shortest appropriate period of time.

A/ Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner that takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults, unless it is considered in the child's best interest not to do so, and shall have the right to maintain contact with his or her family by correspondence and visits, except in exceptional circumstances.

(d) Every child deprived of liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action¹⁸.

Article : 40 "1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which promotes the child's respect for the human rights and fundamental freedoms of others and takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and taking into account the provisions of relevant international instruments, States Parties shall ensure, in particular :

a/ Failure to allege, claim or prove that the child has infringed the penal law due to acts or omissions that were not prohibited by national or international law at the time they were committed,

B/ Every child who alleges or is accused of having infringed the penal law shall have at least the following guarantees:

(i) be presumed innocent until proved guilty according to law,

(ii) promptly and directly notify him of the charges against him, if necessary through his parents or legal guardians, and obtain legal or other appropriate assistance for the preparation and presentation of his defence,

(iii) The determination by a competent, independent and impartial authority or judicial body of his or her case without delay in a fair trial in accordance with the law, in the presence of legal counsel or other appropriate assistance and in the presence of his or her parents or legal guardians, unless it is considered to be against the best interests of the child, in particular taking into account his or her age or condition;

(iv) not to be compelled to testify or confess guilt, to cross-examine or procure cross-examination of opposing witnesses and to secure the participation and cross-examination of witnesses on his behalf under conditions of equality,

(5) If it is considered that it has violated the Penal Code, ensure that this decision and any measures imposed accordingly are reviewed by a competent authority or an independent and impartial judicial body in accordance with the law,

(vi) obtain the assistance of an interpreter free of charge if the child cannot understand or speak the language used,

(vii) To ensure that his private life is fully respected during all stages of the proceedings. "

3. States Parties shall endeavour to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and in particular :

A/ Setting a minimum age below which it is assumed that children do not have the capacity to violate the Penal Code,

b/The desirability of taking measures where appropriate to treat such children without resorting to judicial proceedings, provided that human rights and legal safeguards are fully respected.

4. Various arrangements, such as care, guidance and supervision orders, counselling, testing, foster care, vocational education and training programmes and other alternatives to institutional care , are available to ensure that children are treated in a manner appropriate to their well-being and proportionate to both their circumstances and their offence¹⁹ . "

From the extrapolation of article 37, States parties are obliged to ensure that a child is not subjected to torture, cruel , inhuman or degrading treatment. Children must be separated from adults during detention, and special places of detention must be allocated. They emphasize that deprivation of liberty must be as a last resort, for a short period of time, and that there must be a periodic legal review of the detention decision.

As for Article 40, States parties are obliged to ensure that children who have committed crimes are prosecuted in accordance with the Children's Act , with special treatment that respects their dignity and takes into account their age, and that judicial procedures include fair guarantees such as the right to a lawyer and appeal. The aim of all this is their smooth and peaceful reintegration into society .

2. United Nations Standard Rules for the Treatment of Prisoners the "Nelson Mandela Rules":

First issued in 1955 by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Geneva, the Rules were revised and adopted in 2015 by the United Nations General Assembly under the name of the Nelson Mandela Rules in honor of South African leader Nelson Mandela, who was imprisoned for 27 years and known for his struggle for human rights²⁰ .

Content:

Includes 122 rules divided into two parts:

1 .General rules 1to 35, these rules apply to all prisoners regardless of the crime committed and include: humane treatment , health care, diet, water, housing, fair treatment, communication, education, and rehabilitation.

2.Rules for specific categories from 36 to 122, and these rules apply to a specific group of prisoners such as: sick prisoners, or those with disabilities, female prisoners, juveniles, prisoners sentenced to death, and persons in pretrial detention.

Among the objectives of the Nelson Mandela Rules are:

-Ensuring humane treatment : Detention conditions must guarantee the dignity of humanity , and prevent abuse of any kind .

-Rehabilitation : seeks to reform prisoners, reintegrate them into society, and is the first goal.

-Equality and non-discrimination: works to protect prisoners, and ensure that they have access to their basic rights without discrimination.

-Improving prison management: It includes a set of guidelines for the efficient and transparent management of prisons.

When extrapolating the United Nations Standard Rules for the Treatment of Prisoners, we find that they are: The set of international principles that provide the basic international principles governing the treatment of prisoners in general, including juvenile prisoners, and they call for respect for basic human rights within prisons and penal centers, in accordance with these rules:

-Humane treatment : Children must be treated humanely, with respect for their dignity while providing the necessary health and educational care.

- Separation of juveniles and adults: The rules focus on the need to separate juveniles and adults in all places of detention.

-Rehabilitation and social reform: Rehabilitation and educational programs must be provided to help reintegrate the juvenile after the expiry of his sentence into society.

3. United Nations Model Rules for the Administration of Juvenile Justice (Beijing Rules):

Adopted by the United Nations General Assembly on November 29, 1985 by Resolution No. 33/40, it includes 30 rules that are divided into general principles and detailed procedures that protect the rights of juveniles and²¹ their rehabilitation. These rules are as follows:

-General Principles Pre-trial and Trial Procedures, Alternative Measures to Detention, Dealing with Convicted Juveniles, Separation of Juveniles and Adults, Rehabilitation and Reintegration.

Content:

The rules include:

-Dealing with juveniles; they take into account their psychological and social needs, the presence of degrading punishments, and cruel treatment.

-Restorative justice; it seeks to promote the use of alternative measures to imprisonment, such as social work and surveillance.

-A just court; it guarantees the rights of juveniles during trial such as the right of defense and appeal.

-Rehabilitation and reintegration; it uses targeted programs that seek to reintegrate the juvenile into society, such as education and vocational training.

- Separation between juveniles and adults, this is to ensure their protection.

- Imprisonment as a last resort when alternatives to detention are not available.

Scope:

The Beijing Rules cover all stages of the juvenile justice system by achieving educational restorative justice rather than punitive policy, and applying the best for the juvenile.

The Beijing Rules, then, cover the entire juvenile system, taking into account its rehabilitation.

4. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules):

These rules were adopted by the General Assembly of the United Nations on December 14, 1990 by Resolution No. 113/45. They consist of 87 rules and are divided into main axes. They cover all aspects related to the treatment of juveniles deprived of their liberty.²² These rules are as follows:

General rules, conditions of detention, separation of juveniles, right to education and rehabilitation, contact with family, disciplinary treatment Review of detention.

Content:

The Havana Rules include:

- The humane treatment of preserving the dignity of juveniles, the prohibition of torture, and cruel treatment while providing a safe and healthy environment for the performance of his sentence.
- Separating juveniles from adults and this is to avoid the negative effects that the event may take from adults .
- Education and rehabilitation , through the provision of academic education and vocational training , as well as encouraging the juvenile to join cultural, recreational and especially psychological activities.
- Communicating with the family and this is to strengthen the links of communication with the juvenile with his family through correspondence, as well as visits.
- The maximum duration of acquisition; it depends on the application minimum duration.

Scope:

The rules of Havana include all juveniles who have been detained in reform centers , prisons, or rehabilitation or penal institutions, whether they are in pretrial prison or prison for the performance of their sentence.

Therefore, the Havana Rules seek to ensure the basic treatment of the juvenile, while respecting his dignity, promoting his rehabilitation, and reintegrating him into society, that is, they focus specifically on the condition of the juvenile during his detention.

By extrapolating the rules of Havana and Beijing, we find that they have the same objectives, which are:

- Respecting the rights of juveniles, and ensuring their dignity.
- Seeking more to reduce the negative effects resulting from the detention of the juvenile.
- Focusing on the psychological and mental rehabilitation of the juvenile instead of punishing him.
- Ensuring the adoption of alternative measures to detention , and working to reintegrate it into society.

5-Riyadh Declaration of the United Nations Principle on the Prevention of Juvenile Delinquency 1990:

It is an international document adopted by the United Nations General Assembly on December 14, 1990 by resolution 112/45. It contains 12 guiding principles aimed at developing guidance for Member States on policies and programs that help prevent juvenile and adolescent delinquency. It also focuses on early and rapid intervention with the aim of social reform rather than punishment²³.

Content :

It includes:

Basic Principles :

- Preventive Intervention
- The role of the family and society

Non-discrimination :

Preventive measures:

Education and training.

- Social Care
- Media and Awareness

Fair Policies:

- Avoid harsh punishments
- Promoting restorative justice The role of governments

its objectives.

- It seeks to prevent children and adolescents from deviating in to negative behaviors.

- Working to implement restorative justice and rehabilitation instead of punishment.
- Providing a safe and supportive environment for the child in the places around him.

It is noted from the announcement that:

- It attaches the utmost importance to preventive measures to avoid the detention of the juvenile, except in extreme cases.
- It suggests the need to invest in education and social services, and this to reduce the chances of juvenile delinquency.

This announcement has also placed the event as a priority in the national policies as it is in the child that sustainable community development is achieved.

6. Bangkok Principles for the Treatment of Women Prisoners 2010:

It is a set of legal rules adopted by the United Nations on December 21, 2010 under the name of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. It is also known as the Bangkok Principles, and it is complementary to the Nelson Mandela Rules²⁴, but it focuses more on women. It includes 70 rules and is divided into two parts:

Rules Relating to the Treatment of Women Prisoners

Rules regarding non-custodial measures for women offenders

Scope:

It applies to women detained inside prisons or in any places of protest. It also includes special measures for pregnant women, mothers, and women in special situations .

Content :

- General principles in terms of respect for human dignity with non-discrimination and taking into account the special physical and psychological needs of women.
- Detention conditions in terms of providing health services for pregnant women and mothers , as well as supporting rehabilitation and social reintegration programs .
- Non-custodial measures by applying alternative penalties such as probation and social services while reducing pretrial detention and imprisonment for non-serious crimes.
- Protecting accompanying children, that is, providing a safe and appropriate environment for the child with his mother.

Its objectives:

- Meeting the special needs of women prisoners, taking into account physical, psychological and social differences
- Promoting alternatives to non-custodial alternatives by replacing imprisonment with non-punitive measures, especially in non-violent crimes.
- Protecting children accompanying women prisoners while ensuring the provision of basic rights for them
- Improving the conditions of detention in terms of health care, rehabilitation and social reintegration programs.
- Prohibition of discrimination on the basis of sex , race or social status.
- Respect for human dignity at all stages of detention.

Therefore, the Bangkok Principles work to provide humanitarian non-custodial alternatives for women prisoners when punished, and are based on ensuring the basic rights of children accompanying their mothers, especially the healthy and safe environment for their upbringing without imbalances .

The international conventions and protocols related to the protection of juveniles in penal institutions, which Algeria has ratified, work to ensure humane treatment, and are based on respect for their basic rights while providing the environment that contributes to their reintegration into society instead of imposing punishment on

them. However, strong infrastructure must be established, and training must be provided, while monitoring must be strengthened to ensure the implementation of those international obligations.

Conclusion:

Through the study of the effectiveness of legal protection for juveniles in Algerian correctional institutions, it becomes clear that Algeria has established, through its national laws, particularly the Child Protection Law and the Prison Organization Law, relatively advanced legislative foundations aimed at treating juvenile offenders in a manner that considers their best interests and moves away from traditional punitive measures.

However, despite the importance of these texts, they still face real challenges at the application level, whether due to the lack of specialized training for staff, insufficient resources within correctional institutions, or the absence of independent and effective oversight. Additionally, the gap between international obligations and national legislation remains, especially regarding the activation of alternatives to imprisonment and prioritizing educational and preventive measures.

Therefore, achieving effective protection for juveniles is not limited to issuing texts, but requires clear political will, adequate human and material resources, and oversight mechanisms that ensure respect for children's rights within the correctional system. Because a juvenile entering a correctional institution should emerge as a responsible citizen, not a more complicated criminal.

Results:

1. The existence of a relatively advanced national legal framework in terms of texts, especially after the issuance of the Child Protection Law in 2015, which established fundamental principles in dealing with juvenile offenders.
2. The disparity between legal texts and practical application, as many of the guarantees stipulated in the law are not effectively implemented in reality, especially concerning conditions of accommodation, education, and psychological and social care within correctional institutions.
3. The lack of specialized training for staff working in rehabilitation centers, which negatively affects how juveniles are treated and sometimes makes the punitive aspect overshadow the educational aspect.
4. The absence of effective and independent monitoring mechanisms for juvenile correctional institutions, which reduces the chances of reporting violations or improving detention conditions.
5. The failure to activate alternatives to imprisonment (such as mediation, educational measures, psychological follow-up...), even though they are included in legislation and align with international recommendations.
6. Deficiencies in activating international agreements ratified by Algeria, and the absence of periodic reports or independent assessments regarding the state's compliance with these conventions.

Recommendations:

1. Activate independent and judicial oversight of rehabilitation institutions through national human rights bodies, specialized civil society organizations, and judges responsible for juvenile affairs.
2. Enhance specialized training for staff in correctional institutions, including educators, psychologists, and juvenile judges, to ensure rehabilitative treatment based on psychological and educational understanding of the juvenile.
3. Expand the application of alternative measures to deprivation of liberty, in accordance with Article 36 of the Child Protection Law, especially for non-serious offenses.
4. Improve detention conditions within correctional institutions and ensure the provision of basic services such as education.

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5. Article 52 of the same law.
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22. United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules)
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24. Bangkok Principles for the Treatment of Women Prisoners 2010