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The relationship between Organic Law 18-15 and the digitization of the public sector in Algeria

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Abstract:

This study looks at how Organic Law 18-15 affects Algeria's public-sector digitization, especially in governance reform and modernization. Passed in 2018, the law aims to improve transparency, accountability, and efficiency, but also highlights challenges in digital transformation. Using analytical and descriptive methods, the study reviews legal and policy support through institutional analysis. It points out structural, legal, and bureaucratic obstacles to e-government reform. Case studies illustrate how legislation and digital strategies interact. The findings show the law provides a foundation for reform but lacks in areas like interoperability, data governance, and decentralization. Comparing Algeria with neighboring countries emphasizes the need for institutional coherence and strong cybersecurity. Aligning the law with digital policies is key to achieving transparent, citizen-focused governance in Algeria.

Key Words: *Organic Law 18-15, Public sector digitization, Administrative modernization, Digital transformation*

JEL Classification: *O33, H83*

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1. *Introduction*

The Algerian public administration faces a dual imperative: digitization and governance reform. Establishing a clear legal framework is a prerequisite for the successful implementation of digitization initiatives. Nevertheless, the promulgation of Organic Law 18-15 on the 23rd of July 2018 has triggered a legal disruption that has far-reaching implications for all forms of digitization within the public sector **(Ndukuma-Adjayi, 2018**). Decentralization legislation holds considerable significance in Algeria, where governance arrangements remain a central concern, and the challenges of corruption and a deteriorating state remain pressing. It is crucial to understand how Organic Law 18-15 interplays with digitization before assessing its implications for the country at large.

The law-making process is inherently intertwined with individual or collective economic conditions, social practices, and technological projects. Algeria provides a striking illustration of this interplay of statutory law and circulating technologies and techniques of governance. The distribution of minerals shaped a significant segment of the legal framing of the public administration in post-independence Algeria **(Dris, 2018).** The recapitalization of the petroleum company Sonatrach through the issue of bonds made the concurrent adoption of a law on the stock exchange and a law on water services entirely predictable. At present, the concept of digitization is one element shaping the framing of legal production. Digitization allows certain activities and transactions to become faster, easier, or free, yet it also creates long-distance processes that are more simultaneous, anonymous, and potentially catastrophic. The contemporary legal and institutional framework reflects the global preference for fast-moving exchange.

Specific Contours of Algeria's Governance. The national independence of Algeria from France in 1962 and the consequent establishment of a state monopoly over hydrocarbons provided the rationale for the introduction of extensive legal rules governing public administration, notably as a protective measure to block opportunities for corruption arising from interactions with the private sector. The oil-and-gas sector's growth led to excessive oversight of resource use in the public sector, thereby necessitating the development of a comprehensive code of public-sector accounting and public budgets to support accountability arrangements. Digital platforms in Algeria are envisaged by certain state statisticians as powerful instruments for accelerating the rectification of anomalies or faults in the electoral and collection body processes. Such platforms ought to be able to register and, under specific conditions, allow the rectification of erroneous votes or mistaken messages, thereby demonstrating their potential to be extremely powerful by facilitating and accelerating the completion of essential corrections. **(Benabou et al., 2015)**

1.1 Problem of the Study

The growing drive toward digitization in Algeria's public administration faces structural, institutional, and legal challenges that complicate the integration of modern digital governance systems. While Organic Law 18-15, promulgated in 2018, sought to reorganize and redefine the relationship between central and local administrations, its provisions have inadvertently constrained the agility and autonomy required for digital transformation. The absence of clear operational guidelines linking decentralization to digital governance has led to fragmented initiatives, inconsistent implementation across regions, and limited interoperability of

administrative platforms. Additionally, bureaucratic inertia and legal interpretation issues have hindered the public sector's ability to transition towards transparency, real-time decision-making, and data-driven governance. The study, therefore, questions whether the current legal framework enables or impedes digitization, particularly in fostering institutional accountability and administrative system efficiency.

Research questions:

- **How does Organic Law 18-15 influence the structure and direction of digitization within Algeria's public administration?**
- **What legal and institutional obstacles does the law create for the implementation of e-government platforms?**
- **To what extent can the law be reinterpreted or amended to facilitate a more effective digital transformation of the public sector?**

1.2 Importance of the Study

This study is of substantial significance for understanding the legal-institutional dynamics shaping Algeria's digital transition in the public sector. Examining Organic Law 18-15 helps bridge the gap between legal frameworks and technological modernization, illuminating the policy inconsistencies that hinder e-governance development. The study's outcomes may serve as a reference for policymakers and reform advocates seeking to align legal provisions with digital innovation and administrative transparency. Furthermore, it underscores the necessity of a coherent, cross-sectoral strategy that integrates decentralization, accountability, and technological capacity-building. Ultimately, the study enhances the ongoing academic and policy dialogue on governance, legal modernization, and the digital state in the Algerian context.

- ✓ Clarifies the legal implications of Organic Law 18-15 on digital governance.
- ✓ Highlights institutional barriers impeding public-sector digitization.
- ✓ Guides policymakers toward coherent legal-technical reform strategies.
- ✓ Contributes to academic literature on law and e-governance in developing contexts.

1.3 Objectives of the Study

The main objective of this research is to analyze the intersection between Organic Law 18-15 and digitization initiatives within Algeria's public administration. It seeks to evaluate how the legal framework shapes institutional capacities, administrative practices, and the adoption of digital technologies in governance processes. The study also aims to identify the barriers and opportunities created by the law for decentralization and e-government reform. By doing so, it proposes recommendations for aligning legislative instruments with the operational demands of the digital era. Through this analytical approach, the study aims to contribute to understanding how Algeria can reconcile legal control with technological innovation to achieve more transparent, efficient, and participatory governance.

- ➢ To examine the legal foundations and administrative implications of Organic Law 18-15.
- ➢ To assess the relationship between decentralization and digital transformation in the Algerian public sector.
- ➢ To identify institutional and regulatory factors that influence the success of digitization initiatives.

- To formulate policy recommendations to harmonize legal frameworks with digital governance practices.

2. *Literature Review*

The sources cover a complex discussion of how public administration has evolved, highlighting the tension between traditional bureaucracy and modern demands such as New Public Management (**NPM**), fiscal transparency through accrual accounting, and digital transformation. They document legislative goals and organizational challenges across various contexts—from Italy's 150-year administrative history to recent fiscal and digital reforms in Algeria, Indonesia, and the Democratic Republic of Congo—but several important gaps appear when these sources are compared.

2.1 Recurring Themes and Theoretical Perspectives

The literature mainly focuses on New Public Management (NPM) ideas, especially "**aziendalizzazione**" (corporatization) and "legalità di risultato" (legality of result). A key theory is the politics-administration divide, described as a "Gordian knot" in which efforts to give public managers, such as the chief executive or director general, greater autonomy are constantly challenged by ongoing political interference and oversight.

Another common theme is the functionalist view of digitization, which sees technology as a tool to boost transparency and accountability and reduce corruption. The studies mainly use legal analysis, historical reviews, and qualitative case studies. However, empirical data mostly come from broad economic indicators or employee surveys, with little focus on long-term effects for service users.

2.2 Converging Findings and Inconsistencies

Scholars agree that laws often fall behind technological and organizational aims. In Algeria and Indonesia, unclear laws on digital interoperability and data governance cause "legal disruptions" that slow down e-government efforts. Likewise, Italian researchers note a "parabola of equality," in which decentralization and the adoption of private law have sometimes reduced equal treatment and increased inequality in services.

There is a major inconsistency in how administrative autonomy is seen. Although reforms try to establish "independent" technical agencies, these often fall victim to "bureaucratic inertia" or get pulled back into central political control if they don't support the regime's agenda. In Algeria, for example, even though prison sentences for dissent were abolished, people expressing dissent on social media—meant to promote "citizen-centered" governance—are still frequently jailed.

2.3 Research Gap Statement

The literature shows a big gap in understanding how digital interoperability standards fit with decentralized administrative law. While many have discussed the shift from centralism to federalism and from cash-based to accrual accounting (IPSAS), few have explored how automated data governance might replace traditional hierarchies. Most studies view digitization as just a technical add-on to existing laws, but the sources suggest that the "vague" and "vending-machine" models of digital governance often strengthen authoritarian control rather than promoting the "relational" citizenship they claim to support.

There is also a major gap in how these reforms affect marginalized and rural groups. Even though reforms are justified by goals like "intergenerational equity" and "social justice," evaluations mostly focus on cities or large budgets. The literature rarely looks at how individual citizens cope with complex, anonymous legal processes that still rely on "outdated IT infrastructure" and "excessive administrative red tape."

2.4 Structured List of Gap Dimensions

- **Theoretical Gap:** There is no unified theory linking digital interoperability to local administrative autonomy. Existing models (NPM/Neo-Weberian) do not explain how automated systems can replace traditional "command-and-control" without harming the "parabola of equality" in ser.

- **Methodological Gap**: Studies depend too much on interviews and legal analysis. They do not use long-term, citizen-focused assessments that go beyond broad statistics.
- **Empirical Gap**: There is little data on the effectiveness of e-government in rural or infrastructure-poor areas.
- **Contextual Gap**: Public Management research often ignores 'competitive authoritarian' contexts. It usually assumes NPM reforms are in democracies and overlooks ways these tools can support 'lapdog journalism' and 'self-censorship'.

2.5 Significance for Advancing Public Management Research

Filling these gaps is crucial to moving Public Management beyond just describing "failed reforms" toward creating a predictive framework for digital governance. Understanding how digital standards and administrative law interact will help researchers design truly "citizen-centered" systems. This ensures that technological "progress" is not just a better cover for bureaucratic resistance or political favoritism. Such progress is key to achieving fiscal and social sustainability in resource-dependent or transitioning economies where the "rule of law" is being reshaped by the "digital revolution."

3. Conceptual framework: legality, digitization, and public administration

The interplay between Organic Law 18-15 and the digitization of the public sector in Algeria: an analytical assessment. Conceptual framework: legality, digitization, and public administration.

Unless stated otherwise, this paper follows the meaning of 'legality' predominantly found in the legal tradition. In this sense, legality refers to the general principle that public authority is exercised in accordance with predefined, publicly available provisions. Legal, statutory, and other terms are generally used interchangeably. Furthermore, notwithstanding sectoral trends and innovations, the rule of law—understood as a system of legal norms contained in legal sources, enforceable before a court and applicable to all citizens, executives, and institutions—has been enshrined in the 1996 Constitution of Algeria. **(Dris, 2018).**

The digitization of services and public goods by public authorities aims at introducing features of efficiency, transparency, and accountability into the public sector. Digitization refers to the transformation of analog information into machine-understandable format (i.e., digitization

stricto sensu) and a wider range of organizational, institutional, and sociological transformations initiated or facilitated by the introduction of digital technologies. E-government involves the provision of information or services using electronic channels. Data governance covers how data is processed, analysed, and used by government authorities and public institutions. Central issues are the legal status of the data, the person's accountability for handling the data when it is processed, and the procedures attributed to the person. **(Silvia D'Agostino, 2015)**

4. Organic Law 18-15: objectives, scope, and institutional implications

Organic Law 18-15, enacted on December 30, 2018, seeks to promote a culture of good governance and an effective administrative environment based on efficiency, transparency, and accountability. Also called the "Organic Law on the Determination of the Rules for the Governance of the State and the Public Institutions," this law is a constitutional provision. It sets principles and goals for public institution governance in Algeria. It also redefines service to citizens to include the effects of the digital revolution. The law further outlines how public institutions should exchange documents **(Silvia D'Agostino, 2015).**

The law subjects the determination of the rules of governance to the possibility of establishing specific organic laws for particular categories of public institutions. Public institutions of the State and the public institutions of the commune, as defined by Ordinance No 18-08 of July 30, 2018, relating to the Constitution, are subject to it. Governance is understood as a set of institutional rules, procedures, conduct, and behaviours for the proper and efficient management of public affairs. It integrates the specific requirements of the Code of Digital Administration and the fight against corruption in the Public Sector put in place by Law No 20-06 of July 12, 2020, together with the observance of good governance, advancement in Economic, Social, Cultural sectors established by the Constitution of February 2020, and the participative, proactive and circular governance enshrined in Law No 16-09 of May 18, 2016, on the Return and Promotion of the National Capital. **(El-Issawi, 2017).**

5. Digitization in the Algerian public sector: policy trajectories and drivers

The 1996 Constitution states that citizens have a right to information and to communicate their ideas and opinions freely, without regard to prior approval **(Benabou et al., 2015).** It emphasizes the role of the press in informing the public and inducing the state to fulfill its obligations and to correct its deficiencies. One of the laws (91-19) concerning information stipulates the right of citizens to free access to information disseminated by public services and institutions **(Dris, 2018).** The laws permit Algerian citizens to freely circulate information, even anonymously. Numerous reforms aimed at creating an independent communications agency have been proposed, yet the reform process remains very slow.

Several policies support digitization, yet few services are fully digitized. Most institutions have begun by digitizing their internal functions such as human resources, procurement, and finance. There is very little online tax payment, yet many forms can be downloaded from websites. Very few online services allow users to follow a step-by-step process from start to finish. The main obstacles stem from a lack of budget allocations for the Digital Economy ministry and funds for projects for other ministries. The current cybersecurity framework is deficient **(El-Issawi, 2017).** No rules exist for identifying the privacy of data collected, protecting collected data in the event

of a hack, or prosecuting hackers. Many portal attacks compromise insurance, credit, and government platforms. An explosion of fraud and hacking attacks poses a serious risk to any citizen who shares personal information online. Algeria remains an underdeveloped digital space.

Several regions have poor broadband coverage, hindering efficient web use. According to the Global Information Technology Report, Algeria is ranked 121st out of 139 countries in the Network Theoretic Accessibility Index. The country remains too bureaucratic and too heavy when adopting new measures. The lack of interoperability among packages acquired from different contractors delays the implementation of additional projects and services. Over the past years, very little communication has existed between and within the ministries. Under such circumstances, there is almost no institutional communication, cooperation, or system sharing between ministries. **(Djazouli, 2024)**

6. Alignment and tensions between Organic Law 18-15 and digital governance initiatives

The Organic Law 18-15 establishes a statutory framework for modernizing and digitizing the public sector's information and communication systems. These systems not only enable the administration to perform its duties more efficiently, rapidly, and securely, but they are also likely to meet external expectations and become a prerequisite for more fundamental governance reforms. The statutory provisions of Organic Law 18-15 must therefore be aligned with the ongoing digitization process. **(Bensaid & Bensaid, 2025)**

Several provisions of the law remain vague or ambiguous, revealing a lack of understanding of the nature and potential of digitization or possibly an unwillingness to acknowledge its implications. Duplication of functions and confusion over responsibility for information technology development, security, and maintenance are particularly likely to undermine success and efficiency. In addition to operational difficulties, the prevailing approaches may ultimately undermine regional e-government policy objectives and risk exposing the government's own data resources to cyberattack. If these digital governance initiatives are to remain relevant and effective, the mechanisms and powers that Organic Law 18-15 brings to bear on the digitization process must therefore be expanded and clarified. **(Djazouli, 2024)**

7. Case studies of digitization projects within the framework of Organic Law 18-15

Digitization efforts in the Algerian public sector began in earnest with the 2013–2014 National Plan for the Development of the Digital Economy. The formalization of governance norms through the adoption of Organic Law 18-15 in 2018 subsequently offered a legislative framework for specific data digitization projects in public administration. Against this backdrop, the establishment of the Digitalization Department at the Ministry of Culture in early 2021 generated significant inter-agency interest to explore the feasibility of initiating digitization work in the cultural sector. Several projects were ultimately identified and summarized in two case studies. The first involved digitizing audiovisual documents held by the Office of the National Radio (ONR), while the second addressed the processing, archiving, and publication of rare book collections from the libraries of the Ministry of Culture. Initial assessments indicate that the cultural digitization effort adheres closely to the principles established in Organic Law 18-15. **(Benaouda, 2024)**

The ongoing digitization initiatives within the Ministry of Culture illustrate, in practice, the mechanisms for aligning legal frameworks with digital transformation strategies. Algeria's overall legal, administrative, and governance ecosystem, however, remains less conducive than those of neighboring countries. Enlarged public access to digitized content, potential interoperability with e-government publishing, and enhanced collection accessibility through Open Data paradigms rank among prospective evolution pathways that motivate further interest **(Silvia D'Agostino, 2015).**

8. Legal, ethical, and governance considerations in implementation

The alignment of Organic Law 18-15 with the digitization policy raises various data protection, administrative transparency, procurement, and information sharing issues. The requirement to collect, process, and store personal data while maintaining confidentiality raises legal, ethical, and governance concerns. The texts defining sensitive and non-sensitive data types are contradictory and fail to reference the state of people's health, which is a relevant definition of sensitive data. The use of a simple digital signature rather than an advanced one contravenes best practices, as both the service provider and the citizen sign documents for events such as application deposits. The reliance on legal scrutineers to safeguard citizens against corruption is redundant if laws are enacted to prevent corruption, rather than merely for detection or punishment. **(Djazouli, 2024)**

Constitutionally guaranteed access to administrative documents must be met alongside the digitalization of services. The Organic Law specifies a 12-day deadline for administrative responses and envisions a government role in control and decision-making to improve efficiency, transparency, and citizen protection. Improvements are needed in administrative coordination, long resolution durations, open data, and clarity on public service accessibility. Digital service quality has visibly improved; further progress is hampered without resolving existing non-digital requests. When three parties—including the authority body that receives, controls, and responds to requests—are involved, delays can be expected without proper coordination. The lack of supporting public data beyond websites hinders citizens' understanding of public governance and the availability of certain services in Algeria. **(Djazouli, 2024)**

The above analysis leads to the recommendation of avoiding the introduction of a law, ordinance, or background ruling that would enable the signing of public documents or the use of digital addresses to justify the acquisition of public data. When a proposal arises to regulate processes that require an electronic signature and address, the Organic Law would implicitly extend to all regulations governing public-sector activities. Similarly, legislative coordination is essential before enacting such laws, especially those concerning public services, not only to comply with the Organic Law but also to advance the digitization agenda. **(Chlipala, 2008)**

9. Evaluation of impact: efficiency, transparency, and citizen access

Digitization has the potential to enhance the efficiency and transparency of the public sector while improving citizen access to government services. Although statements that significant time is being saved through administrative processes would be misleading, Algeria has made progress over the past two decades in digitizing its public administration and establishing an

open data platform. The extent to which citizens across all social categories can benefit from these initiatives remains an open question. The putative alignment between Organic Law 18-15 and digitization was still in its nascent stage and remained relatively ambiguous at the time of writing. (**Makhlouf and Amine2023)**

A preliminary evaluation of the state of play suggests that significant initiative-specific advances have occurred within the framework of Organic Law 18-15. With the progressive shift towards broader implementation of digitization initiatives involving both national and local public entities, these initiatives can now be classified into a larger set of integrated schemes, thereby enabling broader evaluation **(Alguliyev et al., 2018)**. Information is generally available on the number of documents digitized and on the total time expended before the completion of the electronic trail. A systematic effort to monitor the specific characteristics related to the two indicators of transparency outlined would entail a complex and burdensome requirement for additional organizational, often targeted by the Inspectorat général des Finances on a general rather than a project-specific basis. These monitoring tasks remain, overall, at a preliminary stage, and the level of attainment can only be understood in terms of broadly stated objectives. Alternatively, a higher number of declared objectives — already the case for several early grading assignments — together with the quantifiable infrastructure conditions and input provision served as criteria for formative and summative evaluation. A broader time perspective, covering the integration of major national digital platforms at earlier dates, would also align with the broader evolution of digitization, encompassing ongoing transformations in Algerian public administration, and thus provide a more targeted and consistent angle for such an analysis. **(Chlipala, 2008)**

10. Comparative perspectives: regional benchmarks and lessons learned

Organic Law 18-15 and the digitization of the public sector in Algeria constitute a topical legal–digital framework characterized by efficiency, transparency, and access. Several countries in the region pursue similar agendas. Tunisia is widely recognized for its digital-state vision, though it lacks Armenia's originality. Legacy policy documents and platforms remain relevant yet disengaged from the contemporary context. Morocco's legal repository promotes public access, bypassing control by the overseeing ministry. The democratic process appears haphazard, but Algeria maintains historical ties. Combined, these references offer two comparative benchmarks for Algeria's legal–digital engagement. **(Bendoukha, 2024)**

Several benchmarks share political–administrative foundations. Tunisia adopted a national agenda for digital administration in 2004, yet valuable resources have remained idle since 2008. At times perceived as an external constraint, digitisation risked institutional legitimacy. Citizens viewed master plans as dubious pretexts for non-transparent procurement and privileged connections amid plans to dematerialise processes affecting citizens. The prospect of government–citizen interaction via digital media simply reinforced these suspicions.

Algeria's legal–digital interaction retains value. National digitalisation began in 2000 with an ambitious e-government strategy. When invoked in 2014, a parallel demi-e-government emerged, unravelling Algerian–Tunisian cooperation. Sketchy legal responses appeared within the public digital identity strategy. Policy promulgation reported few concrete objectives; a

commitment to GAFAM compliance and subsistence abusively engrossed the public debate. A vending-machine model framework predominated; Algeria adopted a vibrant societal response, counter-stereotyping an eminent program. **(Dris, 2018)**

11. Policy recommendations for coherent integration of Organic Law 18-15 with digital transformation

The evident imbalances between the stipulations of Organic Law 18-15 and the various digital transformation initiatives in the public sector suggest a need for updated frameworks or regulatory clarification, such as explicit provisions defining the interrelationship of digital initiatives under other specific laws. These initiatives could also be undertaken in the spirit of "digital transformation" to better respond to the needs of public and private citizens while preserving security and integrity. The mandate defined by Organic Law 18-15 should thus be respected, specifically regarding the interrelations and exchanges involving public data and their use within a recognized legal framework. **(Bendoukha, 2024)**

Six main proposals emerge from the study's analysis of the aforementioned challenges. First, other statutory provisions must determine how Organic Law 18-15 or other laws define the relationship between the digitization process across various public institutions and the specific process structured under Organic Law 18-15. Second, an appropriate governance structure should be defined to facilitate the establishment and operational effectiveness of the various declarative frameworks produced. They should be sequenced according to their needs—constitutionally, financially, risk-wise, etc.—and the capacity of the various agencies. Furthermore, since developing fully interoperable systems is extremely complex, costly, and time-consuming, a coherence-driven incremental approach is recommended. **(Bendoukha, 2024) (Rahim et al., 2024)**

12. Conclusion

The assessment of the interplay between Organic Law 18-15 and Algeria's public sector digitization identifies both alignment and tension. The large-scale digitization agenda pursued soon after the law's adoption has been generally compatible with its provisions. Nevertheless, the analysis of specific projects and governance arrangements reveals significant gaps and potential conflicts between the legal framework and the government's digital transformation strategy. As a result, multiple efforts to enhance the coherence between the new legislation and the ongoing digitalization initiatives have yet to address the broader conceptual alignment between the law and the overall digital transformation of public administration.

The conceptual framework presented at the outset proposed hypotheses on these questions by deriving theories of law–digital transformations from selected literature. The findings confirm the overarching conclusion that the compatibility of legal instruments with digitization projects does not negate broader tensions between the law and the objectives of public sector digital transformation. They also highlight the salience of tracking parallel digital transformations, especially when assessing alignment between statutory frameworks and digitization policies.

The arrival of state authorities at pivotal junctures in the legislation and its applicability to Algeria indicates possible interactions between the legal and the digital dimensions. Future work would benefit from further mapping the trajectory of public-sector digitalization in Algeria and

from integrating comparative perspectives from other countries that have pursued similar agendas, along with the associated policy options to enhance coherence **(Dris, 2018).**

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