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**Scope of the State Responsibility for Compensation of Victims of Crimes**

**A study in the Algerian legislation"**

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**Abstract :**

If the victims of crimes have the right to seek compensation for the damage inflicted on them as a result of the crime, the principle is that the perpetrator is responsible for redressing the damage caused to the victim, but in cases where the victim may not be able to obtain the compensation due, as a result of the perpetrator's delay in payment or being insolvent or unknown, from this perspective, our study aims to investigate the emergence and extent of the state's obligation to compensate victims of crimes.

The idea of the state's obligation to compensate has found its place in ancient laws, and Islamic law was the first to organize and apply the rules of the state's obligation to compensate victims of crime, and two basic jurisprudential theories were evident in determining the state's obligation to compensate crime victims, namely the legal basis and the social basis. After investigating the Algerian positive legislation, it was found that it recognizes the social basis for compensating victims, through the establishment of a set of funds to compensate some victims of crimes and accidents.

**Keywords:** Crime; damages; compensation; state.

## **Introduction :**

Modern criminal policy has focused on the victim of crime by giving them an important role in criminal proceedings, protecting their rights, promoting the spirit of reconciliation between them and the perpetrator, and paying special attention to the victim's right to compensation for the damage suffered as a result of the crime.

Positive legislations have recognized the right of victims to seek compensation for the damages they suffered as a result of the crime, by filing a civil suit before the civil or criminal judiciary. This right is recognized by the Algerian Code of Criminal Procedure in Articles 02 and 03, which stipulate that a civil suit for compensation for damage incurred as a result of the crime may be initiated before the civil judiciary separately from the public lawsuit, although it may be initiated simultaneously with the public lawsuit before the same judicial authority.

Victims of crime may obtain a judgment for compensation in one of these two ways, but the victim - or their heirs - may be faced with the fact that they will not receive compensation, such as if the defendant is insolvent, unknown, or dilatory. In this sense, the importance of the study is to investigate the fate of these victims, and whether the state will commit to compensate them fairly or leave them without compensation.

Therefore, our study aims to explore the emergence and development of the idea of the state's obligation to compensate victims of crime, and what is the basis for the state's obligation to take upon itself to compensate the victims of crimes that were originally incurred by the perpetrator to compensate for the damage he inflicted on the victim. In addition to highlighting the scope of the state's responsibility to compensate victims of crimes according to Algerian legislation.

So, the study revolves around the following question:

What is the scope of the state's responsibility to compensate victims of crimes according to Algerian legislation? What is the basis of its obligation to compensate these victims?

The methodology used is the historical approach on one side, by tracing the emergence and development of the idea of the state's obligation to compensate victims of crimes, in addition to the analytical approach by analyzing the legal texts that reflect the extent of the Algerian legislature's commitment to compensate victims.

This research has been divided according to the plan outlined below:

**First topic:** What is the state's obligation to compensate victims of crimes?

**Second topic:** The position of the Algerian legislator on the idea of the state's obligation to compensate crime victims: The Algerian legislator's position on the idea of the state's obligation to compensate victims of crimes.

**First topic: What is the state's obligation to compensate victims of crimes?**

The idea of compensating victims of crimes was not known since the emergence of mankind, but it emerged and evolved with the development of human thought, until the state's responsibility for compensation became one of the stable principles in modern criminal policy in its jurisprudential and legislative branches.

Accordingly, we chose to devote this article to the origin of the idea of compensating victims of crimes - the first requirement - and the basis on which the state's obligation to compensate victims is built - the second requirement.

**First Requirement: The origin of the idea of state compensation for the victim of crime**

**A- In the ancient era:** The call for the state's obligation to compensate victims for being victims of crime is not innovative and novel, but rather an old call dating back to the era of Hammurabi and his codes, which the world still refers to, as a museum of law and a witness to an era in which law reached a high rank and justice and fairness prevailed<sup>(1)</sup>.

The Code of Hammurabi obliges the state to compensate the victim of theft and murder in the event that the perpetrator is not known, and this is in the text of Article 23, which states: "Anyone who cuts the road and robs people shall be executed at the place where he was arrested, and if he is not found, the city and the governor in whose area the robbery took place shall be obligated to compensate the robbery".

Article 24 adds that when robbery results in loss of life, the city and the governor must pay the heirs of the victim of murder a certain amount of silver when the murderer is not known.

Thus, it is clear that Hammurabi's law reached a great degree of progress and guaranteed victims of crime some of their rights to compensation in an era when the prevailing language was force and revenge.<sup>(2)</sup>

**B- In the modern era:** In this era, the first traditional school advocated by the English jurist "Jeremy Bentham" the necessity of establishing a system to compensate victims<sup>(3)</sup> by the offender or the state, and that the best money from which the satisfaction is taken is the money of the criminal, because in this case it is closer to being a punishment, and if the criminal is destitute, he should not

leave the injured without satisfaction, so it should be paid from the public treasury. Bentham's call was continued by Enrico Ferri and Garofalo<sup>(4)</sup>, where Ferri, a jurist of the Italian school, stated in his book "Criminal Sociology" that it is the duty of the state to take care of the rights of victims, by paying them immediate compensation after they are victims of crimes. As for Garofalo, he called for the necessity of establishing a compensation fund to compensate victims who were harmed by the crime, in case they are unable to obtain any compensation from the perpetrator.<sup>(5)</sup>

The Islamic penal system is based on the rules of justice, equality, reparation and consideration for the accused and the victim at the same time, where it is concerned with regulating the rights of victims of blood crimes committed against them, whether intentional or accidental, by regulating their access to blood money, whether from the perpetrator or his family<sup>(6)</sup>, or to be borne by the House of Muslim Money, when the perpetrator is unknown or insolvent, or if the perpetrator's family is unable to pay the blood money, in application of the words of the Prophet (peace be upon him): "I am the heir of him who has none, paying blood wit for him and inheriting from him" Accordingly, the Islamic Sharia pioneered the principle of social solidarity, one of the forms of which is the obligation of the state to compensate the blood money for the victim of the crime, if it is impossible for him to obtain compensation from another way.<sup>(7)</sup>

After World War II, specifically in 1951, Mrs. Margery Fry published a book entitled "Weapons of Law" in which she decided that the role of compensation does not compensate the damage resulting from the crime, and is limited only to mitigating its effects and gravity, and 06 years after the appearance of this author, she had an article entitled "Justice For Victims" in which she advocated that the state has a duty to compensate the victims of crime from public funds, with the understanding that it has failed to prevent crime, which makes the state's obligation to compensate it. This article had an impact on researchers and legislators, as many legislations in countries that adopt the Anglo-American system and some European countries adopted the idea of compensating victims of crime from public funds.<sup>(8)</sup>

### **C- In regional and international conferences:**

There are many regional and international conferences that called for the state's obligation to compensate victims, and we mention in this regard<sup>(9)</sup> :

- The International Conference on Prisons in Belgium in 1900, which recommended that the state should be obligated to compensate victims, but the circumstances of World War I and II prevented the resonance of this idea.

- The Los Angeles Conference in California in 1968, which recommended that Victims should be compensated by the state, as compensation is a right of the victims and not a grant from the state.

❖ Article 12 of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the United Nations General Assembly in 1985, states that if full compensation cannot be obtained from the offender or from other sources, the State should endeavor to provide financial compensation to: Victims who have suffered serious bodily injury or impaired physical or mental health as a result of serious crimes, as well as the families of persons who have died or become physically or mentally incapacitated as a result of abuse. Article 13 adds that the establishment, strengthening and expansion of specialized national funds to compensate victims should be encouraged.

- The Third International Conference on Victim Compensation 1972 in Ontario, Canada, followed by the First International Symposium on Victimology in Palestine 1973. The 11th International Conference on Penal Law in 1974 in Budapest recommended that compensation by the state to victims is a right and not a grant .<sup>(10)</sup>

- The first Arab conference held in Tunis in 1974, which discussed the issue of state compensation for victims of crime, and discussed the Islamic principle of "no blood is invalid in Islam."

-The third conference of the Egyptian Society of Criminal Law, held in Cairo in 1989, which called in its recommendations for the establishment of a fund to be financed from confiscated funds and the proceeds of donations to address cases of the offender's inability to pay compensation to the victim.<sup>(11)</sup>

### **Second requirement: The State's basis for the obligation to compensate victims of crime**

Although the principle of state responsibility has received jurisprudential and legislative support, to be a stable principle in penal policy, it has created a jurisprudential debate about the basis of the state's obligation to compensate victims of crimes, between a trend based on a legal basis and a social obligation,

which we will shed light on in this requirement by indicating the content of the two trends and their consequences.

### **First Section: The Legal Basis of the State's Obligation to Compensate Crime Victims**

According to this trend, the foundation of the state's responsibility is based on a legal ground, which means that compensation is an exclusive right of the victims of crime, and they can demand the state to fulfill it without the state having to invoke its financial burdens, and without considering the financial needs of the victims. The proponents of this trend also find in the idea of the social contract that the administration of justice has shifted from individuals to the state, and when a crime occurs, it indicates that the latter has failed to fulfill its obligation to provide security. On the other hand, the state imposes certain duties on individuals to help justice, such as reporting crimes, arresting perpetrators, and providing testimony... Individuals may be harmed in the performance of these duties, and the state must compensate them for these damages. It is not fair for the state to benefit from the occurrence of crime through the proceeds of the financial penalties imposed on the offender and then dispose of the victims of the crime without compensation.<sup>(12)</sup>

The legal basis for the state's responsibility to compensate the victim of a crime has several consequences<sup>(13)</sup> :

1. The compensation paid by the state due to the occurrence of the crime on the victim is not a donation or a gift from the state, so the latter is obligated to compensate without regard to the victim's need or social level.
2. The victim has the right to compensation for various crimes, whether they are crimes against persons, crimes against property, or crimes against honor and consideration, and therefore compensation is seen as a means of reparation without regard to the characterization of the crime.
3. Jurisdiction in the matter of compensation is vested in the judicial authorities, regardless of whether they are civil or penal, since compensating the victim for harmful acts is within the jurisdiction of the various courts before which the public prosecution of the civil lawsuit is brought.

4. The compensation provided by the state does not distinguish between material damage and moral damage, as its obligation to compensate is a general obligation to repair all types of damage caused by the crime.

✓ This approach has not been spared from criticisms, the first of which is that this foundation dates back to the idea of the social contract, which was advocated by philosophers in past centuries, and was criticized on the grounds that it is based on pure philosophical imagination, and that it is a fictitious idea that has no basis in fact and law.

The state is obligated to create the appropriate conditions for peaceful coexistence within society, as no authority, no matter how powerful, can prevent the occurrence of crimes, and the establishment of state responsibility on a legal basis leads to the release of state responsibility for all crimes, which constitutes a burden on its treasury<sup>(14)</sup>.

### **Second section: The social basis of the state's obligation to compensate victims of crime**

According to the second trend of jurisprudence, the state's obligation to compensate victims of crime is a social obligation based on fairness and social solidarity, and compensation is granted to the extent that the state's resources allow, as it constitutes a kind of humanitarian and social assistance to victims who have been afflicted by the damage of the crime. In order for the state to provide this assistance, it must establish a public fund to compensate the victims of crime, under a social obligation to address the dangers of crime. The idea behind this basis is that the state is obligated to prevent crime, and if it fails to do so, it must work to identify, prosecute and compensate the perpetrator, and if it fails, it remains obligated to compensate the victims of crime based on its social function to help those who are harmed.<sup>(15)</sup>

Adopting the legal basis for the state's responsibility to compensate the victim of a crime has several consequences, as follows:

- The compensation paid by the state to the victim or his heirs falls within the framework of social assistance and is not considered a right of the victim.
- When the state decides to establish a system to compensate victims from public funds, it must balance it with the severity of the damage caused by the



offense, and therefore this compensation may not be determined in all types of crimes, but is limited to those that affect physical integrity only.

-There is no need to apply the system to a solvent victim as compensation is determined by the amount of damage caused to the victim, and the state can set a minimum and maximum limit according to the financial capacity of the state.

- Stating the social basis of the state leads to the possibility of entrusting the issue of compensation to administrative authorities only, without the need to return to the judicial authorities.<sup>(16)</sup>

This principle has met with many criticisms, including the following: Empowering the administrative authorities to assess compensation makes it a kind of public assistance, and this system reinforces the idea that the compensation paid by the state to victims of crime is based on compassion and charity, rather than as a duty of the state.

It is a requirement of good penal policy to compensate the injured victim, even if he is affluent, at least to appease his anger, so that he does not think of revenge. It is also a requirement of legal consistency and harmony that the reparation of the damage in the crime should not differ from one person to another, as long as the damage and the crime are the same, since the legal provisions apply to all persons, regardless of their sects.<sup>(17)</sup>

With regard to our view on which basis is adopted in the state's obligation to compensate the victim of crime, we tend to adopt both bases. On the one hand, to the social basis when recognizing the state's obligation to compensate, as the burden of compensation is placed on the offender who committed the crime and caused the subsequent damage for his criminal behavior, thus achieving deterrence of both public and private kinds, and sensing responsibility for his illegal act. This is in addition to the legal basis whereby the state intervenes to compensate the victims of all crimes in the event that these victims cannot be compensated by the perpetrator

### **Second topic: The position of the Algerian legislature's on the idea of the state's obligation to compensate victims of crimes**

A review of the legal texts regulating the state's obligation to compensate the victim in Algerian legislation shows that the latter did not grant the state the power to compensate the victim in all crimes, but rather limited its role in the text

to some categories of victims and those affected by crimes and accidents, which is evident through the legislative system related to compensation.<sup>(18)</sup>

We have tried to divide this research into two requirements, the first under the title of the state's obligation to compensate victims of accidents and the second under the title of the state's obligation to compensate victims of crimes.

### **First requirement: The State's Obligation to Compensate Accident Victims**

In this requirement, we will shed light on both the Automobile Insurance Fund and the Social Security Fund and their role in compensating accident victims.

#### **First section: Automobile Guarantee Fund**

The Automobile Guarantee Fund used to be called the Compensation Fund, which was created by Ordinance 69-107 containing the Finance Law for the year 1970, and in 2004, the public authorities introduced, by Executive Decree No. 04-103, the Automobile Guarantee Fund, which is considered a source of civil liability insurance for traffic accidents. The legislator's intention behind changing the name to the Automobile Guarantee Fund is to indicate that the coverage is limited to compensating the victims of traffic accidents resulting from motor vehicles, to exclude compensation related to railroad accidents.<sup>(19)</sup>

The Automobile Guarantee Fund is a public institution with legal personality and financial independence under the guardianship of the Minister of Finance, with its headquarters located in Algiers, with the possibility of being transferred to any other place in the national territory based on a report from the Minister of Finance.<sup>(20)</sup>

As for the functions of the Fund, it is defined by Article 04 of Executive Decree No. 04-103<sup>(21)</sup>, as well as Articles 9 and 24 of Order No. 74-15<sup>(22)</sup> (where it is responsible for the total or partial compensation of victims or their families, for bodily damage caused by motorized land vehicles, and the perpetrator of the act is unknown, or the victim's right to warranty is lost or he is uninsured or found to be totally or partially incapable).

It is clear from the foregoing that the Motor Vehicle Guarantee Fund is mandated to compensate the victims mentioned exclusively in Article 24 of the aforementioned decree.

Articles 08 and 09 of the same decree stipulate that any traffic accident that causes bodily harm shall be compensated to each victim or his/her beneficiaries. If an insurance company refuses to pay any compensation due to lack of guarantee or forfeiture, the special compensation fund bears these damages.

Accordingly, the Special Compensation Fund is only used to pay compensation for murder and manslaughter committed in a traffic accident where the perpetrator has not been found, or where the perpetrator is insolvent and all the documents submitted prove that the compensation cannot be paid to the victim or his/her beneficiaries, or where the vehicle is uninsured or his/her right to warranty has been forfeited.

This fund is specific to a certain category that does not extend to others and to certain crimes that cannot be expanded, and the body charged with deciding the eligibility for compensation is a judicial body whose rulings are subject to all methods of appeal<sup>(23)</sup>

The Automobile Guarantee Fund is not a charitable institution that provides assistance to all, but its role is determined by the presence of damage and the absence of guarantee in the field of car accidents, limited to physical damage without material damage, with the right to replace the injured person to demand that the person who caused the damage pay the compensation paid by the fund when possible. <sup>(24)</sup>, where it was stated in a decision of the Supreme Court issued on 26-04-2006 in Case No. 341495 that the Automobile Guarantee Fund bears the compensation prescribed for victims of physical traffic accidents, without assuming compensation for material damage. <sup>(25)</sup>

## **Second Section: The Social Security Fund**

In fact, the Social Security Fund was established for tasks other than the task of compensating the victims of crimes, but the Algerian legislation has placed an obligation on the Fund to compensate the victims, if the worker is exposed to a work accident due to the fault of the employer, if this fault has the character of a crime according to the Penal Code, or if the worker is exposed to a traffic accident while performing his work, the Fund compensates him administratively and replaces him to claim his rights before the judicial authorities.<sup>(26)</sup>

In addition, in the event of an unexcused or unintentional fault of the employer, the injured person or his/her beneficiaries will benefit from the payments to be granted by the social security authorities, in accordance with Law

No. 83-13 on occupational accidents and occupational diseases. The injured person or his/her beneficiaries are also entitled to claim additional compensation for the damages resulting from the accident in accordance with the rules of public law.<sup>(27)</sup>

Thus, the Social Security Authority represents the state, by compensating the victim against whom an error was committed, whether intentional or not by the employer or a third party, and compensation is granted immediately after the accident, as it is not related to the failure to find the perpetrator or that the latter is insolvent, but the compensation is within the framework of the employment relationship, and it is urgent compensation for the victim, until obtaining the compensation due before the judicial authorities, which makes it carry the nature of assistance<sup>(28)</sup>

### **Second Requirement: The position of the Algerian legislator on the idea that the state should bear the burden of compensating victims of crimes**

In recent years, Algeria has experienced difficult security conditions due to the phenomenon of terrorism and the resulting forms of damage and casualties, which led the Algerian legislator to establish a compensation fund for victims of terrorism, which we will study in this requirement, in addition to the alimony fund recently introduced by the legislator due to the increase in crimes of non-payment of alimony.

#### **First Section: Compensation Fund for Victims of Terrorism**

According to Executive Decree No. 99-47 <sup>(29)</sup>, the Algerian state is obligated to compensate victims of terrorism, whereby a victim of a terrorist act is considered, within the meaning of this decree, any person who was subjected to an act committed by a terrorist or terrorist group, resulting in death or physical or material damage.

In order to optimize the care of victims affected by terrorist crimes, the State has established the Victims of Terrorism Compensation Fund, which provides compensation to victims of terrorist acts, the families of victims who died as a result of terrorist acts, victims in the economic and private sectors, and the families of non-working victims.<sup>(30)</sup>

In accordance with Article 62 of the above Decree, the Fund also provides compensation for minor children who have suffered bodily harm as a result of a terrorist act or an incident that occurred in the context of combating terrorism. Compensation is calculated on the basis of the scale used by social security in the field of labor accidents, which corresponds to twice the value of the national minimum guaranteed wage.

The only capital disbursed by the pension fund, the compensation to be paid to the beneficiaries of the victims of terrorist acts is in accordance with the provisions of Article 7 of Decree 99-47.

According to Article 98 of the aforementioned decree, the fund compensates natural persons whose property has suffered material damage as a result of an act of terrorism or an incident that was committed in the context of combating terrorism, including shops for residential use, furniture and household appliances, clothing, cars or personal vehicles. Jewelry, banknotes and works of art are not compensated.

The competence to decide on the request for compensation lies with the administrative authorities, and the disbursement order is issued by the Minister of Interior and governors, and any person who believes that he is entitled to compensation and the Fund refuses to provide him with it may sue it before the competent judicial authorities.<sup>(31)</sup>

The most important characteristic of the Terrorism Victims Compensation Fund is that it compensates a wide range of victims of terrorist crimes, whether it is related to physical or even material damage, whether to the victim or to their beneficiaries, namely wives and children of the deceased who are under the age of 19 or at most 21 years old if they are pursuing studies or vocational training, children in foster care, children of any age who are unable to engage in any activity due to disability or illness, daughters without income regardless of their age, and other beneficiaries of the aforementioned Fund's compensation.

### **Second Section: Alimony Fund**

The issue of alimony for divorced women and their children has been increasing before the Algerian judiciary, making it an intractable phenomenon that has not found the legislative solutions provided by the Algerian Family Code. In view of the worsening social dilemmas faced by indigent Algerian families on the one hand, and the divorced mother in light of the implementation difficulties that limit the effectiveness of court rulings related to alimony<sup>(32)</sup>, the legislator

created the alimony fund, under Law 15-. 01 <sup>(33)</sup> where the state is obligated to pay the amounts of alimony ordered temporarily in favor of the child or children during the divorce proceedings or custody after the divorce of the parents, in addition to the alimony awarded to the divorced woman, in the event that the alimony debtor is unable to provide these financial dues, whether the inability is total or partial for the order or judicial ruling specifying the amount of alimony, and whether the reason for the failure to pay is due to the debtor's inability or lack of knowledge of his place of residence. The inability to execute must be proven by a report drawn up by a judicial officer, as stipulated in Article 3 of the aforementioned law.

In order to benefit from the alimony fund, a set of conditions must be met and a set of procedures must be followed, foremost of which is the need to submit an application to the head of the family affairs department competent in the region, accompanied by a file whose documents are defined by a joint ministerial decision between the Minister of Justice, the Minister in charge of Finance and the Minister in charge of National Solidarity<sup>(34)</sup> :

A copy of the divorce decree, a copy of the court order or judgment specifying the amount of alimony, the reason for the debtor's failure to pay, his inability to do so, or the lack of knowledge of his place of residence, a postal or bank check for the beneficiary, crossed out if the beneficiary chooses this method of payment.

The competent judge shall decide on the application within a maximum of five days of receiving the application, by means of a state order notified to the debtor, the alimony creditor, and the state offices of the Directorate of Social Activity in charge of disbursing financial benefits to the beneficiary, within a maximum of 25 days after the notification of the order issued by the family affairs judge, noting that the disbursement of financial benefits from the maintenance fund remains continuous until the right to benefit from it lapses.

## **Conclusion**

At the conclusion of our study on the topic of the scope of the state's responsibility to compensate victims of crimes according to Algerian legislation, we have concluded that the idea of the state's obligation to compensate the victims of crime was not born in the modern era, but had its place in ancient laws, to receive consecration in many positive legislations, as the Algerian legislative system recognized the idea of the state bearing the burden of compensating

victims, through the establishment of funds that are responsible for compensating some categories of victims affected by crimes and accidents. As for the main findings and recommendations of the study, we mention the following:

### **Results:**

- The idea of the state's obligation to compensate has found its place in ancient laws such as the Code of Hammurabi, and Islamic law was the first to organize and apply the rules of the state's obligation to compensate victims of crime.
- Jurisprudence and the recommendations of international and regional conferences have had a significant impact in promoting the right of crime victims to seek compensation from the state.
- The jurisprudence differed in determining the basis of the state's obligation to compensate the victim of crime, between a legal basis that considers compensation a right of the victim and a social basis that sees compensation as a subsidy and assistance provided by the state. However, no approach has been spared from criticism.
- Examples of the Algerian state's obligation to compensate victims of crimes and accidents include: the Automobile Compensation Fund, the Social Security Fund, the Terrorism Victims Compensation Fund, and the Alimony Fund.

### **Recommendations:**

- We believe that it is necessary to establish a fund guaranteed by the state to compensate the victims of crimes, when it is impossible to obtain compensation from the perpetrator because the crime is unknown or the latter proves to be insolvent. The sources of financing the fund are various, primarily fines and confiscation of the proceeds of crime .
- The need to compensate for moral damages, as they are no less serious than the physical damage caused to the victim or their families as a result of the crime.
- The body competent to adjudicate requests for compensation for crimes should be of a judicial nature, given that this requires research into legal issues that can only be discussed and assessed by judges.

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<sup>(9)</sup> \_Kamal Muhammad al-Saeed Abdulqawi Aoun, op;cit, p. 586.

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(<sup>26</sup>) \_ Abderrahmane Khalfi, op;cit, p. 35.

(<sup>27</sup>) \_ See Article 47 of Law 83-15 of July 2, 1983 on social security disputes, Official Journal, No. 28, July 5, 1983.

(<sup>28</sup>) \_Rawahna Nadia, Legal Protection of the Victim, PhD thesis, Legal Protection of the Victim, Faculty of Law, Montouri Brothers University Constantine, 2017/2018, p. 137.

(<sup>29</sup>) \_ Executive Decree No. 99-47 of February 13, 1999, concerning the granting of compensation to natural persons who are victims of physical or material damage suffered as a result of terrorist acts or incidents occurring in the context of the fight against terrorism, as well as their beneficiaries, Official Journal No. 9, February 17, 1999.

(<sup>30</sup>) \_ See Articles 17 and 25 of Executive Decree No. 99-47.

(<sup>31</sup>) \_ Abderrahmane Khalfi, op,cit, p.37.

(<sup>32</sup>) \_ Abdelhakim Boujani, Problems raised about the establishment of the alimony fund created by Law No. 15-01, Algerian Journal of Law and Political Science, Tissemselt, Algeria, Issue 4, December 2017, p. 388.

(<sup>33</sup>) \_ Law No. 15-01, dated January 4, 2015, containing the Alimony Fund, Official Journal, No. 1, dated January 7, 2015.

(<sup>34</sup>) \_ Abdelhakim Boujani,op,cit,p394.