LEX LOCALIS-JOURNAL OF LOCAL SELF-GOVERNMENT

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

# The Principle of the Two-Tier Judicial System in Algeria

**Dr: Halima BAHRI**
University of Adrar (Algeria),
bahri.halima@univ-adrar.edu.dz
bahri.halima@gmail.com
**Dr: Nabil KHADEM**
University of Oran 02 (Algeria)
khademnabil05@gmail.com

Received:02/01/2026. Accepted:15/04/2026. Published:05/07/2026

**Abstract**:
Legal procedures constitute the philosophical framework governing judicial proceedings. These procedures are numerous and diverse, among which is the principle of litigation in two degrees (the right to appeal). Algeria has significantly strengthened this principle following the constitutional amendments of 2016 and 2020. Accordingly, this research paper aims to identify the concepts associated with this principle, examine its applications in various fields, including civil, criminal, military, and administrative matters, and highlight the constitutional and legal protection afforded to it.

**Keywords: Litigation in Two Degrees, Constitutional Principle, Administrative Courts of Appeal, Criminal Appellate Court.**

**Introduction:**

**General Framework**

The stability of legal relations is an objective that legislators continuously strive to achieve. However, the overlap and conflict of rights give rise to various disputes. Consequently, the resolution of such disputes has been entrusted to judicial authorities. Within this framework, a set of principles has been established to govern litigation, including the principle of litigation in two degrees. This principle embodies a procedural philosophy that allows litigants to submit their disputes to higher judicial bodies, which are generally equipped with greater expertise and a stronger capacity to interpret legal texts and reconcile them with the facts in order to reach judicial truths that satisfy all parties to the dispute.

This principle finds its constitutional basis in Article 165 of the 2020 Constitutional Amendment [1]It also reflects Algeria's compliance with its international obligations. Nevertheless, practical application has demonstrated that this provision is not absolute; rather, it has a general scope of application alongside certain exceptions in which litigation is conducted in a single degree only, for reasons established through Algerian constitutional practice.

Research Problem

How has the Algerian legal system, both theoretically and practically, addressed the principle of litigation in two degrees? What is its legal value within the hierarchy of legal norms?

**Objectives of the Study**

[1] Presidential Decree No. 20-442 of 30 December 2020, concerning the promulgation of the Constitutional Amendment approved by the referendum of 1 November 2020, published in the Official Gazette of the People's Democratic Republic of Algeria, Official Gazette No. 82, 2020.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)
This research paper seeks to achieve the following objectives:
To provide a conceptual analysis of the principle of litigation in two degrees and identify the sources that activate and support it.
To determine the general and exceptional frameworks governing the application of the principle of litigation in two degrees.
To identify the position of the Constitutional Court and the Constitutional Council regarding this principle and to analyze and critically assess their approach.

**Methodology**

Addressing the above research problem requires the adoption of the analytical method through the examination of legal provisions and the practical applications developed by the Supreme Court and the Constitutional Court. The study also seeks to determine our position regarding these applications based on the logical and legal grounds contained in the relevant decisions.

**Structure of the Research Paper**

This paper is divided into three parts. The first part examines the conceptual foundations of the principle of litigation in two degrees. The second part discusses its applications within the Algerian legal system. The third part explores the protection afforded to this principle by the Constitutional Court and the Supreme Court. This structure facilitates the formulation of conclusions and recommendations that contribute to the subject matter.

**Section One: The Conceptual Framework of the Principle of Two-Tier Litigation**

The principle of two-tier litigation is one of the concepts constitutionally enshrined in Article 165 of the 2020 constitutional amendment. It embodies a procedural philosophy aimed at ensuring the quality and accuracy of judicial decisions. This requires clarifying the concept of this principle and identifying its objectives, as follows:

First Requirement: The Concept of the Principle of Two-Tier Litigation

There are several definitions of this principle, which may be classified as follows:

**(A) Legislative Definition:**

As a general rule, the Algerian legislator does not provide a specific definition of the principle, leaving this task to legal scholarship. By referring to the relevant legal provisions, particularly Article 165 of the Constitution, which enshrines the right to two-tier litigation and stipulates that "the law guarantees litigation before two levels of jurisdiction and determines the conditions and procedures for its implementation," it is evident that the legislator did not establish an explicit definition of the principle of two-tier litigation. Instead, the legislator confined itself to regulating the principle by specifying its conditions and legal procedures. It identified the judgments that may be appealed, the competent judicial bodies to hear appeals, the statutory time limits for filing them, as well as the procedures that must be followed when lodging an appeal. These provisions demonstrate that the legislator has established the principle of two-tier litigation as a fundamental safeguard for protecting litigants' rights and enabling them to seek a review of judgments rendered by courts of first instance before a higher judicial authority.[1]

Furthermore, Article 6 of the Code of Civil and Administrative Procedures provides that "litigation shall be conducted before two levels of jurisdiction unless otherwise provided by law."

Accordingly, it is evident from the legal text that the legislator did not provide a formal definition of the principle of two-tier litigation, but merely stated its substance by establishing the general rule that litigation is conducted before two levels of jurisdiction, while allowing exceptions in cases expressly provided for by law. Therefore, the legislator did not adopt a legislative definition of this principle but rather confined itself to affirming the general rule, defining its scope of application, and specifying the exceptions thereto.[2]

[1] Article 165 of the Algerian Constitution.
[2] Article 6 of the Algerian Code of Civil and Administrative Procedures.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

**(B) Judicial Definition:**

With regard to the concept of appeal in judicial practice, the Egyptian Court of Cassation has held, for example, that an appeal is a right granted to the party against whom a judgment has been rendered. It is a matter of public policy, and no person may be deprived of this right except by an explicit provision of law. In another judgment, the Court ruled that the purpose of submitting judgments to the appellate court is to correct any errors that may have been committed by the court of first instance.[1]

In summary, the principle of two-tier litigation means that the same dispute is examined twice before two different courts. Pursuant to this principle, courts in the modern judicial system are divided into two categories: courts of first instance, which hear the dispute for the first time, and courts of second instance (appellate courts), which review the judgments rendered by the first-instance courts. The practical mechanism for bringing a dispute before the second-instance courts is the appeal.

**(C) Doctrinal Definition**

Legal scholars have provided numerous definitions of this principle. Although these definitions differ in wording, they converge in meaning. The principle of litigation on two levels, commonly manifested through the right of appeal, represents the practical application of this principle. In defining it, several jurists have expressed the following views:

Dr. Hassanein Obeid defines litigation on two levels as "the examination of a judicial dispute, both in its factual and legal aspects, successively before two different courts, one of which is hierarchically superior to the other." Likewise, Dr. Amin Mostafa Mohamed defines an appeal as "an ordinary method of challenging a judgment rendered by a court of first instance, whereby the dispute is brought anew before a higher court with the aim of annulling or amending the contested judgment. Accordingly, an appeal may constitute a genuine challenge to the judgment, based on the appellant's belief that the first-instance judgment is neither legally correct nor just."[2]

Some legal scholars define it as granting the person who believes that they have been prejudiced by a first-instance judgment the right to resort once again to the judiciary before a higher court in order to obtain justice and remedy the harm they believe resulted from the judgment of the court of first instance. Others further explain that an appeal constitutes the practical embodiment of this principle, as it enables the litigants to resubmit their dispute before a higher court, which re-examines the facts, the evidence presented, and the legal claims, irrespective of the conclusions reached by the court of first instance.

Dr. Ahmed Al-Hindi defines the principle by stating that every person has the right to have their dispute heard twice: first before a court of first instance and then before a higher appellate court. This constitutes one of the fundamental principles of the judicial system. Once a case is brought before the court of first instance and decided, the parties to the dispute have the right to submit it to a higher court for reconsideration.[3]

[1] Ahmed Hindi, The Principle of Two-Tier Litigation: A Comparative Study, Dar Al-Jami'ah Al-Jadidah for Publishing, Alexandria, 2005, p. 5.

[2] Mohamed Bejaq, The Principle of Litigation on Two Levels and Its Role in Achieving Judicial Security, Journal of Jurisprudential and Judicial Studies, University of El Oued, No. 4, June 2017, p. 67.

[3] Alawa Maazouzi, The Power of Appellate Courts to Decide the Merits and Its Relationship with the Principle of Litigation on Two Levels and the Rule of Exhaustion of Jurisdiction, Dar Houma, Algeria, p. 30.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

Professor Barbara Abdelrahman defines the principle by stating that a litigant who is unsuccessful before the court that initially heard the case may resort to a higher judicial authority to seek a re-examination of the judgment that was rendered against them.[1]

**Section Two: Objectives of Litigation on Two Levels**

The constitutional recognition of the principle of litigation on two levels is not an end in itself, but rather a means of achieving judicial justice and ensuring the proper administration of justice. This is accomplished by providing an opportunity to review judgments rendered by courts of first instance, thereby correcting any errors they may contain and strengthening the protection of litigants' rights. From this perspective, the objectives pursued by this principle become evident, as it is founded upon several considerations that justify its adoption in most judicial systems.[2]

**Subsection One: Achieving Fair Judicial Decisions and the Proper Application of the Law**

This subsection examines the objective of ensuring the fairness of judicial judgments and decisions through the proper application of the law.

**(A) Achieving Fairness in Judicial Judgments and Decisions**

In practice, appellate courts serve as guardians of the quality of judicial decisions. In this regard, an appeal—which constitutes the practical expression of the principle of litigation on two levels—aims to eliminate the defects of a judgment or, more precisely, to challenge a previously rendered judgment by questioning either its legal correctness or its fairness. Since judicial work is a human endeavor and therefore susceptible to both error and correctness, reviewing judgments is a necessity.

Submitting the case once again before a higher court, composed of a different and generally more experienced and larger panel of judges, provides an opportunity to reconsider the same dispute from both factual and legal perspectives. This process increases the likelihood of reaching a sound judgment by taking into account any developments relevant to the case.[3]

In essence, the role of the appellate court is not merely to reopen the dispute by granting the parties a second opportunity to litigate; rather, it is to review the judgment itself in light of the grounds raised by the parties or those identified by the appellate court on its own initiative. This authority enables the appellate court to examine the work of the first-instance judges and to eliminate any legal or factual defects affecting their judgment, thereby producing a second judicial decision that reflects the combined efforts of two judicial bodies of different levels. This represents the substantive essence of the principle of litigation on two levels.

**(B) Proper Application of the Law**

It is well established that judges are bound to apply the law strictly and without departing from its provisions. However, an examination of judicial practice reveals that judges are sometimes bound by mandatory legal rules and, at other times, enjoy a degree of discretion in determining how legal rules should be applied. Consequently, judges may resort to sources other than statutory law when adjudicating disputes, such as custom, judicial precedents, or even their discretionary authority, all of which assist them in rendering their judgments. Nevertheless, these factors may occasionally lead judges to misunderstand the facts of a case and

[1] Asma Lazami, Appeal as a Guarantee of the Principle of Litigation on Two Levels in Civil Matters, Master's Thesis in the Enforcement of Judicial Judgments, Faculty of Law, University of Algiers, 2013–2014, p. 1.

[2] Barbara Abdelrahman, Explanation of the Code of Civil and Administrative Procedure in Light of Law No. 08-09, as Amended and Supplemented in 2022, Bayt Al-Afkar Publishing House, 6th ed., 2024, p. 21.

[3] Redouane Lemkhniq Rachid Larqam, Litigation on Two Levels in Disputes Arising During the Preparatory Stage of Legislative Elections: A Study in Light of the Legislative Developments Introduced by Ordinance No. 21-01, Journal of Legal and Political Research, University of Jijel, Vol. 7, No. 1, June 2022, p. 1098.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)
consequently commit errors. Therefore, the idea of submitting the dispute to a higher judicial body composed of more experienced judges provides an opportunity to correct such errors.[1]
To clarify this point, the jurist Montesquieu described the law as a work of genius and an instrument that serves the nations to which it applies.[2] Meanwhile, the Austrian jurist Hans Kelsen maintained that the law is not complete merely by virtue of its validity; it must also be effective in practice.[3] This effectiveness requires judges who ensure the proper application of the law. Such an approach guarantees legal certainty (legal security), which, according to the German Federal Constitutional Court, requires not only an orderly legal procedure but also reliable and predictable outcomes.[4] This makes legal certainty an essential component of the rule of law. Likewise, the Court of Justice of the European Union has held that the principle of legal certainty requires, in particular, that any rule imposing adverse consequences on individuals must be clear, precise, and foreseeable in its application to litigants.[5] Similarly, the Belgian Constitutional Court has stated that legal certainty consists of ensuring that the content of the law is foreseeable, thereby enabling individuals to reasonably anticipate the legal consequences of a particular act at the time it is performed.[6] This ultimately contributes to the stability of legal positions, which constitutes one of the fundamental principles of the Algerian legal system.[7] Consequently, judicial security is achieved through the proper application of legal texts and judicial interpretation, while keeping pace with legal developments and ensuring that legislative provisions remain effective, thereby avoiding what the French jurist Georges Ripert described as the "aging" of legal texts.[8]

**Section Two: Guaranteeing the Protection of Rights and the Presumption of Innocence**

This section examines two fundamental guarantees: the guarantee of safeguarding the right to defense and the guarantee of protecting the presumption of innocence.

**(A) Guarantee of the Right to Defense**

There is no doubt that the principle of litigation before two levels of jurisdiction is one of the most important mechanisms for ensuring the effective exercise of the right to defense before the courts. Appellate proceedings safeguard the rights of the defense in much the same way as proceedings before the court of first instance. In addition to serving as a supervisory mechanism that protects litigants against judicial errors, whether in establishing the facts or in applying the law, this principle enables a litigant to present arguments that may not have been raised previously, supplement incomplete arguments, or introduce defenses and evidence that were omitted before the court of first instance. All of these constitute manifestations of the exercise of the right to defense.[9]

This principle therefore plays a significant role in safeguarding the right to defense by allowing the dispute to be reheard before the appellate court. It provides the parties with a renewed opportunity to submit their claims, defenses, and supporting documents capable of refuting the

[1] Ziyad Ali Al-Harbi & Jaafar Al-Maghribi, The Legislative Regulation of the Principle of Litigation on Two Levels, Arab Journal of Scientific Publishing, No. 42, 2022, p. 197.
[2] Ishaq Bahmani, The Principle of Two-Tier Litigation in Administrative Matters in Algeria, Master's Thesis, Administrative Law Specialization, Faculty of Law and Political Science, University of Ghardaïa, 2021–2022, p. 18.
[3] Montesquieu, translated by Adel Zuaiter, The Spirit of the Laws, Hindawi Foundation C.I.C., United Kingdom, 2017, pp. 49–51.
[4] Hans Kelsen, translated by Max Knight from the second German edition, Pure Theory of Law, University of California Press, USA, 1967, p. 319.
[5] German Federal Constitutional Court (BVerfG), 1 BvL 23/51, Judgment of 1 July 1953.
[6] German Federal Constitutional Court (BVerfG), 1 BvL 106/53, Judgment of 18 December 1953.
[7] Court of Justice of the European Union (CJEU), Case C-17/03, Judgment of 7 June 2005, para. 80.
[8] Belgian Constitutional Court, Judgment No. 48/2016 of 24 March 2016.
[9] Supreme Council (formerly the Supreme Court), Administrative Chamber, Case No. 37578, Decision of 23 November 1985, Judicial Review, No. 2, 1989, p. 199.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

opposing party's allegations and strengthening their own legal position. Without the two-tier litigation system, a party against whom judgment has been rendered would have no opportunity to challenge the decision of the court of first instance. Accordingly, the right to defense is regarded as one of the most fundamental guarantees of a fair trial. Allowing an individual to defend himself or herself, either personally or through legal counsel, undoubtedly assists the judge in establishing the truth and ultimately delivering a just judgment. Ensuring the litigant's right to defense at every stage of the proceedings further strengthens this guarantee by allowing deficiencies that occurred before the court of first instance to be remedied.[1]

**(B) Guarantee for the Protection of the Presumption of Innocence**

The principle of litigation before two levels of jurisdiction is one of the most significant guarantees for protecting the presumption of innocence during judicial proceedings. It ensures that judgments and decisions are re-examined, both in terms of facts and law, by a higher court, which serves as a corrective judicial authority. The presumption of innocence cannot be overturned except by a final judicial conviction rendered following lawful judicial proceedings. Accordingly, litigation before two levels of jurisdiction constitutes an essential safeguard of the presumption of innocence. This is particularly evident where a judgment has been issued in violation of the guarantees of a fair trial. In such circumstances, the accused has the right to challenge the judgment by way of appeal and invoke the nullity of the conviction, which may ultimately lead to the confirmation of his or her innocence.[2]

## Section Two: Applications of the Principle of Two-Tier Litigation in Algeria

Algeria has adopted the dual judiciary system since 1996, which constitutes one of the primary foundations for the implementation of judicial specialization. Accordingly, this section examines the application of the principle within both the ordinary judiciary and the administrative judiciary, according to the following structure:

### First Requirement: Applications of the Principle of Two-Tier Litigation in the Ordinary Judiciary

**(A) Applications in Civil and Military Justice:**

The ordinary judiciary is characterized by the application of the principle of two-tier litigation. Article 6 of the Code of Civil and Administrative Procedure provides that: "The general principle is that litigation shall be conducted in two levels unless otherwise provided by law." This principle is likewise applicable to specialized courts. Thus, judgments rendered by specialized commercial courts are subject to appeal before the Commercial Chambers of the Judicial Councils.

With regard to the military judiciary, the former Military Justice Code of 1971 provided for litigation at only one level. However, the law was amended in 2018 to establish a two-tier military judicial system.[3] Article 3 bis stipulates that military judicial bodies shall be organized into Military Courts and Military Courts of Appeal, as follows:

Table No. 01: Military Courts and Military Courts of Appeal

| Military Court of Appeal | Military Court of First Instance |
|---|---|
| First Military Region – Blida | First Military Region – Blida |
| Second Military Region – Oran | Second Military Region – Oran |

[1] Supreme Council (formerly the Supreme Court), Personal Status Chamber, Case No. 43,301, Decision of 22 September 1986, Judicial Review, No. 2, 1992, pp. 63–65.

[2] Court of Conflicts, Case No. 000114, Decision of 9 January 2012, Supreme Court Review, No. 2, 2012, pp. 468–475.

[3] Law No. 18-14 of 29 July 2018 amending and supplementing Ordinance No. 71-28 of 22 April 1971 containing the Military Justice Code, Official Gazette No. 47, issued on 1 August 2018.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

| | |
|---|---|
| Third Military Region – Béchar | Third Military Region – Béchar |
| Fourth Military Region – Ouargla | Fourth Military Region – Ouargla |
| Fifth Military Region – Constantine | Fifth Military Region – Constantine |
| Sixth Military Region – Tamanrasset | Sixth Military Region – Tamanrasset |

**Source: Decree No. 84-358 of 28 November 1984 concerning the territorial reorganization of the military regions, Official Gazette No. 63, issued on 5 December 1984, as amended and supplemented.**

The foregoing represents the general rule. However, an examination of specific legal provisions reveals that the Algerian legislator has made certain exceptions by rendering judgments in divorce cases final and not subject to appeal. Concerning divorce by mutual consent (joint will of both spouses), Article 433 of the Code of Civil and Administrative Procedure provides that judgments granting divorce by mutual consent are not appealable.[1] Likewise, Article 57 of the Algerian Family Code stipulates that: "Judgments rendered in actions for divorce,[2] judicial divorce,[3] and khulʿ (divorce initiated by the wife in return for compensation)[4] shall not be subject to appeal, except with respect to their financial aspects."

Another exception is found in social disputes, which will be addressed separately, as they have been the subject of a plea of unconstitutionality.

**(Secondly) – Applications in Criminal Justice**

The prevailing principle in the Algerian criminal justice system had long been litigation at a single level. Article 250 of the Code of Criminal Procedure provided that criminal judgments were final, with the accused having only the right to file an appeal in cassation before the Supreme Court. This situation remained unchanged until the 2016 constitutional amendment, which was followed by the amendment of Organic Law No. 17-06 of 27 March 2017,[5] amending the 2005 Judicial Organization Law. Article 18 thereof now provides:

"At the seat of each Judicial Council, there shall be a Court of First Instance for Criminal Matters and a Criminal Court of Appeal, whose jurisdiction and composition shall be determined by the legislation in force."[6]

Consequently, Law No. 17-07 amending the Code of Criminal Procedure was enacted. Article 248 thereof stipulates that judgments rendered in criminal matters are subject to appeal. This constituted a departure from the traditional assumption that criminal courts were immune from judicial error.[7] It also eliminated the inconsistency arising from recognizing the right of appeal in misdemeanour cases while denying it in felony cases, a distinction that violated the principle

[1] See, in application of this rule: Algerian Supreme Court, Family Affairs and Inheritance Chamber, Case No. 692661, Decision of 14 June 2012, Algerian Supreme Court Journal, No. 2, 2012.

[2] Divorce at the husband's initiative. See Article 52 of Law No. 84-11 of 9 June 1984 containing the Family Code, Official Gazette No. 24, issued on 12 June 1984, as amended and supplemented by Ordinance No. 05-02 of 27 February 2005, Official Gazette No. 15, issued on 27 February 2005.

[3] Judicial divorce at the wife's request based on legally specified grounds. See Article 53 of the Algerian Family Code.

[4] Khulʿ: divorce initiated solely at the wife's request without the need to establish specific grounds, in return for compensation. See Article 54 of the Algerian Family Code.

[5] Organic Law No. 17-06 of 27 March 2017 amending and supplementing Organic Law No. 05-11 on Judicial Organization, Official Gazette No. 20.

[6] Law No. 17-07 of 27 March 2017 amending and supplementing the Code of Criminal Procedure, Official Gazette No. 20.

[7] Litigation on Two Degrees: A First Step Towards Reforming the Criminal Court in Algeria, Annales de l'Université d'Alger, Vol. 33, No. 3, 2019, pp. 1–30.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

of equality. The new legislative approach thus aligned domestic legislation with the constitutional amendment and Algeria's international obligations. The same approach was reaffirmed in the new Code of Criminal Procedure of 2025, particularly in Articles 385–466.[1]

**Section Two: Applications of the Principle of Two-Tier Litigation in Administrative Justice**

Algeria constitutionally adopted the administrative judiciary in 1996 and gave it legislative effect in 1998 through the enactment of the laws governing the Council of State [2]and the Administrative Courts,[3] although the principle of two-tier litigation had not yet been implemented in this field. The same legislative package also included the law governing the Tribunal of Conflicts.[4] Accordingly, this section first examines the situation before the 2022 reforms and then discusses the changes introduced thereafter.

**(Firstly) – Before the 2022 Reforms**

This phase was characterized by the existence of only two institutions within the Algerian administrative judiciary: the Administrative Courts as courts of first instance, and the Council of State as both an appellate and cassation court. Article 10 of Organic Law No. 98-01 provided that judgments rendered by the Administrative Courts were appealable before the Council of State. This was also affirmed by Article 800 of the Code of Civil and Administrative Procedure [5]prior to its amendment, which stated:

"The Administrative Courts shall have jurisdiction at first instance to adjudicate, through judgments subject to appeal, all cases in which the State, the Wilaya, the Municipality, or a public institution of an administrative nature is a party."

Article 901, however, established an exception by granting the Council of State original and final jurisdiction over actions for annulment, interpretation, and review of the legality of administrative decisions issued by national public authorities and national professional organizations. One notable example is a decision of the Algerian Council of State annulling the electoral process for the election of the President of the National Union of Bar Associations, held on 25 April 2026, together with all legal consequences arising therefrom.[6]

In practice, this system created significant difficulties because an appeal did not automatically suspend the enforcement of the challenged judgment. Rather, the parties had to request suspension pursuant to Articles 912–914 of the Code of Civil and Administrative Procedure. Such a system was capable of producing serious legal consequences that could later prove impossible to remedy, thereby necessitating profound reforms to eliminate the inconsistencies and uncertainty that characterized the system.[7]

**(Secondly) – After the 2022 Reforms**

The 2020 constitutional amendment restructured the administrative judicial system through Article 179(2), which provides:

[1] Law No. 25-14 of 3 August 2025 containing the Code of Criminal Procedure, Official Gazette No. 54, issued on 13 August 2025.
[2] Organic Law No. 98-01 of 30 May 1998 concerning the powers, organization, and functioning of the Council of State, Official Gazette No. 37, issued on 1 June 1998, as amended and supplemented.
[3] Law No. 98-02 of 30 May 1998 relating to the Administrative Courts, Official Gazette No. 37, issued on 1 June 1998 (repealed).
[4] Organic Law No. 98-03 of 30 May 1998 concerning the powers, organization, and functioning of the Tribunal of Conflicts, Official Gazette No. 37, issued on 1 June 1998, as amended and supplemented.
[5] Law No. 08-09 of 25 February 2008 containing the Code of Civil and Administrative Procedure, Official Gazette No. 21, issued on 23 April 2008.
[6] Algerian Council of State, Case No. 007868, Decision dated 25 May 2026.
[7] Benmansour Abdelkarim and Arab Saida, "On the Extent of Respecting the Principle of Two-Degree Litigation in Administrative Matters," Maalem Magazine for Legal and Political Studies, Vol. 5, No. 1, 2021, pp. 27–47.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

"The Council of State shall serve as the regulatory body overseeing the work of the Administrative Courts of Appeal, the Administrative Courts, and other bodies exercising jurisdiction in administrative matters."

To implement this constitutional provision, Organic Law No. 22-10 on Judicial Organization was enacted,[1] followed by Law No. 22-07 on Judicial Division, which established six Administrative Courts of Appeal. Their territorial jurisdiction was subsequently determined by Executive Decree No. 22-435 of 11 December 2022,[2] as illustrated in the following table.

Figure No. 01: Table Showing the Territorial Jurisdiction of the Administrative Courts of Appeal

| Administrative Courts Within Its Territorial Jurisdiction | Administrative Court of Appeal |
|---|---|
| Algiers, Blida, Bouira, Tizi Ouzou, Médéa, M'Sila, Boumerdès, Tipaza, Aïn Defla. | Algiers |
| Oran, Tlemcen, Tiaret, Saïda, Sidi Bel Abbès, Mostaganem, Mascara, El Bayadh, Tissemsilt, Aïn Témouchent, Relizane, Chlef. | Oran |
| Constantine, Oum El Bouaghi, Batna, Béjaïa, Jijel, Sétif, Skikda, Annaba, Guelma, Bordj Bou Arréridj, El Tarf, Souk Ahras, Mila, Tébessa, Khenchela. | Constantine |
| Ouargla, Ghardaïa, Laghouat, El Oued, Biskra, Ouled Djellal, Illizi, Touggourt, Djanet, El M'Ghair, El Meniaa. | Ouargla |
| Tamanrasset, In Salah, In Guezzam. | Tamanrasset |
| Béchar, Adrar, Tindouf, Timimoun, Bordj Badji Mokhtar, Béni Abbès. | Béchar |

**Source: Executive Decree No. 22-435 of 11 December 2022, determining the territorial jurisdiction of the Administrative Courts of Appeal and the Administrative Courts, Official Gazette No. 84, issued on 14 December 2022.**

**Section Three: Protection of the Principle of Two-Tier Litigation in Algeria**

The principle of two-tier litigation has been protected by constitutional institutions, particularly the Constitutional Court and the Supreme Court. Accordingly, this protection will be examined below.

First Requirement: Protection by the Constitutional Court

The Constitutional Court[3] serves as the faithful guardian of the Constitution,[4] and therefore monitors the application of constitutional principles while also interpreting them in order to define their scope. However, an examination of constitutional precedents reveals two distinct positions regarding this principle. The first considers it an absolute principle, whereas the second regards it as a relative principle subject to certain exceptions and limitations.

**(First) Absolute Protection (The Principle as a Constitutional Principle)**

[1] Organic Law No. 22-10 of 9 June 2022 relating to Judicial Organization, Official Gazette No. 41, issued on 16 June 2022.

[2] Executive Decree No. 22-435 of 11 December 2022 determining the territorial jurisdiction of the Administrative Courts of Appeal and the Administrative Courts, Official Gazette No. 84, issued on 14 December 2022.

[3] Prior to the 2020 constitutional amendment, it was known as the Constitutional Council.

[4] In one of its decisions, the Court stated: "The Constitutional Court is the faithful guardian of constitutional legality, founded upon an interpretation that takes into account the historical contexts of the constitutional text." Constitutional Court, Opinion No. 03, dated 19 June 2025, concerning the interpretation of Article 116 of the Constitution, Official Gazette No. 42, issued on 9 July 2025.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

The first position adopted by the Constitutional Court considers the principle of two-tier litigation to be absolute in nature. Accordingly, every dispute, regardless of its nature, should be subject to appeal. On this basis, the Court declared several legal provisions unconstitutional because they failed to comply with this constitutional principle, namely:

**(A) The Unconstitutionality of Article 416 of the Former Code of Criminal Procedure**

This provision stipulated that:

"Judgments rendered in misdemeanor cases shall be subject to appeal only where the fine exceeds DZD 100 or the sentence exceeds five (5) days' imprisonment."

Conversely, this implied that judgments imposing imprisonment of fewer than five days were considered final judgments not subject to appeal.

In reviewing this provision, the Algerian Constitutional Council stated:

"When the constitutional legislator provided that the law shall guarantee litigation at two levels, it intended to oblige the legislature to ensure the exercise of this right by determining the manner of its implementation without depriving it of its essence, and without imposing restrictions or excluding anyone from exercising it. In criminal matters, this right is absolute and must not be hindered by legislation or procedural rules, as every individual has the right to seek recourse before a higher judicial authority."[1]

Accordingly, the Constitutional Council based its reasoning on the constitutional principle of equality, which is likewise enshrined in Articles 35 and 37 of the 2020 Constitutional Amendment and has been reaffirmed in several of the Council's opinions.

**(B) The Unconstitutionality of Article 33 of the Code of Civil and Administrative Procedure**

Article 33 previously provided that civil claims whose value did not exceed DZD 2,000,000 were to be decided by a final judgment not subject to appeal. Consequently, this provision became the subject of a constitutional review.

The Constitutional Council held:

"Considering that the principle of equality guaranteed by the Constitution to all citizens before the law and the judiciary pursuant to Articles 37 and 165 thereof requires that the legislature must not restrict the parties' right to appeal judgments rendered in civil matters on the basis of the value of the claims submitted in the action, as provided in Article 33 (paragraphs one and two) of the Code of Civil and Administrative Procedure."

The Council further based its reasoning on Article 34 of the Constitution, which prohibits restricting the exercise of any right except for reasons related to the preservation of public order and public security.[2]

Subsequently, following the amendment of the Code of Civil and Administrative Procedure,[3] the legislature reformulated this provision so that appeals became permissible in all civil actions.

**(Second) – Relative Protection (the Principle Has a Legislative Nature)**

The Algerian Constitutional Court has, on the other hand, held that the principle of litigation before two levels of jurisdiction is not an absolute constitutional principle, but rather a legislative principle. In clarification of this position, it has issued several decisions, including the following:

**(A) Constitutionality of Article 496(6) of the Penal Code**

[1] Constitutional Council, Decision No. 01/C.C./CRI/19, dated 20 November 2019, and Decision No. 02/C.C./CRI/19, dated 20 November 2019, Official Gazette No. 77, issued on 15 December 2019.

[2] Constitutional Council, Decision No. 01/C.C./CRI/21, dated 10 February 2021, Official Gazette No. 16, issued on 4 March 2021.

[3] Law No. 22-13 of 12 July 2022 amending and supplementing the Code of Civil and Administrative Procedure, Official Gazette No. 48, issued on 17 July 2022.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

This provision was introduced by Ordinance No. 15-02 amending the Code of Criminal Procedure,[1] and it excludes appeals in cassation in a number of situations, including judgments and decisions on the merits rendered at the final level of jurisdiction in misdemeanor cases imposing a fine not exceeding DZD 50,000[2] for a natural person and DZD 200,000 [3]for a legal person, whether or not accompanied by civil compensation, unless the case concerns civil rights, with the exception of military and customs offences.

The applicants argued that depriving them of access to the Supreme Court constituted a violation of the principle of two-tier litigation, particularly after they had been convicted by a decision of the Algiers Court of Appeal on 28 March 2019 and sentenced to an enforceable fine of DZD 20,000 pursuant to Article 228 (paragraphs 1 and 3) of the Penal Code.

However, the Constitutional Court held that "Article 171 of the Constitution provides that the Supreme Court is the body responsible for ensuring the uniform interpretation and proper application of the law by the judicial courts…". Consequently, this provision does not imply that an appeal in cassation constitutes a degree of litigation. Rather, an appeal in cassation is not an extension of the original proceedings, and the parties may not enjoy before the Supreme Court the procedural advantages available before the trial court, such as submitting new claims or new arguments that had not previously been raised.[4]

Accordingly, the Court concluded that, by enacting Article 496(6), the legislature merely exercised the authority conferred upon it by the constitutional framers. Therefore, the provision is constitutional and does not infringe the constitutionally guaranteed rights and freedoms.

In our opinion, however, the realities of judicial procedure prevent us from endorsing the Constitutional Court's reasoning. The effective implementation of the principle of two-tier litigation requires maintaining the possibility of an appeal in cassation, particularly since one of its principal grounds is the violation of the law or inadequate reasoning in judicial decisions—matters that only the Supreme Court is competent to assess.

**(B) Constitutionality of Article 20 of Ordinance No. 96-09 on Leasing**

In its decision, the Constitutional Court stated:

"Since the Constitution provides that the law guarantees litigation before two levels of jurisdiction while determining the conditions and procedures for its implementation, the constitutional framers have thereby entrusted the legislature with the authority to establish cases in which judgments are rendered at first and final instance. This necessarily implies the existence of exceptions to the principle of two-tier litigation without such exceptions being contrary to the Constitution, having regard to the particular nature of the dispute. Consequently, derogation from the principle of two-tier litigation constitutes, in itself, an application of the Constitution, whereas failure to apply such exceptions would amount to a violation of constitutional provisions... Accordingly, limiting litigation to a single level of jurisdiction in leasing contracts serves the protection of public economic order and gives effect to the principle that contracts are the law of the parties. Since the parties voluntarily entered into the contract, they are bound by all its substantive and procedural effects, including litigation before only one level of jurisdiction."

This means that the judge's role is confined to verifying the existence of the contractual termination event. Once established, it is sufficient to render a final judgment terminating the

[1] Ordinance No. 15-02 of 23 July 2015 amending and supplementing Ordinance No. 66-155 of 8 June 1966 containing the Code of Criminal Procedure, Official Gazette No. 40, 23 July 2015.
[2] Approximately USD 374.
[3] Approximately USD 1,499.
[4] Constitutional Council, Decision No. 01/CC/PC/2020, dated 6 May 2020, Official Gazette No. 34, 7 June 2020.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

contract and ordering the return of the leased property to its owner,[1] particularly since the contract concerns the financing of movable or immovable commercial assets. Accordingly, delay in the payment of instalments may adversely affect not only the contracting party but also all those having contractual relations with that party.

Although this reasoning appears persuasive, practical considerations suggest otherwise. For example, public procurement contracts and major administrative contracts are likewise closely connected with the public interest, yet litigation before two levels of jurisdiction remains available in such disputes. Furthermore, the overwhelming majority of contracts are concluded voluntarily and remain subject to appeal. Consequently, we are unable to agree with the Constitutional Court's position on this issue.[2]

**(C) Constitutionality of Articles 73(4) and 21 of Law No. 90-11**

**Article 73(4) provides:**

"Where an employee is dismissed in violation of the mandatory legal and/or contractual procedures, the competent court, acting at first and final instance, shall annul the dismissal decision for failure to comply with the prescribed procedures, order the employer to complete the required procedure, and award the employee financial compensation at the employer's expense, which shall not be less than the salary the employee would have received had he or she remained in employment. Where the dismissal is effected in breach of Article 73 above, the court shall decide,[3] at first and final instance, either to reinstate the employee while preserving his or her acquired rights, or if either party refuses reinstatement, to award compensation equivalent to six (6) months' salary, without prejudice to any additional compensation that may be due. Judgments rendered in this regard shall be subject to appeal in cassation."

**Article 21 provides:**

"Without prejudice to the courts' original jurisdiction, labour courts shall decide, at first and final instance, disputes relating to:

The annulment of first-degree disciplinary sanctions imposed by the employer without compliance with disciplinary procedures and/or mandatory collective agreements;

The issuance of employment certificates, payroll statements, or any other documents prescribed by law for proving the claimant's professional activity."

The Constitutional Court's response,[4] rejecting the claim of the unconstitutionality of this provision, was based on a set of logical and legislative grounds. Among these was its interpretation of Article 165 of the Constitution,[5] which affirms that the law shall guarantee

[1] Ordinance No. 96-05 of 10 January 1996 relating to Financial Leasing, Official Gazette No. 3, 14 January 1996.

[2] Decision No. 29 of 25 May 2022 concerning the plea of unconstitutionality of Article 20 of Ordinance No. 96-09 of 10 January 1996 relating to Financial Leasing, Official Gazette No. 55, 18 August 2022.

[3] Law No. 90-11 of 21 April 1990 relating to Labour Relations, Official Gazette No. 17, 25 April 1990, as amended and supplemented.

[4] Constitutional Court, Decision No. 01/C.C./P.I.C./22, dated 26 January 2022, Official Gazette No. 34, published on 19 May 2022. This provision was the subject of twenty-seven simultaneous constitutional challenges, all of which were dismissed on the ground that the matter had already been decided pursuant to Decision No. 01. See also Decision No. 02–23/C.C./P.I.C./22, dated 26 January 2022, Official Gazette No. 34, 19 May 2022; and Decisions Nos. 24–28/C.C./P.I.C./22, dated 23 March 2022, Official Gazette No. 54, 10 August 2022.

[5] Article 192(2) of the Constitution entrusts the Constitutional Court with the authority to interpret the Constitution. It provides that the President of the Republic, the President of the Council of the Nation, the President of the National People's Assembly, the Prime Minister, or the Head of Government may refer questions concerning the interpretation of one or more constitutional provisions to the Constitutional Court, which shall issue an advisory opinion thereon. The Court has developed its interpretative approach in several advisory opinions, including: Opinion No. 01 of 7 August 2023

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)
litigation at two levels of jurisdiction. Accordingly, the Constitution entrusts this matter exclusively to the legislature, meaning that the legislator has the authority to determine the conditions and procedures governing its implementation. Consequently, the principle of litigation at two levels of jurisdiction is accorded legislative, rather than constitutional, status within the hierarchy of legal norms,[1] thereby implicitly empowering the legislature to establish the necessary restrictions and exceptions. Thus, while appeal constitutes a general procedural principle, the law alone may prescribe exceptions thereto. From this perspective, the legislature acted in conformity with the Constitution when it provided for single-instance adjudication in labour disputes.

The Constitutional Court also relied on the particular nature of labour disputes to justify this approach. Such disputes are characterized by the requirement of urgency, whether concerning the time limits for filing the action, rendering the judgment, or enforcing it. Furthermore, employees are partially or wholly exempted from court fees in view of their financial, professional, and social circumstances, which often prevent them from enduring prolonged judicial proceedings. In addition, labour disputes are subject to several preliminary procedures prescribed by law or collective agreements, including referral to the Labour Inspectorate and conciliation offices. These constitute essential preliminary steps before resorting to the courts. It follows that the Constitutional Court considered these procedures to be distinctive and separate from those provided under the general procedural rules. Consequently, it is not permissible to challenge the constitutionality of legislation selectively while disregarding the special procedural framework governing labour disputes. The Court ultimately concluded that the legislature had established a specific procedural regime for labour disputes, characterized by the principles of expedition and the protection of the social and professional interests of workers, thereby ensuring that such disputes are not subjected to the lengthy and complex procedures applicable under the ordinary procedural rules. Accordingly, restricting the right to appeal in such cases does not impair the essence of the judicial guarantees afforded to litigants. Therefore, abolishing appeals in labour-related disputes does not infringe citizens' rights but rather promotes the proper administration of justice and ensures a fair balance between employers and employees while preserving the organization of labour relations.[2]

This is a position with which we concur, considering the Constitutional Court's reasoning to be legally sound.

(d) Constitutionality of Article 633 of the Code of Civil and Administrative Procedure

**Article 633 provides:**

"The President of the Court shall decide the objection to enforcement or the application for suspension of enforcement within a maximum period of fifteen (15) days from the date the action is filed, by an order not subject to any form of appeal."

The constitutionality of this provision was challenged on the ground that, although enforcement proceedings do not concern the merits of the substantive right, continuing enforcement may nevertheless produce irreversible consequences that cannot subsequently be remedied.

concerning Article 127 of the Constitution (Official Gazette No. 59, 10 September 2023); Opinion No. 01 of 30 January 2025 concerning Article 158 (Official Gazette No. 9, 11 February 2025); Opinion No. 02 of 5 February 2025 concerning Articles 121 and 122 (Official Gazette No. 14, 2 March 2025); and Opinion No. 03 of 19 June 2025 concerning Article 116 (Official Gazette No. 42, 9 July 2025).

[1] Hans Kelsen, translated by Michael Hartney, General Theory of Norms, Clarendon Press, Oxford, 1991.

[2] Constitutional Court, Decision No. 01/C.C./P.I.C., dated 26 January 2022, Official Gazette No. 34, 19 May 2022.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

The Constitutional Court held,[1] however, that when the constitutional framers stipulated that the law guarantees litigation at two levels of jurisdiction, they intended to oblige the legislature to ensure the exercise of that right while determining the conditions and procedures governing its implementation, provided that such conditions and procedures do not deprive the right of its substance or unjustifiably restrict or exclude any person from exercising it. The Court further emphasized that the interpretation of legislative provisions requires full compliance with all constitutional provisions relevant to the legislative rule in question. It found that Article 633(1) does not undermine the right to litigation at two levels of jurisdiction, since enforcement-related objections do not affect the substantive right that has already been finally adjudicated after exhausting all levels of jurisdiction. Accordingly, Article 633(1) of the Code of Civil and Administrative Procedure is consistent, both in letter and spirit, with Article 165 of the Constitution concerning litigation at two levels of jurisdiction, thereby rendering the judgment final and enforceable, as it is issued in the name of the Algerian people.

In our view, the Constitutional Court's position is well-founded, particularly because judgments are rendered in the name of the Algerian people and must therefore be enforced. Any unjustified delay in enforcement may render execution ineffective, while simultaneously allowing the losing party to conceal or dissipate assets, thereby depriving the successful litigant of the benefit of the judgment.

**Section Two: Protection by the Supreme Court**

The Algerian Supreme Court has issued several decisions affirming the protection of the principle of litigation at two levels of jurisdiction, including the following:

**(First) Inadmissibility of an Appeal against a Judgment Rendered in Absentia**

In one of its decisions, the Supreme Court held that the Court of Appeal (second instance) may not entertain an appeal filed against defendants who had not been duly notified of the judgment rendered in absentia. Consequently, it annulled the appellate decision on the ground that it violated the principle of litigation at two levels of jurisdiction by depriving the convicted person of the right to oppose the judgment before the court of first instance.[2]

**(Second) Prohibition of the Same Judge Hearing the Same Dispute at Two Different Levels of Jurisdiction**

The Supreme Court annulled a decision because one of the three judges sitting on the appellate panel had previously participated as the trial judge at first instance.[3] Likewise, it quashed another judgment where the appellate judge had also acted as the judge of first instance. The Court justified its position by stating:

"A public prosecutor inevitably forms an accusatory perception based upon a personal conviction that tends to persist and is difficult to abandon. Consequently, the participation of a public prosecutor, whose role is to seek a harsher sentence, as a judge in the same case before the second-instance court constitutes a violation of the principle of litigation at two levels of jurisdiction."[4]

**(Third) Prohibition of Rendering Judgment against a Person Who Was Not a Party at First Instance**

[1] Constitutional Court, Decision No. 01/C.C./P.I.C., dated 5 December 2021, Official Gazette No. 4, 15 January 2022.

[2] Algerian Supreme Court, Misdemeanours and Contraventions Chamber, Decision No. 25491, 7 June 1983, Judicial Review, No. 1 (1989), pp. 342–344; Decision No. 385968, 30 July 2008, Judicial Review, No. 1 (2009), pp. 361–364; Decision No. 446163, 28 January 2009, Judicial Review, No. 1 (2010), pp. 297–300.

[3] Algerian Supreme Court, Civil Chamber, Decision No. 29276, 5 January 1983, Judicial Review, No. 2 (1983), pp. 35–36.

[4] Algerian Supreme Court, Misdemeanours and Contraventions Chamber, Decision No. 36897, 4 February 1986, Judicial Review, No. 4 (1989), pp. 316–317.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

In another decision, the Supreme Court affirmed that litigation at two levels of jurisdiction constitutes a general procedural principle from which no departure is permissible. Accordingly, it annulled a second-instance judgment imposing a fine upon an individual who had not been a party before the court of first instance.[1] Similarly, it held that awarding compensation to a civil claimant who had not appeared as a party before the first-instance court was unlawful.[2] It also quashed another decision in which an individual was joined to the proceedings directly before the Court of Appeal and ordered to close a passageway, on the ground that this deprived him of his right to have the dispute heard at first instance.[3]

**Conclusion**

Based on the analysis and arguments presented in this research paper, it is evident that the principle of litigation before two levels of jurisdiction constitutes one of the legislative principles that reflects Algeria's commitment to its international obligations, particularly the International Covenant on Civil and Political Rights, which recognizes this principle. The study has reached a number of findings and recommendations, as follows:

First: Findings

Algeria has adopted the principle of litigation before two levels of jurisdiction while granting it only legislative status. Consequently, there are two categories of judgments: the first is subject to appeal, whereas the second is rendered as a final judgment at first instance and is therefore not open to appeal.

The Algerian ordinary judicial system adopts the two-tier litigation system as a general rule, with the exception of cases concerning the dissolution of the marital bond in family matters and social disputes. Likewise, the Algerian administrative judiciary applies this principle, except in certain exceptional cases.

Second: Recommendations

Continue improving the implementation of this principle by generalizing the establishment of Administrative Courts of Appeal and completing the establishment of the Commercial Court of Appeal.

Criminal courts should be transferred from the Judicial Councils to the Courts of First Instance in order to provide a genuine opportunity for a thorough examination of criminal cases, while reducing the heavy criminal caseload currently handled by the Judicial Councils.

**References**

**1-** Presidential Decree No. 20-442 of 30 December 2020, concerning the promulgation of the Constitutional Amendment approved by the referendum of 1 November 2020, published in the Official Gazette of the People's Democratic Republic of Algeria, Official Gazette No. 82, 2020.

**2-** Ahmed Hindi, The Principle of Two-Tier Litigation: A Comparative Study, Dar Al-Jami‘ah Al-Jadidah for Publishing, Alexandria, 2005

3-Mohamed Bejaq, The Principle of Litigation on Two Levels and Its Role in Achieving Judicial Security, Journal of Jurisprudential and Judicial Studies, University of El Oued, No. 4, June 2017

[1] Algerian Supreme Court, Misdemeanours and Contraventions Chamber, Decision No. 51159, 20 February 1988, Judicial Review, No. 3 (1990), pp. 289–292.

[2] Algerian Supreme Court, Misdemeanours and Contraventions Chamber, Decision No. 233755, 20 March 2002, Judicial Review, No. 1 (2004), pp. 335–337.

[3] Algerian Supreme Court, Real Estate Chamber, Decision No. 1032235, 9 February 2017, Judicial Review, No. 1 (2017), pp. 103–105.

ISSN: 1581-5374 E-ISSN: 1855-363X
VOL. 24 , NO. 02(2026)

4-Alawa Maazouzi, The Power of Appellate Courts to Decide the Merits and Its Relationship with the Principle of Litigation on Two Levels and the Rule of Exhaustion of Jurisdiction, Dar Houma, Algeria

5-Asma Lazami, Appeal as a Guarantee of the Principle of Litigation on Two Levels in Civil Matters, Master's Thesis in the Enforcement of Judicial Judgments, Faculty of Law, University of Algiers, 2013–2014

**6-**Barbara Abdelrahman, Explanation of the Code of Civil and Administrative Procedure in Light of Law No. 08-09, as Amended and Supplemented in 2022, Bayt Al-Afkar Publishing House, 6th ed., 2024,

7-Redouane Lemkhniq Rachid Larqam, Litigation on Two Levels in Disputes Arising During the Preparatory Stage of Legislative Elections: A Study in Light of the Legislative Developments Introduced by Ordinance No. 21-01, Journal of Legal and Political Research, University of Jijel, Vol. 7, No. 1, June 2022,

8-Ziyad Ali Al-Harbi & Jaafar Al-Maghribi, The Legislative Regulation of the Principle of Litigation on Two Levels, Arab Journal of Scientific Publishing, No. 42, 2022

9-Hans Kelsen, translated by Max Knight from the second German edition, Pure Theory of Law, University of California Press, USA, 1967

10-Montesquieu, translated by Adel Zuaiter, The Spirit of the Laws, Hindawi Foundation C.I.C., United Kingdom, 2017

11-Ishaq Bahmani, The Principle of Two-Tier Litigation in Administrative Matters in Algeria, Master's Thesis, Administrative Law Specialization, Faculty of Law and Political Science, University of Ghardaïa, 2021–2022

12-Benmansour Abdelkarim and Arab Saida, "On the Extent of Respecting the Principle of Two-Degree Litigation in Administrative Matters," Maalem Magazine for Legal and Political Studies, Vol. 5, No. 1, 2021