

THE JURISDICTION OF ALGERIAN ADMINISTRATIVE APPELLATE COURTS AS A SECOND DEGREE OF LITIGATION

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Abstract:

In the context of the Algerian constitutional amendment of 2020, which led to the establishment of administrative appellate courts, the issuance of the organic law concerning judicial division followed. Consequently, the administrative judiciary now consists of an administrative court, an administrative appellate court, and the Council of State. This development embodies the principle of litigation at two levels.

Keywords: Administrative Appellate Courts, Algerian Administrative Judicial System, Amended and Supplemented Algerian Civil and Administrative Procedures Law.

INTRODUCTION

What can be observed about the Algerian administrative judicial system is that, prior to the 2020 constitutional amendment, there were no administrative appellate courts, as is the practice in comparable judicial systems, particularly in France. However, following the 2020 Algerian constitutional amendment, the establishment of administrative appellate courts as a second degree of litigation was stipulated¹, thereby enshrining the principle of litigation at two levels².

The issue that can be raised is as follows:

What is the jurisdiction of administrative appellate courts as a second degree of litigation?

The answer to this issue will be addressed according to the following plan:

- Rules of jurisdiction for administrative appellate courts
- Jurisdiction of administrative appellate courts as a second degree of litigation

1. Rules of Jurisdiction for Administrative Appellate Courts

The rules of jurisdiction for administrative appellate courts refer to their authority to hear specific cases as defined by the legislative framework. This jurisdiction is divided into subject-matter jurisdiction and territorial jurisdiction, according to the criteria established by Algerian legislation³. To study the rules of jurisdiction for administrative appellate courts, we will examine the criteria for determining subject-matter jurisdiction. Additionally, the determination of territorial jurisdiction for administrative appellate courts will be addressed.

1.1 Subject-Matter Jurisdiction of Administrative Appellate Courts

Since administrative appellate courts represent the second degree of litigation, they reinforce the principle of litigation at two levels. The subject-matter jurisdiction of administrative appellate courts refers to their authority to hear and decide on specific cases as defined by legal texts⁴.

¹- Presidential Decree No. 20-442, containing the Algerian constitutional amendment, Algerian Official Gazette No. 82, 2020.

²- Bahmani Ishaq, The Principle of Litigation at Two Levels in Administrative Matters, Master's Thesis, Faculty of Law and Political Science, University of Ghardaia, Algeria, 2022, p. 32.

³- Saeed Bouali, Administrative Disputes under Algerian Law, 1st Edition, Balqis Publishing House, Algeria, 2015, p. 56.

⁴- Article 900 bis of Law No. 08/09, the amended and supplemented Civil and Administrative Procedures Law, states: The administrative appellate court is competent to decide on appeals against judgments and orders issued by administrative courts. It also has jurisdiction to decide on cases assigned to it by special provisions.

This is stipulated in Organic Law No. 22/10, related to the organization of the Algerian judiciary, which states: "The administrative appellate court is the appellate body for judgments and orders issued by administrative courts. It also has jurisdiction to decide on cases entrusted to it by specific provisions⁵."

From these two provisions, we can conclude that the Algerian legislator addressed the subject-matter jurisdiction of administrative appellate courts in Articles 900 bis of the amended and supplemented Algerian Civil and Administrative Procedures Law and Article 29 of Organic Law No. 22/10, which includes the judicial organization of Algeria.

For administrative appellate courts to have subject-matter jurisdiction, they must be based on two criteria: the organic criterion as a primary basis and the material (or objective) criterion as an exception.

In this context, since the administrative appellate courts, as a structure established under the Algerian constitutional amendment of 2020, represent the second degree of litigation, all decisions issued by administrative courts are subject to appeal before administrative appellate courts. This means that all judgments and orders issued by the administrative court against bodies defined by the organic criterion can be appealed⁶.

Administrative disputes heard by the administrative court and subject to appeal before administrative appellate courts are outlined in Article 801 of the amended and supplemented Algerian Civil and Administrative Procedures Law, which states: Administrative courts have jurisdiction to decide on:

- Lawsuits for the annulment, interpretation, and examination of the legality of decisions issued by:
 - The province and decentralized state services at the provincial level,
 - The municipality,
 - Regional professional organizations,
 - Local public administrative institutions.
- Lawsuits for full jurisdiction.
- Cases entrusted to them by specific provisions.

It is worth noting in this context that the legislator has introduced two exceptions within the subject-matter jurisdiction of the administrative appellate courts, which are as follows:

Firstly, according to the general rule that what is within the jurisdiction of the first degree of litigation also falls under the jurisdiction of the second degree of litigation, we can infer an exception to the organic criterion. According to Article 802 of the amended and supplemented Algerian Civil and Administrative Procedures Law, if the state, province, or municipality is a party (i.e., the parties mentioned in Article 800), the administrative court will not hear the dispute, nor will it be subject to appeal before the administrative appellate courts. Instead, the ordinary judiciary will handle the dispute, known as the material criterion. This applies to disputes related to the following⁷:

- Road violations.
- Disputes related to all liability lawsuits.

Secondly, departing from the organic criterion that governs the jurisdiction of administrative courts, which serves as a criterion for determining their jurisdiction, all judgments and orders issued by them are generally subject to appeal before the administrative appellate courts.

⁵- Article 29 of Organic Law No. 22-10, concerning the Algerian judicial division, Algerian Official Gazette No. 41, 2022.

⁶- Article 800, paragraph 2, of the aforementioned Law No. 08/09, states: Administrative courts have first-instance jurisdiction, with appealable judgments, in all cases where the state, province, municipality, one of the public administrative institutions, national public bodies, or national professional organizations is a party.

⁷- Article 802 of the aforementioned law states: Contrary to the provisions of Articles 800 and 801 above, the following disputes fall under the jurisdiction of ordinary courts: road violations and disputes related to all liability claims seeking compensation for damages caused by a vehicle belonging to the state, one of the provinces, municipalities, or public administrative institutions.

However, an exception to this general rule is the original jurisdiction, as stipulated in Article 900 bis, paragraph 3 of the amended and supplemented Algerian Civil and Administrative Procedures Law. According to this article, "The Administrative Appellate Court of Algiers has jurisdiction as a first degree of litigation over lawsuits concerning annulment, interpretation, and assessment of legality of administrative decisions issued by central administrative authorities, national public bodies, and national professional organizations⁸."

Based on the aforementioned articles, we conclude that, in addition to the general procedural provisions that define the jurisdiction of administrative appellate courts to determine their subject-matter jurisdiction, there are specific texts and laws related to particular areas of jurisdiction for administrative appellate courts, which arise under specific conditions and procedures related to administrative disputes.

It is essential for the Algerian legislator to address and issue a set of legal amendments defining the jurisdiction of administrative appellate courts, thereby keeping pace with the legal changes brought about by the recent constitutional amendment of 2020. Among these specific texts is, for example, Organic Law No. 12/04, concerning the Algerian Political Parties Law, which previously granted jurisdiction over administrative disputes involving the Minister of the Interior as a central authority to the Council of State. Consequently, the Council of State would hear such cases in its original and final jurisdiction. However, under this context, the text has been amended to grant this jurisdiction, as per Article 900 bis, paragraph 3 of the amended and supplemented Algerian Civil and Administrative Procedures Law, to the administrative appellate courts, which will consider it as a first degree of litigation, with the judgment subject to appeal before the Council of State.

1.2 Territorial Jurisdiction of Administrative Appellate Courts

Territorial jurisdiction refers to the competence of the administrative judiciary to adjudicate administrative disputes that occur within a specific and limited geographical area. It also pertains to the authority of the judicial body competent to hear the case brought before it, based on a geographical criterion that adheres to judicial division⁹.

Territorial jurisdiction is defined as the location of courts within their geographical jurisdiction, with each court having a designated area in which it handles disputes that arise¹⁰.

While the general rule states that the territorial jurisdiction of any judicial body is the domicile of the defendant, according to Article 803 of the amended and supplemented Algerian Civil and Administrative Procedures Law, which is a general procedural provision, it refers us to Articles 37 and 38 of the same law, applicable to both ordinary and administrative judiciary¹¹.

Article 37 of the amended and supplemented Algerian Civil and Administrative Procedures Law states: "Territorial jurisdiction belongs to the judicial body within whose jurisdiction the domicile of the defendant is located. If the defendant has no known domicile, jurisdiction returns to the judicial body where the chosen domicile is located, unless otherwise stipulated by law."

Thus, the Algerian legislator has adopted the general material criterion, which is the domicile of the defendant.

Article 38 of the amended and supplemented Algerian Civil and Administrative Procedures Law stipulates: "In the case of multiple defendants, territorial jurisdiction belongs to the judicial body within whose jurisdiction the domicile of one of them is located."

However, these general rules do not apply to the jurisdiction of administrative appellate courts, given that the distribution of these courts is based on a regional criterion.

Since the primary jurisdiction of these courts is to hear appeals, the general rules do not apply to them because these courts are few in number and are distributed on a regional basis. There are six administrative appellate courts, as specified in Article 08 of Law No. 22/07, which includes the

⁸- Article 900 bis, paragraph 3, of Law No. 08/09, Op. Cit.

⁹- Rachid Khelloufi, *Administrative Dispute Law: Organization and Jurisdiction of Administrative Judiciary*, University Publications Office, 2nd Edition, Part 1, Algeria, 2013, pp. 330-331.

¹⁰- Youssef Delanda, *The Algerian Judicial Organization*, 1st Edition, Al-Huda Printing and Publishing House, Algeria, n.d, p. 10.

¹¹- Article 803 of Law No. 08/09, Op. Cit.

Algerian Judicial Division Law: "Six administrative appellate courts are established, with headquarters located in Algiers, Oran, Constantine, Ouargla, Tamanrasset, and Béchar."

Additionally, the regulatory text represented by Executive Decree No. 22/435, which specifies the territorial jurisdiction areas of the administrative appellate courts, has been issued. This decree defines the jurisdiction of each of the newly established courts mentioned in Article 08 above¹².

2. Litigation as a Second Degree before Administrative Appellate Courts

This section will examine the inherent jurisdiction of the administrative appellate courts established by the judicial reform introduced under the 2020 constitutional amendment. This reform has successfully implemented a key litigation principle: the principle of litigation at two levels within the administrative judiciary hierarchy, which had been absent since the adoption of judicial dualism¹³.

In this context, it is necessary to define the concept of appeal, as well as determine its types and establish its conditions. Additionally, the procedures and effects of appeals will be discussed.

2.1 Concept of Appeal and Its Conditions

2.1.1 Definition of Appeal

An appeal is defined as a method of challenge aimed at overturning a judgment issued by an administrative court due to its violation of the law or the incorrect application of a legal rule to a situation where it does not apply¹⁴. It also refers to the time period within which a party may file an appeal. If this period lapses without an appeal being filed, the right to appeal is forfeited¹⁵.

An appeal serves as a practical manifestation of the principle of litigation at two levels, as it seeks to present the dispute anew before a second-degree court to correct any errors made by first-degree judges. Appeals in administrative matters can take several forms, including¹⁶:

- Original Appeal: This type of appeal is filed by either the plaintiff or the defendant, i.e., one of the parties to the dispute initiates it.
- Subsidiary Appeal: This appeal is filed by the appellee in response to an original appeal, aiming to challenge the judgment and respond to the original appeal¹⁷.

Article 951 of the amended and supplemented Algerian Civil and Administrative Procedures Law states: "The appellee may file a subsidiary appeal even if their right to file the original appeal has expired. A subsidiary appeal is not admissible if the original appeal is inadmissible. A waiver of the original appeal leads to the inadmissibility of the subsidiary appeal if the waiver occurs after the subsidiary appeal¹⁸."

- Counter-Appeal: This type of appeal occurs when both parties appeal the administrative decision. It is an appeal filed by the original appellee against the appellant in the original appeal. Counter-appeals must be filed within the specified period using two separate petitions, resulting in two files that are then ordered to be merged. The earlier-filed appeal is considered the original appeal, and the other becomes the counter-appeal.

A counter-appeal is filed by the appellee to respond to the original appeal filed by the appellant. For a counter-appeal to exist, two conditions must be met:

- There must be an original appeal filed by one of the parties within two months from the date of the official notification of the judgment.

¹²- Article 03 of Decree No. 22/435, which specifies the territorial jurisdiction areas of the administrative appellate courts, Official Gazette of the People's Democratic Republic of Algeria No. 84, 2022.

¹³- Article 900 bis, paragraph 01, of Law No. 08-09, Op. Cit.

¹⁴- Abdel Salem Dib, *The New Civil and Administrative Procedures Law*, 3rd Edition, Moufem Publishing, Algeria, 2012, p. 261.

¹⁵- Hussein Tahari, *A Brief Explanation of the Judicial Procedures Followed in Administrative Matters*, no edition, Al-Khaldounia Publishing and Distribution, Algeria, 2005, p. 103.

¹⁶- Mohand Amokrane Boubsher, *Civil Procedures Law*, 3rd Edition, University Publications Office, Algeria, 2008, p. 316.

¹⁷- Hussein Freiha, *Fundamental Principles in Civil and Administrative Procedures Law*, no edition, University Publications Office, Algeria, 2010, p. 316.

¹⁸- Article 951 of Law No. 08-09, Op. Cit.

- The judgment being appealed must contain a ruling that is unsatisfactory to both parties to the dispute. If the judgment issued by the first-degree court satisfies the requests of the subsidiary appellant, they will have no interest in filing an original appeal.

One outcome of a counter-appeal is that if the original appeal is accepted, the appealed decision is annulled, and the counter-appeal is automatically canceled. If the original appeal is rejected, the appealed decision is upheld, and the counter-appeal is then considered¹⁹.

2.1.2 Conditions for Appeal

Any party to a dispute for which a judgment has been issued may appeal to the higher administrative appellate courts, requesting a reconsideration of the judgment and a new ruling. Upon reviewing the Civil and Administrative Procedures Law, several conditions related to filing an appeal can be summarized as follows:

A. Representation by an Attorney before Administrative Judicial Authorities²⁰

The amended and supplemented Algerian Civil and Administrative Procedures Law stipulates in Article 900 that: "Parties must be represented by an attorney before the administrative appellate court, under penalty of the petition not being accepted²¹."

Referring to Article 827 of the same law, it states: "The state and the legal entities mentioned in Article 800 above are exempt from mandatory representation by an attorney in claims, defenses, or interventions. Petitions and intervention memoranda submitted on behalf of the state or the entities mentioned above shall be signed by the legal representative."

B. Time Limits

According to the Civil and Administrative Procedures Law, the time limit for appeals is one month for judgments of administrative courts and two months for decisions of administrative appellate courts.

These time limits are reduced to 15 days for urgent orders unless specific provisions exist. These periods commence from the day of the official notification of the order, judgment, or decision to the concerned party and from the expiration date of the opposition period if the judgment was issued in absentia²².

C. Subject of the Appeal

The Civil and Administrative Procedures Law states that any party who was present or legally summoned, even if no defense was presented, may file an appeal against the judgment or order issued by the administrative court²³.

This implies that the subject of the appeal is filed by the concerned party against the judgments and orders issued by the administrative court before the administrative appellate court.

D. The Appellant

Referring to Article 13 of the amended and supplemented Algerian Civil and Administrative Procedures Law, which falls under the title of common provisions for all ordinary or administrative judicial authorities, it states: "No one may litigate unless they have standing and a legitimate or potential interest recognized by law."

- The judge automatically raises the issue of lack of standing for the plaintiff or defendant²⁴.

- The judge also automatically raises the issue of lack of authorization if the law requires it²⁵.

Condition of Standing:

¹⁹- Akouche Hanan, *Litigation at Two Levels in Algerian Administrative Judiciary*, Doctoral Dissertation, Faculty of Law and Political Science, University of Algiers 01, 2020, pp. 225-226.

²⁰- Barbara Abdel Rahman, *Explanation of the Civil and Administrative Procedures Law in Light of Amended Law No. 08-09 by Law No. 12-13, Part 1, 5th Edition*, Bayt Al-Afkar, 2022, p. 570.

²¹- Article 900 bis 1, paragraph 2, of Law No. 08-09, Op. Cit.

²²- Article 950 of Law No. 08-09, Op. Cit.

²³- Article 949 of Law No. 08-09, Op. Cit.

²⁴- Mohamed Saghir Baali, *The Algerian Administrative Judicial System*, Dar Al-Uloom Publishing and Distribution, Annaba, Algeria, 2009, p. 88.

²⁵- Article 13 of Law No. 08-09, Op. Cit.

An appeal is limited to those who were parties in the initial judgment and against those who were also parties in it. Therefore, only individuals who were part of the original dispute may file an appeal²⁶.

Article 335 of the amended and supplemented Algerian Civil and Administrative Procedures Law states: "The right to appeal is granted to all persons who were parties at the first level or to their successors. Additionally, those who were represented at the first level due to a lack of capacity have the right to appeal if the reason for that representation no longer exists."

"An appeal may also be filed by the original intervener or the party introduced into the litigation at the first level."

From Article 335/2 of the amended and supplemented Algerian Civil and Administrative Procedures Law, we conclude that individuals who were represented at the first level of litigation due to a lack of capacity can exercise the right to appeal if they regain their capacity. For instance, if a minor reaches adulthood during the appeal period, or if a person previously lacking legal capacity regains it, they may directly initiate an appeal in their own name and on their behalf²⁷.

Condition of Interest²⁸:

Article 335, paragraph 4, of the amended and supplemented Algerian Civil and Administrative Procedures Law states: "... the appellant must have an interest to exercise the right of appeal."

From this provision, we conclude that the appellant must have a legitimate interest in filing the appeal. The presence of this interest means that the appellant seeks to obtain a new judgment or a modification of the existing judgment that would satisfy new claims not fulfilled at the first level²⁹.

2.2 Procedures and Effects of Appeal

In this context, it is essential to discuss the procedures for filing an appeal, as well as its effects.

2.2.1 Timeframe and Procedures for Appeal

Representation by an attorney is mandatory for parties before the administrative appellate court; failure to comply will result in the petition not being accepted³⁰.

As a procedural step in filing an appeal, the appeal petition must be signed by an attorney, including the necessary information as specified in Article 15 of the amended and supplemented Algerian Civil and Administrative Procedures Law, which is referenced in Article 816 of the same law³¹.

The appeal petition must include a set of mandatory details, failure to which will render it inadmissible in form. These details include:

- The name and surname of the plaintiff and their domicile.
- The name, surname, and domicile of the defendant. If the defendant's domicile is unknown, their last known domicile should be provided.
- An indication of the name and nature of the legal entity, its registered office, and the capacity of its legal or contractual representative.
- A brief summary of the facts, claims, and grounds on which the lawsuit is based.
- A reference, when necessary, to the supporting documents and evidence related to the lawsuit.

²⁶- Hussein Freiha, *Procedures for Tax Disputes in Algeria*, no edition, Dar Al-Uloom Publishing and Distribution, Algeria, 2008, p. 129.

²⁷- Youssef Delanda, *The Concise Explanation of Common Provisions for All Judicial Authorities According to the New Civil and Administrative Procedures Law*, 2nd Edition, Houma Publishing, Algeria, 2009, p. 173.

²⁸- Awabdi Ammar, *The General Theory of Administrative Disputes – The Judicial System in Algeria*, Part 2, 4th Edition, University Publications Office, Algeria, 2009, p. 411.

²⁹- Zahra Nacebi, *Subject-Matter Jurisdiction between the Council of State and Administrative Courts in Algeria*, Master's Thesis in Law, Faculty of Law and Political Science, Mohamed Khider University, Biskra, Algeria, 2014, p. 107.

³⁰- Article 900 bis 1, paragraphs 1 and 2, of Law No. 08-09, Op. Cit.

³¹- Articles 815, 816, and 15 of Law No. 08-09, Op. Cit.

- The appeal petition must necessarily be accompanied by the original copy of the administrative court judgment being appealed, the supporting documents and evidence for the appeal, and a number of copies equal to the number of parties involved in the appeal case³².

- Additionally, the receipt proving payment of the fee must be submitted³³.

Regarding the timeframe for filing an appeal, referring to Article 829 of Law No. 08/09, the time limit for appeal is set at four months before the administrative judiciary. These provisions also apply to the appellate authority according to the referral in Article 900 bis 07.

- Four months are divided into two months for grievance and two months for appeal, in line with Article 950 of the amended and supplemented Algerian Civil and Administrative Procedures Law, which sets the appeal period at two months.

2.2.2 Effects of Appeal

According to the rules of civil and administrative procedures, filing an appeal in administrative matters results in two types of effects³⁴:

A. Devolutive Effect of the Dispute

The devolutive effect in administrative appeals means that the dispute is reconsidered before the administrative appellate courts in terms of both facts and law³⁵. The appellate authority has the same powers and competencies as the first-degree court, including conducting investigations at its level. However, there are certain restrictions on the devolutive effect of the dispute:

- New claims are not accepted in appeals, except in specific cases exhaustively listed in the Civil and Administrative Procedures Law, which include:

- New claims in the appeal, except for the plea of set-off.

- Requests to exclude counterclaims or to resolve issues arising from third-party intervention, or the occurrence or discovery of a fact³⁶.

- Adherence to what is explicitly mentioned in the appeal is required. Matters not addressed by the appellant are not to be considered by the appellate authority, as silence on these issues implies acceptance, thus granting the judgment the authority of *res judicata*.

- Compliance with the parties involved in the dispute is necessary, as the appeal benefits only the appellant and no other parties who did not participate in this stage³⁷.

B. Suspensive Effect of Judgment Execution

The suspensive effect means that the party in whose favor the administrative court judgment was issued cannot proceed with its execution because filing an appeal before the administrative appellate courts suspends the execution of the appealed judgment³⁸.

However, there are instances where the judgment is enforceable by law despite the presence of an appeal, and other cases where the judge is authorized to issue judgments with expedited enforcement at the request of one of the parties³⁹.

There is a distinction between the new amendment to the Civil and Administrative Procedures Law (22/13) and the old provisions that covered appellate jurisdiction, which was previously vested in the Council of State under Law 09/08. Article 908 of the amended and supplemented Algerian Civil and Administrative Procedures Law, prior to the amendment, stated that appeals to the Council of State did not have a suspensive effect.

What we observe between the old text and the new amendment is that the legislator addressed the deficiencies. The jurisdiction to hear appeals, which was previously handled at the Council of State level as an appellate body, did not have a suspensive effect. Under this effect, the party in whose

³²- Youssef Delanda, *Ordinary and Extraordinary Methods of Appeal in Judgments and Decisions Issued by Ordinary and Administrative Judiciary*, no edition, Houma Publishing, Algeria, 2010, p. 164.

³³- Article 900 bis 6 of Law No. 08-09, Op. Cit.

³⁴- Article 900 bis 2 of Law No. 08-09, Op. Cit.

³⁵- Article 339 of Law No. 08-09 states: The appellate authority rules anew on both facts and law.

³⁶- Article 341 of Law No. 08-09, Op. Cit.

³⁷- Article 338 of Law No. 08-09, Op. Cit.

³⁸- Article 900 bis 2 of Law No. 08-09, Op. Cit.

³⁹- Article 323, paragraph 2, of Law No. 08-09: ... except for judgments enforceable by force of law.

favor the administrative court judgment was issued could proceed with execution, except for the exceptions outlined in Articles 913 and 914.

In contrast, the new amendment in Article 900 bis 02 diverges from the provisions of Article 928 of the amended Law 08/09, as amended by Law 22/13. The administrative appellate courts, which are now entrusted with appellate jurisdiction over first-degree judgments and orders, grant appeals a suspensive effect on the execution of the judgment under this amendment.

CONCLUSION:

From our study, we conclude that the establishment of administrative appellate courts serves the interest of the litigant by enshrining the principle of litigation at two levels in administrative disputes. This development positions the Council of State as a body overseeing the actions of the Algerian judicial system, similar to the role of the Supreme Court.

Additionally, appealing before administrative appellate courts results in both a devolutive effect, transferring the dispute, and a suspensive effect, halting the execution of the judgment. This contrasts with the practice before the amendment of the Algerian Civil and Administrative Procedures Law.

References List:

Legal Texts:

- [1] Organic Law No. 22-10, concerning judicial division, Official Gazette of the People's Democratic Republic of Algeria No. 41, 2022.
- [2] Law No. 08/09, containing the Civil and Administrative Procedures Law, amended and supplemented.
- [3] Presidential Decree No. 20-442, containing the Algerian constitutional amendment, Official Gazette of Algeria No. 82, 2020.
- [4] Executive Decree No. 22/435, specifying the territorial jurisdiction areas of the administrative appellate courts, Official Gazette of the People's Democratic Republic of Algeria No. 84, 2022.


Books:

General References:

- [5] Barbara Abdel Rahman, *Explanation of the Civil and Administrative Procedures Law in Light of Amended Law No. 08-09 by Law No. 12-13*, Part 1, 5th Edition, Bayt Al-Afkar, 2022.
- [6] Abdel Salem Dib, *The New Civil and Administrative Procedures Law*, 3rd Edition, Moufem Publishing, Algeria, 2012.
- [7] Mohand Amokrane Boubsher, *Civil Procedures Law*, 3rd Edition, University Publications Office, Algeria, 2008.
- [8] Hussein Freiha, *Fundamental Principles in Civil and Administrative Procedures Law*, University Publications Office, Algeria, 2010.
- [9] Hussein Freiha, *Procedures for Tax Disputes in Algeria*, no edition, Dar Al-Uloom Publishing and Distribution, Algeria, 2008.
- [10] Youssef Delanda, *The Concise Explanation of Common Provisions for All Judicial Authorities According to the New Civil and Administrative Procedures Law*, 2nd Edition, Houma Publishing, Algeria, 2009.

Specialized References:

- [11] Mohamed Saghir Baali, *The Algerian Administrative Judicial System*, Dar Al-Uloom Publishing and Distribution, Annaba, Algeria, 2009.
- [12] Saeed Bouali, *Administrative Disputes under Algerian Law*, 1st Edition, Balqis Publishing House, Algeria, 2015.
- [13] Rachid Khelloufi, *Administrative Dispute Law: Organization and Jurisdiction of Administrative Judiciary*, University Publications Office, 2nd Edition, Part 1, Algeria, 2013.
- [14] Hussein Tahari, *A Brief Explanation of the Judicial Procedures Followed in Administrative Matters*, no edition, Al-Khaldounia Publishing and Distribution, Algeria, 2005.

- 
- [15] Awabdi Ammar, *The General Theory of Administrative Disputes - The Judicial System in Algeria*, Part 2, 4th Edition, University Publications Office, Algeria, 2009.
- [16] Youssef Delanda, *Ordinary and Extraordinary Methods of Appeal in Judgments and Decisions Issued by Ordinary and Administrative Judiciary*, no edition, Houma Publishing, Algeria, 2010.
- [17] Youssef Delanda, *The Algerian Judicial Organization*, 1st Edition, Al-Huda Printing and Publishing House, Algeria, no publication year.

Doctoral Dissertation:

- [18] Akouche Hanan, *Litigation at Two Levels in Algerian Administrative Judiciary*, Doctoral Dissertation, Faculty of Law and Political Science, University of Algiers 01, 2020.

Master's Thesis:

- [19] Bahmani Ishaq, *The Principle of Litigation at Two Levels in Administrative Matters*, Master's Thesis, Faculty of Law and Political Science, University of Ghardaia, Algeria, 2022.