

# Mechanisms to combat drug abuse and its promotion in Algeria

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**ABSTRACT** *Drugs are spreading in a terrible image and millions of Algerians are falling into the trap of hallucinogenic addiction to cocaine, heroin and other types that vary in risk depending on the type and quantity of use by both sexes and different social and age groups, as revealed by the field results of the investigation on the prevalence of drugs in the school community, which touched on middle and secondary 426 at the national level, according to Daoud Balkasmi, Director General of the National Centre for Studies and Analysis on Population and Development, in a statement to Channel 1, and Mohamed Abdou bin Hala, Director General of the National Centre for the Control of Drugs and Addiction: "Through this intervention, we would like to address the main mechanisms adopted by Algeria to combat the phenomenon of the spread of drugs in society, namely three ways of treating addicts, the second is to combat everything that leads to addiction, and the last is criminalization.*

**KEYWORDS:** *Drugs; Algeria; criminalization*

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## I. INTRODUCTION

Drugs are a serious scourge for all societies in general and Algerian society in particular, although States and laws have come together to combat them, according to the United Nations Office on Drugs and Crime's World Drug Report 2022. Some 275 million people have used illicit drugs. (Report of the General Narcotics Control Board, 2022, p. 1), but it is known to be increasing and worsening day by day, mainly because of its large and diverse sources, due to a number of fundamental reasons, including:

The fictional profits earned by the promoters are between \$ 300 million and \$500,000 a year, which is equivalent to 10 percent of world trade, and more than the world's petroleum trade.

About 60 percent of the European Union's active criminal networks are reportedly involved in corruption, and about 40 percent are active in drug trafficking because drug production and trafficking remain the largest criminal activity in the European Union where criminals reap and wash billions of euros annually through legal trade structures. (Celina B Realuyo, 2019), where the United States spent \$28 billion on cocaine, \$27 billion on heroin and \$13 billion on other narcotic substances (Alternative Report, 2018), also damages the economies of many countries such as reducing production and wasting working times, a loss in the workforce caused by addicts themselves, those engaged in drug trafficking and production, and victims not directly related to the drug trade.

Declining agricultural allocation, declining development and achieving basic needs in which United Nations and official reports showed that the spread and production of drugs covered the entire world, Where its prevalence has been recorded in 170 countries, cocaine in Latin America is produced especially in Colombia, Cannabis, opium and stimulants in Asia and Europe, cultivate cannabis and produce in Afghanistan, Pakistan and Myanmar, but less in Egypt, Morocco and Turkey, Where in many countries poppy cultivation has prevailed as one of the most widely consumed species along with Indian cannabis and opium, which has been named as a wildfire area cultivation ", called in the 1970s land where forests burn or take off beneficial cultivation instead of poppy, The most famous of these areas is Colombia, where the total area of its production was 4,200 hectares (Mohamed Fathi Eid, 2005, p. 200).

Algeria, like the rest of the world, is suffering and strives through the synergy of many organs of the State and civil society to combat the serious phenomenon of the spread of drugs of all kinds among all age groups and social classes and both sexes. "The seizure of a total of 88702.581 kilograms of Indian cannabis in 2020 and 55.2 per cent in the western region of the homeland", based on the proceeds of anti-drug interests (National Gendarmerie, Directorate General of National Security and Customs), and the amount of Indian cannabis booked during 2020 recorded an increase of 60.8% compared to 2019 security system ", mainly because of the strengthening of the security apparatus at the border level, According to the National Narcotics

Control and Addiction Office, according to the Bureau's report, 41.08 per cent of Indian cannabis reserved in the southern region of the homeland, 96.1 per cent in the central region and 44.1 per cent in the east of the country (Algerian News Agency 28 June 2021).

Drugs seriously affect their users in their own body, mind, behavior and relationship with the surrounding environment. These effects vary from substance consumption to substance and vary in gravity But they can be totalized in lethargy, laziness, loss of responsibility, recklessness cognitive disorder, causing traffic accidents and work injuries, also making the addict vulnerable to psychiatric diseases, physical, mental and potentially immunocompromised if we use our used contaminated right, According to the latest global estimates, about 5.5 per cent of the population aged 15 to 64 used drugs at least once in 2020, while 36.3 million people drug use ", or 13 per cent of the total number of people using drugs, suffers from substance abuse disorders. Globally, more than 11 million people are estimated to be injecting drugs, half of whom have hepatitis C. Opium continues to be responsible for the highest number of drug abuse diseases (UNODC, 25 June 2021).

Family disintegration and the breakdown of family and social relations and the inability to provide basic requirements for the individual and the family. The addict often urges the effect of drug demand on theft and promotion offences, burglary, murder, gambling and debt, a phenomenon of educational, social, cultural and psychological dimensions.

The drug problem is aggravated by the fact that many of our Arab youth and adolescents, who are still the age of flowers, fall into the morass of addiction and drift into the abyss of misery and misery. The causes and factors that may lead to addiction are as follows (Abdulrahman al-Issawi, 2000, p. 233):

- Keeping up with bad mates at social events and cleansing manhood or maturity in the sense of loving tradition and simulation and increasing adolescents' feelings of loyalty to the peer group more than their feelings of loyalty to the family.
- Wanting to go through the experience by tasting drugs or booze is drifted away by the current and cannot return to safety with the abuse of the freedom given to young people the desire for false euphoria or joy and jubilation in the absence of opportunities for positive activity to kill leisure time, The high frustration that has accompanied the worsening of unemployment and the individual's vulnerability to situations of social injustice But some use drugs in the belief that they increase their strength from sexual activity, In particular, those with some sexual disorders, such as erectile dysfunction or menstruation, may also be attributed to the low perception of drug abuse risks and high drug abuse rates, according to the Executive Director of the United Nations Office on Drugs and Crime. (Ghada Wali, 2021), through this intervention we review the country's most important strategies in countering this phenomenon.

## **II. ALGERIA'S STRATEGY IN COMBATING DRUG ABUSE AND PROLIFERATION**

Treatment and struggle are closely linked to the causes and factors of their abuse and trafficking, the struggle must be part of an integrated and deliberate criminal policy adopted by the State, using all appropriate means to eradicate this scourge. In general, these methods can be summarized in three ways:

1. **FIRSTWAY (treatment):** This way is oriented towards the treatment of the addicted individual the most important way of doing so, because the success of the treatment depends in large part on its willingness to get rid of this scourge. so that he must have full conviction and a firm desire for treatment, If we see that with him, then there comes a second stage, which is building the will that can help him achieve that end. As Algerian legislature considers the addict to be a patient requiring treatment rather than punishment, If the accused is authorized instead of applying the penalty, the judge may order that he be placed in a treatment institution. where addicts are diverted, either through a judicial decision or through voluntary access (**Tahri Hussein, 2023, p. 30**).

The statistics show that 64% of those who were given treatment failed it and soon returned to taking drugs. The United States has failed to combat booze for more than 10 years (**Rahmani Mansour, 2006, p. 181**) because they wanted to enforce it by law and did not benefit the huge funds allocated to the operation or the large number of police and prisons Where clandestine places for selling and eating liquor have spread beyond what was previously authorized, While Islam succeeded in forbidding booze and carrying people who wrapped it and loved it in a short time and at no cost because it began to change from within.

The law alone cannot prevent the use or trafficking of drugs, and even if the State can prevent the production of drugs, it cannot prevent other States from doing so, especially since States depend on the production and trafficking of drugs.

Addiction therapy fills the spiritual vacuum that benefits only the addict, but it benefits very large segments of society if it is through the media at the appropriate times by using competent specialists to create a new human being, does not bow to emotions , Treatment requires private clinics in which confidentiality is observed in order to preserve the addict's feeling. Some reports indicate that addiction treatment clinics in Egypt and Jordan are failing because they are linked to mental health facilities, causing addicts to deflect from them,

not accusing them of insanity, and others that have failed for lack of possibilities, however, the **Al Amal clinic** in Saudi Arabia succeeded in its goal of treating addicts and rehabilitating them to return and integrate into society.

In Algeria, there is a significant discrepancy in determining the number of addicts. While the National Narcotics Control Office noted the presence of 300 thousand drug addicts, with the President of the National Youth Welfare Organization stressing the existence of at least 400 thousand addicts, but the National Health Promotion and Research Development Authority, **Voram** estimated the number of drug addicts and consumers at 1 million, while counting "National Centre for Studies and Analysis", 180 1,000 addicts and 300,000 consumers, among the most prominent drugs in Algeria "Indian cannabis", which comes from Morocco, then cannabis and marijuana, followed by ecstasy tablets, and finally cocaine and heroin. Like other States, Algeria has sought to treat the group of addicts through many centres, which are of course affiliated with sanatoriums and mental hospitals. However, the **Bouchaoui Addiction Centre** is one of the most important such centers with a capacity of over 200 addicts, However, with thousands of addictive patients, the treatment centre remains inadequate given the large number of addicts wanting treatment, especially hallucinogenic tablets that today occupy the first level of use, represented in "**rocket or saroukh** in arabic" tablets. and a natural centre for drug addiction treatment was launched in Algeria in **Bouchaoui Forest** after the Ministry of Agriculture donated 200 square acres in Bouchaoui Forest, which will be the first African physiotherapy and drug addict treatment centre in Algeria (APS 29 Jan 2023), the therapeutic center has a new treatment mechanism that makes the addicted person very comfortable with the treatments that are offered, Far from stigmatizing hospitals and mental sanatoriums, hence that idea, It seemed to think about physiotherapy and machines were bought from Venezuela in order to work on the filtering and purification of blood from drugs, This requires a lot of funds, which constitute an additional burden for the State Treasury (**Salama Ghabari Mohammed, 2007, p. 161**).

2. **SECOND WAY : THE CLOSURE OF THE GATES OF ADDICTION** : is the last step in the process of combating trafficking and abuse and requires the criminalization of what has proved to be the result of addiction to them, such as descending art and sex, in particular, in which Algeria has witnessed the spread of singers in nightclubs. In their songs, they promote sex by verbal speech and abuse on the basis of carefree forgetting, hard things by taking and taking drugs. Smoking and drinking from smoking rise to alcohol and from the latter to drugs. Every drug addict has already drunk and every drinker has previously smoked cigarettes and therefore has to apply a strict sentence.

Drug use is associated with music and because adolescence is special and characterized by psychosocial immaturity, constant anxiety accompanying biological changes, the love of adventure and impulsiveness accompanying this stage of high testosterone in males, where adolescents and young people often resort to imitating jazz stars and using cannabis so that it leads them to paint and homelessness (**Abd al-Rahman al-Issawi, 2000, p. 152**), where cannabis in Europe and America was accompanied by jazz that enticed and disciplined young people, The impact of cannabis on the individual makes him feel that time is passing very slowly So you find the musician feels that he can play more quickly and at the same time have a nervous relaxation, Algeria, like the world's countries, has spread music and bearish songs that have promoted the use of drugs and specific types of them. Call and continue to call for the absence of reason, the escape of problems and anxiety and the departure from social adjustment by accepting reality and confronting the difficulties of social life with all the contradictions it endures, These songs invite vice while they are monopolized on nightclubs between a category known as perversion and crime and do not attach importance to social values and norms s Rights ", which trades in markets and cafes in homes and weddings on unethical, sex-oriented topics and advocates abuse and violence.

In contrast, another type of drugs is digital drugs. It should be noted here that this type of drug causes the feeling of body tremor and cramps. and affects psychological and physical condition and leads to addicts' isolation from the outside world the use of such music poses a particular risk if the person is under the influence of drugs or drugs, The latter was first discovered in 1839, by physicist **Henrich Dove**, To be then used for many therapeutic goals, including impairment and sexual bulimia. Then by stimulating the pituitary gland in the body, by listening to this music, in order to increase the production of the hormone happiness such as dopamine, where there is the possibility of selecting pieces of music, uploading them from the Internet, and at a small price, and listening to them via earphones increases their risk.

3. **THRD WAY: IT RELATES TO CRIMINALISATION** : the legal texts are present and sufficient, however, the imbalance lies in their application and application, since article 248 of the Health Code stipulates that a death sentence shall be imposed if the drugs are prejudicial to the moral health of the Algerian people but prohibits the death sentence. The State must give effect to the law and make it strictly enforced. Prior to this, the intensification of information campaigns to publicize this punishment in transport and public places is essential in order to establish an argument against traffickers' and promoters' offenders. For example, in the 1980s Saudi

Arabia took the process of distributing clippings to its arrivals, which included the death sentence for drug promoters, as confirmed by Saudi officials death penalty is a real deterrent.

Before that, Narcotic drugs and psychotropic substances are defined in Algeria's **Penal Code 04-18** as any natural or artificial substance of the articles contained in tables 1 and 2 of the single convention on narcotic drugs of 1961 as amended by the 1972 protocol, psychotropic substances are defined as every subset natural or artificial ", or any natural product listed in Schedule 1, 2, 3 or 4 of the 1971 Conventions on Psychotropic Substances.

Criminalization of drugs requires research into the elements of the crime in terms of the legal, physical and moral, and the elements of the drug crime are similar to the rest of the other offences in most of its three components and components.

**I: The legal element:** The legitimate element is intended to criminalize the act legally and specifically with a criminal sanction, in application the principle of legality set forth in article 1 of the Penal Code. Drug crime derives its legitimacy from the Narcotics and Psychotropic Substances Prevention, Suppression of Illicit Use and Trafficking **Act of 2004.12.25** under **No. 04-18**.

**Article 12: Article 13:** Article 14: Article 15: The penalty shall be from 05 to 15 years' imprisonment and a fine from 500.000dgd to 1.000.000 DZD:

1. Easy for others to use narcotic drugs or psychotropic substances in return or free of charge by providing the shop for this purpose or by any other means, as well as for landlords, walkers, addicts and exploiters in any capacity whatsoever of a hotel, furnished house, hostel, bar, restaurant, club, exhibition place or any place reserved for the public or used by the public drug ", who permit the use of drugs within institutions or their accessories or in such places.

2. - Placing drugs or psychotropic substances in foodstuffs or drinks without consumers' knowledge.

**Article 16:** Any person who:

- Intentionally prescribe a mock prescription or favoritism containing psychotropic substances.

- Hand over non-prescription psychotropic substances or have knowledge of the prescription or prescription-friendly nature.

- Try to obtain effects with the intention of selling or obtaining them through mock prescriptions based on what was offered.

**Article 17:** Anyone who illicitly produces, manufactures, possesses, offers, sells, places for sale, acquisition and purchases for sale, storage, extraction, preparation, distribution or delivery of any quality shall be liable to a penalty of 10 to 20 years' imprisonment and a fine of 5.000.000 D to 50.000 .000D. or brokering, shipping or transporting through transit or transport of narcotic substances or psychotropic substances.

In imposing life imprisonment for the perpetrators of the offences set forth in **articles 18 to 21**, the legislature has also increased the penalty for recidivism under **article 17** for offences punishable by 10 to 20 years' imprisonment, life imprisonment and temporary imprisonment from 10 to 20 years when the offence is punishable by 5 to 10 years' imprisonment. punishment and life imprisonment when an organized criminal group carries out the acts mentioned under article 17.

**The physical element** means the act or omission whereby the offence is discovered and its body is complete. The physical element of the general section of the Penal Code consists of three elements: conduct, result and causal link between conduct and result. The material element of the drug offence is divided as follows:

a: Material acts.

b: Narcotic substance.

**A. Physical acts:** The material acts in the drug offence take different forms and shapes, they can be in the form of selling, importing, cultivating, manufacturing, transferring or consuming narcotic plants or substances that are prohibited for use and circulation with criminal intent, and this act is focused on plants or narcotic substances that are prohibited for use and circulation.

**Law 04-18** has included a number of material acts and made them punishable when they are related to a narcotic drug or narcotic substance: Possession and consumption of narcotics, **article 12** (misdemeanor) - Delivering or offering narcotics to others for personal use, **article 13** (misdemeanor) - Obstructing or hindering officers in charge of investigating crimes, **article 14** (misdemeanor) - Assisting others or placing narcotics in food, **article 15** (misdemeanor).

**Complementary sanctions:** The Algerian legislature has imposed supplementary penalties on drug traffickers in the form of additional financial penalties or precautionary measures aimed at preventing dangerous funds from being used illegally, as outlined in **Article 4(04)** of the Penal Code.

**Penalties other than imprisonment, imprisonment and fine:** the Court seized of an offence under **Act No. 04-18** may:

- An alien shall be prohibited from residing in Algeria either permanently or for a period of not less than 10 years, resulting in the alien's expulsion immediately after the expiry of the penalty (**art. 24**).

- Deprivation of political, civil and family rights from 05 to 10 years (**art. 29**)

- Prohibition against exercising the profession for which the offence was committed for a period of not less than five years.
- Prohibition of residence in accordance with the provisions of the Penal Code.
- Withdrawal of passport as well as driver's licence for at least five years
- Prohibition against possessing or carrying a licensed weapon for at least five years.
- Confiscation of objects used or intended for the commission of the offence or the resulting objects.

**Forfeiture:** dispossession of money, free of charge, and placement in the State treasury of closure for more than 10 years for hotels, furnished houses, shelters, bars, restaurants, clubs, exhibition venues or any place open to the public or used by the public; The exploiter committed or participated in the commission of the offences provided for in **articles 15 and 16** of this Act. and the confiscation of plants and reserved materials, installations and movable and real property funds used or intended for use, or derived from the offences provided for in this Act. (**articles 34,33,32**),However, the interest of others must be taken into account in the confiscation (Official journal, 1966).

**Exemption from legal follow-up:** under **article 30**: Anyone who participates in one or more of the offences provided for in this Act shall be exempt from follow-up and shall inform the administrative or judicial authorities prior to their commencement or initiation (National Narcotics Control and Addiction Office, 2004).

### III. CONCLUSION

Drugs were still widespread and combated by many States and international cooperation, as was the case between Algeria and the international community through legal arsenals to transcend international borders and technological development against the frustration of the majority of the world's population for a number of environmental reasons and factors. social and psychological ", despite stringent laws with users, especially promoters s Penal Code, which extends from 10 years to life plus fines, However, undeniable profits prevent the dirt. economic source for many productive countries in the absence of alternative sources, Making the task very difficult and therefore concerted efforts is the way to raise awareness and reduce its spread.

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