

Legal Protection of the Child of Unknown Parentage: Between Algerian Legislation and International Conventions

Nadira Atik¹

¹ Faculty of Law and Political Science, 20 August 1955 University, Skikda, Algeria

E-mail: n.atik@univ-skikda.dz

Abstract---There is no doubt that among the important topics that impose themselves in the area of law is the question of protection the child of unknown parentage., which has received varying degrees of attention and care in national legislations and international conventions. This necessitates research and shedding light on the issue of legal protection concerning this child, whether in Algerian legislation or in international conventions.

Keywords---protection, child, unknown, Algerian legislation, international conventions.

I- Introduction

Discussing children's rights has evolved into one of the key and essential ideas that almost never leaves the body of human rights literature in the modern day. Legal academics have been drawn to child-related issues; surely, this is because of the fragility of this creature and his incapacity to protect himself even in his most basic rights. Conversely, the worldwide interest in human rights concerns has been steadily and astonishingly growing. Particularly with progress and development in all areas, no one can dispute the numerical and qualitative buildup in the degree of attention given to human rights concerns, notably children's rights. The range of interest in child protection has started to widen, shown horizontally in that no one denies children's concerns and vertically through international treaties and human rights declarations addressing the child, his rights and freedoms, and that came to defend him.

Among the urgent issues that push themselves globally, particularly at this moment, there is no question that the question of safeguarding the kid of unknown paternity ranks high. This problem opened the door for notable advances influencing concepts and people in the human rights domain, hence helping

How to Cite:

Atik, N. (2025). Legal protection of the child of unknown parentage: Between Algerian legislation and international conventions. *The International Tax Journal*, 52(6), 3417–3426. Retrieved from <https://internationaltaxjournal.online/index.php/itj/article/view/333>

The International tax journal ISSN: 0097-7314 E-ISSN: 3066-2370 © 2025

ITJ is open access and licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License.

Submitted: 13 February 2025 | Revised: 12 August 2025 | Accepted: 11 September 2025

to highlight his circumstances and rights. National legal systems, which set certain clauses for his protection, mirrored this.

Various kinds of attention and care in national laws and international treaties have strengthened and safeguarded the rights of the child of unknown parentage, which calls for study and illumination on the subject of interest in this legal protection in Algerian legislation as well as in international treaties. Three basic themes will guide the discussion of this subject: first, the definition of the ideas; second, the criminal protection particular to the kid of unknown paternity; and third, the civil protection, both in Algerian law and in international treaties.

I.1. Definition of Concepts:

I.1.1. Definition of the Child of Unknown Parentage in Algerian Legislation ([Quran, 24:31](#)):

Though its idea can be inferred from legislative documents, the Algerian legislature did not specifically define the child—as a broad phrase. The lawmaker set the age of majority based on the person's legal standing. The Family ([Law No. 84-11, 1984](#)) Code establishes the age of majority for the purpose of marriage as the full age of nineteen. Article 40 of the Civil Code further defines it as nineteen years ([Algerian Parliament, 2005](#)).

Furthermore, the legislator says in Article 1 of the Law on Child and Adolescent Protection: "...minors who have not completed twenty-one years of age, and whose health, morals, or upbringing is at risk... may be subjected to protection measures..." indicating that a child is one who has not reached twenty-one years of age ([Ben Othman, 2009](#)).

Algeria's approval of the Convention on the Rights of the Child also lets one discover the definition of a child in Article 1, which states: "...every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier," so a child in Algerian law is a human being who has not yet turned eighteen ([Djemai, n.d., p. 17](#)). Though the word appears in the Family Code under Article 119, which states the fostered kid may be of unknown or known paternity, the Algerian legislator did not specifically define the child of unknown parentage. The legislator just mentioned several Civil Status Law words suggesting this. Article 62, paragraph 4 of the Civil Status Law states ([Government, 1970](#)): "The civil registrar himself gives names to foundlings and children of unknown parents and to those for whom the declarant did not assign any names."

Furthermore, Article 67 of the same statute says: "Every person who finds a newborn must report it to the civil registrar."

The Algerian legislator, as per the terms of the above-mentioned articles, did not distinguish between a foundling and a child of unknown parentage; both are regarded one and the same. Professor Abdelaziz Saad's description fits this: a child of unknown parentage is one left by his parents ([Abdelaziz, 1996, p. 220](#)) or discovered in a deserted area with no known father; he is a child whose parents have forsaken and disowned him. The language of Article 64, paragraph 3 of the Civil Status Law also helps one to grasp this: "...children born to unknown parents..."

Abandonment by the family owing to fear of poverty or to avoid the charge of adultery could leave the child of uncertain parentage. On the other hand, the kid could be cut off from his family and his ancestry would be lost. Particularly important these days is this latter cause, as children often go missing—especially in big events like the Hajj pilgrimage, or during cultural and sporting activities, as well as natural calamities like floods and earthquakes.

Some Family Law academics have discussed this idea. Dr. Belhadj Al-Arabi described a child of unknown paternity as: "A newborn baby whose father and mother are unknown, abandoned by his

family due to fear of poverty, fleeing from an accusation of adultery, or for other reasons. (Belhaj, n.d., p. 202)"

Like many other Arab laws that also lacked a definition for the child of unknown parentage, the Algerian parliament passed legal measures regarding his protection and foster care.

I.1.2. Definition of the Child of Unknown Parentage in International Conventions:

Historically, children's rights have witnessed a slow process of evolution from a global view. The period of childhood did not have the requisite emphasis as a distinctive social group before the start of the 19th century. Article 23 of the League of Nations Charter stipulated that the member states agree to work towards just and human working conditions for men, women, and children in their nations as well as in other nations with which they are connected through commercial and industrial relations as well (Hadj Ali, 2009-2010, p. 2).

The first mention of the illegitimate child assumed to be of unknown parentage was mentioned in the 1948 Universal Declaration of Human Rights. Article (25), which says, "All children shall enjoy the same social protection, whether born in or out of wedlock," set the equality of the rights of children who are born within wedlock and outside of it. The language of the article shows that Western nations consider children of unknown and known parentage to be on the same level. Western society is generally known to treat children of unknown parentage—if illegitimate—on the same footing as legitimate children, referring to them as natural children (Abd El-Gawad, 1991, p. 52).

Further references to such children were included in the Declaration of the Rights of the Child in 1959 in broad terms interpreted as including children whose parents are not known. Thus, for instance, Principle One refers to "any other status affecting the child and his family; Principle Six refers to "children deprived of family care."

These international legislative actions brought about a policy of specialization within the area of children's rights, which finally produced the United Nations Convention on the Rights of the Child in 1989. The Convention established equality between children who were born out of a valid married relationship and others regardless of their status. Article (2), paragraph (1), reaffirms that discrimination between children whether legitimate or illegitimate or any other status is prohibited (NationsUnited, 1989). One should keep in mind that before the United Nations General Assembly published the 1989 Convention, there was no international treaties—nor perhaps a uniform international usage—defining the term "child" or its meaning. Although international law had taken an interest in the rights of children and had tried to introduce ways of securing their protection, a clear definition of the child had been absent for decades (Fekhar, 2014-2015, p. 25).

According to this notion, Article One of the 1989 Convention on the Rights of the Child stipulates that: "A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

Seeking to extend greater and the longest available protection to the child, the Convention on the Rights of the child embraced the contemporary approach, which tends to extend the older limit of a person considered as a child.

It thus chose the age to be eighteen years. The drafters of the Convention, however, expected that in some of their countries under national law, an individual would be deemed to have reached adulthood before reaching eighteen years of age. This generates a sort of contradiction or inconsistency between the Convention provisions and the national laws. Therefore, the Convention set the maximum age of whom is regarded as a child according to what is defined by the national law in this respect. A child is

therefore anyone under the age of eighteen unless the law governing the child regards the individual as having attained majority age before that (Hadi, 1994, p. 138).

I. 2. Criminal Protection of the Child of Unknown Parentage:

Criminal protection is considered one of the most important forms of legal protection, and it means putting in place the mechanisms and procedures necessary to address various types of violations and infringements on the interests, rights, and freedoms guaranteed by law for the benefit of individuals and groups, and applying the penalties stipulated by law under this legal protection (Houhou, n.d., p. 19).

Since the child is that weak human being, and since any assault on his life or bodily integrity constitutes a danger that threatens his security and development, it is necessary to protect him criminally by criminalizing all that may harm him.

I.2.1. Crimes Related to Civil Status:

Crimes related to civil status refer to the crime of failure to declare birth, which is punishable by law, as well as the crime of failure to hand over a newborn child, both of which are punished under Article 442 of the Penal Code. Article 61 of the Civil Status Law stipulates that births must be declared within five (05) days of birth to the civil status officer of the place; otherwise, the penalties provided for in Article 442 of the Penal Code will be imposed (Gazette, 1966).

According to the text of the article, failure to declare a birth is considered a crime. According to Article 62 of the same law, the responsibility lies with the father or the mother, or otherwise with doctors, midwives, or any other person who attended the birth. If the mother gives birth outside her residence, the person at whose place the birth took place is obliged to declare the birth.

Failure to declare the birth within the legally prescribed period constitutes a crime that exposes its perpetrator to the penalties provided for in Article 442 of the Algerian Penal Code, which is imprisonment for a period of not less than 10 days and not more than two months, and a fine ranging from 8000 DZD to 16000 DZD, or one of these two penalties.

I.2.2. Crimes of Abandonment and Neglect of Children:

Leaving a kid without shelter or care might constitute abandonment and imperil their life because of the natural death risk (Taha, 1999, p. 70). This act of abandonment is a new trend in getting rid of a child the parent does not want to maintain choosing for abandonment rather than death (Chazal, 1983, p. 19).

Undoubtedly, this infant of unknown origin is a human being who gains from the criminal protection created for all people in general. The Algerian legislator did not stray from this reality and so condemned the act of abandoning and neglecting a child—regardless of who commits it—as one of the crimes against the family under the Penal Code, whether the abandonment takes place in a deserted area or not.

Article 67 of the Civil Status Law states that anyone who discovers a newborn must report them or turn them over to the civil status official in the location of discovery together with any clothing or possessions found with the kid. Anyone who finds a newborn and does not deliver them to the civil status officer—unless they agree to take responsibility for the child by signing a declaration before the civil status officer of the municipality where the child was found—is subject to the penalty specified in Article 442, paragraph 3, Penal Code.

The penalty for this crime is the same as that for failure to declare a birth: imprisonment for at least ten (10) days and up to two (2) months, and a fine of 8000 DZD to 16000 DZD, or one of these two penalties.

The Penal Code, Articles 314 to 318, describes the crime of harming a child's life. Given that a little child cannot protect themselves, this offense consists of moving the child from a safe location to another place—whether totally deserted or not—and leaving them alone, so exposing them to risk. The material component of the offense is the simple act of moving the kid; no further action, victim state, or mode of transportation needs to be shown. Considering the youngster is unable to protect themselves because of their physical and mental incapacity, Article 314 calls for one (1) to three (3) years in prison for this offense alone ([Algerian penal code, 1966](#)).

Whether in a deserted location as specified in Article (314) or in a non-deserted area as referenced in Article (316), the Algerian legislature makes no distinction between leaving a child in risk or exposing them to danger. These are only spatial conditions that either aggravate or reduce the penalty; they have no bearing on the formation of the crime itself ([Bouskiaa, 2003, p. 181](#)).

Given such conditions, it is understandable that the Algerian legislator provides particular protection to the child since leaving them in any location even in front of a charity organization, mosque, or a site crowded with people might expose their life to risk and cause certain death. The punishment is therefore more severe when the abandonment is perpetrated by the kid's parents, guardians, or those in power over the child or those in charge of their care ([Algerian Penal Code, 1966](#)).

Regarding international treaties, particularly in the early years, they stress the need to save the child's life. Though many of these writings lack binding force, which calls into question their legitimacy and legal authority, the Universal Declaration of Human Rights published in 1948 confirms the right of children to particular care and support. Likewise, the 1966 International Covenant of Economic, Social, and Cultural Rights mandates the law to punish any action endangering a child's life or exposing them to risk, or harm to their natural development.

Universal conventions affecting everyone, hence those relating to human rights in general, support this. Regarding specific texts for the child, the Declaration of the Rights of the Child of 1959 came in the shape of major principles and broad lines, which say that every child, regardless of their status or condition, should enjoy special protection, with their best interests being the main concern when applying laws for this goal. These ideals of child-saving are not reported to be binding; therefore, states will not automatically enact them under their national laws.

This is the sole legally binding instrument for those states that have ratified the Convention on the Rights of the Child of 1989, which was three decades after the Declaration of the Rights of the Child in 1959 ([Gazette Official, 1996](#)). Because of their physical and emotional susceptibility, this convention states in its preamble that children require specific protective and care measures, among which is appropriate legal protection. Article 6, however, ensures the right to life of the child, which is a natural right; it is the obligation of the parties to the state to ensure, to the greatest possible extent, the survival and development of the child.

Primarily, the fate of orphaned children is one of these institutions, and thus Article 3, Paragraph 3 of the treaty obliges states to regulate orphanages and other such institutions.

I.2.3. Crime of Abortion:

Crimes connected to attacks on the life of a kid, including abortion, come within the general laws about homicide in Algerian law. The Algerian legislature has set fines for abortion since it is an attack on the life of an unborn child. A kid born from an illegal connection could be seen as one with an unknown ancestry, and the mother might think about abortion before the child's birth.

According to the Penal Code, therefore, the Algerian legislator has made abortion illegal by defining it as the abnormal termination of pregnancy. Anyone who causes an abortion of a pregnant woman or a

presumed pregnancy by administering food, drink, medicines, using violent methods, or any other means, whether with or without her consent, or attempts to do so, shall be punished with imprisonment for a period of one to five years and a fine ranging from 500 to 10,000 DZD, Article 304 of the Penal Code says. Should the abortion result in death, the sentence will be temporary imprisonment for ten to twenty years.

The lawmaker has not restricted the penalty to those who carry out the abortion; he also applies it to the woman who knowingly aborts herself, tries to do so, or agrees to the techniques recommended to her under Article 309 of the same law.

Examining these clauses shows that by outlawing abortion irrespective of the motivations, the Algerian legislator has given total protection for the unborn child. The law defines pregnancy as starting at the moment of conception; this applies whether the fetus has developed completely or has gotten its soul, or if it is still in early stages of development, including the first months of pregnancy. Moreover, the legislator has set fines for even attempted abortion, underlining his great will to fight and eradicate this event (Frija, 2006, p. 125). Given disturbing data predicting a possible moral collapse in society, this prudent attitude is justified (Ministry of Health, 2023).

Some of the foreign agreements have strayed from criminalizing abortion as a criminal act with regard to protecting the rights of the fetus, both before and after birth. The Convention on the Rights of the Child, in its preamble, states that, because of the physical and mental immaturity of the child, they need special protective measures, such as legal protection before and after birth. Further, Article 24 of the same treaty guarantees the right of the mother to special care and protection, such as pre-natal care. Articles 5 and 6 of the International Covenant on Civil and Political Rights further prohibit the use of the death penalty on pregnant women.

What is remarkable, though, is the small range of international treaties regarding the criminalization of abortion. Often, the problem is handled quietly, which has not helped the domestic legislation of the signatory nations. These treaties do not specify deterrent punishments for this crime, which consists of attacking the life of another. Many nations have therefore implemented different remedies, which has resulted in discrepancies in national laws where some even allow abortion for societal grounds including adultery.

Especially if the pregnancy is the consequence of an adulterous connection, it is crucial to highlight the change in international law toward offering required protection for every pregnant woman via what is known as reproductive health. Focusing on giving legal protection to the woman, this strategy lets abortion be lawful in some situations and views abortion from the angle of personal freedom rather than the right to life of the fetus, hence supporting her (United Nations, 1995, p. 106).

I.3. Civil Protection of the Unknown Parentage Child:

"The fetus enjoys civil rights on the condition that it is born alive," the Algerian legislator said in Article 25, paragraph 2 of the legal Code.

Focusing on paternity and protecting the child via alternative family structures such adoption, this paper shows the legislator's dedication to confirming the child's rights, especially the civil protection connected to the unknown parentage child.

I.3.1 Establishing the Paternity of the Unknown Parentage Child:

Article 28 of the Civil Code confirms that a name is essential to a person's identity: "Every person must have a first name and a surname, and the surname of a person follows their children."

Deprived of parental love and the experience of living inside a natural family, the unknown parentage infant is born under unclear conditions, making it impossible to tell to whom they belong. This makes the kid want to name themselves and prove their ancestry.

Giving the kid a name differs from connecting them to a particular person via ancestry. The administrative procedures under Article 64 of the Civil Status Law governs naming a kid of unknown parentage. This article states that the civil status officer, not family lineage, gives the kid their surname. The article states: "The civil status officer grants names to foundlings and infants born to unknown parents who are not given any names by the declarant. The child is given a last name as the family surname among a number of names.

But the administrative authorities intervened since this article was misapplied to male offspring, who were given a set of names typically reserved for girls. A joint ministerial directive from the Ministry of Interior and Local Communities underlined: "Civil status officers are told that the last name should always be a male surname, even for female children. (Jomaa, n.d., p. 57)"

This step was done to fix inconsistencies and make sure kids got appropriate names matching their gender, so helping to define their identity more clearly in society. The Algerian legislator did not directly address the question of the lineage of a child of unknown parentage. The Family Code, namely Articles 40 to 46 of the same statute, governs though the question of lineage in general.

As stated in Article 44, "Parentage is established by the acknowledgment of paternity or maternity of an unknown child, even if done on the deathbed, provided it is credible and consistent with custom," allowing for the acknowledgment of paternity as a means of recognizing the parentage of an unknown child. This legislation lets one person determine the parentage of another; for example, a mother may proclaim the parentage of a particular child, a father could do the same, and a child could claim the maternity of a particular woman or the paternity of a certain man (Saad, n.d., p. 218).

The Algerian legislator did not restrict the acknowledgment and claim to simple declarations lacking proof or evidence. The law made the husband's acceptance the main way to prove parenthood when the case involved a foreign party (i.e., non-Algerian), hence preserving the integrity of the child's ancestry. Algerian law has maintained this idea to guarantee that Islamic Sharia is the primary authority on issues of ancestry (Algeria, 1991).

Moreover, the Algerian parliament acknowledged, depending on the judge's discretion, scientific techniques as a way to establish parentage under Article 40, paragraph 2.

It is clear, nonetheless, that the Algerian legislator did not particularly handle the situation of an unknown parentage infant whose mother wants to register him as her child when he is born out of marriage. Though examining the legal texts on the proof of paternity, these are mostly relevant when a legitimate marriage contract exists, as shown in Articles 62 and 64 of the Civil Status Law. Under Algerian law, parenthood is founded on a legal marriage contract; thus, the claim for establishing parentage is contingent on the existence of such a marriage. This shows a change in the law, as indicated in Article 41 of the Family Code, which reads: "A child is considered to be the legitimate offspring of his father if the marriage was legitimate." This suggests that, should a child not be born from a genuine marriage, they lack the entitlement to pursue recognition of their parentage from their father, even should the child be born out of wedlock or from an unlawful connection. This perspective appears to conflict with Articles 40 and 44 of the Family Code, hence creating uncertainty in the legislator's viewpoint on this issue (Djami, n.d., p. 83).

Except in the United Nations Convention on the Rights of the Child of 1989, which only hints at the need for every child to have a defined lineage, without particularly addressing the situation of children of unknown parentage, the idea of lineage is not explicitly mentioned at the international level. International law may not distinguish between legitimate and illegitimate children, or between children of known and unknown paternity, which could explain this.

In relation to the determination of parentage, the issue has been left to the domestic state law to implement policies and procedures in the best interests of the child and in protection of the child from loss or abandonment (Theniou, 2006, p. 129).

Oftentimes, without express mention of ancestry, States assert the right of a child to family. These conventions belie this when examined. Consider, for example, Article 23, paragraph 1 of the International Covenant on Civil and Political Rights (1966). It states that the family is the natural group unit of society. This article sets the basis for establishing lineage through the family, the natural social group from which society emerges (Saeed, n.d.).

I.3.2 The legal provisions regarding the guardianship:

The Family Code, which governs this issue under particular guidelines, defines (kafala) of a child in Algeria. Article 116 defines the provision of guardianship as a voluntary promise to care for a minor, therefore ensuring their upbringing, education, and support, much like a father's obligations toward his kid. If the child is a female, the guardian (kafil) is obligated to treat the child as their own and support them until they attain maturity or get married; if the child is a boy, the guardian (kafil) is obligated to support them until they are unable to self-support (Ben Malha, 2004, p. 173).

The Family Code's Article 118 lists requirements the guardian must fulfill: they must be Muslim, of sound mind, competent, and qualified to raise the kid. This guarantees that the guardian can create an appropriate environment for the kid and is responsible.

By allowing guardianship but banning adoption, the Algerian legal system fits Islamic Sharia law. Article 46 makes it plain that both religious and legal reasons forbid adoption. Therefore, should an Algerian citizen falsely assert to be the biological parent of a kid and registers the child under their name in civil documents, it would be a forgery and could lead criminal prosecution under the Criminal Code (Abdelaziz, 1996, p. 220).

The Criminal Code does not, however, include any particular clause expressly punishing fabricating ancestry. Still, the clauses on acts of forgery allow one to draw conclusions about penalties, especially under Article 34 of the Civil Status Law and Article 217 of the Penal Code, which govern the forgery of public documents (Saad A. A., 1990, p. 193).

International conventions have facilitated and even promoted adoption on the basis of the best interests of the child. In the absence of a family that can offer the resources required for their proper physical and psychological development, the Geneva Declaration of 1924, promulgated by the League of Nations, highlighted the right of the child to alternative care.

Adoption, which puts the child into another family, is the only way of providing this alternative care. Likewise, the Universal Declaration of Human Rights (1948), while granting many benefits, equates children born of legal relationships with those born of extramarital relationships or of unknown relationship to their parents, thereby perhaps commingling bloodlines.

Before the Convention on the Rights of the Child (1989), conventions had primarily focused on the right of a child to a name and the right to be registered at birth, thereby focusing on the creation of the legal identity of the child and thereby reducing the chances of child trafficking or sale. The International Covenant on Civil and Political Rights (1966) Article 24(2) acknowledged this (United Nations, 1966). Whereas they confer gigantic benefits, the provisions are very much putting at risk the child's lineage as well. The "name" in the papers does not guarantee the protection of the child's actual descent and therefore demoralizes lineage consciousness. Whereas with interpretative declarations, Algeria signed the Convention on the Rights of the Child (1989), it hints at a compound strategy when it comes to requests for international adoption (Government of Algeria, 1989).

II-Conclusion

International treaties have demonstrated great concern for children's rights, offering particular protection in many areas and have acted as a guide for nations to implement and create particular safeguards for children in their domestic laws.

These treaties, however, did not particularly address the problem of the kid of unknown parentage in a way that offers significant protection comparable to other children. somewhat, they turned to somewhat ambiguous ideas that lost their required character and hence lacked significant legal effect. These conventions have not met their goals because of this ambiguity; they stayed only recommendations countries were not required to follow. Though, the 1989 The United Nations Convention on the Rights of the Child is an exception since it established an international framework through the committee in charge of monitoring the execution and fulfillment of the obligations under the convention. One of its fundamental tenets is the regard of the child's best interests, regardless of any description. Though it ignores several vital concerns regarding the status of such infants, such as the determination of paternity and the question of adoption, a kid of unknown parentage will undoubtedly gain from the protection provided by this agreement.

Regarding Algerian law, it has given the issue considerable legal notice via several legal texts spread throughout several codes. Still, these safeguards fall short to protect kids of unknown parentage. More thorough laws are needed in this case to guarantee sufficient protection for children of unknown parentage in all areas. Unlike Egyptian, Tunisian, and Moroccan laws, Algeria has no particular legislation protecting this vulnerable population.

Bibliography:

1. Abd El-Gawad, M. (1991). *Maternal and child protection in international conventions and Islamic law* (1 ed.). Maktabat al-Ma'arif, Alexandria, Egypt.
2. Abdelaziz, S. (1996). *Marriage and divorce in Algerian family law* (3 ed.). Algeria: Houma Publishing and Distribution.
3. Algeria, S. C. (1991, 4 23). Decision regarding the recognition of paternity under French law conflicting with Algerian public order due to non-conformity with Islamic law.
4. Algerian Parliament. (2005). Algerian Parliament. (2005, June 20). Ordinance No. 75-58 of September 26, 1975, on the Civil Code, amended and supplemented by Law No. 05-10 of June 20, 2005.
5. Algerian Penal Code. (1966). Article 315. Official Gazette of the People's Democratic Republic of Algeria, No. 49, June 11, 1966.
6. Algerian penal code, A. (1966). Art. 314, Ordinance No. 66-156 of June 8, 1966, Official Journal of the Algerian Republic, No. 49, June 11, 1966. one of their organs, the punishment shall be imprisonment from five to ten years. If the abandonment or exposure leads to death, the punishment shall be imprisonment from ten to twenty years.". "Anyone who abandons a child or a disabled person unable to protect themselves due to physical or mental condition, or exposes them to danger in an uninhabited place, or causes someone else to do so, shall be punished for this act alone with imprisonment: from one to three years. If such abandonment or exposure results in illness or total disability lasting more than twenty days, the imprisonment shall be from two to five years. If the child or disabled person suffers amputation or permanent disability in.
7. Belhaj, A. (n.d.). *The concise explanation of Algerian family law*. Ben Aknoun, Algeria: Diwan of University Publications.
8. Ben Malha, G. (2004). *Family law in light of jurisprudence and case law* (1 ed.). Ben Aknoun – Algeria: University Publications Office,.
9. Ben Othman, N. I. (2009). The best interest of the child in Algerian family law. Tlemcen: Abou Bekr Belkaid University, Faculty of Law.

10. Bouskiaa, A. (2003). *The essentials of special criminal law: Crimes against persons and crimes against property*. Bouzareah – Algeria: Dar Houma.
11. Chazal, J. (1983). *Children's rights* (1 ed.). Beirut–Paris: Awidat Publications.
12. Djami, L. (n.d.). Child protection: A comparative study between Algerian law and Islamic Sharia.
13. Djemai, L. (n.d.). Child protection: A comparative study between Algerian law and Islamic Sharia. *Doctoral dissertation*. University of Oran, Faculty of Law.
14. Fekhar, H. B. (2014-2015). Criminal Protection of the Child in Algerian Legislation and Comparative Law. *Doctoral thesis*. Mohamed Khider University of Biskra.
15. Frija, H. (2006). *Explanation of the Algerian Penal Code*. University Publications Office.
16. Gazette Official. (1996). People's Democratic Republic of Algeria Constitution of Algeria (Article 132).
17. Gazette, O. (1966). Order No. 66/156 dated June 8, 1966, which includes the Penal Code, as amended and supplemented.
18. Gazette, O. (1996). People's Democratic Republic of Algeria. (1996). Constitution of Algeria (Article 132). Official Gazette.
19. Government of Algeria. (1989). Interpretative declarations on the Convention on the Rights of the Child .
20. Government, A. (1970). Ordinance No. 70-20 of February 19, 1970, concerning the Civil Status Law. Official Gazette of the People's Democratic Republic of Algeria, No. 21.
21. Hadi, A. A. (1994). The Convention on the Rights of the Child: A Step Forward or a Step Back? *Journal of Law*, 17(3).
22. Hadj Ali, B. D. (2009-2010). Criminal protection of children in Algerian law. *Master's thesis*. Faculty of Law and Political Science, Abou Bakr Belkaid University, Tlemcen.
23. Houhou, R. (n.d.). The International Criminal Protection of Human Rights. *Al-Mufakkir Journal*(5).
24. Jomaa, L. (n.d.). *Child protection: A comparative study between Algerian law and Islamic law*.
25. Law No. 84-11. (1984). of June 9, 1984, on the Family Code, amended and supplemented by Ordinance No. 05-02 of February 27, 2005.
26. Ministry of Health. (2023). Annual reproductive health statistics report. Government of Algeria. Retrieved from <https://www.sante.gov.dz/statistics2023>
27. NationsUnited. (1989). *Article 2, Paragraph 1 of the United Nations Convention on the Rights of the Child (1989)*:. "The States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents' or legal guardians' race, color, sex.
28. Saad, A. A. (1990). *Crimes against the family system*. National Book Institution.
29. Saad, F. (n.d.). *Explanation of Algerian Family Law*.
30. Saeed, H. M. (n.d.). *The protection of children's rights in international public law and Islamic law*.
31. Taha, M. A. (1999). *Criminal protection of the child victim* (1 ed.). Naif Arab University for Security Sciences.
32. Theniou, A. (2006). Children's rights in Sharia and law: A comparative study between Islamic Sharia and the 1989 United Nations Convention on the Rights of the Child. Master's thesis, Emir Abdelkader University of Islamic Sciences, Constantine.
33. United Nations. (1966). International Covenant on Civil and Political Rights Article 24(2).
34. United Nations. (1995). Beijing Declaration and Platform for Action. Fourth World Conference on Women, Beijing, China.