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The Rights of Children of Unknown Parentage in Algerian Legislation

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Abstract

This article examines the legal framework governing the rights of children of unknown parentage (majhūl al-nasab) in Algeria, who are predominantly born outside of wedlock. It critically analyzes the extent to which national legislation succeeds in securing their fundamental rights to identity and care, in the absence of established legal filiation. The study finds that while Algerian law provides essential, pragmatic mechanisms for granting a presumed identity – including a surname and nationality – to foundlings and children of unknown fathers, these provisions remain incomplete. They often fail to fully protect the child from social stigma and do not constitute an affirmative right to lineage. Furthermore, the right to comprehensive familial care (custody, guardianship, maintenance) is inconsistently applied and legally precarious due to the non-recognition of natural filiation. The article concludes that the current legal approach, while offering basic protections, is ultimately fragmentary and in need of systematic reform. It recommends legislative amendments to create a more coherent and protective statute that better reconciles the child's best interests with the principles of the governing personal status law.

Keywords: Algerian Law, Filiation (Proof of), Illegitimate Child, Presumed Identity, Right to Care, Unknown Parentage

Résumé

Cet article examine le cadre juridique régissant les droits des enfants de filiation inconnue (majhūl al-nasab) en Algérie, qui sont principalement nés hors mariage. Il analyse de manière critique dans quelle mesure la législation nationale parvient à garantir leurs droits fondamentaux à l'identité et à la prise en charge, en l'absence de filiation légale établie. L'étude conclut que si la loi algérienne prévoit des mécanismes essentiels et pragmatiques pour attribuer une identité présumée – y compris un nom de famille et une nationalité – aux enfants trouvés et aux enfants de pères inconnus, ces dispositions restent incomplètes. Elles ne parviennent souvent pas à protéger pleinement l'enfant contre la stigmatisation sociale et ne constituent pas un droit positif à la filiation. En outre, le droit à une prise en charge familiale complète (garde, tutelle, entretien) est appliqué de manière incohérente et juridiquement précaire en raison de la non-reconnaissance de la filiation naturelle. L'article conclut que l'approche juridique actuelle, bien qu'offrant des protections de base, est finalement fragmentaire et nécessite une réforme systématique. Il recommande des modifications législatives afin de créer un statut plus cohérent et plus protecteur qui concilie mieux l'intérêt supérieur de l'enfant avec les principes de la loi régissant le statut personnel.

Mots clés : *droit algérien, filiation (preuve de), enfant illégitime, identité présumée, droit à la prise en charge, filiation inconnue*



Introduction

A child born from a lawful marital relationship acquires all rights accorded to them by Sharia and law. The family constitutes the natural and secure environment where these rights are gradually realized, with parents undertaking the task of securing and protecting the child's best interests. The state, through its institutions, may not intervene in family affairs or the regulation of its relationships, provided no transgression or abuse placing the child in moral or material danger is recorded.

In contrast, a child born from an unlawful relationship does not enjoy the same rights as their legitimate counterpart due to the absence of a legal and Sharia-based bond with their biological father. Rarely does the mother grant them her lineage or choose to keep them, leading the child to grow up with a partial or non-existent identity. This negatively impacts their fragile psyche, especially if discovered at an early age.

Faced with this difficult social situation, whose consequences a child of unknown parentage cannot confront, especially given the impossibility of proving filiation, state intervention for their protection becomes mandatory—a duty constitutionally mandated. This is the least the state can provide to enable them to live like other children. The primary suffering of these individuals stems from the absence of lineage, resulting in the violation of their other rights, namely the right to identity and the right to family care. Even if the mother is known, the law grants her no rights beyond bestowing her lineage upon her child.

The impossibility of proving the filiation of a child born outside marriage limits their enjoyment of the rights of a legitimate child, confining them to certain fundamental rights such as identity and care. This leads to the following central question:

To what extent have legal texts succeeded in providing the necessary guarantees enabling children of unknown parentage to enjoy fundamental rights?

1. The Right to a Presumed Identity

The right to identity is inherent to the individual. This right arises upon the child's birth, whether legitimate or illegitimate; it suffices that the child is born alive for their legal personality to commence (Ben Achour, 2024, p. 30). Name and surname are key components of identity that distinguish each child and indicate their lineage, alongside nationality which determines their belonging to a homeland. The illegitimate child lacks the components of a true identity; conversely, they acquire an identity with presumed components due to their lack of lineage, given the circumstances of their existence—they may be foundlings, children of unknown parents, or children of unknown father but known mother.

1.1. Acquisition of Name and Surname

Article 28 of the Algerian Civil Code mandates that every person must have a surname and one or more given names. Article 3 of the Child Protection Act stipulates that "every child, without discrimination... enjoys all rights, notably the right to life, a name..." The name and surname represent the title of the child's personality, serving an individual and



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social dimension by identifying them within society and acting as a tool linking the child to their family.

The process for illegitimate children to obtain a name and surname differs from that of their legitimate counterparts, with special procedures for granting names and surnames, some pertaining to children of unknown parents and others to those with a known mother.

1.1.1. Procedures for Children of Unknown Parents

Prior to the issuance of the Civil Status Law in 1970, effective July 1, 1972, by Decree 72-105 dated June 7, 1972, children of unknown parentage faced difficulties in acquiring a surname. Civil status officers would register them under the designation "s.n.p" ("sans nom patronymique") and record only the given name without a surname. Some officers even considered this designation as the child's surname, transliterating it into Arabic as "Samabi" alongside the child's given name. This procedure had a detrimental effect on the child, revealing their status upon inspection of their identity documents and constantly reminding the child of their situation, thereby causing further harm rather than protection (Al-Eid, 2020-2021, pp. 219-220).

Despite the Civil Status Law regulating an alternative method for granting a surname to a child of unknown parents, the category of children labeled "s.n.p" remained in the same situation, bearing that designation until the issuance of Executive Order 76-7 dated February 20, 1976, mandating the selection of a family surname for persons lacking one.

Currently, this situation no longer poses a significant problem for new births. The Algerian legislator obliges the civil status officer to assign names to foundlings and children of unknown parentage abandoned by their mothers in the hospital after birth without revealing their identities. The civil status officer grants them a series of given names if neither the finder nor the declarant has provided one, with the last given name used as their personal surname per Article 64, paragraph 3, of the Civil Status Law.

- **Registration of a Foundling**

If the child is a foundling, the civil status officer must prepare a report specifying the place and time of discovery. This report must be recorded in the civil status register like other legitimate births, thereafter constituting a separate act serving as a birth certificate (Article 67, Civil Status Law). However, it is observed that most municipalities violate this procedure by neglecting to register it, creating future difficulties for the foundling in obtaining official documents (Rabie Kacia, 2017, p. 72).

Although Article 67 of the Civil Status Law stipulates that a newborn foundling must be declared to the civil status officer of the location of discovery, common practice does not align with the text. Typically, a person finding a newborn takes them to security services (police or national gendarmerie), who then place them in a child welfare institution. This institution undertakes the registration procedures. The surname granted to the foundling or child registered under "unknown" is temporary, aiming to provide them with some elements of identity to enable the enjoyment of rights. The birth certificate remains valid until invalidated by the emergence of contradictory evidence,



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during minority or thereafter, in consideration of the child's interest in obtaining their true surname, whether through discovery of their original birth certificate or proof of filiation (Azizi, 2019-2020, p. 96).

It is evident that the Algerian legislator did not neglect regulating the surname of a child of unknown parents, whether a foundling or abandoned in a hospital, upon issuing the Civil Status Law. However, this solution remains insufficient in protecting the child's complete identity, which remains deficient due to the absence of some elements, notably the empty fields reserved for parental identity on birth certificates. Nevertheless, this law rescued this category from bearing the surname "Samabi," replacing that designation with the last of a series of given names assigned by the civil status officer. Although this procedure differs from its predecessor in granting a given name as a surname instead of "s.n.p," it has not succeeded in erasing the status of "child of unknown parentage" from the illegitimate child, as their status becomes apparent to others upon inspection of their identity documents.

1.1.2. Procedures for a Child with a Known Mother

A child of known mother and unknown father born outside marriage is considered illegitimate. This may result from the fornication of an unmarried woman (termed a single mother) (Qassi, 2013, p. 92) or from the fornication of a married woman whose husband disavows paternity through "li'an" (oath of condemnation). This child is temporarily treated as of unknown parentage, pending the possibility of the disavowing husband retracting his denial and reaffiliating the child. Otherwise, the child is affiliated to

the mother, similar to the child of a single mother; both have the same right to bear their mother's surname.

The Algerian legislator, in Article 64 of the Civil Status Law, limited itself to regulating how to grant a name and surname to a foundling or a child born in a hospital to unknown parents or abandoned with social services directorates, without referring to how to grant a name, especially a surname, to the child of “li'an” or the child of a single mother. The latter case poses two problems, differing from the former in the reason for affiliating the child to the mother. The identity of the mother in a disavowal case is known and cannot be refuted. The identity of the single mother also presents two scenarios: the law grants her the freedom to reveal or not reveal her identity on the child's birth certificate (Article 245, repealed Public Health Law 76-79). Despite this, she is required to provide her identity to hospital maternity services; refusal compels security services to enforce this (Radia & Lenkar, 2022, p. 1886).

No explicit Algerian legislative text stipulates or obligates a single mother to pass her surname to her illegitimate child. However, in practice, at the level of social services directorates, hospitals, and civil status officers, a single mother is permitted to pass her surname to her child, whether she decides to keep them or abandon them. Yet, this occurs rarely due to fear of the ensuing social stigma, making the granting of the mother's surname contingent upon her will, not tied to revealing her identity (Rouabah, personal communication, May 6, 2024). A single mother may reveal her identity without granting her surname to the child, typically if she decides to abandon them. In this case, the assigned social worker, tasked with taking the mother's statement and relevant information, attempts to persuade



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her to reconsider, as not granting her surname does not serve the child's interest.

• **Case of the Mother Revealing Her Identity**

If a single mother decides to abandon the child and grant them her surname, the social worker must inform her of her rights regarding the child, whether the abandonment is final or temporary. She is given a one-month reflection period (temporary abandonment), renewable for two months, after which the abandonment becomes final. This is recorded in an abandonment report containing all the mother's information; she fingerprints and signs it and the dedicated register. Following this, the hospital employee completes the section related to the mother's information in the "Declaration of Births Without Contract" document, while the section for the father's information remains blank. Another document, a "Birth Declaration," declares the time of birth and the mother's information, stating she gave birth to a child of specified gender under a given name, without touching the father's information section. It includes the declaration date and the declarant's name, with a marginal note of her identity card number. These two documents, accompanied by the mother's national ID card after fingerprinting and signing, are sent to the civil status officer of the child's birthplace to issue a birth certificate and record it in the birth register (Khelfa, 2013, p. 276).

Abdul Aziz Saad considered that "the action of some civil status officers in giving the child of fornication their mother's surname is erroneous, an arbitrary act without legal basis, and contrary to the rules of Islamic Sharia which states 'the child belongs to the marriage bed, and for the

fornicator is the stone'..." Therefore, neither the civil status officer nor the hospital administration may act on their own to grant the child their mother's surname or any other surname except the father's if legitimate, or leave them without a surname if a natural child of unknown father whose mother conceived him through fornication (Saad, 1995, p. 97).

We believe Abdul Aziz Saad's view should be nuanced. First, the context of the hadith "the child belongs to the marriage bed, and for the fornicator is the stone," which has become an applied rule in judicial paternity establishment, means the child is affiliated to the husband of the bed, not the adulterer, even if he claims it – this is a consensus among Islamic jurists. Jurists differed regarding affiliating the child to the adulterer if the adulteress is not a lawful wife belonging to anyone, between those who affiliate him and those who do not. Since the child's lineage from the mother is established by birth and cannot be doubted, the child of fornication is therefore affiliated to the mother, inherits from her, and she inherits from him. Consequently, what prevents granting the mother's surname to her illegitimate child since she grants him her lineage? Moreover, there is no jurisprudential evidence prohibiting or proving the impermissibility of an illegitimate child bearing their mother's surname.

In contrast, the Moroccan legislator explicitly stipulates that an illegitimate child is affiliated to the mother. However, Circulars No. 352 dated December 11, 1978, and No. 130 dated May 31, 1979, issued by the Ministry of Interior, mandated the affiliation of the illegitimate child to the mother provided her father or the eldest male relative from the mother's family does not object. In case of



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objection, they are assigned a surname other than the mother's (Chouar, 2002, p. 138).

• **Case of the Mother Refusing to Reveal Her Identity**

If the single mother refuses to reveal her identity, the social worker notifies the judicial police by phone, after which the police arrive to obtain information from the social worker and verify it by investigating the single mother. Some single mothers declare only their personal name and flee the hospital before the judicial police verify their identity, leaving the child there. If she hasn't named the child, the declarant or civil status officer takes care of it. Alternatively, she may take the child, often selling, killing, or abandoning them on the street, turning them into a foundling. If found, the police intervene, and the child is placed in the hospital if in poor health to determine gender, enabling the police to verify identity and whether the birth occurred at the same hospital. A detailed report is then prepared containing all available information. If the child is identified and the mother known, she is summoned for investigation. Often, if the child's identity is unknown, the police prepare a personal assignment indicating the child's gender, without assigning a name or surname except the code 'xx' for males and 'xy' for females (Khelfa, 2013, p. 277).

The competent hospital services prepare three copies of a forwarding file for the abandoned or found child, with all related documents if available, plus their medical file. Another copy is sent to the Social Activities Directorate, specifically the Child Welfare Service, which registers the child within a maximum of five days. A male child is given three male given names, the last of which becomes his

surname. A female child is assigned three names, the first two being female given names and the last a male given name used as her surname (Khelfa, 2013, p. 278). Previously, the practice was to grant three female names, abolished by the Joint Ministerial Circular dated February 17, 1987, which detailed the application of Article 64 of the Civil Status Law and mandated that the last name for both males and females be a male given name. This better serves the female child's interest, as having a female given name as a surname would reveal her status, increasing social ostracization. The confidential file containing information about the single mother who refused to reveal her identity to others (but not to the concerned authorities) is currently kept at the Social Activities services, whereas it was previously the hospital's responsibility (Rouabah, personal communication, May 6, 2024).

The Tunisian legislator, through amended Law No. 75-1998, sought to protect the right to a surname for neglected children and those of unknown parentage. It entrusted the Public Guardian, as defined by the law on Public Guardianship, Foster Care, and Adoption, with the task of assigning a complete presumed identity to this category. Article 2 stipulates that if "no one from the families of neglected children or children of unknown parentage requests the assignment of identity elements to them within six months of their acceptance by the competent authority," the first procedure the Guardian undertakes is assigning a name to each child under their care per the Civil Status Law provisions. The same article obliges them to submit a request to the president of the competent court of first instance to assign a father's name, grandfather's name, family surname, mother's name, her father's name, and a



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surname for her. The child's surname must be the presumed surname assigned to the father (Ben Achour, 2024, p. 251). Thus, assigning the remaining identity elements to the neglected child or child of unknown parentage is done by the judiciary, unlike the name granted by the Public Guardian. This procedure, though not reflecting the child's true identity, alleviates the severity of their feeling of being a child of unknown parentage. The legislator also ensured confidentiality regarding the status of neglected children and those of unknown parentage by prohibiting civil status officers from including any phrase or note in the birth record indicating the child is of unknown parentage, and the judicial order issuing the presumed identity is recorded only in the original civil status record without mention in the original copies (Ben Achour, 2024, p. 251).

1.2. The Right to Nationality

Nationality is a fundamental component of an individual's identity, the link connecting them to their homeland and determining their belonging to it, playing a role similar to name and surname in identifying them internationally. States rely on two main criteria for granting nationality: blood (“jus sanguinis”) or territory (“jus soli”).

Undoubtedly, nationality guarantees the individual's enjoyment of rights granted by the state, regardless of the nature of their birth, whether within or outside marriage. The Algerian legislator followed this approach, regulating the granting of Algerian nationality by Law No. 70-86 dated December 15, 1970, without excluding the granting of original nationality to foundlings and abandoned children to prevent statelessness. Article 6 outlines cases of granting

nationality by descent, giving the father the absolute right to grant nationality to his child, not the mother. It limited the mother's granting of nationality based on this criterion to two cases: "...a child of an Algerian mother and unknown father... a child born to an Algerian mother and a stateless father." Thus, only the father grants his nationality within the framework of legitimate filiation, with no possibility outside it even if the biological father is known.

For the illegitimate child, the mother grants her nationality. This article implies that the Algerian legislator addressed the case of a known mother and unknown father. For children of unknown parents, they acquire Algerian nationality by birth on its territory ("jus soli") per Article 7(1) of Law 70-86, concerning children born in hospitals and abandoned without information about their mothers. Article 7(3) of the same law introduces a third case for acquiring Algerian nationality, concerning newborns found in Algeria.

However, the Algerian legislator, via Executive Order 05-01 dated February 27, 2005, amending Order 70-86, stated in the new text of Article 6: "A child born to an Algerian father or an Algerian mother is considered Algerian," repealing all other paragraphs. Thus, the legislator equalized the status of mother and father in granting nationality, as the mother now grants her nationality to her child regardless of whether the father is known or unknown, Algerian, foreign, or stateless. Another paragraph added to Article 7 addressed the case of a child born to an unknown father and a mother named in the birth certificate without other data enabling proof of her nationality.

In summary, the Algerian legislator legally enshrined protection for the ward's right to nationality both before and after the amendment, covering all cases of children of



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unknown parentage who acquire Algerian nationality by descent or territory. However, in practice, children of unknown parentage face difficulties in obtaining Algerian nationality despite being legally entitled (Zerouti, 2000, p. 156). Among the obstacles hindering them from obtaining a nationality certificate is the requirement to submit birth certificates for the father and grandfather to judicial services. Additionally, in cases where the child of unknown parentage is abandoned by a known mother on their birth certificate who refuses to provide her own and her father's birth certificates, or lacks a known residence.

2. The Right to Care

The right to care is one of the most important consequences arising from both legitimate and illegitimate filiation. For legitimate children, it represents an aspect of protection when exercised jointly by parents during marriage or individually upon its dissolution due to the child's need. The child resulting from an unlawful relationship poses a problem regarding who exercises the right to care, due to the illegitimacy of the relationship between their parents. Regardless, the illegitimate child needs protection like their legitimate counterpart, sharing physical and mental vulnerability, necessitating the safeguarding of their right to care, fundamentally represented by custody, guardianship, and maintenance.

2.1. Custody of a Child of Unknown Parentage

The Algerian legislator regulated the custody of legitimate children in a manner consistent with their best interests, making the mother the primary custodian as the

most compassionate and patient in bearing the hardships of upbringing, provided she cares for, educates, and raises the child in the father's religion, safeguards, and preserves their health and morals, and is competent per Article 62 of the Family Code. She also has the right to refuse custody if it does not conflict with the child's interest and another eligible custodian from those listed in Article 64 is available. However, these provisions cannot be applied to an illegitimate child with a known mother. Their custody is obligatory for the mother alone if she insists on keeping them after birth and refuses to abandon them to social care institutions. Notably, she cannot be forced into custody if unwilling.

If the ward is a foundling, custody is obligatory on the finder if they so desire, inferred from Article 67(1) of the Civil Status Code. If the finder does not wish to assume care, this duty falls upon the state (Arabi Bakhti, 2013, p. 113).

Unlike Algerian legislation, Tunisian law recognizes the right to custody for a child born outside marriage, given that natural filiation can now be established per amended Law No. 75/1998. Article 3 "bis" states: "The child whose filiation is established is granted the right to... care including guardianship and custody."

2.2. Guardianship over a Child of Unknown Parentage

Guardianship, in its two forms, was established to protect the ward due to their minority, as they cannot independently manage their administrative and financial interests, necessitating someone to represent and handle their affairs. Guardianship over children during marriage belongs to the father, exceptionally to the mother in case of



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the father's absence or impediment. In divorce, it is granted to the custodian per Article 87 of the Family Code.

Thus, the last paragraph of the aforementioned article can be applied regarding guardianship over an illegitimate child with a known mother to whom they are affiliated and who provides care, by analogy to the absence of a father—a situation similar to divorce and the father's death, where guardianship is usually assigned to the custodian, often the mother.

Regarding guardianship over a foundling, it belongs to the finder if they assume care—a relative guardianship, as the principle is that it belongs to the ruler. Article 11 of the Family Code states: "The judge is the guardian of one who has no guardian." They are most competent to manage the foundling's affairs in their best interest (Hamdan, 2006, p. 112). The guardian for foundlings and abandoned children in child welfare institutions is the Director of Solidarity and Social Activities at the "wilaya" (province) level, after the "Wali" (governor).

Conversely, the Tunisian legislator recognizes the right to guardianship for a natural child whose filiation is established per Article 3 "bis" of amended Law No. 75/1998 but did not provide special provisions, leaving it subject to general rules in the Personal Status Code.

It is clear that the Algerian legislator did not explicitly stipulate the right to care for a child of unknown parentage—an inevitable result of not explicitly recognizing natural filiation. The Tunisian legislator provided a legal solution allowing the natural child to enjoy the right to care. However, the persistent practical problem is the difficulty of applying general custody rules to the natural child, unlike

guardianship usually assigned to the custodial mother who claimed to establish his filiation from the father. Thus, it is inconceivable that the father would accept custody and guardianship over his natural child, especially since establishing natural paternity comes through compulsion. Therefore, the natural child's enjoyment of the right to care remains relative and limited compared to the legitimate child.

2.3. The Right of a Child of Unknown Parentage to Maintenance

Legitimate filiation is the basis for the ward's entitlement to rights, with maintenance being among the most important, obligatory on the father towards his child immediately and continuously, securing their basic needs for food, clothing, and treatment. If the father is unable, the duty transfers to the solvent mother per Article 76 of the Algerian Family Code, and recourse to the Maintenance Fund is possible in legally specified cases. However, these provisions cannot apply to a child born outside marriage due to the absence of the paternal filiation link, which remains extant from the mother. Since the child of fornication inherits from their mother and her relatives and vice versa, by analogy, maintenance is obligatory on her if she is capable and has custody.

The Algerian legislator did not regulate maintenance for a child of unknown parentage. However, Article 247 of Public Health Law No. 76-79 stipulated the obligation to provide a monthly grant to the single mother to enable her to secure the child's needs until the end of compulsory schooling, exceptionally continuing for minors pursuing vocational training. This grant is paid to the mother or ascendants in



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her absence and can be transferred to the person or institution raising the child upon request. The grant amount and duration are determined by a "Wali" decree proposed by the health director. It may be reduced, suspended, or canceled if the mother or custodian acquires financial means or no longer uses the grant for the child's needs.

This law partially ensured the illegitimate child's right to maintenance, although termed a "grant," it serves as maintenance. Despite the law's repeal by Executive Decree 80-83, deemed by some as encouraging childbirth outside marriage, its provisions remain applied, confirmed by a 2005 instruction from the Minister of Solidarity and Social Activities mandating financial aid for single mothers (Ministerial Instruction No. 897, June 4, 2005). In this context, the Minister of Social Solidarity, Djamel Ould Abbas, announced a draft law aimed at establishing natural filiation through DNA testing and allocating a monthly grant of approximately 80 USD to single mothers for each illegitimate child. However, this long-awaited 2007 project did not see light due to outrage from many Islamic figures who considered it a government initiative encouraging fornication and financially rewarding illegitimate childbirth, while the minister stated the ministry's intention was to encourage single mothers to keep their children and prevent the state from solely bearing the burden of their care (Lakhal, 2006).

Conclusion

The Algerian legislator has guaranteed children of unknown parentage the enjoyment of fundamental rights similar to their known-lineage counterparts but has not enabled their right to filiation, consistent with the provisions of the Family Code derived from Islamic Sharia.

Our study has yielded several key findings:

- The Algerian legislator established clear procedures guaranteeing children of unknown parentage access to identity and registration with civil status services.
- Article 64 of the Civil Status Law has not undergone any amendment since its issuance nearly half a century ago. The legislator has not undertaken to establish a solution enabling children of unknown parentage to enjoy a complete identity.
- Additionally, while the Public Prosecutor's Office exists as a judicial body to protect society and public interest, the Algerian legislator limited its role in protecting children born outside marriage. Examining legislation reveals no article stipulating the Public Prosecutor's role in protecting children of unknown parentage (Si Bouazza, 2018-2019, p. 187), except for the final paragraph of Article 67 of the Civil Status Law, which grants the Republic's Prosecutor the authority to annul the report and temporary birth certificate if the child's original birth certificate is found or if birth is legally declared upon the Prosecutor's petition.
- No legal text obligates a single mother to grant her surname to a child of unknown parentage.
- Based on these findings, we propose the following recommendations:



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- The necessity of creating a specific, comprehensive legal framework governing the status of children of unknown parentage.
- The necessity of stipulating that a child of unknown parentage be affiliated to the mother, considering their lineage is established from her by birth.
- The necessity of reconsidering Article 64 of the Civil Status Law, particularly regarding the surname of a child of unknown parentage. Using a given name as a surname implies their status, distinguishes them from other legitimate children, increases their marginalization, and reduces their protection.
- Enhancing the protection of the identity of children of unknown parentage to serve their best interests and avoid social stigma by incorporating an article in the Civil Status Law authorizing the civil status officer to grant complete identity names, filling the father and mother fields with presumed names in their birth certificates instead of an "x" mark.
- Strengthening the role of the Public Prosecutor's Office in protecting this vulnerable category, granting it the right to initiate procedures for assigning a complete presumed identity when necessary.

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