

The Specificity of the Electronic Monitoring System in Algerian Legislation

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Introduction:

Modern penal policy has compelled various criminal legislations to reconsider and move toward a penal policy that departs from the traditional one represented in custodial penalties, due to their negative effects which outweigh their reformative and rehabilitative impacts on the convicted person. Custodial sentences destroy the personality of the convict, and their negative consequences extend to his family members and society as a whole.

The system of electronic monitoring, or the electronic bracelet, is one of the modern mechanisms that emerged as a result of the ideas of the Social Defense School in most criminal legislations, including Algerian criminal legislation. The latter recently adopted the application of the electronic monitoring system through Law 18-01, supplementing the Law on the Organization of Prisons and the Social Reintegration of Prisoners. This system constitutes the subject of our study.

The system of electronic monitoring represents a new mechanism that supports sentencing adjustment measures. It was introduced by the Algerian legislator, influenced by various comparative penal systems, and in line with the modern penal policy advocated by the Social Defense School, which calls for limiting the application of custodial penalties, especially short-term imprisonment, in accordance with international conventions on human rights and prisoners. This was first stipulated in Law No. 18-01 of January 30, 2018, supplementing Law 05-04 on the Organization of Prisons and the Social Reintegration of Prisoners, in Chapter Four of Title Six, as a system of sentence adjustment. The Algerian legislator further reintroduced it as an alternative penalty under Law 24-06 amending Penal Code 66-156.

The electronic monitoring system is among the measures applied outside prison walls, where all or part of the custodial sentence is served outside penal institutions, under restricted liberty through a technological device known as the electronic bracelet. This enables the convict to practice daily life within his family environment in most cases.

Based on the foregoing, the problem raised is:

- What is the legal nature of the electronic monitoring system under Algerian law?

To answer this problem, I divided the article into two sections:

- The first section addresses the conceptual framework of the electronic monitoring system and its justifications.
- The second section addresses the procedural nature of this system.

Chapter One: The Conceptual Framework of the Electronic Monitoring System and Its Justifications

This system is one of the newly introduced mechanisms within modern criminal justice policies recently adopted by the Algerian legislator. It is based on a profound philosophy seeking balance between general deterrence and the protection of society on the one hand, and ensuring the reintegration of offenders through their reform and rehabilitation on the other.

Its importance lies in its electronic features that grant it flexibility and efficiency, ensuring a greater degree of effectiveness in application. This can be detailed as follows:

Section One: The Emergence and Concept of the Electronic Monitoring System

The United States of America was the first country where electronic monitoring was applied, originally in the form of wireless monitoring. This is attributed to the American scholar Ralph Schwitzgebel, who invented a wireless monitoring system capable of detecting the bodily signals of an individual or group of individuals within a certain distance and transmitting them to a receiver device for display on a dedicated screen. This allowed tracking a particular person. Twelve (12) young men benefiting from conditional release were subjected to this form of wireless monitoring.

The idea of the electronic bracelet emerged in 1980 through an American judge inspired by a television program. He persuaded a specialized company to design and develop an electronic bracelet worn on the wrist of convicted individuals to facilitate monitoring and location tracking through a receiver device. In 1983, the first judicial ruling was issued requiring convicts benefiting from parole to wear an electronic bracelet to monitor their behavior during the probation period.

The success of this experiment led to the legalization of electronic monitoring in several U.S. states, starting with Washington, then Virginia, Florida, Michigan, and California, until the number of government programs operating under electronic monitoring reached 45 in 26 states by 1986. The system later expanded and was adopted in many European legislations.

Electronic monitoring, the electronic bracelet, or house arrest, despite the difference in terminology among criminal legislations, share the same meaning and substance. It is defined as a mechanism that allows remote monitoring of a convict through the wearing of an electronic bracelet attached to the wrist or ankle. The wearer is required to remain at home or in a specified place at predetermined times. Monitoring ensures the convict's presence at the designated location and times through a control device at the monitoring authority's premises, displaying the convict's movements during the prescribed period.

The Algerian legislator defined it as a procedure allowing the convict to serve all or part of the imposed custodial sentence outside prison by wearing an electronic bracelet during the period specified in the monitoring order, thereby enabling verification of his presence at the designated place set by the sentencing judge.

Law 18-01, supplementing the Law on the Organization of Prisons and Social Reintegration of Prisoners, classified electronic monitoring under Chapter Four of Title Six on sentence adjustment. The decision to apply this system is issued by the sentencing judge, either on his own initiative, upon request by the convict or his lawyer, regardless of whether the convict is imprisoned. The final authority rests with the sentencing judge after obtaining the convict's consent and consulting the public prosecutor or the sentencing commission, depending on their jurisdiction.

Moreover, Law 24-06, amending Penal Code 66-156, introduced electronic monitoring as an alternative penalty pronounced by the trial judge in the presence and with the consent of the accused, adding some amendments to the conditions set forth in the prison law.

Accordingly, electronic monitoring has acquired a dual legal nature. By expanding its scope of application, the legislator aims to broaden the use of sentence adjustment measures and alternative penalties to custodial sentences, encouraging the judiciary to reduce reliance on imprisonment by granting judges the power to substitute custodial sentences with electronic monitoring, to be pronounced in the convict's presence and with his consent.

An examination of Articles 150 bis, 150 bis 1, and 150 bis 2 of Law 18-01 of January 30, 2018, supplementing Law 05-04 on the Organization of Prisons and Social Reintegration of Prisoners,

reveals that electronic monitoring may apply to convicts sentenced to custodial penalties. It may cover the entire sentence if it does not exceed three (3) years or the remaining portion of the sentence if equal to or less than three (3) years. In this case, the sentencing judge decides, either ex officio or upon the convict's request, after consulting the prosecutor regarding non-imprisoned convicts, or consulting the sentencing commission for prisoners with three (3) years or less remaining.

Law 24-06 of April 28, 2024, added that the accused must not have previously breached electronic monitoring obligations and that the statutory penalty for the crime must not exceed five (5) years. It also required the convict's or his legal representative's consent and guaranteed respect for his dignity, safety, and private life during implementation.

It is worth noting that countries adopting modern criminal policies aiming to reduce custodial sentences use electronic monitoring in several situations, including:

1. As a pre-trial measure.
2. Suspension of imprisonment.
3. As an autonomous penalty, as adopted by the Algerian legislator.
4. As a supplementary penalty within other penalties.
5. Before sentence completion, as in Algerian law.
6. As a measure of conditional release before the end of the sentence.
7. As a preventive post-sentence measure for certain offenders after release.

Section Two: Reasons and Justifications for Applying Electronic Monitoring

Since the main goal of punishment is to reform the offender and reintegrate him socially, custodial penalties are no longer effective in achieving this, given their negative effects on the convict. This prompted criminal legislations to adopt the idea of social defense to achieve rehabilitation and reform.

The main justifications for the adoption of this system, generally in criminal legislations and specifically in Algerian law, include:

First – Limiting the drawbacks of short-term imprisonment:

The primary aim of activating sentence adjustment and alternative penalties is to reduce custodial sentences, especially short ones, due to their psychological, moral, and social harms on inmates.

Second – Collecting fines for the public treasury:

This includes collecting fines imposed by judicial and non-judicial authorities, such as customs, for the benefit of the state treasury.

Third – Guaranteeing victims’ rights:

The convict’s desire to avoid prison motivates him to comply with conditions, including paying compensation to victims, which he might otherwise evade once released. This fosters societal and victim satisfaction with justice and curtails revenge motives.

Fourth – The electronic monitoring system is less costly in terms of expenses:

Most countries suffer from the high expenses consumed by prisons, since the increase in the number of prisoners compels states to build more prisons to accommodate this category. In contrast, applying the system of electronic monitoring reduces many of the expenses required for a prisoner inside the penal institution, as electronic monitoring alleviates for the state the costs of food, drink, medical treatment, and the various expenses allocated to building, equipping, and securing prisons.

With a simple equation, it can be said that what it costs to maintain one prisoner per day covers the cost of subjecting six (6) persons to the electronic monitoring system using GPS technology, or monitoring twenty-eight (28) persons using radio wave transmission technology. In 2007, the JFA Institute of Criminal Justice Research in Washington prepared a report stating that American prisons contained 2.2 million prisoners, where the report recommended resorting to alternative penalties to short-term imprisonment so that the state could save nearly 20 million dollars of the expenses consumed by prisons, and on the other hand to facilitate the reintegration of convicts into society, and to avoid the disadvantages of imprisonment, especially for those without prior convictions and who have no connection to the world of crime, but who committed incidental crimes without serious effects on society.

This justification, however, was criticized concerning the expenses consumed by implementing the electronic monitoring system and the budget required for this purpose. Moreover, resorting to the implementation of this system may hinder the application of other alternative penalties, such as community service, which costs no budget compared to electronic monitoring. Technological development has now become inseparable from the individual in all areas of life, such as the use of technology in commerce, known as e-commerce, or in the numerous modern means of communication, or in other fields. This technological development surrounding human beings refutes and disproves the claim that electronic monitoring costs large sums. As for the claim that electronic monitoring may hinder the application of other alternative penalties,

electronic monitoring is in fact an alternative to the traditional imprisonment policy, which requires building prisons, providing guards, placing the convict inside these prisons, and cutting his ties with the outside world and society. Therefore, electronic monitoring cannot replace other alternative penalties, given that each system of alternative sanctions is independent in its conditions and procedures, on the basis of which it is possible to distinguish the most suitable and beneficial alternatives for the convict.

Fifth – The contribution of the electronic monitoring system to reducing recidivism:

The primary and supreme objective pursued by modern penal policy through systems of adapting punishment, including electronic monitoring, is to avoid resorting to custodial penalties because of their negative effects on the convict's personality, whether due to mixing with criminals and interacting with them inside prison, or the criminal personality that develops in the convict as a result of harsh treatment and the absence of the natural life conditions he had before imprisonment, such as healthcare and the family and social environment he lived in, as well as the restrictions imposed on him during the execution phase, which generates in him a vengeful and criminal personality instead of rehabilitating him. This proves the counterproductive effects of custodial penalties.

A study was conducted in Argentina on two groups of prisoners: a group released directly from the penal institution without being subjected to any punishment-adaptation systems, and another group subjected to electronic monitoring before the end of their sentence. It was shown that the rate of recidivism was higher in the first group of prisoners who were not subjected to electronic monitoring. This demonstrates the effect of electronic monitoring in rehabilitating convicts and facilitating their reintegration into society.

Sixth – The lack of proportionality between punishment and the committed crime:

The majority of prisoners belong to the weak and poor segment of society. Often, these individuals are sentenced to imprisonment for committing non-serious crimes driven by need and poverty rather than professional criminality. Sometimes they are subject to unjustified imprisonment for long periods, where the punishment imposed is not proportional to the committed crime or their social circumstances. Therefore, electronic monitoring is the most appropriate measure for such cases to avoid the disadvantages of custodial penalties and to be proportionate to the seriousness of the crime committed.

Electronic monitoring has taken a middle ground between severe and light penalties. Before its introduction, judges were unable to achieve proportionality in sentencing in accordance with

the seriousness of crimes committed by offenders of moderate criminal risk. They either imposed harsh penalties like imprisonment or hard labor, or they opted for fines or suspended sentences. Electronic monitoring, as a medium punishment, allows the judge to reconcile by imposing a penalty proportionate to the offender and achieving social justice for the victim.

Seventh – The electronic monitoring system facilitates rehabilitation:

Adopting electronic monitoring as an alternative to custodial punishment helps protect the convict from forming relations with criminals, as remaining inside the penal institution gives ample opportunity for such interactions due to the nature of prison, isolation, and loneliness experienced by the convict. Furthermore, prison overcrowding hinders the proper and complete application of rehabilitation and reintegration programs adopted by the state. On the other hand, applying electronic monitoring or the electronic bracelet allows the convict to live a normal life, work, or pursue studies, without being subject to forced interaction as imposed by custodial sentences.

Moreover, increasing the number of prisons has not reduced crime, nor has it achieved the objectives of penal policy, nor alleviated the heavy expenses required by prisons and penal institutions in all aspects, whether food, clothing, or healthcare. The rising number of inmates has become a major obstacle to the success of rehabilitation and reintegration programs.

Chapter Two: The procedural nature of electronic monitoring under Prison Law 05-04 and Law 24-06 amending the Penal Code:

In the first requirement of this section, we detail the scope of application of electronic monitoring by showing the categories of convicts allowed by the legislator to benefit from it, and the categories excluded. In the second requirement, we detail the procedures of electronic monitoring in light of Law 18-01 and Law 24-06 amending and supplementing the Penal Code.

Section One: Scope of application of electronic monitoring and the exceptions thereto:

In this requirement, we determine the categories of convicts entitled to benefit from electronic monitoring, and those excluded by the legislator.

Subsection One: Scope of application of electronic monitoring:

Article 150 bis 1, paragraph 2, of Law 18-01 amending Law 05-04 on the organization of prisons and the social reintegration of prisoners, states that electronic monitoring applies to two categories of convicts:

1. Those sentenced to custodial punishment not exceeding three (03) years.
2. Those whose remaining term of imprisonment does not exceed three (03) years.

Law 24-06 amending and supplementing Ordinance 66-156 of the Algerian Penal Code provided for a broader scope for applying electronic monitoring. Article 5 bis 7, paragraphs 2 and 3, stipulates that if the prescribed punishment for the committed crime does not exceed five (5) years' imprisonment, i.e., five (5) years is the maximum penalty, and the imposed sentence does not exceed three (3) years' imprisonment, then electronic monitoring applies. Consequently, if the judge imposes a four (4) year prison sentence, the convict does not benefit from electronic monitoring, as the imposed punishment exceeds three (3) years.

Subsection Two: Exceptions to the scope of electronic monitoring:

Contrary to what is stipulated in Article 60 bis of Penal Code 66-156 as amended and supplemented, which excludes offenders subject to the security period from measures such as temporary suspension of punishment, external workshops, open environment, exit permits, semi-liberty, and conditional release, the legislator did not provide for their exclusion from electronic monitoring. Thus, can we assume that the legislator permits offenders subject to the security period to benefit from electronic monitoring since he did not expressly exclude them? Since the legislator explicitly excluded offenders subject to the security period from benefiting from adaptation measures, the correct interpretation is that they cannot benefit from electronic monitoring. This can be analyzed by noting that this article preceded the legislator's introduction of electronic monitoring after the amendment of Law 05-04 by Law 18-01. Therefore, the legislator should remedy this deficiency by adding electronic monitoring to the measures excluded during the security period.

Section Two: Procedures of electronic monitoring under Prison Law 05-04 and Law 24-06 amending the Penal Code:

Before addressing the procedures of electronic monitoring, it should be noted that the Algerian legislator did not specify a special form for the request. It can be inferred, through discussions with specialists, that the legislator aims to facilitate for the convict the submission of a request for electronic monitoring without the need to appoint a lawyer, provided that the request includes the following:

- Personal details of the convict.
- Type of crime committed, the ruling issued, and the sentence imposed.
- Serious guarantees of good conduct such as acquiring practical or vocational qualifications during the execution of the sentence.
- Proof of payment of fines imposed for the crime.

- Precise address of residence, to be used for monitoring.

The file is prepared by the Sentence Enforcement Committee and must include:

1. The request of the convict or his legal representative.
2. The criminal record of the convict, prepared by the judicial clerk of the penal institution, including:
 - Type of crime committed.
 - Sentence imposed or remaining sentence.
 - Full identity of the convict.
 - Judgment or conviction decision and issuing authority.
 - Certificate of good behavior issued by the Head of the Custody Department.

Subsection One: Procedures of electronic monitoring under Prison Law 05-04:

According to Article 150 bis 1 of the Prison Law, electronic monitoring is applied in two cases:

First case – Before serving the sentence:

- It may be proposed automatically by the Sentence Enforcement Judge, without a request from the convict or lawyer. The judge decides on electronic monitoring if the conditions are met, after the convict's or legal representative's consent (if minor), and after consulting the Public Prosecution for sentences not exceeding three (03) years.
- Or, based on a request by the convict or his lawyer before serving the sentence. In this case, the imprisonment is suspended until the judge decides on the request within ten (10) days, and the decision is final and unappealable.

Second case – During execution of the sentence:

- Initiated by the Sentence Enforcement Judge, with the convict's consent and after consulting the Sentence Enforcement Committee.
- The convict or his legal representative may also request electronic monitoring for the remaining sentence, instead of serving it inside prison. The judge decides after consulting the Committee.
- The lawyer of the convict may submit a request to replace imprisonment with electronic monitoring.
- If the request is refused, the convict may reapply after six (6) months from the rejection, unlike conditional release where reapplication is allowed after three (3) months. This restriction limits the scope of electronic monitoring unnecessarily.

Subsection Two: Procedures under Law 24-06 amending Penal Code 66-156:

Article 5 bis 7 of Law 24-06 authorized the judicial authority to replace the imprisonment sentence with electronic monitoring, obliging the convict to wear an electronic bracelet during the entire period, provided he has not previously benefited and had it revoked.

- The sentence must be pronounced in the convict's presence, and he must be informed of his right to accept or refuse, which must be recorded in the judgment.
- The judge warns the convict that violating obligations leads to revocation and execution of imprisonment.
- The Sentence Enforcement Judge supervises implementation, resolves difficulties, and determines the place of residence.
- The judge must periodically verify that the electronic bracelet does not affect the convict's health.
- The convict's dignity and privacy must be respected during implementation.
- The bracelet is fitted inside the penal institution by Ministry of Justice staff, who also install the monitoring system.

Subsection Three: The authority deciding on electronic monitoring:

The Sentence Enforcement Committee, presided over by the Sentence Enforcement Judge, decides on placing the convict under electronic monitoring, after consulting the Committee if the convict is imprisoned, or after consulting the Public Prosecutor if not. The Public Prosecutor has the right to appeal to the Sentence Adaptation Committee within eight (08) days.

Subsection Four: Information contained in the electronic monitoring order:

The order must include:

- Personal data of the convict.
- Start date of monitoring.
- End date of monitoring.
- Place of monitoring.
- Scope of monitoring (limits imposed on the convict).
- Schedule of monitoring (all day or specific periods).
- Seal and signature of the Sentence Enforcement Judge.

The order placing an individual under electronic monitoring must include certain obligations and measures determined by the sentence enforcement judge, based on the nature of the offense committed or the health condition of the person subjected to electronic monitoring. It also

requires compliance with summonses issued either by the sentence enforcement judge or by the body designated by the judge, such as the external services of the prison administration.

Article 150 bis 6 of Law 18-01 stipulates that the sentence enforcement judge may oblige the convicted person subject to electronic monitoring to comply with one or more of the following measures:

- The obligation to remain at home or at the designated residence as determined by the sentence enforcement judge for the execution of electronic monitoring, and not to leave it without prior authorization from the judge. However, the legislator did not specify whether the monitored person may appeal a judge's refusal to grant permission to leave the residence, even when the request is legitimate.
- Engaging in professional activity or pursuing education or vocational training.
- Refraining from visiting certain places, notably the crime scene, or locations where accomplices or delinquents gather, such as bars or gambling houses.
- Avoiding contact with certain persons, particularly victims or minors.
- Avoiding association with criminals or habitual offenders, including principal offenders and accomplices, in order to prevent recidivism or relapse that may occur if the convicted person remains in contact with such groups.
- Complying with conditions of medical, social, educational, or psychological care that facilitate reintegration, such as undergoing addiction treatment.
- Responding to summonses issued by the sentence enforcement judge or the supervisory authorities tasked with follow-up.

After the issuance of the electronic monitoring order, the convicted person undertakes to respect the following commitments:

1. Possess a SIM card and personal mobile phone, and respond to calls from the external prison administration services.
2. Provide a second phone line belonging to a co-resident, enabling reintegration services to contact him/her if unreachable on the personal number.
3. Respond to text messages sent by supervisory services.
4. Regularly recharge the electronic bracelet battery.
5. Maintain the electronic bracelet, refrain from damaging or tampering with it, and immediately notify the competent authority of any malfunction.

6. External prison administration services are responsible for continuous monitoring and follow-up of electronic surveillance, both remotely and through repeated home visits, and for submitting reports to the sentence enforcement judge, notifying him immediately of any incident or breach of obligations.

Section Three: Conditions for Electronic Monitoring

As with other sentence-adjustment systems, the Algerian legislator has required the fulfillment of a set of conditions for applying electronic monitoring. Some relate to the sentence imposed, others to the convicted person. Law 24-06, amending the Penal Code, added further conditions relating to the penalty prescribed for the offense, the sentence imposed, and prior compliance with monitoring. Specifically, it excludes persons who were previously placed under electronic monitoring but had it revoked for failing to meet obligations.

Subsection One: Conditions under Law 18-01 amending Prison Administration Law 05-04

To benefit from electronic monitoring under Law 18-01, several conditions must be met:

1. The consent of the convicted person or his/her legal representative if a minor.
2. Respect for the dignity, privacy, and physical integrity of the monitored person during enforcement.
3. The judgment must be final and not subject to appeal, meaning the custodial sentence has exhausted all avenues of appeal and become binding.
4. The convicted person must have or prove a fixed residence, as this is essential for installing monitoring devices and conducting follow-up visits. Similarly, French law (Article 732, para. 8 of the French Code of Criminal Procedure) requires a private or stable rented residence, with the landlord's consent if rented.
5. The sentence enforcement judge must verify—before or after fitting the electronic bracelet—that it poses no health risk. Yet, the legislator did not specify how this verification should occur, leaving the judge reliant on medical reports or declarations by the convicted person or legal representative.
6. In practice, the convicted person is presented to a prison doctor before monitoring begins. The legislator should expressly provide for medical checks during enforcement, as in French law, which requires a medical certificate confirming that the bracelet does not harm health.

7. Payment of fines imposed or proof of their installment arrangements with the competent collection authority. This condition has proven effective in increasing fine collection for state agencies such as customs. The justice system has also reduced the required advance for installment payments to encourage the use of alternative sanctions and reduce custodial sentences.
8. The convicted person must also be presented to a psychologist before enforcement of electronic monitoring or other sentence-adjustment systems.

When applying electronic monitoring, authorities must also consider:

- The convicted person's family situation,
- Ongoing medical treatment,
- Employment or education,
- Demonstrated guarantees of reform.

Exception: Like other adjustment systems, exceptions exist under Article 159 of the Prison Law, which allows prisoners to benefit from electronic monitoring even without fulfilling all conditions, if they report a serious incident before it occurs, one that threatens prison security or helps authorities identify perpetrators or criminals.

Subsection Two: Conditions under Law 24-06 amending the Penal Code

Additional conditions introduced by Law 24-06 (Art. 5 bis 7 et seq.) include:

1. The convicted person must not have previously been sentenced to electronic monitoring. (The legislator may have erred in drafting this condition, as electronic monitoring was not a judicially imposed sentence before this amendment; it replaced imprisonment during or before enforcement. This condition, however, applies for future cases, as judges may now directly impose electronic monitoring during sentencing.)
2. The prescribed penalty for the offense must not exceed five years' imprisonment, and the sentence imposed must not exceed three years. In other words, the crime must be punishable by no more than five years in prison, and the actual sentence must be three years or less. Here, electronic monitoring serves as a primary penalty, unlike in Law 18-01, where it was complementary to prison law.
3. The trial judge must grant the defendant the right to accept or refuse electronic monitoring. The judgment must state explicitly that the penalty was imposed with the convicted person's consent and presence.

Conclusion

The Algerian legislator has reaffirmed its adoption of modern penal policy by reintroducing electronic monitoring under Law 24-06 amending Penal Code 66-156. This system now constitutes both an alternative sanction and a sentence-adjustment mechanism under Law 18-01.

Algeria's penal policy aims to rehabilitate the convicted person by reducing reliance on custodial sentences, allowing offenders to remain at liberty under the condition of wearing an electronic bracelet and complying with specific obligations.

However, in practice, implementation has faced numerous social and technical challenges, notably a shortage of human and technological resources needed for supervision. Moreover, Algerian society has yet to embrace this alternative sanction, requiring widespread public awareness campaigns to highlight its goals and benefits.

Recommendations for enhancing the effectiveness of electronic monitoring include:

- Reducing reliance on short-term custodial sentences and replacing them with electronic monitoring as a sentence-adjustment or alternative measure.
- Ensuring specialized training for prison administration staff responsible for implementation, to guarantee professionalism and efficiency.
- Involving civil society actors in applying the system by organizing seminars and workshops to raise awareness among beneficiaries and their families of its reintegrative value.
- Linking electronic monitoring with vocational training programs at the local and national levels.

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*“A measure that allows the convicted person to serve all or part of the sentence outside the penal institution.
 Electronic monitoring consists of the convicted person wearing, throughout the duration mentioned in Article 150 bis 1, an electronic bracelet enabling knowledge of his/her presence at the residence specified in the order issued by the sentence enforcement judge.”*
- Article 150 bis and subsequent articles of Law 18-01 amending Law 05-04 of January 30, 2018 on the Prison Administration and the Social Reintegration of Prisoners.
- Articles 5 bis 7 to 5 bis 12 of Law 24-06 amending and supplementing Ordinance 66-156 containing the Algerian Penal Code.
- See Articles 150 bis and 150 bis 1 of Law No. 18-01 of January 30, 2018.
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- Article 150 bis 1, para. 2 of Law 18-01 amending Law 05-04 of January 30, 2018 on the Prison Administration and the Social Reintegration of Prisoners, stipulates:
“... *in the case of a custodial sentence not exceeding three (03) years, or if the remaining sentence does not exceed this duration.*”
- Article 5 bis 7, paras. 2–3 of Law 24-06 amending and supplementing Ordinance 66-156 containing the Algerian Penal Code, stipulates:
“... 2- *If the statutory penalty for the offense does not exceed five (5) years’ imprisonment;*
3- *If the sentence imposed does not exceed three (3) years’ imprisonment...*”
- For further reference, see Article 60 bis and subsequent articles of the Penal Code.