



The Role of Algerian Courts in Reducing Drug Crimes

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Abstract. Drug crimes are a major challenge facing many countries in the world, and Algeria is one of the countries that face this phenomenon with all challenge and seriousness. In this context, Algerian courts play a vital and crucial role in trying to reduce those crimes and provide justice for those involved. Courts are an essential component of the Algerian justice system, applying laws and legal standards to ensure justice and integrity in society. The analysis of the role of Algerian courts in combating drug crimes comes within a broad framework of challenges faced by the country in this area. Drug crimes are crimes that have a significant negative impact on public security and social stability, and require a firm and effective response. Therefore, understanding the role of Algerian courts in this context is vital to assess the effectiveness of the efforts made and to identify points that can be improved. This research is based on a careful analysis of the role of the Algerian courts in combating drug crimes, focusing on several important aspects, including: how to apply the relevant laws, ensure the rights of the accused and those affected, the effectiveness of the penalties imposed on those involved, in addition to international cooperation in this regard. Drawing on this analysis, we can understand more deeply how the Algerian courts' role in combating drug crimes has affected, what challenges they may face in achieving their goals, and how to improve efforts to promote justice and security in society. Therefore, we pose the following problem: How did the Algerian judiciary address the phenomenon of drugs and what mechanisms did it adopt to reduce this dangerous scourge?

Keywords: drug crimes, Algeria, legal standards.

CONTENTS

- Through this, we will divide this research into:
- The role of Algerian courts in combating drug crimes:
- Achieving Justice in Drug Cases:
- Application of relevant Algerian laws
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- Legal Actions to Combat Drug Crimes
- Arrest suspects and conduct necessary investigations
- Trial of Defendants

- Issuance and Effective Execution of Judgments.

General

The role of Algerian courts in combating drug crimes

Achieving Justice in Drug Cases

Achieving justice in drug cases is vital to ensuring the stability of society and protecting individuals from the harmful effects of this phenomenon. Fair and equal treatment of defendants and those involved in drug offences is essential to ensure the integrity of judicial work and the rights of the individual [1].

The process of achieving justice in drug cases depends on several factors, including:

1. Fair trial and rights of the accused: The trial must take place in accordance with the laws in force and taking into account the rights of the accused, such as their right to defense and legal counsel and their right to know the charges against them and to present evidence against them.
2. Thorough Investigation: Judiciary shall conduct thorough and rigorous investigations to collect and present evidence in court. This includes checking drug sources, tracking distribution networks, and identifying those involved.
3. Providing fair penalties: Penalties for those convicted in drug cases must be proportionate to the seriousness of the crime and the circumstances of the accused. This includes securing deterrent penalties to prevent the recurrence of similar crimes in the future.
4. Protecting the rights of those affected: The judicial process should ensure that the rights of those affected by drug offences are protected, whether they are direct victims of the offence or indirectly affected by its consequences.

As justice is essential in drug cases, efforts to enforce the law and deliver justice must be based on the principles of integrity, transparency, and human rights. By ensuring these principles are applied, a strong and reliable justice system can be built that delivers justice and protects society from the repercussions of drug crimes.

Application of relevant Algerian laws

The application of Algerian laws related to combating drug crimes is essential to ensure the effectiveness of judicial work in this aspect. Algerian laws relating to drug offences include a range of regulations and laws covering various aspects of the phenomenon, including classification, definitions and appropriate penalties. Here are some key aspects of the application of the relevant Algerian laws:

1. Classification of crimes and definitions* *: Algerian law defines the types of drug crimes and clarifies the definitions and classifications related to them, which facilitates the investigation and prosecution process [2].
2. Alternative penalties and penalties: Algerian law includes strict penalties for those involved in drug offences, including imprisonment and fines. The law also provides for the possibility of alternative sanctions such as social work or therapeutic programs for some defendants.
3. Investigation and Evidence: Algerian laws regulate the investigation and collection of evidence in drug cases, including the search of sites and persons and the interrogation of suspects.
4. International Cooperation: Algerian laws encourage international cooperation in the field of combating drug crimes, including the exchange of information and cooperation in the conduct of investigations and extradition between States.

The application of Algerian laws related to drug crimes requires effective cooperation between the judiciary, the police and other legal bodies, in addition to preserving the rights of the accused and ensuring the fairness of judicial work. By applying these laws rigorously and effectively, tackling drug crimes and ensuring justice and community protection can be achieved.

Reducing drug trafficking and abuse in the country

Reducing the drug trade and abuse in the country is one of the main challenges facing Algeria, and requires integrated and coordinated efforts by the concerned authorities and society as a whole. In this context, the Algerian authorities are taking several measures to reduce drug trafficking and abuse, including:

1. Tightening control and inspection **: The Algerian government is strengthening its efforts to tighten control and inspection of ports, borders and land and air ports to prevent drug smuggling and combat its trade.
2. Strengthening international cooperation: Algeria continues to strengthen international cooperation with other States in the fight against drug crimes, including the exchange of information and experience and the coordination of efforts to combat international drug trafficking networks.
3. Promoting public awareness: The government carries out awareness and education campaigns for the community about the dangers of drugs and their harmful effects on the individual and society, with the aim of raising awareness and reducing demand for them.
4. Strengthening preventive and therapeutic programs: Stakeholders work to strengthen preventive and therapeutic programs for addicts and drug dependents, including the provision of psychosocial support and medical treatment to those affected.
5. Tightening Penalties: Strict penalties are applied to those involved in drug crimes, whether promoters or users, with the aim of achieving deterrence and reducing the recurrence of these crimes [3].

In addition, reducing the drug trade and abuse in the country requires concerted efforts between different sectors, including the police, the judiciary, health, education and social services, to ensure the effectiveness of the measures taken and achieve the desired results in combating this dangerous phenomenon and protecting society.

Legal Actions to Combat Drug Crimes

Arrest suspects and conduct necessary investigations

Within the framework of combating drug crimes, the legal authorities in Algeria are taking several measures to arrest suspects and conduct the necessary investigations. These procedures aim to collect the necessary evidence, arrest those involved in drug crimes and bring them to justice. Among the usual legal measures to combat drug crimes in Algeria include:

1. Investigations and Information Gathering: The anti-drug crime process begins with investigations and information gathering from various sources, including intelligence and field information, which are used to identify suspects and distribution networks.
2. Arrest of suspects: Based on information and investigations, the legal authorities issue arrest warrants against drug suspects, and these warrants are executed by the police or the competent security authorities.
3. Preliminary Investigations: Once suspects are arrested, preliminary investigations are conducted to determine the extent of their involvement in drug crimes, evidence and evidence are collected and suspects are questioned.
4. Site and Property Inspection: Legal authorities search sites and property associated with suspects, including homes, cars, and warehouses, to find drugs or other relevant evidence.
5. Referring the accused for judicial investigation: Based on the results of the preliminary investigations and the collected evidence, the suspects are referred to the Public Prosecution to initiate the judicial investigation and take the necessary legal action.

Using these legal procedures, the legal authorities in Algeria seek to effectively control the drug trade and hold those involved accountable, bringing them to justice to achieve justice and reduce this harmful phenomenon [4].

Trial of Accused

After conducting preliminary investigations and arresting suspects for drug offenses, they are brought before the court for trial and the prosecution is brought against them based on the evidence and evidence gathered. This stage is crucial in the justice process and the delivery of justice, through which defendants are brought to fair legal accountability in accordance with applicable laws.

Essential steps for bringing defendants to court for trial in drug cases include:

1. Preparation of the lawsuit: The Public Prosecution prepares the lawsuit based on the results of the investigations and the collected evidence, and appropriate legal charges are brought against the accused.
2. Trial Scheduling: The trial schedule shall set specific dates for bringing the accused before the court, where the accused shall be informed of their rights and the charges against them.
3. Trial Hearings: Trial hearings are held in the presence of the judge, the prosecutor, defense lawyers and the accused, where evidence and testimony are heard and arguments are presented by both parties.

4. pronouncement OF judgment: After hearing the evidence and arguments of the parties, the judge shall issue the final judgment based on the evidence presented and the assessment of the law, and the appropriate punishment shall be determined if the defendants are found guilty.
5. Right of appeal: Defendants who are sentenced have the right to appeal the judgment if they are dissatisfied with the decision issued by the court, and the case is reviewed by a higher court.

Bringing defendants to trial is one of the key steps in the justice process, where defendants' rights are secured and justice is ensured through a credible and fair legal process [5].

Issuance and Effective Execution of Judgments

When the judicial court passes sentences for drug offences, these sentences must be effectively enforced to ensure that justice is done and to prevent recurrence by those involved in these offences. Here are some key steps to effective adjudication and enforcement [6]:

1. Enforcement of Sentences: This step involves the enforcement of sentences imposed by the court, whether they are prison sentences, monetary fines, or alternative penalties such as community service. This is done through the prison system and relevant legal institutions.
2. Monitoring Preliminary Investigations: It is important to follow up on preliminary investigations and verify that legal procedures are properly applied, including questioning suspects and collecting evidence in a legitimate manner.
3. Justice shall be administered with all fairness and integrity: Justice shall be administered with all fairness and integrity, without any discrimination or bias, whether the accused is an ordinary citizen or an influential person or authority.
4. Ensuring responsiveness to judicial rulings: Relevant authorities should ensure that judicial rulings receive an immediate and effective response, and that they are implemented accurately and on time.
5. Cooperation with other institutions: The implementation of judicial decisions requires effective cooperation between judicial authorities, the police and other institutions, such as prisons, therapeutic and correctional centers [7].

By applying these steps and ensuring that judicial decisions are effectively implemented, justice can be achieved and recurring crimes prevented, and confidence in the judicial and legal justice system strengthened.

CONCLUSION

Based on the above points and a thorough analysis of the role of Algerian courts in combating drug crimes, we can conclude the following recommendations and expected results:

Recommendations:

- Strengthening international cooperation: Algeria should strengthen international cooperation in the field of combating drug crimes by exchanging information and experiences with other countries and participating in regional and international programs and initiatives in this regard.
- Technical capacity development: Technical capacity and technological modernization in Algerian courts should be strengthened to better facilitate investigations, documentation of evidence and information sharing.
- Promoting awareness and education: The Algerian government should intensify awareness and education efforts on the dangers of drugs and their negative effects on the individual and society, through awareness campaigns directed at young people and society in general.
- Improving the mechanisms for the enforcement of sentences: The mechanisms for the enforcement of judicial sentences must be improved to ensure their effective and timely implementation, with attention to ensuring the rights of the accused and the convicted.
- the expected results
- Reducing crime rates: By tightening control and strictly enforcing laws, the role of Algerian courts is expected to contribute to reducing drug crime rates and achieving security and stability in the country.
- Increasing confidence in the judicial system: By providing fairness and integrity in trial proceedings and the execution of sentences, the role of Algerian courts is expected to increase citizens' confidence in the judicial system.

- Strengthening international cooperation: By strengthening cooperation with other States in the fight against drug crimes, more effective and comprehensive results can be achieved in this regard.
- Enhancing public security: By reducing drug crimes, public security and social stability can be achieved, which contributes to improving the quality of life

REFERENCES

1. "The Role of the Judiciary in Combating Organized Crime in Algeria", by the researcher: Bouziane Khadija, Journal of Law and Political Science, No. 3, 2018.
2. "Legal Challenges to Combat Drug Crimes in Algeria", by researcher: Ali Salmi, Journal of Legal and Political Sciences, Issue 6, 2019.
3. "Organized crimes and the role of the Algerian court in combating them", by the researcher: Abdul Razzaq Bouabdallah, Journal of Legal and Political Studies, No. 10, 2020.
4. "Analysis of the Role of Algerian Courts in Combating Drug Crimes", by Youssef Hamza, Journal of Legal and Social Sciences, Issue 8, 2017.
5. "Legal and Procedural Challenges in Combating Drug Crimes in Algerian Law", by Suleiman Bouamrani, Journal of Legal and Political Sciences, No. 4, 2016.
6. in Foreign Language
7. Bouchama, Nassima. "La criminalité transnationale organisée et la drogue: l'apport de la justice algérienne." *Revue internationale de criminologie et de police technique et scientifique* 67, no. 4 (2014): 487-500.
8. Taher, Nabil. "Mécanismes juridiques de lutte contre la criminalité organisée en Algérie: quelles perspectives d'évolution?." *Revue internationale de criminologie et de police technique et scientifique* 70, no. 4 (2017): 409-422.
9. Belhadj, Kada. "Le rôle de la justice dans la lutte contre la criminalité organisée: cas des infractions liées aux drogues en Algérie." Thèse de doctorat, Université d'Alger, Faculté de droit, 2016.
10. Boukellal, Mourad. "La coopération internationale en matière de lutte contre le trafic de drogue en Algérie." *Revue internationale de droit pénal* 87, no. 1 (2016): 157-170.
11. Guemida, Rachid. "La lutte contre la criminalité transnationale organisée en Algérie: enjeux et perspectives." *Revue de droit pénal et de criminologie* 97, no. 4 (2017): 353-371.