

Aftercare for released detainees as an effective mechanism for their social integration and the role of civil society in it

الرعاية اللاحقة بالمساجين المفرج عنهم كآلية فعالة لإدماجهم اجتماعيا ودور المجتمع المدني فيها

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Abstract :

The policy of rehabilitation and reintegration of detainees into society has become a priority that modern penal legislation attaches great importance to, as the outcomes of these policies have resulted in the integration of many of these released prisoners into society and a decrease in crime and deviation. the aftercare of released prisoners is a complementary system, to what prisoners received from Rehabilitation within the penal institution, and during the execution of their sentence period. and because the prisoner will return to his community following the completion of his sentence, the community's role in containing this release detainee has been significant and decisive. given that the civil society's contribution to the aftercare of prisoners is a matter that is crucial, substantially approved, and mandated by all legislation and states.

Keywords : Punitive policy; social reintegration ; aftercare; released prison; civil society.

ملخص:

أصبحت سياسة تأهيل المحبوسين وإعادة إدماجهم في المجتمع أولوية تخصصها التشريعات العقابية الحديثة بالاهتمام البالغ، لما حققته هذه السياسات من نتائج ظهرت ثمارها في اندماج العديد من هؤلاء المساجين المفرج عنهم في المجتمع وهجرهم الجريمة والانحراف، وتعتبر الرعاية اللاحقة للمساجين المفرج عنهم نظاما مكملا لما تلقاه السجناء من تأهيل داخل المؤسسة العقابية وأثناء تنفيذ فترة عقوبتهم، ولأن المسجون سيعود إلى مجتمعه بعد انتهاء فترة عقوبته كان دور المجتمع في احتواء هذا المفرج عنه كبيرا وفاصلا، ذلك أن مساهمة المجتمع المدني في الرعاية اللاحقة للمساجين أمر أساسي وجوهري أقرته ونادت به كل التشريعات والدول.

الكلمات المفتاحية: السياسة العقابية؛ إعادة الإدماج الاجتماعي، الرعاية اللاحقة، المحبوس المفرج عنه، المجتمع المدني.

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Introduction

The policy of punishment and criminalization, has evolved from mere pain and torture of the offender to the idea of deterrence so that the offender or others do not return to this crime. and with the emergence of **Gramatica's** and **Mark Ansel's** philosophy, regarding social defense in the mid-twentieth century. the goal of criminal policy has become not only to punish the offender, but to pay attention to him and care for him so ensure that he can be reintegrated into his society. where the circumstances to which the released person is subjected, when he leaves the penal institution and after serving his sentence are considered, whether those circumstances are material. such as the lack of shelter or work, or moral, such as the rejection of the released prisoner by family and society, for this purpose, modern legislation¹. within the framework of modern criminal policy, has gone to adopt the aftercare system for released prisoners through many mechanisms enshrined in these legislations's texts.

Aftercare for prisoners is a complementary mechanism to the rehabilitation and reform process, that they receive while imprisoned within the penal institution. and because those released detainees are members of society, the latter's role in their reintegration was great and decisive. and this is through all its spectrums and groups that must extend a helping hand to those individuals, who are attempting to return as active member of their society, prompting us to raise the following problem: What precisely is the aftercare for released prisoners, and what are its mechanisms? And How has it been enshrined in modern laws and legislations, particularly Algerian legislation? What is the role of civil society in this process?

We will attempt to address this issue along three axes: the first axis: the conceptual framework; the second axis: the aftercare system for released prisoners; the third axis: the role of civil society in the aftercare of released prisoners

The first axis

the conceptual framework

First, before delving into and elaborating on the mechanisms of aftercare, and their enshrinement in modern penal codes, as well as the role of civil society in valuing them. it is necessary to define the following terms: social integration of released prisoners, aftercare for released prisoners, and civil society.

First : Social integration of released prisoners

Sociologists defined it with multiple definitions that are very fairly to what legislation intended, and because sociology is the reason for social integration. we must understand it from this perspective, social integration « is a process following up on individuals before they deviated or committed a crime and after they committed it, during their imprisonment and after their release takes a therapeutic nature for delinquents and criminals, is based on the comprehensive and integrated rehabilitation of the personality of the individual in various social, psychological, economic, religious, educational and professional empowerment of individuals. from integrating into social life after or before their release.in an attempt to reduce deviation and return to commit any acts and practices that threaten society and its laws »².

The Algerian legislator did not define the social integration of prisoners, but only referred to the mechanisms by which this process takes place through, Law No°05-04 containing the Law on

the Organization of Prisons and the Social Reintegration of Prisoners³. in particular Article I, which recognizes that the re-education and social reintegration of prisoners is one of the tools for establishing a punitive policy based on the idea of social defence. and article 112 of the same Code, which affirms that social reintegration is a task shared by State bodies and society Thus. the Algerian legislator's conduct is clear in adopting a policy of integrating prisoners. whether within the penal institution or after their release, a path that has been followed and advocated by all countries of the world within the framework of what is known as the modern penal policy. as it is no secret to anyone that under the old punitive policy. the idea of reintegrating prisoners into punishment has been limited to general deterrence and justice, Once the punishment ended, the role of the state was over. and the idea of helping the detainee was not on the table because this contradicts the principles of punishment, to change the view of the function of punishment. which is no longer intended to punish the offender only by depriving him of his freedom. but has become aimed at reforming and reintegrating him into society, and this is what the modern punitive policy has adopted⁴.

Second : Aftercare for released prisoners

The aftercare of released prisoners came as an effect of the focus of legislation, on the reintegration of the prisoner into his society so that he does not return to crime again. and the description of this aftercare requires the existence of previous care, that the prisoner had received within the penal institution during his imprisonment, and, in order for the state's efforts to rehabilitate the prisoner inside the prison to be successful. rehabilitation must be followed by the reintegration of the released prisoner, because the purpose of imposing the penalty is not punishment as much as it is to prevent the person From returning to such a crime or for other one. and this can only be accomplished though the righteousness of this released person and his integration into his society.

The aftercare of the released detainee is defined by several definitions⁵. including the definition of Mahmoud Naguib Hosni as « a treatment of a special kind that complements the treatment, that was previously applied during the successive stages of punitive execution. and as such it is the last part of the punitive treatment in its broad meaning, and its direct punitive goal is to complement the previous parts of this treatment by strengthening its effects and maintenance »⁶. and Fawzi Al-Saadi defined it as: « A set of scientific and practical efforts carried out by specialized governmental, and voluntary bodies. so that these efforts combine to provide aspects of care for the prisoner and his family during the period of punishment, and before and after release with the aim of achieving social adaptation, and psychological compatibility of the released person with society as well as the acceptance of society after release. so that he becomes a productive individual together so that the difficulties facing him do not push him to commit the crime »⁷. And the official and informal psychological and material of the released in order to turn them into ordinary citizens, by helping them and enabling them to face the release crisis⁸, that they may be exposed to⁹.

Third: Civil Society

Civil society is defined as the various political, economic, social, cultural and legal structures within, which an organized network of relations and practices between forces and social formations in society is organized. which occurs dynamically and continuously through a group of voluntary institutions that arise and operate independently of the state¹⁰. and Professor Raymond

Hinnebush defines civil society as: « The network of voluntary unions formed in which they work to contain social divisions, and form a buffer organization between the state and society »¹¹. Saad Eddin Ibrahim defines it as : « a group of free voluntary organizations that fill the public sphere of the family and the state. to achieve the interests of its members, committed to the values and standards of respect, consent, tolerance, peaceful management, diversity and difference. so civil society organizations include associations, unions, parties, clubs and cooperatives, i.e. what is non-governmental and everything that is not hereditary »¹². Mr. Abdul Hamid Al-Ansari also defined it as: « a society in which there are many voluntary organizations that include parties, unions, federations, associations, clubs, interest groups, pressure groups and other non-governmental entities that represent the mass presence and reflect the vitality of society. which leads to the creation of institutions in society parallel to the institution of power, preventing its uniqueness by monopolizing various arenas of public work »¹³.

It is noticeable that these definitions in their statement of the concept of civil society focus on its formation as well as its objectives. as they all agreed that it is organizations formed on a voluntary basis, including unions, associations, parties and clubs, as well as focused on the role entrusted to it, which is to achieve the interests of its members.

The second axis

the aftercare system for released prisoners

The aftercare system for released persons is based on the idea that the latter is a human being who enjoys certain rights and is a citizen who has the right to confront his society and his homeland, which must exert all his efforts so that this released detainee does not return to the crime and thus achieve the goal of imposing and applying the penalty, various social studies have proven that activating aftercare results in lower rates of recidivism¹⁴, and we will address through this second axis the following points: the objectives of aftercare for released prisoners and its forms (first), the international and Arab dedication to the aftercare system for released prisoners, and the consecration of the aftercare system For prisoners released in Algerian law (second).

First: Objectives and forms of Aftercare for Released Prisoners

The effectiveness of aftercare for released persons has clearly emerged within the framework of modern punitive policy. which aims at countries to achieve goals set through embodied means of the aftercare system.

1- Objectives of aftercare for released prisoners: By adopting the aftercare system for released prisoners, legislation seeks to achieve the following objectives:

- Re-education and rehabilitation of the released before his release from the penal institution socially, psychologically, religiously, educationally and professionally. with a focus on the professional aspect in order to provide the opportunity to work for the released¹⁵.
- Maintaining the rehabilitation steps that have been taken within the penal institution, and supporting these steps, and supplementing them with procedures that would prevent the released person from returning to delinquency and criminality¹⁶.

- Solving the social problems of released prisoners resulting from their commission of criminal acts, such as family disintegration, as well as providing assistance to released persons to adapt to the outside world and protect their families from dispersion and loss¹⁷.

- Developing a sense of responsibility among the released persons by relying on themselves and including them in care to enhance their sense that they live under the law. while working to convince the released persons of the possibility of returning to the right path by promoting the principle of repentance in the hearts of these prisoners. as well as helping them to modify their attitudes and behavioural patterns¹⁸ and enhance their confidence in themselves, their society and their State.

- The social reintegration of prisoners through aftercare is a realization of the principle of benefiting from all the human energies of society. including those released, as they are an integral part of society and cannot be separated from it, whether the duration of the sentence has been prolonged or shortened¹⁹.

2- Aftercare forms for released prisoners: Aftercare took over at the beginning of its inception private religious and civil benevolent institutions which aimed at taking the hand of the released for humanitarian reasons. and the state did not intervene in that until the end of the nineteenth century, and this is due to the fact that the punishment involved pain, which aims at deterrence and justice, so we find those who list the forms of aftercare on the basis of the caregiver. so it has a traditional form, a semi-official form and an official form²⁰. while the traditional form is based on Civil society initiatives with its vision of reform and voluntary charity such as the work of associations and clerics, and the semi-official form is through the state's delegation to other bodies some functions within the framework of aftercare and the state enables these bodies with various material and human means necessary for that, and the official form is that the state bears directly the responsibility for aftercare for those released through specialized centers²¹. while the division that we will provide for the forms of care depends on the criterion of the type and manner of this care, so that the aftercare forms are as follows:

A- **The first form:** Providing the released with the elements to restore their social status: This form of care requires helping the released financially, and giving him a sum of money to meet his urgent material needs, as well as providing him with temporary shelter²². so that he does not have to be homeless²³. especially the released who are unable to return to their families, in addition to providing work for the released prisoner to meet his needs and avoid any resource through crime in the event that he remains without work. and the recommendations of various international conferences came The regional concerned with crime affairs stressed, the need for material assistance to the released persons, providing them with the necessary documents and identification papers for them. decent and appropriate clothes for the weather and preparing places to shelter them in the period following their release, in the absence of a previous shelter or the denial of them by their families²⁴.

B- **The second form:** Removing the obstacles facing the released: There are many obstacles facing the released person, which prevent him from integrating into his society. perhaps the most important of which is the disease, so the state must provide free treatment for the released and take care of those convicted of drugs²⁵. who constitute a large percentage of those imprisoned according to social statistics²⁶. and one of the most important obstacles is

also the community for the released, which increases its isolation and thus makes it difficult to integrate it again into society. and the duty here requires encouraging solidarity among civil society and public opinion Using the media²⁷. and among the obstacles that must be removed is the continuous monitoring of those released by the police, especially individuals who are repeatedly criminalized. as they are summoned whenever a crime occurs in their area for investigation and interrogation, which always attaches the description of the accused to them, and this is what may return them to criminality²⁸. so all these obstacles must be considered and removed until the released person returns to his community.

Second: International and Arab dedication to the aftercare system for released prisoners

The efforts made in aftercare in its inception took a voluntary form - as already mentioned - until it reached the contemporary organization as it is in most countries of the world²⁹. and the United Nations had efforts in this through the rules issued in many international forums and seminars, including the Standard Minimum Rules for the Treatment of Prisoners, which was adopted by the United Nations Congress on the Prevention of Crime in Geneva in 1955³⁰, which stipulated Article 80 of which must be taken into account from the beginning of implementation Among the conferences that dealt with the aftercare system for released persons³¹. the Second United Nations Conference on Crime and the Treatment of Offenders, which was held in London in 1960, and stressed that this system is part of the rehabilitation efforts and establishes on the state an obligation to identify the bodies and institutions that carry out this task³². The Basic Principles for the Treatment of Prisoners, adopted and promulgated by United Nations General Assembly resolution 45-111 of 14 December 1994, article 10 of which states: "With the participation and assistance of civil society and social institutions or with due regard to the interests of victims, conditions conducive to the reintegration of released prisoners into society under the best possible conditions shall be pursued"³³.

At the Arab level, the Conference of Social Affairs Experts held in Cairo in 1964 stressed the need to pay attention to the future of the prisoner after his release, by ensuring him a job to earn from it, the duty and responsibility of society does not stop once the prisoner is released³⁴. and before that the conference held in Cairo also in 1961, which was organized by the National Center for Social and Criminal Research. which recommended demanding to facilitate the procedures for the rehabilitation of the released from penal institutions³⁵.

Third: Entrenching the aftercare system for released prisoners in Algerian law

The Algerian legislator did not take aftercare under Order No. 72-02 containing the Law on the Organization of Prisons and the Re-education of Prisoners. whether for conditional or final releases, so that the Algerian legislator remedied the matter by issuing Law No. 05-04 containing the Law on the Organization of Prisons and the Social Reintegration of Prisoners, by dedicating it to the aftercare system for released persons and recognizing that it is a duty and obligation of the State towards the released, as a complementary method to the methods of care and discipline within the penal institution³⁶. We will show the forms in which this care is embodied in Algerian law, as well as the bodies involved in this task.

1- Forms of aftercare for released prisoners in Algerian law: The Algerian legislature provides for the aftercare system in chapter III, entitled "Social reintegration of prisoners". in articles 112 to 115 of Ordinance No. 05-04. The forms of aftercare for released prisoners in Algerian law are as follows:

A- **Beneficiaries of financial subsidies for those released:** The text of Article 114 of Law 05-04 containing the Law on the Organization of Prisons and the Social Reintegration of Prisoners is as follows: "Social and financial assistance shall be granted to indigent detainees upon their release" Through the article, it is clear that the criminal legislator decided on financial assistance for the released persons. which covers their needs of food and clothing, as well as ensuring his movement to his place of residence, and the legislator singled out this assistance and subsidies for the category of indigent released persons³⁷. and later issued the executive decree outlining the mechanisms for the application of Article 114 of Law 05-04, Executive Decree No. 05-431 laying down the conditions and modalities for granting social and financial assistance to indigent detainees upon release³⁸. Article 2 stipulates that: "In the meaning of this decree, a detainee who is found to have not received regular sums of money in his financial earning, and who is not in possession on the day of his release, means a financial gain sufficient to cover the expenses of clothing, transportation and treatment". In the case of in-kind assistance covering the needs of the detainee in terms of clothing, shoes, medicines and a financial subsidy to cover the costs of his transportation by land according to the distance separating him from his place of residence. this assistance shall be delivered against a receipt duly signed by the released detainee and a copy of the receipt shall be kept as an accounting document. "The detainee shall deposit the request for assistance with the director of the penal institution one month before the date of his release, and this request shall be recorded in a register designated for this purpose, and the director of the penal institution shall decide on requests for assistance by virtue of a decision in coordination with the frugal officer and the accounting clerk."

financial aid are granted based on the conduct and biography of the detainee and the evaluation of the services performed during the sentence period, as indicated in Article 5 of Decree 431-05³⁹.

B- **Preparation of detainees within penal institutions:** This process is considered a precedent, necessary and complementary to the aftercare process, as penal institutions prepare prisoners in many ways in order to prepare them psychologically for the release stage. and this is done by programming psychological therapy sessions. in addition to allocating qualified trainers whose task is to identify all the information and data related to the detainee who will be released in terms of his judicial and criminal record. as well as his family and social ties, with knowledge of his trends, mental abilities and other information. in order to help him draw the lines of his future life and work After his release⁴⁰.

C- **The conclusion by the prison administration of agreements with public and private institutions to ensure the rehabilitation and employment of released persons with professional qualifications:** In this regard, the prison administration has concluded several agreements with the aim of rehabilitating prisoners and reintegrating them into society with a view to employing them after their release⁴¹. including an agreement on the vocational

training of prisoners⁴², an agreement with the National Center for Distance Vocational Education⁴³, an agreement on coordination and cooperation in the field of culture with the National Library⁴⁴. and an agreement between the Ministry of Justice, the Ministry of Vocational Training and Education, the Ministry of Employment and National Solidarity⁴⁵, a bilateral agreement on the use of punitive labour in forest work⁴⁶. an agreement between the Ministry of Justice and the Ministry of Education⁴⁷.an agreement with the University of Continuing Education⁴⁸, an agreement with the Social Development Agency⁴⁹, a coordination and cooperation agreement between the Ministry of Justice and the Ministry of Religious Affairs⁵⁰, and a bilateral agreement between the Ministry of Justice and the Ministry of National Solidarity, Family and the National Community Abroad⁵¹. A framework agreement for the promotion of handicrafts and crafts in the penal environment⁵². a cooperation agreement between the General Directorate of Prison Administration and the Reintegration of Prisoners, the National Agency for the Management of Microcredit and the National Centre for Vocational Training for the Physically Handicapped⁵³. all of which serve to consolidate the conduct of the legislator in order to integrate released detainees after their rehabilitation, and training during the period of execution of the sentence within the penal institution.

2- Bodies responsible for the aftercare of released prisoners in Algerian law: Law 05-04 clearly defines the State's commitment to the task of providing aftercare to released prisoners with a view to their reintegration into society⁵⁴. and in accordance with articles 112 and 113 of the above law, these bodies are: the Inter-Ministerial Committee for the Coordination of Activities for the Reeducation and Social Reintegration of Prisoners;

A- The Inter-Ministerial Committee for the Coordination of Activities for the Reeducation and Social Reintegration of Prisoners: which is stipulated in Article 21 of Law 05-04 to be established and referred in its activities to the organization that determines its tasks and functioning⁵⁵. and this committee is responsible for participating in the preparation of aftercare programs for released prisoners, evaluating the conditional release system and submitting proposals that would improve the curricula for the social re-education and reintegration of prisoners⁵⁶.

B- External services of the prison administration: Article 113 stipulates that external services shall be established under the prison administration, and Executive Decree No. 07-67 of February 19, 2007. laying down the modalities of the organization and functioning of the external services of the prison administration in charge of the social reintegration of prisoners⁵⁷. was established at the level of judicial councils and ensures the continuity of social reintegration programmes for persons released at their request, and article of the same Decree 67-07 provides for the receipt of a detainee who remains 06 months after the date of his release The most frequent visit is the users of these external services to the prison administration, for the purpose of preparing him for the post-release phase⁵⁸.

Third axis

Civil society as an effective partner in the process of integrating prisoners through the aftercare system for released persons

Offenders released from correctional institutions are confronted by social, economic and personal challenges that tend to become obstacles to a crime-free lifestyle. Some of these challenges are as a result of the consequences of incarceration and the difficulty of transiting back into the community⁵⁹. The obstacles and problems of the released towards his society determine what role civil society must play through its quest to remove these obstacles, and solve these problems and thus facilitate and ensure the integration of this prisoner, and his harmony with the different groups of society, so we will address the obstacles and problems of the released towards his society (first), and the role of civil society in the aftercare of the released (second):

First: The problems and obstacles facing the released detainee in the face of his society

These obstacles are numerous and vary - as previously explained - between what is material and what is psychological and what is social:

1 Family dispersion: The detainee often lives family problems that begin with his entry into prison, such as the wife asking for a divorce directly when the husband enters prison. and the mother may be absent from the family as soon as the imprisoned father is absent or unable to monitor and raise children as she may be busy with them working to provide home expenses. so the family begins to disperse and the children are reluctant to study⁶⁰. and the dispersion of family members is among the problems facing the prisoner after his release. and this is what requires the official authorities and civil society To be interested in consulting the prisoner during the period of his sentence, contacting his family members and identifying their needs, in order to maintain the cohesion of individuals and not to disperse the prisoner's family⁶¹.

2- Non-acceptance of society: The negative confrontation with which the released from his community is met makes him in a state of frustration and psychological tension, that is difficult to overcome as a result of the shock of rejection. which pushes him to search for someone who accepts it and will only find it in the community of delinquents, and this is what will return him to delinquency and crime⁶².

3- Non-work: Studies conducted to find out the trends of society in the employment of released persons showed that society does not accept this category, because of lack of trust in them or for fear of their impact on the reputation of work. and this is the result of the inferior view of these, as well as the criminal record recorded on them, which pushes the released to return to committing the same crimes again ⁶³.

4- The influence of criminal elements: The released detainee may find it difficult to get rid of previous relationships, especially criminal gangs with continuous activity. and the reason for the

released person's return to crime may be bad companions who may contact him or when he visits them in prison⁶⁴.

5- Criminal precedents: The criminal record is a new punishment that may be more severe and more dangerous in their lives than the original penalty. as the registration of criminal judgments in the criminal record is a desecration that is impossible to erase or obscure, and some comparative legislation, including the Canadian legislator. which prevents the inclusion of employment files in any box allocated to refer to the criminal precedents of the individual⁶⁵.

Second: The Role of Civil Society in the Aftercare of Released Persons

Civil society in all its spectrum is an essential partner in the process of social integration of released prisoners. and it is an indispensable participation⁶⁶, therefore, the Algerian legislator stipulated in Article 112 of Law 05-04 on the organization of prisons, and the social reintegration of prisoners that the task of social reintegration of prisoners is a task undertaken by state bodies, and in which civil society contributes. and this is aware that there is no room for the success of the new punitive policy that aims to integrate detainees without the contribution and assistance of civil society. and the movement plays Associative play the greatest role in providing the appropriate climate for the reintegration of prisoners, as associative activity ensures the continuity of aftercare in spaces that the state sectors cannot cover, and its neighborhood role accompanies the persons concerned throughout their daily movement⁶⁷. Civil society institutions in general also have a role to play in raising public opinion, through various media about the importance of cooperating with released persons, and paying attention to their problems It is certain that these efforts will restore confidence to the released person in himself. his belonging to his community and his sense of citizenship, which will contribute to raising his morale, improving his behavior⁶⁸. and keeping him away from what constitutes a violation of the law.

With regard to the Algerian experience in the field of reintegration of prisoners and aftercare for released prisoners, and in order to strengthen the role of civil society in the reintegration of prisoners⁶⁹, the Ministry of Justice has concluded several agreements with several associations, including the Iqra Association⁷⁰ and the Algerian Islamic Scouts⁷¹. Professions and trades; professors, doctors, psychologists; retired nurses, some working permanently and others working temporarily, These organizations and associations work as an intermediary between the released detainee and the local authorities in order to employ him, considering that the form of work or the practice of the previous profession is the biggest obstacle inherent in every judicial precedent, and these bodies also care for indigent detainees, especially children, women, the elderly and the disabled. and this is by enabling them to provide material and moral assistance, and strive as much as possible to restore good relations and trust between the detainees and their families, and their social environment, and prepare them to face society to spare them many shocks to other activities and services⁷². provided by these Organizations and associations for prisoners⁷³.

It is worth noting that the efforts made by civil society organizations, especially associations, remain insufficient because these bodies need material capabilities and a more specialized human device to achieve their goals⁷⁴. because the issue is not limited to guidance and advice, but includes essentially the removal of the causes of crime, whether material or moral, and this is what needs specialized devices to accommodate These cases, which begin their work effectively before the release of the prisoner and continue after his release to be able to develop a comprehensive study of his abilities, and develop these capabilities in proportion to the social

environment., so that the aftercare plan comes integrated with the rehabilitation plan in the penal institution and thus enables the released to integrate into his society easily and easily⁷⁵.

Conclusion:

The aftercare of released prisoners as a system and method adopted by legislation, within the framework of modern criminal policy is of great importance reflected in the results achieved, as a mechanism for the reintegration of prisoners. and through this research paper, through which we tried to identify the concept of aftercare for prisoners, and the role of civil society as a key actor in its embodiment, we reached the following results:

- Aftercare is a correctional system aimed at providing support to released prisoners, and thus complements the rehabilitation process received by the detainee in the penal institution, thus achieving the goal of social reintegration of the detainee.
- Aftercare is embodied in two forms: the first is providing the released detainee with the elements of building his social centre, by providing work and shelter for the destitute, even temporarily. and the second is represented in removing the obstacles facing the released person, whether material, psychological or social.
- Aftercare was initially of a religious humanitarian nature until it was enshrined in the legislation of States. where it became the right of the released prisoner towards his society and his State as a citizen and a member of society, who deserves a second chance to take his hand to safety.

Algerian society has established aftercare under Act No. 05-04 on the Law on the Organization of Prisons and the Social Reintegration of Prisoners, making it a task for State bodies and for civil society.

- Aftercare for released prisoners is not only the task of the State and its institutions. but also the responsibility of civil society, which cannot succeed in this system and this criminal policy without the participation of all its formations, whether groups or individuals.

These findings are followed by the following recommendations:

- The need to rehabilitate the prisoner and prepare him psychologically so that he can cope with the crises that may face him upon his release, and the need for the State, represented by the external services of the prison administration. to follow up on the released prisoner, especially in the period following his release, which is crucial in what would have made the released prisoner integrate into his society or return to delinquency.
- The effectiveness of the associative movement active in the field of aftercare for released prisoners without the State supporting, this movement by material and human means and procedural facilities remains limited and inadequate.
- The need to raise awareness through the media of the importance and role of civil society in all its spectrum. as well as the effectiveness of the care and support it provides to released prisoners, which will increase their confidence and facilitate their reintegration into society.

¹ - Among the countries that have adopted a policy of aftercare for prisoners is the United State of America, where this policy has proven effective in reintegrating prisoners after thrir release, this is confirmed by statistics conducted in several states from the USA , Consider this regard: Blair B.Bourque, Mei Han, Sarah

M.Hill, A National Survey of aftercare provisions for Boot Camp Graduates, National Institute of Justice, USA, 1996, p.p 4-12.

² - Mohamed Amine Kairouani, The Role of Civil Society in the Social Reintegration of Prisoners, Master's Thesis in Sociology, Faculty of Arts and Social Sciences, University of Mohamed Khider Biskra, Algeria, 2007/2008, p. 17.

³ - Law No. 05-04 of February 6, 2005, containing the Law on the Organization of Prisons and the Social Reintegration of Prisoners, JR No. 12, promulgated on February 13, 2005.

⁴ - Samira Hamel, Nouredine Jebali, Social perceptions of the prisoner and their relationship to the social reintegration of prisoners and mechanisms for the prevention of recidivism in Algeria, Jeel Journal for Humanities and Social Sciences, No. 47, November 2018, p. 37.

⁵ - There are those who believe that aftercare has two connotations. A narrow meaning which is somewhat similar to probation, i.e. the released person is released under the care of a probation officer who performs the role of a social worker. The broader meaning, aftercare means making every effort to enable the prisoner to overcome various social, economic and psychological problems after his release under the philosophy of treatment, and the subsequent work of care must begin in some way as soon as the convict begins his life in prison and at the time of departure the prisoner is given some Money by the state or from his savings, which he earned as remuneration for work performed in prison, and a set of clothes to prepare him for a new life, see: Banamali Barik, REHABILITATION OF RELEASED PRISONERS IN INDIA THROUGH AFTER-CARE PROGRAMMES AND SERVICES: AN ANALYSIS, Mayurbhanj Law College, Takatpur, Baripada, p.02.

⁶ - Mahmoud Najib Hosni, The Science of Punishment, Dar Al-Nahda Al-Arabiya, p. 658, Nafla from Mahdi Omar, The Role of Aftercare for Released Prisoners in the Success of Criminal Policy, Humanization Journal for Research and Studies, No. 09, June 2014, p. 226.

⁷ - See Ahmad Al-Sadi, Caring for Inmates' Families as a Method of Aftercare, Eighteenth Scientific Symposium, Arab Center for Security Studies and Training, Riyadh, 1986, p. 08, quoted by Mahdi Omar, previous reference, pp. 226-227.

⁸ - The crisis or shock of release is defined as a situation that includes a set of personal, environmental and societal obstacles and obstacles encountered by former prisoners, and they feel helpless in front of them because they are not ready or equipped to overcome them while trying to integrate again into society, and thus represent a fundamental risk of re-crime. A helping hand to overcome this crisis, and the pressing psychological reasons are what may lead to the release person falling into this crisis, including: The sudden transition of the released person after the stage of total dependence on others while in the penal institution to the stage of independence and self-reliance; The negative confrontation with which the released person is met, whether from his family or from his community; the feeling of shame and inferiority left by the prison environment and his sense that he has lost his dignity and respect. See in detail Souad Ben Obaid, Post-release traumatic stress and aftercare homes for released persons to reintegrate into society, Journal of Islamic Sciences and Civilization, The research Center of Sciences and Civilization Laghout-Algeria, No. 06, October 2017, p. 34.

⁹ - Souad ben Obaid, *ibid.*, p. 384.

¹⁰ - Hamitouche Youssef, The Problem of Civil Society in Algeria, The Thinker, Mohamed Kheidar, Biskra, Algeria, N°1, vol 10, pp. 375-382.

¹¹ - Barakat Meryem, The Contribution of Civil Society to the Protection of Human Rights, Master's Thesis, International Human Rights Law, Faculty of Law and Political Science, University of Boumerdes, Algeria, 2004/2005, p. 15.

¹² - Muhammad Amin Kairouani, *op.cit.*, p. 15.

¹³ - Abdul Hamid Al-Ansari, Shura and its impact on democracy, p. 50. according to Barakat Maryam, *op.cit.*, p. 15.

¹⁴ - For more details see: Colin Cannonier, Monica Balloway Burke, Ed Mitchell, The impact of a reentry and aftercare program on recidivism, Global Labor Organisation, USA, 2020, p.p 01-51.

¹⁵ - Omar Khoury, Punitive Policy in Algerian Law (A Comparative Study), PhD thesis, Faculty of Law, Ben Aknoun, University of Algiers Ben Youssef Ben Khadda, 2007/2008, p. 308.

¹⁶ - Ali Mohammed Jaafar, The Crime Disease (Prevention and Treatment Policy), Majd University Foundation for Studies, Publishing and Distribution, Beirut, Lebanon, 2003, p. 174.

¹⁷ -Jabbari Miloud, Aftercare for Released Persons and its Impact on Reducing Criminal Risk, Afaq Science Journal, No. 04, University of Ziane Achour Djelfa, 2016, p. 108.

¹⁸ - Joudi Zoulekha, Kadri Karima, Re-education and social reintegration of prisoners in Algerian legislation, Master's note, Faculty of Law and Political Science, Abderrahmane Mira University, Bejaia, 2014/2015, pp. 62-63.

¹⁹ - Omar Khoury, op.cit, p. 303.

²⁰ - Abdel Qader Al-Qahwaji, Fotouh Abdullah Al-Shazly, Criminology and Punishment, Dar Manshaat Al-Maaref, Alexandria, Egypt, 1998, pp. 542-543.-

²¹ - Omar Khoury, op.cit, p. 305.

²² - It is known that the factors affecting the aftercare programme are the improvement of employment, education and the provision of housing in particular, which have a positive impact on the social reintegration of offenders. See Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders , CRIMINAL JUSTICE HANDBOOK SERIES, UNITED NATIONS Vienna, 2018,p.52.

²³ - Brik Taher, The Philosophy of the Penal System in Algeria and the Rights of the Prisoner in the Light of International Rules, Algerian Legislation and the Regulatory Texts Taken, Dar Al-Huda, Ain Melilla, Algeria, 2009, p.154.

²⁴ - Souad ben Obaid, op.cit, p.388.

²⁵ - See Paul Turnbull, Drug Treatment, the importance of aftercare, CJITI no. 56, Summer 2004, p. 28-29.

²⁶ - Brik Al-Taher, op.cit, p. 154.

²⁷ - Souad ben Obaid, op.cit, p.388.

²⁸ - Muhammad Amin al-Qayrawani, op. cit., p. 108.

²⁹ - Among the countries in which the aftercare system has been enshrined, for example, France, where the French legislator stipulated the formation of auxiliary committees for those released in Articles 538 and 544 of the Code of Criminal Procedure, see Ali Muhammad Jaafar, previous reference, p. 176, Britain also approved the aftercare system for prisoners in Article 33 of the English prison rules, which obliges to grant assistance to those released after his release from prison, and Swiss legislation approved a special system for aftercare for prisoners in Article 47 of the Penal Code, and there is also in Italy a special council for the care of prisoners that receives the necessary funds to carry out its tasks from a special fund for fines, see Mohamed Al-Hamili, Criminal policy between traditional considerations of criminalization and scientific research in crime, PhD thesis, Faculty of Law and Political Science, University of Abu Bakr Belkaid, Tlemcen, 2011/2012, p. 494, As for the Arab countries, in the Kingdom of Saudi Arabia, the Department of Social Welfare was established in the General Administration of the Ministry of Justice and Social Affairs in 1974 and this section supervises the attention to the indigent inside the prison and the General Department of Follow-up and Aftercare was established in 1986, in Tunisia the aftercare of prisoners, released persons and their families is one of the activities undertaken by the Government, where the General Administration of Prisons supervises the management of the aftercare service and social workers implement aftercare programs, see Mohamed Amin Kairouani, Ibid., pp. 110-111, In Egypt, the police department undertakes aftercare, which is affiliated with the Ministry of the Interior, and it helps the released in order to reintegrate them into public life, and the public administration of the guarantee contributes to providing financial

assistance to the families of prisoners and released persons, and the Ministry of Awqaf performs this task depending on zakat funds, and the Ministry of Housing trains the released to perform a specific profession such as construction, dyeing and carpentry, provided that they are not less than 35 years old, see Muhammad al-Hamili, *op. cit.*, p. 494.

³⁰ - Muhammad Amin al-Qayrawani, *op. cit.*, p. 109.

³¹ - Ali Muhammad Jaafar, *op. cit.*, p. 175.

³² - Muhammad al-Hamili, previous reference, p. 494.

³³ - Jabari Miloud, *op. cit.*, p. 110.

³⁴ - Muhammad al-Hamili, *op. cit.*, p. 494.

³⁵ - Jabari Miloud, *op. cit.*, p. 110.

³⁶ - Brik Al-Taheer, *op. cit.*, p. 152.

³⁷ - Jabari Al-Miloud, *op. cit.*, p. 111.

³⁸ - Executive Decree No. 05-431 of November 8, 2005, laying down the conditions and modalities for granting social and financial assistance to indigent detainees upon release, c. 74, issued on November 13, 2005, p. 7.

³⁹ - Jabari Miloud, *op. cit.*, p. 111.

⁴⁰ - *Ib.id.*, same page.

⁴¹ - Brik Al-Taheer, *op. cit.*, p. 153.

⁴² - Agreement on the vocational training of prisoners, concluded between the Minister of Justice and the Secretary of State for Vocational Training, on 17 November 1997 in Algiers.

⁴³ - Framework agreement concluded between the Director-General of the National Centre for Distance Vocational Education and the Director-General of the Directorate General of Prison Administration and Re-Education, concluded on 12 February 2001 in Algiers.

⁴⁴ - Agreement on coordination and cooperation in the field of culture between the Directorate General of Prison Administration and Reintegration and the Directorate General of the Algerian National Library on December 21, 2004 in Algiers.

⁴⁵ - Concluded between the Minister of Justice, the Minister of Training and Vocational Education and the Minister of Employment and Solidarity on May 8, 2006 in Algeria.

⁴⁶ - Concluded between the Director-General of the Directorate General of Prison Administration and Re-education and the Director-General of Forestry on August 7, 2006 in Algeria.

⁴⁷ - Concluded between the Minister of Justice and the Minister of Education on December 24, 2006 in Algeria.

⁴⁸ - Concluded between the Director-General of the Directorate General of Prison Administration and Re-education and the Director-General of the University of Continuing Education on April 24, 2007 in Algiers.

⁴⁹ - Concluded between the Director-General of the Directorate General of Prison Administration and Re-education and the Director-General of the National Development Agency on 28 July 2000 in Algiers.

⁵⁰ - Concluded between the Minister of Justice and the Minister of Religious Affairs on March 3, 2009 in Algiers.

⁵¹ - Concluded between the Minister of Justice and the Minister of National Solidarity, Family and the National Community Abroad on October 21, 2009 in Algiers.

⁵² - Concluded between the Minister of Justice, the Minister of Small and Medium Enterprises and the Minister of Handicrafts on October 22, 2009 in Algeria.

⁵³ - Concluded between the Director-General of the Directorate General of Prison Administration and Re-education and the Acting Director-General of the National Agency for the Management of Microcredit and the Director of the National Centre for Vocational Training for the Physically Handicapped on December 27, 2009 in Algiers.

⁵⁴ - Brik Al-Taher, *op. cit.*, p. 156.

⁵⁵ - Executive Decree 05-429 of November 2005 establishing the organization, functions and functioning of the Inter-Ministerial Committee for the Coordination of Activities for the Re-education and Social Reintegration of Prisoners, c. 74, issued on November 13, 2005, p. 5.

⁵⁶ - Brik Al-Taher, *op. cit.*, p. 157.

⁵⁷ - Executive Decree No. 07-67 of February 19, 2007 laying down the modalities for the organization and functioning of the external services of the prison administration in charge of the social reintegration of prisoners, G.R. No. 13 of February 21, 2007, p. 5.

⁵⁸ - Jabari Al-Miloud, *op. cit.*, p. 112.

⁵⁹ - Ajala E.M., Oguntuase, A.E. Effectiveness of aftercare-services in the Reintegration and Supply of labor after incarceration in the prisons: Lagos and States prison command experience, *African Research Review, International Multidisciplinary Journal*, vol5, no 22, Ethiopia, 2011, p.185.

⁶⁰ - Samira Hamel, Social perceptions of the prisoner among officials of institutions contracting with the Ministry of Justice and their impact on the social reintegration of prisoners (a field study) in public institutions of the wilaya of Batna, Master's note specializing in psychology of the penal environment, Faculty of Humanities, Social and Islamic Sciences, University of Hajj Lakhdar, Batna, Algeria, 2001/2012, p. 75.

⁶¹ - Muhammad Amin Kairouani, *op. cit.*, p. 106.

⁶² - Suad bin Obaid, *op. cit.*, p. 380.

⁶³ - Hamel Samira, *op. cit.*, p. 75.

⁶⁴ - Muhammad Amin al-Qayrawani, *op. cit.*, p. 108.

⁶⁵ - Hamel Samira, *op. cit.*, p. 76.

⁶⁶ - Brik al-Taher, *op. cit.*, p. 159.

⁶⁷ - Omar Khoury, *op. cit.*, p. 307.

⁶⁸ - Brik Al-Taher, *op. cit.*, p.p. 159-160.

⁶⁹ - Embrace a hotel; "Marker" in the capital on February 17 and 18, 2019, a national seminar on supporting the contribution of civil society to the reintegration of prisoners, the seminar, which comes within the framework of Algerian cooperation and the United Nations Development Program, saw the participation of a number of directors of penal institutions, heads of external services for reintegration and civil society organizations across the country who work for the social reintegration of prisoners, the interventions of Algerian and foreign supervisors focused on the reality of cooperation between civil society organizations and the General Directorate of Prison Administration and Repatriation Integration, cooperation between the sectors of state and civil society - civil society organizations, and the role of civil society organizations in accompanying detainees and contributing to their reintegration during their period of detention, during the opening, Mr. Mokhtar Filloun, Director General of the Department of Prisons and Reintegration, stressed the importance of the participation of civil society in accompanying prisoners during and after their detention, praising the satisfactory results of this cooperation, which prompted Algeria to "devote a large space to cooperation with associations within the framework of reforms that affected its punitive policy". He added in the same context, that "the Algerian state, through its penal institutions, is doing a tremendous job to facilitate the reintegration of detainees, by enabling them to train during the period of imprisonment, but it is unable to follow up on everyone after release, which is the task entrusted to associations because they are

closest to them," adding that: "Many of those who missed the road have become effective and valid elements in society, after being taken care of by the associative movement, which protected them from falling back into the trap. He also reported that penal institutions in Algeria count "about 39,000 prisoners pursuing public education, including about 4,000 candidates for the baccalaureate and the same number for the intermediate education certificate, in addition to 35,000 inmates practicing vocational training." In the end, he highlighted the success of Algeria's experience in the reintegration of prisoners, stressing that "since the implementation of the reintegration policy, no case of rebellion or disobedience of prisoners against the administration of penal institutions in which they are serving their sentences has been recorded", on the other hand, the Assistant Resident Representative of the United Nations Development Program in Algeria, Mr. Edwin Carey, praised the Algerian experience in this field, which made it "a leader in the region", noting that this experience "aroused the interest of many countries. After explaining that the Algerian experience is based on constitutional reforms related to human rights and individual and collective freedoms, he recalled that Algeria has resorted for years to replacing the term re-education with reintegration, which reflects "the strong political will to make this issue a strategic point in consolidating social peace and security, by reducing the rate of recidivism."

Addressing the role assigned to the associative movement in this area, the UN representative stressed that the contribution of civil society would "double the chances of former prisoners to reintegrate smoothly into their societies." He also stressed that Algeria's efforts in this direction "are fully in line with the UNDP plan for the period 2017-2021", adding that the remaining two years will focus on the part related to strengthening the capacities of the associative movement and the establishment of reception centers for detainees, to enable them to direct dialogue with psychological and social assistants, in order to accelerate their reintegration, all within the bilateral cooperation program with Algeria, noting that women in detention "will be given special importance", given to the fragility of their social status. See General Directorate of Prison Administration, available at: <http://dgapr.mjustice.dz/?q=%D8%AF%D8%B9%D9%85-%D9%85%D8%B3%D8%A7%D9%87%D9%85%D8%A9-%D8%A7%D9%84%D9%85%D8%AC%D8%AA%D9%85%D8%B9>- Retrieved 02/3/2020 at 19:40.

⁷⁰ - Concluded between the Director-General of the Department of Prisons and Re-education and the President of the Iqra Association on February 19, 2001 in Algeria.

⁷¹ - Concluded between the Director General of the Department of Prisons and Re-education and the Organization of the Algerian Islamic Scouts on July 29, 2007 in Algiers.

⁷² - These organizations and associations also participate in various activities, including: individual education for those with limited education; literacy activities for illiterate released prisoners; recreational, sports and religious activities that increase the integration of released prisoners into society; Sponsoring those addicted to alcoholic beverages and drugs of all kinds, psychologically and socially; Visiting prisoners in prisons and assisting their families with sums of money, clothing, mattresses, etc.; Providing support and advice to penal institution managers and staff in the field of policy development. It also contributes to providing ideas and suggestions aimed at improving the activities directed to prisoners within penal institutions, see Ladrham Ahmed, *Civil Society Organizations in Algeria and their Role in Development*, p. 12, available at: <http://www.univ-chlef.dz/eds/wp-content/uploads/2016/06/article-9-N1.pdf> viewed on: 07/03/2020 at 16:19.

⁷³ - Ladrham Ahmed, *ib.id*, p. 12.

⁷⁴ - The Eleventh Arab Conference on Social Defence confirmed this trend and recommended the creation of specialized social institutions in the Arab countries, provided that they include specialists in the social, educational, psychological, legal and legal fields, and that they be entrusted with aftercare tasks in cooperation with voluntary governmental and civil organizations, see the publications of the Arab Journal of Social Defence, Morocco, No. 15, K2, 1983, p. 355, quoted by Ali Muhammad Jaafar, *op. cit.*, p. 179.

⁷⁵ - *Ibid.*, pp. 179-180.

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