# The reality and prospects of digitizing judicial procedures in Algeria
# واقع وآفاق رقمنة الإجراءات القضائية في الجزائر

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**Abstract:**

The study examines the state of judicial digitization in Algeria, focusing on both civil and criminal justice. It notes relative progress through the adoption of electronic litigation and digital file management, despite the slow pace of reform due to legal complexities. The research highlights key challenges, including technical limitations, legislative gaps, and weak institutional coordination. It also explores prospects for development by updating the legal framework, strengthening digital infrastructure, and training personnel, while emphasizing the need for a comprehensive national strategy to establish an efficient digital justice system that meets the demands of the modern era.

**Keywords:** E-justice, justice reform, civil procedures, criminal procedures, remote litigation, digital infrastructure.

**الملخص:**

تتناول الدراسة واقع رقمنة الإجراءات القضائية في الجزائر، مركزة على القضاءين المدني والجزائي، حيث سُجّل تقدّم نسبي في هذا المجال من خلال اعتماد التقاضي الإلكتروني وتسيير الملفات رقمياً، رغم معاناة هذه الإجراءات في كلا القضاءين من بطء في الإصلاحات بسبب تعقيداتها القانونية. وتبرز الدراسة التحديات التقنية والتشريعية وضعف التنسيق المؤسساتي كعقبات رئيسية. كما تناقش آفاق التطوير عبر تحديث الإطار القانوني، وتعزيز البنية التحتية الرقمية، وتكوين الكوادر، مع التأكيد على ضرورة تبني استراتيجية وطنية شاملة لتحقيق عدالة رقمية فعالة تواكب متطلبات العصر.

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**الكلمات المفتاحية:** العدالة الإلكترونية، إصلاح العدالة، الإجراءات المدنية، الإجراءات الجزائية، التقاضي عن بعد، البنية التحتية الرقمية.

## Introduction:

In recent decades, the world has witnessed a profound transformation in patterns of daily operations, driven by a rapidly accelerating technological revolution. This transformation has clearly impacted judicial systems, which have increasingly adopted digitization as a strategic option to enhance performance and facilitate access to justice. The judiciary is no longer isolated from digital change; rather, it has become one of the key sectors requiring modernization and adaptation to the demands of the times, especially in light of the growing volume of litigation, the pressing need to simplify procedures, and the imperative to ensure transparency and integrity[1].

Within this context, Algeria has, since the early 2000s, engaged in ambitious reform projects targeting the justice sector, with a key priority being the digitization of judicial procedures in both civil and criminal justice. This direction has been reinforced through the launch of several digital platforms, amendments to legal and regulatory frameworks, and the modernization of the technological infrastructure of judicial institutions[2].

Judicial digitization is not merely the use of computers or software; rather, it entails a comprehensive re-engineering of how case files are managed, how petitions are filed, how documents are exchanged, and how hearings are held and judgments delivered and communicated electronically. These practices pose technical, legal, and ethical challenges simultaneously, and require safeguarding judicial data security, upholding the principle of confidentiality, providing adequate training for judges and court staff, and enabling litigants to benefit from these services without marginalization or exclusion.

This topic raises several central questions, the most important of which are:

- To what extent has Algeria successfully digitized its judicial procedures?
- What steps have been taken to realize this objective in practice?

[1] Islam Abdel Moneim Al-Sayyad, «Electronic Litigation via Electronic Means: A Comparative Study», Legal Revue, Cairo University, Faculty of Law (Khartoum Branch), Volume 17, Issue 3, 2023, P.507.

[2] Messirdi Sid Ahmed and Saidi Khadidja, «The e-Algeria Project: Reality and Challenges», Journal of Management and Development for Research and Studies, University of Blida 2, Volume 2, Number 2, 2021, P.262.

- Is there a difference between the paths of digitization in civil and criminal justice?
- What are the most prominent challenges facing this ambitious initiative?
- Has digitization truly led to a reduction in trial durations and an increase in transparency, or does it remain confined to slogans and pilot programs?

The selection of this topic stems from the vital importance of digital justice as a cornerstone of good judicial governance, and as an essential tool for combating administrative corruption, reducing the time and financial costs of litigation, and upholding the principle of bringing justice closer to the citizen.

The importance of digitization became even more apparent during the COVID-19 pandemic, which necessitated the adoption of new mechanisms to ensure the continuity of judicial operations without compromising public health. This urgency accelerated the use of remote trials, digital correspondence, electronic notifications, and other tools that were, until recently, regarded as futuristic concepts[1].

However, the path toward full digitization in Algeria remains fraught with numerous challenges, including underdeveloped infrastructure in some provinces, limited training for judges and justice staff, inconsistencies in the level of technological readiness among courts, as well as legal issues related to the protection of personal data and the absence of explicit regulations for some emerging digital practices, such as digital evidence and electronic pleadings.

Based on this, the present paper seeks to examine the digitization of judicial procedures in Algeria from two main perspectives:

- First, by analyzing the current state of digitization in **civil justice**, including the legal framework, technical tools, and practical obstacles;
- Second, by exploring the experience of digitization in **criminal justice**, particularly in relation to remote trials, electronic surveillance during investigation and inquiry procedures, and electronic monitoring (anklets).

[1] Gherbi Ahcen, «Public utilities during the COVID-19 pandemic: between continuity and disruption», Algerian Journal of Law and Political Sciences, University of Tissemsilt, Volume 5, Number 3, 2020, P.55.

Through this dual perspective, this paper aims to assess the progress and shortcomings in each area, culminating in a comprehensive and objective evaluation that concludes with a set of practical recommendations for developing this strategic initiative in Algeria.

## TITLE 1: Digitization of Civil Judicial Procedures in Algeria

The digitization of civil judicial procedures in Algeria represents a key aspect of judicial reform aimed at enhancing access to justice and improving procedural efficiency. This transformation involves integrating legal technologies into the civil justice system through updated laws, digital tools, and modern case management systems. The first part of this section examines the legal and regulatory framework that governs this shift **(First Subtitle)**. It then explores the practical mechanisms used in civil litigation, including electronic filing and remote hearings **(Second Subtitle)**. Finally, it addresses the major challenges and obstacles hindering the full implementation of digital civil justice **(Third Subtitle)**.

### First Subtitle: Legal and Regulatory Framework for the Digitization of Civil Justice

In recent years, Algeria has undergone significant legal and regulatory transformations in the field of digital justice, aimed at modernizing the functioning of civil courts and providing them with technological tools to improve judicial efficiency. Several legal texts and administrative instructions have shaped the regulatory foundation for digitization in this field.

The most important foundation for establishing a remote litigation system in civil matters is legislation, which means the existence of a set of written legal rules issued by a competent authority in the state, which is the legislative authority, and which are binding and appropriate to the state of scientific and technical progress through the use of modern means of communication to implement litigation procedures via the international communication network (the Internet), because the special nature of the electronic environment requires rules that are compatible with it.

This is done either by excluding traditional rules and issuing a new law regulating those rules, or by adapting and developing existing traditional jurisdiction rules, and selecting those suitable for implementing remote litigation procedures, starting with submitting the lawsuit petition to the competent judicial authority via e-mail or a special electronic portal, and ending with the issuance of the judgment. For example, an electronic contract concluded via the Internet is a normal contract like any other

contract, but it differs from it in that it is concluded using means of expressing will through modern means of communication, such that consent is exchanged between the parties remotely.

The electronic offer (proposal) does not differ from the traditional offer in content, but differs from it in the means through which it is concluded. This is also the case with acceptance[1].

This means implicitly indicating the possibility of the offer and acceptance being made electronically. Therefore, in light of current developments, we find that the dominance of paper culture, which was the adopted feature in case files, including official and unofficial documents, notebooks, records, telegrams, letters, etc., was a normal thing in the past. However, now, after scientific technologies have invaded the field of law in general, and the field of judiciary in particular, modern terms have begun to appear, such as electronic writing, electronic signature, and electronic document.

The Algerian legislator had to interact with this development, and reconsider the laws in force, or seriously consider issuing new laws to address everything related to electronic transactions, electronic commerce, and electronic documents, and not just the simple and timid appearance that the amendment to the Algerian Civil and Administrative Procedures Law witnessed in 2022[2], despite it being considered a first step that we appreciate towards building a modern judicial system, based on the use of modern means of communication within the scope of civil, commercial, and administrative judicial procedures, so that electronic writing has the authority and strength that prompts citizens to feel comfortable when dealing with it, and the electronic signature has the same legal authority as the traditional handwritten signature, provided that the legal conditions for electronic writing and electronic signature are met, and the electronic document also has the same the authenticity of a paper document is provided that the legally required conditions are met.

Therefore, with the spread of scientific technologies and their use in concluding contracts, the concept of writing no longer refers to what is usually recorded on paper, or similar materials, or to familiar writing methods such as handwriting, printing machines, and others. Rather, writing has taken on a broader, modern concept that encompasses writings extracted from modern technological means, particularly computers connected to the

[1] For example, the Algerian legislator has emphasized this in the Civil Code in Article (67), which states that "a contract between absent parties is deemed to have been concluded in the place and at the time in which the obligor becomes aware of the acceptance, unless there is an agreement or legal provision stipulating otherwise."

[2] Law No. 22-13 of July 12, 2022, amending and supplementing Law No. 08-09 of February 25, 2008, containing the Code of Civil and Administrative Procedure, Official journal No. 48 issued on 17 July 2022.

World Wide Web. Hence, the term "electronic writing" has become common[1].

Scientific progress has led to the development of the concept of writing with the emergence of new contracting methods. Thus, writing is no longer associated with traditional paper. Rather, legal thought has come to advocate electronic writing extracted from computers and the internet, as long as its content can be verified to prove transactions between contracting parties. Electronic writing (unlike traditional paper writing) is visual in form, not physical in existence. It is described as digital, even if it appears on a device screen in the form of traditional writing.

Since remote litigation procedures must be documented so that the electronic document is signed by a person or entity with the authority to sign, meaning an electronic signature, and it is necessary to register the document in a special electronic record to document the electronic litigation procedures through a technical means used to exchange information in computer language, meaning the exchange of electronic messages. The latter are saved in an electronic record for the purpose of referring to them when needed, as they are the basis of electronic transactions, whether commercial, administrative or judicial, as they are placed in an electronic record for the purpose of saving them and referring to them when needed. Therefore, remote litigation requires a legislative basis by which judges derive their authority to consider lawsuits and issue decisions and rulings based on these procedures that carry a binding nature, without the use of paper supports[2].

Therefore, it was necessary to review the existing laws to interact with this change resulting from the technological development taking place in societies, and to absorb the new scientific technology that has entered all areas of life. Through this, the importance of the legislative basis of this system becomes clear, as it is a pivotal point and a legitimate basis for implementing remote litigation procedures, using modern scientific technical means and what they allow in keeping pace with changes and investing in them to achieve justice and catch up with the civilized world.

[1] Bakour Nadia, «Authentic Electronic Writing and Electronic Signature in the field Of Proving Smart Contracts», Journal of Legal and Social Sciences, University of Djelfa, Volume 7, Number 2, 2022, P.1040.

[2] Iyad Muhammad Arif Atta Seddah, The extent of the validity of electronic documents as evidence: a comparative study, Magister's Thesis in Private Law, Faculty of Graduate Studies, An-Najah National University, Nablus, Palestine, 2009, P.08.

On this basis, electronic writing and electronic signatures have gained a place within the rules of evidence in Algerian Civil Law[1], through the texts of Articles 323 bis 1 and 327 paragraph 2. The Algerian legislator used the phrase "whatever the means by which it is contained" to define writing. The correct translation is "whatever the support it contains," according to the French translation of the text: "quels que soient leur support." According to this text, electronic writing means a sequence of letters, descriptions, numbers, or any signs or symbols with a clear meaning, written on an electronic medium, regardless of the means of transmission. Examples include information and data contained on hard or floppy disks, or information written by computer and transmitted or published on the Internet[2].

It is noteworthy that Article 323 bis of the Civil Code is the first text through which the Algerian legislator defined writing as a means of proof for legal acts in general, and electronic acts in particular, in order to avoid any potential controversy. There is a debate about the recognition of electronic writing as evidence, given that writing in its "traditional" concept was closely linked to the physical medium or paper, to the point of inseparability. Consequently, the law did not recognize writing recorded on a virtual electronic medium, which does not leave a physical trace that has the same effect as writing on paper[3].

The legislature stipulated that this writing must be understandable, such that these letters, shapes, signs, symbols, or numbers have a perceptible and readable meaning. This means that if this sequence of signs or symbols, or in other words, the informational content of the writing is meaningful, it must be legible. Expressed in electronic form, encrypted so that it cannot be perceived by humans but only by computers, this writing cannot be considered as evidence, as the judge cannot perceive its content in the event of a dispute.

Among the forms of enshrining electronic procedures that can be addressed by a civil or administrative judge, we can also point to the issue of dematerializing public procurement procedures. This was adopted by

[1] Ordinance No. 75/58 of September 26, 1975, containing the Algerian Civil Code, Official Journal No. 78, issued on September 30, 1975, as amended and supplemented.

[2] The concept of writing provided by Article 323 bis is expandable. Its formulation, which states: "Evidence in writing results from a sequence of letters, numbers, or any signs or symbols with an understandable meaning, regardless of the medium in which they are contained." This implies that the legislature considers any medium on which the writing is recorded to prove legal actions, whether on paper, CD, or floppy disk. This concept extends to all media that may result from future technological developments.

[3] Belkacem Abdellah, Electronic documents as a means of proving electronic contracts: a comparative study, Master's thesis in law, Branch: International Business Law, Faculty of Law and Political Sciences, University of Tizi Ouzou, 2013, P.44.

Presidential Decree No. 10/236 of October 7, 2010, regulating public procurement[1]. This Decree refers to the issue of electronic communication and information exchange in this area, through the establishment of a procurement portal and granting contracting agencies the ability to publish announcements related to public procurement and exchange information between the administration and bidders electronically. This is done through procedures and methods specified in the decision issued by the Minister of Finance on November 17, 2013[2], specifying the content of the electronic portal for public procurement, its management methods, and the methods for exchanging information electronically. This was followed by Presidential Decree No. 15/247 of September 16, 2015, regulating public procurement[3]. Public utility mandates are dedicated to the same experience, with gradual expansion by stipulating new procedures for electronically withdrawing and depositing bid envelopes, and establishing new procedures for procurement contracts and the provision of regular services, including the regular electronic auction and electronic contractor catalogs.

As for procedures of a purely judicial nature, the Algerian legislature issued Law No. 22/13 on July 12, 2022, amending the Code of Civil and Administrative Procedure. Among the most important amended legal texts was Article 815, which was redrafted and states, "A lawsuit shall be filed before the Administrative Court by paper petition or electronically.", In addition to some other modifications that we will discuss in the next section.

**Second Subtitle: Mechanisms of Digitization in Civil Litigation**

Digitization at the level of civil courts has been implemented through a range of technical and procedural tools that have significantly transformed traditional legal processes:

**1. Electronic registration of lawsuits in the civil field**

The opening petition is a written document, whether in paper or electronic form, by which the dispute is presented to the judiciary and the judicial litigation procedures are initiated. Through it, the plaintiff presents his claims, requests, and defenses, in order to request a ruling in the lawsuit, whether by establishing a right, protecting a legal position, or redressing some damage through compensation, regardless of the credibility of his

[1] Presidential Decree No. 10/236, issued on October 7, 2010, regulates public procurement, published in the official Journal No. 58 on October 7, 2010 (Cancelled).
[2] Decision of the Minister of Finance issued on November 17, 2013, regarding the definition of the content of the electronic portal for public procurement, the methods for its management, and the electronic exchange of information, published in the official Journal No. 27 on April 9, 2014.
[3] Presidential Decree No. 15/247, issued on September 16, 2015, regulates public procurement and public service delegation, published in the official Journal No. 20 on September 20, 2015.

claims or the existence of the right or legal position[1]. Therefore, the petition is an expression of the plaintiff's desire to obtain legal protection[2].

The petition must be written in accordance with Article 9 of the Code of Civil and Administrative Procedure, signed and dated, and prepared by the plaintiff himself or through his representative or attorney. It must be prepared in a number of copies equal to the number of parties and deposited with the registry. The petition must also be written in Arabic, or it will be rejected, in accordance with Article 8 of the same law. It can be said that these regulations currently, following the issuance of the 2022 amendment to the Code of Civil and Administrative Procedure, govern the process of submitting the initial petition in regular or electronic form, given that Articles 14 and 15 mentioned above have not been amended.

On the practical side, and through its official platform, the Ministry of Justice has enabled the filing of lawsuits and legal petitions electronically via authenticated accounts for lawyers. This process includes: filling out electronic forms for claims, uploading supporting documents in PDF format, and receiving a digital acknowledgment of submission[3].

From the above, we conclude by saying that the Algerian legislator, through Law No. 22/13 dated 07/12/2022, Article 815 of which now refers to the possibility of filing a lawsuit before the Administrative Court by means of a paper petition or electronically, did not clarify the possibility of resorting to the same method before the regular judiciary, nor how to register lawsuits electronically.

## 2. Official electronic notification of the lawsuit

After filing the petition to open the lawsuit, the stage of its official notification comes in order to ensure the establishment of the dispute. Official notification is the standard means for the opponents to be aware of

[1] Mouaouad Hammade Amine, «Conditions for accepting a lawsuit in light of the amendment to the Algerian Civil Procedure Code», Voice of Law Journal, University of Khemis Miliana, Volume 5, Number 20, 2020, P.137.

[2] Article 14 of the Civil and Administrative Procedures Code stipulates that "a lawsuit shall be filed before the court by means of a written, signed, and dated petition, deposited with the clerk's office by the plaintiff, his representative, or his attorney, in a number of copies equal to the number of parties."
Article 15, for its part, outlines the information that must be included in the opening petition, stating, "The opening petition must include, under penalty of formal inadmissibility, the following information:the judicial authority before which the lawsuit is filed, the name, surname, and domicile of the plaintiff, the name, surname, and domicile of the defendant. If the defendant has no known domicile, his last known domicile, a reference to the name and nature of the legal entity, its registered office, and the capacity of its legal and contractual representative, a brief presentation of the facts, claims, and means upon which the lawsuit is based, and reference, where appropriate, to the documents and papers supporting the lawsuit."

[3] To view and register on the digital platform for the exchange of scientific data and civil memoranda approved by the Algerian Ministry of Justice, visit the link: https://tadjrib.mjustice.dz/login.php.

the procedures[1]. Through notification, the procedures reach the parties, such that the judicial document is not considered to have judicial effect unless it is legally and correctly served, which is through the judicial officer, who is the person appointed by law to carry out this task. Therefore, the legislator organized this process in the Civil and Administrative Procedures Law in a way that generates real knowledge among the parties, in order to achieve the universal principle of the right to defense[2].

Regarding the digitization of this procedure, the new amendment to the Code of Civil and Administrative Procedure, pursuant to Law No. 22/13 of July 12, 2022, did not address it in detail. It merely referred to Article 840, as amended by the same law, stating the necessity of notifying the parties of the procedures taken and the investigative measures by all legally available means, including electronic means. This is the same provision referred to in Article 931 of the same law regarding notification of urgent cases brought before the administrative judiciary. On the other hand, Law No. 06-03 of February 20, 2006, regulating the profession of judicial bailiff[3], was amended by Law No. 23-13 of August 5, 2023[4]. Article 18 of this law requires judicial bailiffs to adopt digitization and to record and store paper and electronic documents. They may use the electronic signature and certification technology established by Law No. 15-03 of February 1, 2015, relating to the modernization of justice[5], and the possibility of signing electronically in accordance with Articles 14 and 33 of the same law. The

[1] One of the most important established principles is the principle of respecting the right to defense. This principle imposes a fundamental duty: summoning the opponent to appear before the court at the session scheduled to hear the case so that they can prepare their defense. The legislator has allocated the form and information for summons to appear in Chapter Three of Book One. Article 18 of the Civil Procedure Code stipulates the basic information that the summons must include:
- The name and surname of the court bailiff, their professional address, seal, signature, and the date and time of official notification. This is for several reasons, the most important of which is to ensure the court bailiff's jurisdiction, which falls within the jurisdiction of the court to which they belong. It also ensures compliance with the deadlines set for notification, as stated in the second paragraph of Article 16. A minimum of 20 days must be observed between the date of delivery of the summons and the date set for the first session. This period is extended to three months if the person summoned resides abroad, unless the law provides otherwise.
- The name and surname of the plaintiff and his/her domicile, so that the person summoned to appear can identify the party with whom he/she is litigating.
- The name, surname, and domicile of the person summoned to appear.
- The name and nature of the legal entity, its registered office, and the capacity of its legal or contractual representative.
- The date and time of the first hearing, so that the person summoned to appear can prepare their defense and attend the hearing.

[2] Chami Yacine, «Official notification as a guarantee to establish the right to defense in legal disputes», Journal of Legal Studies, University of Saida, Volume 5, Number 1, 2018, P.232.

[3] Law No. 06-03 of February 20, 2006, regulating the profession of judicial bailiff, published in the official Journal No. 14 on March 08, 2006, as amended and supplemented.

[4] Law No. 23-13 of August 5, 2023, amending and supplementing Law No. 06-03 of February 20, 2006, regulating the profession of judicial bailiff, published in the official Journal No. 52 on August 09, 2023.

[5] Law No. 15-03 of February 1, 2015, relating to the modernization of justice, published in the official Journal No. 06 on February 10, 2015.

issue of electronic official notification was also stipulated in the preliminary draft to amend the Civil and Administrative Procedures Law, which was prepared by the Ministry of Justice even before the issuance of the 2022 amendment. The draft referred to the issue of electronic official notification by the judicial bailiff (which it called the judicial registrar) in civil and administrative cases electronically pursuant to Articles 406 and following thereof[1]. This requires examining the reality of official notification in its current form and the challenges that may arise in the event that the electronic method is adopted in notifications.

**Third Subtitle: Challenges and Practical Issues**

Despite the progress made in the digitization of civil procedures, several on-the-ground challenges still hinder the full and effective implementation of this transformation. The most notable challenges include:

1. Regarding electronic filing of lawsuits, we note that the legislation does not detail the procedural provisions for this important procedure, and is content with stating the possibility of resorting to this method in administrative lawsuits without the slightest detail.

2. Regarding official notification, we have noted the adoption of official notification in its electronic form, particularly through the following legal texts:

- Law No. 22/13 of July 12, 2022, amending and supplementing the Code of Civil and Administrative Procedure, which stipulates in the amended Article 840 the necessity of notifying the parties of the procedures taken and the investigative measures by all legally available means, including electronic means. This is the same provision referred to in the amended Article 931 of the same law regarding notification of urgent cases brought before the administrative judiciary.

- Amending Law No. 06-03 of February 20, 2006, regulating the profession of judicial bailiff, pursuant to Law No. 23-13 of August 5, 2023. Article 18 requires judicial bailiffs to adopt digitization, record, and archive paper and electronic documents. They may use the electronic signature and certification technology established by Law 15-03 of February 1, 2015, relating to the modernization of justice, and the possibility of signing them electronically, in accordance with Articles 14 and 33 of the same law.

[1] «Electronic Litigation System Project: Working sessions between the Ministry of Justice and representatives of the National Union of Lawyers», an article published by the Algerian Press Agency on its website: www.aps.dz, Posted on: Tuesday, March 23, 2021, accessed on: January 29, 2025.

- The preliminary draft amendment to the Code of Civil and Administrative Procedure, prepared by the Ministry of Justice even before the 2022 amendment, referred to the issue of electronic official notification by judicial bailiffs in civil and administrative cases, electronically, pursuant to Articles 406 et seq. On this basis, the question of the nature of the obligation of the judicial bailiff charged with notification is strongly raised, which will change from an obligation to achieve a result to an obligation to exercise due diligence, since the normal methods of official notification require the judicial bailiff to deliver the judicial documents in a physical receipt witnessed by the signatures of the opponents, and the date of which is proven by the records and documents prepared for this purpose, while in the case of electronic notification, the role of the judicial bailiff is limited to sending the message to the opponent to be notified, without being obligated to guarantee his receipt of the notified petition, which is a problem that the currently applicable texts have not undertaken to clarify nor the procedural solutions that regulate it.

3. Weak technical and human framework dedicated to the process, so that many judges and court employees have not received adequate training in using digital tools and platforms, which has made many courts so far still relying almost entirely on paper-based procedures[1].

4. Weak confidence in digital procedures, so that some lawyers and litigants are skeptical of digital platforms due to fears of data loss or manipulation.

5. E-litigation raises the issue of protecting the confidentiality of information related to court files. Even when encrypted, the information may be compromised in the context of what is known as computer hacking by third parties. These third parties may seek to electronically spy on the files and documents submitted, or may resort to electronically destroying the submitted documents, rendering them completely or partially unusable and reducing their performance value. In addition to the deliberate destruction of files, which is often caused by viruses embedded in hidden software that can be tampered with or without the owner's knowledge, judicial files may also be contaminated with viruses due to negligence, especially in light of the lack of the culture of protecting electronic data in Algeria with effective and reliable software[2].

[1] Awad Amal Fawzy Ahmed, «The Challenges of Digital Justice in the Civil Courts», Journal of Legal Studies and Research, M'sila University, Volume 5, Number 2, 2020, P.63.

[2] Fadel Aicha, «Data Security in Digital Litigation», Journal of Law and Political Sciences, University of Khenchela, Volume 10, Number 1, 2023, P.1212.

## TITLE 2: Digitization of Criminal Judicial Procedures in Algeria

The digitization of criminal judicial procedures in Algeria reflects a growing effort to modernize the penal justice system in line with global legal and technological trends. While civil justice has seen more structured digital integration, the criminal justice sector remains cautious due to its sensitive nature and constitutional guarantees. This section begins by analyzing the legal foundations and principles that underpin digital reforms in criminal proceedings **(First Subtitle)**. It explores how the existing legal framework supports or limits digital tools like Electronic Public Prosecution and Electronic surveillance during investigation and inquiry procedures **(Second Subtitle)**. The goal is to understand both the progress made and the complexities that hinder full digitization in criminal justice **(Third Subtitle)**.

### First Subtitle: Legal basis and Foundations

The digitization of criminal justice procedures in Algeria is part of a broader national policy aimed at modernizing the justice system. However, it presents unique challenges due to the sensitive nature of criminal proceedings and their close link to fundamental rights such as due process, the presumption of innocence, and individual liberties. Several legal and administrative instruments provide the foundation for this digital shift.

#### 1. The International legal basis for digitizing criminal justice in Algeria

Algeria has ratified several international agreements whose content includes the concept of electronic litigation in criminal cases, as a mechanism adopted by the state in the process of investigations, hearing witnesses, and the conduct of various lawsuits, such as the United Nations Convention against Transnational Organized Crime, which is the first and most important international law regulating this issue.

We find that it addressed the concept of remote litigation through Article 18, Clause 18, which states as follows: "...at the request of the other State Party, a hearing shall be held by videoconference, if it is not possible or desirable for the person concerned to appear in person in the territory of the requesting State Party. States Parties may agree that the hearing shall be conducted by a judicial authority of the requesting State Party and attended by a judicial authority of the requested State Party."[1].

[1] Algeria ratified this Convention by presidential Decree No. 02-55, dated on February 5, 2002, ratifying, with reservations, the United Nations Convention against Transnational Organized Crime, adopted by the United Nations General Assembly on November 15, 2000, published in the official Journal No. 09 on February 10, 2002.

In the same context, Article 20, paragraph 1 of the same Convention stipulates that: “Each State Party shall, if the basic principles of its domestic legal system so permit, take, within the limits of its capabilities and in accordance with the conditions provided for by its domestic law, the necessary measures to enable the appropriate use of controlled delivery, as well as the use of other special investigative techniques, such as electronic or other forms of surveillance and covert operations, by its competent authorities within its territory for the purpose of effectively combating organized crime.”.

Thus, it can be said that this convention constituted the first legal text that formed an international basis for the digitization of criminal justice in Algeria.

## 2. National legal basis for the digitization of criminal justice

The process of modernizing the criminal judiciary began with the issuance of Law 15-03 of February 1, 2015, relating to the modernization of justice, previously mentioned. This legislative text allowed the use of information and communication technologies in the criminal judiciary, by stating in Chapter 3 the possibility of sending judicial documents and procedures electronically. Article 9 of this law stipulates the possibility of sending documents and procedures electronically, in addition to the methods used in the Code of Civil and Administrative Procedure and the Code of Criminal Procedure. This is provided that it is possible to verify the confidentiality of correspondence and the integrity of documents, and the possibility of storing them in a manner that allows for identifying the date of sending and the date of receipt.

Chapter Four of the same law also includes the possibility of using remote video chat during judicial proceedings. The use of remote chat technology is permitted in investigations and trials, subject to the need to adhere to confidentiality and ensure reliability. The legislator then concluded the law with two punitive provisions related to the unlawful use of another person's personal data and the continued use of an electronic certificate after its expiration or cancellation.

In the same context, the Code of Criminal Procedure was amended by Ordinance No. 15-02[1], and ordinance No. 20/04[2]. Pursuant to these two amendments, the law now allows witnesses and experts to be heard via

[1] Ordinance No. 15-02 dated July 23, 2015 amending and supplementing ordinance No. 66-155 containing the Code of Criminal Procedures, published in the official Journal No. 40 on July 23, 2015.
[2] Ordinance No. 20-04 dated August 30, 2020 amending and supplementing ordinance No. 66-155 containing the Code of Criminal Procedures, published in the official Journal No. 51 on August 31, 2020.

videoconference and to be kept in the proceedings file to protect the witness or expert. This also allowed for remote trials in light of the health conditions that the world experienced in 2020.

It should be noted that before that, The Penal Code was also amended to criminalize tampering with data systems, with the issuance of Law No. 15/04 amending the Penal Code[1]. This is the first text to criminalize acts of fraud and entering and remaining in automated processing systems, as Section 7 bis (Articles 394 bis to 394 bis 08) was included under the heading of tampering with automated data processing systems.

In the same vein, Law No. 04/09 on the prevention of crimes related to information and communication technologies was issued on August 5, 2009[2]. This law defined the concept of crimes that undermine public confidence in electronic documents, listed the forms of assault and infringement, established controls for monitoring, inspecting, and destroying data with criminal content, and created the National Authority for the Prevention of Crimes Related to Information and Communication Technologies.

This is in addition to the issuance of Law No. 07/18 relating to the protection of natural persons in the field of processing personal data, dated June 10, 2018[3], which defined the data that may be processed and accessed, the rights of its owner, and the methods of its preservation. The legislator limited the processing of personal data to the judiciary and managers of public interests. This law also established the National Authority for the Protection of Personal Data and placed it directly under the authority of the President of the Republic. This follows the issuance of Law No. 05/18 of May 10, 2018[4], regarding e-commerce. This law established a legal basis for stimulating the use of technology in commercial and investment activities. After defining concepts and obligations, it included certain criminalization rules and penal and administrative penalties.

**Second Subtitle: Manifestations of Digitization in Criminal Justice**

The digital transformation of Algeria's criminal justice system has been reflected in several practical applications, including:

[1] Law No. 04-15 of November 10, 2004 amending and supplementing ordinance No. 66-156 of June 8, 1966 containing the Penal Code, published in the official Journal No. 71 on November 10, 2015.
[2] Law No. 09-04 of August 5, 2009, containing special rules for the prevention and combating of crimes related to information and communication technologies, published in the official Journal No. 47 on August 16, 2009.
[3] Law No. 18-07 of June 10, 2018 relating to the protection of natural persons in the field of processing personal data, published in the official Journal No. 34 on June 10, 2018.
[4] Law No. 18-05 of May 10, 2018 relating to e-commerce, published in the official Journal No. 28 on May 16, 2018.

## The reality and prospects of digitizing judicial procedures in Algeria

### 1. Electronic Public Prosecution

Algeria adopted the use of videoconferencing technology for the first time in the field of international judicial cooperation[1], to enhance communication and efficiency, particularly in cross-border cases. this technology was stipulated then by the legislature in Order No. 15/02 amending the Code of Criminal Procedure in Chapter VI of Part II, Book I, under the heading "Initiating Public Prosecutions and Conducting Investigations," in Article 65 bis 27[2].

This system relies on a fiber optic network that connects all courts, councils, and penal institutions across the country. Therefore, remote videoconferencing is permitted in judicial investigations or during trials. Defendants in misdemeanor cases and detainees in penal institutions can also be heard, easing their transportation requirements.

It is worth noting that the law No. 15/03 of February 1, 2015, on the modernization of justice, mentioned above, addresses:

- Establishing a central information system for the Ministry of Justice.

- Sending judicial documents and papers electronically.

- Using remote videoconferencing technology in judicial proceedings.

This procedure was widely used in courts, councils, and penal institutions during the quarantine period that the country experienced in order to prevent the spread of the Covid19 pandemic. During this period, Order No. 20/04 amending the Code of Criminal Procedure was issued, which explicitly stipulated in Book Two bis, entitled “The Use of Audio-Visual Communication Means During Procedures,” in Articles 441 bis to 441 bis 11, specifying the procedures for using visual means during the investigation phase and during the trial phase.

It is worth noting that there are objective and technical conditions for implementing remote videoconferencing technology[3]. These conditions are as follows:

- The proper administration of justice.

- Maintaining public safety and health.

[1] This was done by Presidential Decree No. 02/55 concerning Algeria's ratification, with reservations, of the United Nations Convention against Transnational Organized Crime, adopted by the United Nations General Assembly on November 15, 2000, mentioned above.

[2] This new procedure introduced videoconferencing technology, both audio and video, pursuant to Law No. 15/03 of February 1, 2015, on the modernization of justice.

[3] Article 441 bis of the aforementioned ordinance No. 20/04.

- Respecting the principle of reasonable time limits or prompt adjudication of the case, as this is considered one of the basic guarantees of a fair trial.

- Respecting the rights and freedoms guaranteed by law to the accused, most importantly the right to defense.

- Remote videoconferencing technology must ensure the confidentiality and integrity of communication, as it cannot be conducted via social media or unsecured networks.

- Capturing a complete and clear view of the trial proceedings. All statements must be recorded on an electronic medium and attached to the proceedings file.

Regarding the scope of e-trials in the criminal field, it should be clarified that they are used in remote criminal investigations and trials, particularly in the areas of hearing witnesses and remotely trying defendants.

## 2. Electronic surveillance during investigation and inquiry procedures

Electronic surveillance is an investigative measure used in serious crimes[1], where investigation is difficult. This measure is derived from Article 20 of the United Nations Convention against Transnational Organized Crime, which states that "Each State Party shall, within the limits of its capabilities and in accordance with the conditions provided for in its domestic law, take the necessary measures to enable the appropriate use of controlled delivery and, where appropriate, the use of special investigative techniques such as electronic surveillance or other forms of surveillance." This measure is a method through which wired and wireless communications can be monitored to identify and locate the criminal, by eavesdropping on the conversations and correspondence of perpetrators of electronic crimes without their knowledge.

As for the definition of electronic surveillance, there is no definition for it in the Code of Criminal Procedure, the Anti-Corruption and Prevention Law[2], or Law No. 09/04 on the Special Rules for the Prevention and Combating of Crimes Related to Information and Communication Technology[3]. Rather, the matter of defining it has been left to jurisprudence, which in turn has not

[1] The serious crimes, for which this procedure may be resorted to, in accordance with Article 65 bis 05 of the Code of Criminal Procedure, are "drug crimes, transnational organized crimes, crimes against automated data processing systems, money laundering crimes, terrorism crimes, crimes related to exchange legislation, and corruption crimes."

[2] Law No. 06/01 of February 20, 2006 on the prevention and fight against corruption, published in the official Journal No. 14 on March 08, 2006, as amended and supplemented.

[3] Law No. 09/04 on the Special Rules for the Prevention and Combating of Crimes Related to Information and Communication Technology, previously mentioned.

established a unified and comprehensive definition of the term "electronic surveillance". Some have defined it as "a procedure in which private conversations are intentionally recorded and listened to, whether directly or indirectly, i.e., whether they are exchanged between people face to face or via wired or wireless means of communication.[1]" Some have defined it as "the process of monitoring the confidentiality of wired and wireless correspondence within the framework of research and investigation into a crime and collecting evidence and information about suspects or participants in committing a crime." In addition, it has been defined as "the work carried out by the observer using electronic technology to collect information about the suspect, whether a person, place, or thing.[2]" Based on these definitions, it can be said that electronic surveillance is a means of collecting data and information about the suspect, which is carried out by the electronic observer.

Under Algerian law, electronic surveillance is characterized by a number of characteristics that are fundamentally different from the investigative methods and procedures used by criminal investigators in ordinary crimes. These characteristics are as follows:

**- Confidentiality of electronic surveillance**

This means that electronic surveillance is conducted secretly, without the consent or knowledge of the person concerned. This is to preserve the confidentiality and privacy of conversations and correspondence, to ensure the implementation of the law on the one hand, and to protect personal freedoms on the other. A number of conditions have been established to ensure the procedure is secure, including the requirement that the procedure include a surveillance permit, the conversations and correspondence to be monitored, and the identities of the monitored individuals[3].

**- Infringement of an individual's right to the confidentiality of correspondence and electronic communications**

This characteristic reveals the seriousness of electronic surveillance. Eavesdropping on an individual's private conversations and calls allows the eavesdropper to penetrate their psyche, invade their mind, eavesdrop on their thoughts and intentions, and ascertain their feelings and emotions.

[1] Antar Asmaa and Hitala Maamar, « Special research and investigation methods - electronic surveillance as a model», Mediterranean Dialogue Journal, University of Sidi Bel Abbès, Volume 11, Number 3, 2021, P.422.
[2] Warda Charef Eddine, « The legitimacy of special investigative methods used in combating cybercrime in Algerian legislation», Al-Moufakir Journal, University of Biskra, Volume 12, Number 2, 2017, P.540.
[3] Warda Charef Eddine, aforementioned article, P.544.

Therefore, the seizure of messages, writings, witness testimony, interrogations, and other procedures are not considered surveillance.

**- The purpose of conducting surveillance is to obtain non-physical electronic evidence**

The primary objective of the criminal investigator in taking this measure is to obtain evidence that contributes to uncovering the mystery of cybercrimes and confirming the evidence obtained through investigation and research, so that the crime committed in cyberspace can be attributed to the accused. Therefore, monitoring private conversations in the search for evidence is not permitted unless the investigator has serious evidence that needs to be supported by such surveillance.

**- Relying on Specialized Devices for Conducting Electronic Surveillance**

Rapid technological development has contributed to the emergence of modern and advanced electronic surveillance equipment and devices, which have greatly facilitated the process of monitoring correspondence. Therefore, electronic surveillance cannot be implemented unless it is carried out by one of the devices designated for this purpose.

**3. Electronic Monitoring (Ankle Bracelets)**

Penal institutions are considered the realistic framework within which penalties and custodial measures are implemented. They are entrusted with several functions, including the reform and rehabilitation of those convicted within these institutions and their reintegration into society. At the same time, they achieve deterrence for the offender and others who attempt to attack the systems of society[1].

However, these institutions face a set of challenges that hinder their implementation, especially in light of the overcrowding that most prisons witness at the level of The world, including Algeria, and the resulting multiple negative effects, such as the spread of diseases, the failure of programs provided to inmates, and the inability to classify inmates, not to mention the negative effects on the convict, whether from the economic, social, or psychological aspect, and thus the prisoner becomes unable to adapt to society[2].

[1] Munira Bint Hammoud Al-Mutlaq, «Electronic monitoring: An applied jurisprudential study», Journal of the Faculty of Sharia and Law, Tefahna Al-Ashraf – Dakahlia, Al-Azhar University, Volume 25, Number 03, 2022, P.2219.

[2] Mahdaoui Mohamed Salah and Asouad Yacine, «Electronic surveillance system in Algerian legislation», Journal of the Department of Legal and Political Research and Studies, University Center of Tipaza, Volume 5, Number 3, 2021, P.07.

Therefore, it was necessary for comparative criminal legislation to consider adopting a contemporary penal policy aimed at implementing short-term custodial sentences outside the prison walls. And achieving efficiency and effectiveness in the rehabilitation and reform of convicts, and the starting point was in French legislation, where the placement under electronic monitoring was proposed as one of the modern methods of penal treatment, which was adopted by the Algerian legislator under Law No. 01/18 dated January 30, 2018 amending and supplementing the Law on the Organization of Prisons and the Social Reintegration of Prisoners[1], and that is in Chapter Six "Adapting the Punishment" in Section Four entitled "Placement under Electronic Monitoring" specifically in Articles from 150 bis to 150 bis 13, which requires detailing what is meant by the electronic bracelet and the legal system that regulates it.

By referring to these articles, we find that the legislator defined electronic monitoring as "a procedure that allows the convict to serve all or part of the sentence outside the penal institution, which consists of the convict wearing, for the entire period mentioned in Article 150 bis, an electronic bracelet that allows controlling his presence in the place of residence specified in the status decision issued by the judge enforcing the penalties." Based on this definition, we conclude that the electronic bracelet is one of the modern alternatives to short-term imprisonment sentences. Its essence is for the convict to serve the sentence imposed on him, in whole or in part, outside the walls of the penal institution by obligating him to wear an electronic bracelet that allows knowledge of his presence in the place and time specified by the competent authority.

## Third Subtitle: Legal and Practical Challenges

Despite the significant progress made in digitizing criminal procedures in Algeria, several structural and practical challenges continue to hinder the full realization of this ambitious reform. The integration of digital tools into the criminal justice system must be carried out in a manner that safeguards the core principles of a fair trial and protects the rights of all parties involved -an objective that remains only partially fulfilled within the current Algerian context-.

One of the foremost concerns relates to the compatibility of remote trials with fundamental fair trial guarantees. Confidential and effective communication between defense attorneys and their clients is a cornerstone

[1] Law No. 18-01 of January 30, 2018 amending and supplementing Law No. 05-04 of February 6, 2005, containing the law regulating prisons and the social reintegration of prisoners, published in the official Journal No. 05 on January 30, 2018.

of the right to a defense. However, this is often compromised in virtual court settings, where secure and private channels of communication are either insufficient or nonexistent. Additionally, technical limitations- such as poor audio and video quality -can seriously impair the ability to hear witness testimonies or legal arguments, undermining the integrity of the proceedings. Compounding these concerns is the lack of explicit legal provisions that afford defendants the right to refuse remote hearings, especially in complex or sensitive cases, raising doubts about whether consent to such procedures is genuinely informed and voluntary.

The legislative framework governing digital criminal procedures also remains incomplete and fragmented. While certain technologies, such as electronic monitoring via ankle bracelets, have been introduced, the legal regulation surrounding their use is still vague and underdeveloped. Moreover, the treatment of digital evidence -such as emails, video files, and social media data- continues to suffer from a lack of clear legal definitions and procedural standards within Algerian criminal law. This uncertainty extends to police or forensic reports that are electronically signed, whose legal validity has yet to be conclusively established, thereby casting doubt on their admissibility in court.

Equally problematic is the lack of effective coordination between key institutional actors within the criminal justice chain. Prosecutors, courts, police units, and correctional facilities frequently operate on disparate digital platforms that are not interoperable, resulting in inefficiencies, duplicated efforts, and delays in case management. The absence of a unified, real-time digital interface impedes the smooth flow of information and disrupts the continuity required for a coherent and responsive justice system.

Cybersecurity threats further compound these institutional and legal challenges. As courts and judicial offices increasingly rely on digital infrastructure, they become vulnerable to data breaches, unauthorized access, and even manipulation of digital case files. This is particularly troubling in jurisdictions where cybersecurity investment is limited or where awareness of digital threats remains low. Moreover, the Algerian judiciary currently lacks specialized units tasked with securing digital court systems and protecting sensitive judicial data, highlighting a critical gap in institutional preparedness.

In sum, while Algeria’s move toward digitalizing criminal justice procedures holds considerable promise, its success hinges on addressing a range of legal, technical, and organizational deficiencies. A holistic approach that balances technological innovation with legal safeguards, inter-

institutional coordination, and robust cybersecurity is essential to ensure that digital transformation reinforces -rather than undermines- the principles of justice.

## Conclusion:

Digital transformation in the justice sector is no longer a matter of convenience or experimentation; it has become a strategic imperative that reflects the evolving demands of contemporary governance. In an era where efficiency, transparency, and citizen engagement are paramount, digital justice emerges as a powerful lever for institutional reform. It not only streamlines procedures and reduces administrative burdens but also helps build public trust in the judicial system by making access to justice faster, more transparent, and more responsive. This study set out to examine the state of judicial digitization in Algeria, focusing on both civil and criminal justice processes, with the goal of identifying achievements, shortcomings, and avenues for further development.

The findings reveal that Algeria has indeed embarked on a meaningful path toward judicial digitization. Legal reforms have been introduced, and various digital platforms have been implemented, marking a departure from traditional, paper-based systems. Innovations such as remote trials, electronic case filing, and digital case management are beginning to reshape the way justice is administered. However, a closer look reveals a disparity in the pace and scope of digitization between the civil and criminal justice branches. Civil procedures have benefited from a coherent and structured approach, while the criminal justice system has advanced more cautiously, often constrained by legal sensitivities, technical limitations, and institutional resistance to change.

This transformation, though promising, faces a number of persistent challenges. Infrastructural disparities continue to undermine the effectiveness of digital initiatives, particularly in less-developed judicial districts. Many courts lack the necessary technological infrastructure to support remote hearings or digital case processing, creating an uneven playing field. Digital literacy among judicial personnel remains limited, slowing down the adoption and effective use of new technologies. Additionally, poor coordination between the different actors in the justice system -such as prosecutors, police, prison administrations, and courts- further hinders seamless digital integration. At the legal level, gaps remain in the regulatory framework, particularly concerning emerging concepts like electronic evidence, remote hearings, and data protection. These legal blind

spots generate uncertainty and limit the full operationalization of digital justice.

Furthermore, public and professional trust in digital platforms remains tentative. Concerns about cybersecurity, data integrity, and system reliability often create hesitation among legal professionals and citizens alike. This hesitancy highlights a broader issue: digital justice is not simply about acquiring technology or automating traditional procedures. It requires a cultural and institutional shift in how justice is conceptualized and delivered. It demands a mindset that values transparency, efficiency, user accessibility, and accountability through intelligent interaction between judicial actors and society.

For Algeria to fully realize the potential of digital justice, a multi-faceted approach is essential. This includes not only updating the legal framework to explicitly recognize and regulate digital procedures and evidence but also investing in modern infrastructure and cybersecurity capabilities. A unified, secure digital ecosystem that connects all stakeholders in the justice chain - courts, prosecutors, police, penitentiaries, and forensic experts- is critical. At the same time, the judiciary must invest in human capital by equipping judges, clerks, and lawyers with the necessary skills to operate effectively in a digital environment. Public awareness campaigns should also be launched to inform citizens about their rights and responsibilities in a digital justice system, thereby strengthening public confidence and user engagement.

Strategic planning will play a vital role in ensuring the sustainability and scalability of this transformation. A long-term national strategy, supported by measurable goals, institutional coordination, and regular assessment, will provide the foundation for continuous innovation and improvement. Public-private partnerships can further enhance the development of tailored digital justice solutions that reflect Algeria’s specific legal and institutional context, while academic institutions can serve as incubators for research and innovation in the field of legal technology.

Looking ahead, the vision for Algeria’s justice system should not merely stop at digitization, but it should aspire toward building a model of "smart justice" grounded in intelligent, data-driven decision-making. Advanced technologies such as artificial intelligence can be harnessed for legal research and predictive case management, while blockchain can offer secure, immutable record-keeping of judgments and evidence. Virtual courtroom simulations, 3D hearings, and automated legal drafting tools may also become part of the judicial toolkit. However, realizing such a vision requires first laying a solid institutional and legal foundation.

## The reality and prospects of digitizing judicial procedures in Algeria

Algeria stands today at a critical juncture. While the country remains in the formative stages of digital justice, the trajectory it follows will determine whether digital transformation becomes a marginal experiment or a core pillar of equitable, effective, and modern justice delivery. If the current structural, legal, and human resource challenges are addressed with determination and foresight, Algeria has the potential to join the ranks of countries that have made digital governance a central tenet of justice reform in the 21st century.

**Reference list:**

**- Articles:**


1. Antar Asmaa and Hitala Maamar, « Special research and investigation methods - electronic surveillance as a model», Mediterranean Dialogue Journal, University of Sidi Bel Abbès, Volume 11, Number 3, 2021.
2. Awad Amal Fawzy Ahmed, «The Challenges of Digital Justice in the Civil Courts», Journal of Legal Studies and Research, M'sila University, Volume 5, Number 2, 2020.
3. Bakour Nadia, «Authentic Electronic Writing and Electronic Signature in the field Of Proving Smart Contracts», Journal of Legal and Social Sciences, University of Djelfa, Volume 7, Number 2, 2022.
4. Chami Yacine, «Official notification as a guarantee to establish the right to defense in legal disputes», Journal of Legal Studies, University of Saida, Volume 5, Number 1, 2018.
5. Fadel Aicha, «Data Security in Digital Litigation», Journal of Law and Political Sciences, University of Khenchela, Volume 10, Number 1, 2023.
6. Islam Abdel Moneim Al-Sayyad, «Electronic Litigation via Electronic Means: A Comparative Study», Legal Revue, Cairo University, Faculty of Law (Khartoum Branch), Volume 17, Issue 3, 2023.
7. Gherbi Ahcen, «Public utilities during the COVID-19 pandemic: between continuity and disruption», Algerian Journal of Law and Political Sciences, University of Tissemsilt, Volume 5, Number 3, 2020.
8. Mahdaoui Mohamed Salah and Asouad Yacine, «Electronic surveillance system in Algerian legislation», Journal of the Department of Legal and Political Research and Studies, University Center of Tipaza, Volume 5, Number 3, 2021.
9. Messirdi Sid Ahmed and Saidi Khadidja, «The e-Algeria Project: Reality and Challenges», Journal of Management and Development for Research and Studies, University of Blida 2, Volume 2, Number 2, 2021.
10. Mouaouad Hammade Amine, «Conditions for accepting a lawsuit in light of the amendment to the Algerian Civil Procedure Code», Voice of Law Journal, University of Khemis Miliana, Volume 5, Number 20, 2020.
11. Munira Bint Hammoud Al-Mutlaq, «Electronic monitoring: An applied jurisprudential study», Journal of the Faculty of Sharia and Law, Tefahna Al-Ashraf – Dakahlia, Al-Azhar University, Volume 25, Number 03, 2022.
12. Warda Charef Eddine, « The legitimacy of special investigative methods used in combating cybercrime in Algerian legislation», Al-Moufakir Journal, University of Biskra, Volume 12, Number 2, 2017.

**- Thesis or memory:**

1. Belkacem Abdellah, Electronic documents as a means of proving electronic contracts: a comparative study, Master's thesis in law, Branch: International Business Law, Faculty of Law and Political Sciences, University of Tizi Ouzou, 2013.
2. -Iyad Muhammad Arif Atta Seddah, The extent of the validity of electronic documents as evidence: a comparative study, Magister's Thesis in Private Law, Faculty of Graduate Studies, An-Najah National University, Nablus, Palestine, 2009.

**- Legal texts:**

1. The United Nations Convention against Transnational Organized Crime, adopted by the United Nations General Assembly on November 15, 2000, ratified, with reservations, by presidential Decree No. 02-55, dated on February 5, 2002, published in the official Journal No. 09 on February 10, 2002.
2. Ordinance No. 75/58 of September 26, 1975, containing the Algerian Civil Code, Official Journal No. 78, issued on September 30, 1975, as amended and supplemented.
3. Law No. 04-15 of November 10, 2004 amending and supplementing ordinance No. 66-156 of June 8, 1966 containing the Penal Code, published in the official Journal No. 71 on November 10, 2015.
4. Law No. 06/01 of February 20, 2006 on the prevention and fight against corruption, published in the official Journal No. 14 on March 08, 2006, as amended and supplemented.
5. Law No. 06-03 of February 20, 2006, regulating the profession of judicial bailiff, published in the official Journal No. 14 on March 08, 2006, as amended and supplemented.
6. Law No. 09-04 of August 5, 2009, containing special rules for the prevention and combating of crimes related to information and communication technologies, published in the official Journal No. 47 on August 16, 2009.
7. Law No. 15-03 of February 1, 2015, relating to the modernization of justice, published in the official Journal No. 06 on February 10, 2015.
8. Ordinance No. 15-02 dated July 23, 2015 amending and supplementing ordinance No. 66-155 containing the Code of Criminal Procedures, published in the official Journal No. 40 on July 23, 2015.
9. Law No. 18-01 of January 30, 2018 amending and supplementing Law No. 05-04 of February 6, 2005, containing the law regulating prisons and the social reintegration of prisoners, published in the official Journal No. 05 on January 30, 2018.
10. Law No. 18-05 of May 10, 2018 relating to e-commerce, published in the official Journal No. 28 on May 16, 2018.
11. Law No. 18-07 of June 10, 2018 relating to the protection of natural persons in the field of processing personal data, published in the official Journal No. 34 on June 10, 2018.
12. Ordinance No. 20-04 dated August 30, 2020 amending and supplementing ordinance No. 66-155 containing the Code of Criminal Procedures, published in the official Journal No. 51 on August 31, 2020.

13. Law No. 22-13 of July 12, 2022, amending and supplementing Law No. 08-09 of February 25, 2008, containing the Code of Civil and Administrative Procedure, Official journal No. 48 issued on 17 July 2022.
14. Law No. 23-13 of August 5, 2023, amending and supplementing Law No. 06-03 of February 20, 2006, regulating the profession of judicial bailiff, published in the official Journal No. 52 on August 09, 2023.
15. Presidential Decree No. 10/236, issued on October 7, 2010, regulates public procurement, published in the official Journal No. 58 on October 7, 2010 (Cancelled).
16. Presidential Decree No. 15/247, issued on September 16, 2015, regulates public procurement and public service delegation, published in the official Journal No. 20 on September 20, 2015.
17. Decision of the Minister of Finance issued on November 17, 2013, regarding the definition of the content of the electronic portal for public procurement, the methods for its management, and the electronic exchange of information, published in the official Journal No. 27 on April 9, 2014.

**- Internet websites:**

1. «Electronic Litigation System Project: Working sessions between the Ministry of Justice and representatives of the National Union of Lawyers», an article published by the Algerian Press Agency on its website: www.aps.dz, Posted on: Tuesday, March 23, 2021, accessed on: January 29, 2025.