

The Role of Administrative Judicial Review in Protecting Rights and Freedoms in Algeria

Fetnaci Abderrahmane

Associate Professor – A, University of 8 May 1945 - Guelma
Laboratory of Environmental Legal Studies, Fetnaci.abderrahmane@univ-guelma.dz
<https://orcid.org/0000-0001-7927-9048>

Chaouch Hamid

Professor
University of 8 May 1945 – Guelma, Laboratory of Environmental Legal Studies
chaouch.hamid@univ-guelma.dz, <https://orcid.org/0000-0002-7143-3335>

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Abstract

Public administration, in exercising its legal powers, undertakes various acts, some of which are material and others legal. However, it may sometimes exceed the boundaries of its legal authority, thereby adversely impacting the exercise of individual and collective rights and freedoms. This underscores the urgent necessity of establishing continuous administrative judicial review over administrative acts, accessible through actions for annulment or compensation, to guarantee the protection of the exercise of these rights and freedoms. Indeed, administrative judicial review is regarded as the most effective means of protecting individual and collective rights and freedoms from any form of arbitrariness that may be committed by the administration, considering that individuals tend to place greater trust in this form of review for the protection of fundamental rights and freedoms. Nevertheless, this review sometimes encounters obstacles that limit its effectiveness. This challenge has been addressed by the Algerian legislator under the Code of Civil and Administrative Procedure by granting extensive powers to the administrative judge, aiming to

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strike a balance between ensuring adequate protection for public rights and freedoms and maintaining public order.

Keywords:

Administrative Judicial Review, Rights and Freedoms, Public Order, Legality Review, Review of Administrative Police Powers.

Introduction

While administration, as a public authority, aims to achieve the public interest when carrying out its activities within the limits of its powers, it may, conversely and often, exceed the requirements of this authority or abuse its power, relying on justifications that are more factual than legal. This negatively affects the exercise of individual and collective rights and freedoms. This situation makes the establishment of permanent and continuous administrative judicial review over administrative acts, and facilitating access to this review through simple and inexpensive mechanisms, a matter of utmost importance to ensure adequate and appropriate protection for the exercise of rights and freedoms within legitimate frameworks.

This study holds significant importance, highlighted by the role of this review in achieving a balance between protecting constitutionally enshrined individual and collective rights and freedoms and preserving the requirements of maintaining public order. This raises the following research question:

To what extent is the Algerian administrative judiciary effective in ensuring adequate protection for individual and collective rights and freedoms?

To address this question, we will examine the following main sections:

- Section One: The Importance of Administrative Judicial Review in Protecting Rights and Freedoms and its Scope of Application.
- Section Two: The Powers of the Administrative Judiciary in Ensuring the Protection of the Exercise of Rights and Freedoms.

Section One: The Importance of Administrative Judicial Review in Protecting Rights and Freedoms and its Scope of Application

A state based on justice and law necessitates that all administrative actions and deeds, whether in ordinary or extraordinary circumstances, be subject to the scrutiny of the administrative judge. The latter works to nullify all unlawful administrative actions, thereby playing a prominent role in protecting constitutionally guaranteed individual and collective rights and freedoms. However, the exercise of this review by the administrative judiciary and its intervention in extending its oversight over the administration's material and legal acts occurs only within the scope of the powers granted to it by law. This is what we will discuss in some detail below:

Part One: The Concept of Administrative Judicial Review and its Importance in Protecting Public Rights and Freedoms

To guarantee adequate protection for individual and collective rights and freedoms, it is necessary to subject all administrative acts and actions to the review of administrative judicial bodies. This is termed administrative judicial review, which addresses and potentially nullifies all administrative actions contrary to the law, embodying the principle of legality. This raises questions about the concept of judicial review and its importance in protecting rights and freedoms, which we will address below.

Subsection One: Definition of Administrative Judicial Review and Public Rights and Freedoms

In this subsection, we will clarify the meaning of administrative judicial review as well as the public rights and freedoms that are the subject of this review, as follows:

First: Definition of Administrative Judicial Review

Administrative judicial review refers to the legal oversight of all administrative acts and actions in their substance, procedures, means, and objectives². It is considered one of the most important types of review as it is exercised by bodies independent of the administration and other authorities, characterized by impartiality and integrity, enabling it to play a prominent role in ensuring genuine protection of individuals' rights and freedoms. This review is manifested through various mechanisms differing in their strength and scope. It may sometimes involve examining the legality of an administrative decision upon a party's request, leading to its annulment, while at other times it involves awarding compensation for damages suffered by the plaintiff due to harmful material or legal acts of the administration.

Second: Definition of Public Rights and Freedoms

Most modern legislations and constitutions do not provide a precise definition of freedom, despite acknowledging the term. The Algerian constitutional founder, similar to other constitutions, included the term 'freedom' in the preambles of various constitutions and their successive amendments since independence.

Accordingly, freedom can be defined as the recognized capacity or ability of a human being to perform acts and actions independently. It is considered one of the determinants of self-determination through which individuals choose their personal actions, provided that any person's freedom coexists and is compatible with the freedom of others to preserve their security and safety³.

As for public rights, the French Declaration of the Rights of Man and of the Citizen of 26/08/1789 defined them in Article 4 as: "(Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those

² Shoukri, Abdessamad. (2010/2011). *Himayat Huquq al-Afrad 'ala Daw' al-Ijtihad al-Qada'i al-Idari al-Maghribi* [Protection of Individual Rights in Light of Moroccan Administrative Case Law]. Master's Research Paper in Public Law, Faculty of Legal, Economic and Social Sciences, Tangier, p. 13.

³ Sanah, Rabah. (2018). *Muhadarat fi al-Hurriyat al-'Ammah* [Lectures on Public Freedoms] (n.ed.). Bilqis Publishing House. Dar El Beida, Algeria, p. 13.

which assure to the other members of the society the enjoyment of the same rights. These limits can only be determined by law)".

The Universal Declaration of Human Rights also addressed them in Article 2, which states that everyone is entitled to all the rights and freedoms set forth in the Declaration without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Subsection Two: Determining the Importance of Administrative Judicial Review in Protecting Rights and Freedoms

Administrative judicial review is considered one of the most significant types of judicial oversight because it is exercised by a body independent of the administration, presumed to be impartial and honest, thereby constituting a genuine guarantee for the protection of individuals' constitutionally recognized individual and collective rights and freedoms. The administrative judiciary serves as a refuge for individuals seeking protection of their rights and freedoms against administrative arbitrariness, and it is an important mechanism for embodying the rule of law, wherein everyone, rulers and ruled alike, is subject to the supremacy of law⁴.

The importance of administrative judicial review in protecting fundamental rights and freedoms is evident through the specific nature of administrative disputes in general, which are often characterized by an inequality between the positions of the parties in the administrative lawsuit (the administration and individuals). The administration, by virtue of enjoying public authority privileges, is placed in a stronger position than the litigant opposing it, leading to its disputes being subject to distinct rules and procedures compared to those applied in ordinary courts. Thus, any individual whose rights or freedoms have been violated by the public administration can sue the latter before the administrative judiciary to recover the lost rights or freedoms, clearly demonstrating the importance of administrative judicial review in protecting individual rights and freedoms⁵.

We conclude that the importance of judicial review in protecting rights and freedoms is embodied in two key elements:

First: Protecting Rights and Freedoms as a Key Manifestation of the Principle of Legality
Guaranteeing the enjoyment of rights and freedoms is only conceivable within a state where all governing bodies are subject to rules that constrain them and hold supremacy over them, establishing a state of law characterized by justice and equality. In such a state, everyone, whether rulers or ruled, is subject to the authority of law – this is known as the principle of legality.

⁴ Jebri, Mohammed. (2021). *Nahwa Taf'il Raqabat al-Qadi al-Idari 'ala Nashat al-Idara al-'Umumiyya fi Majal al-Huquq wa al-Hurriyat* [Towards Activating the Administrative Judge's Review of Public Administration Activity in the Field of Rights and Freedoms]. *Al-Ihya Journal*, 21(29), p. 924.

⁵ Aouabdi, Amar. (2002). *Qada' al-Tafsir fi al-Qanun al-Idari* [Interpretive Jurisdiction in Administrative Law]. Dar Houma. Algiers, p. 9.

Legal rules are binding norms established to be respected, obliging the administration to observe and respect them. If the administration fails to comply and violates the principle of legality, all its acts and actions become potentially void, given that these legal provisions were established primarily to safeguard citizens' fundamental rights and freedoms ⁶.

Consequently, public administration, as the representative of the state's executive authority, must be subject to the law to maintain balance within society. This involves respecting the principle of legality on the one hand, and protecting citizens' fundamental rights and freedoms on the other, considering that the administration bears the responsibility for satisfying the public needs of individuals and ensuring their enjoyment of all constitutionally guaranteed rights and freedoms ⁷.

Furthermore, judicial review of administrative acts, whether legal or material, constitutes a mechanism for guaranteeing fundamental rights and freedoms. This review confronts all such administrative acts, particularly those related to individual rights and freedoms that violate legal provisions, once challenged by concerned parties, potentially rendering them unlawful acts requiring annulment ⁸.

However, it should be noted that while various Algerian constitutions and successive amendments since independence collectively emphasize respect for the principle of legality and the rule of law, the mere enshrinement of this principle in these constitutions is insufficient to protect fundamental rights and freedoms, whether individual or collective. It must be followed by its effective implementation by administrative agents, as law itself is intrinsically linked to fundamental rights and freedoms⁹.

Second: Balancing the Interests of the Citizen and the Interests of the Administration

One of the primary objectives pursued by the administrative judge, through exercising oversight over administrative actions, is ensuring a balance between the protection of individual and collective rights and freedoms on one side, and the realization of the public interest and the maintenance of public order on the other. This aligns with the objective the administration itself aims to achieve proactively when undertaking its activities across different domains.

However, it is pertinent to note in this context that the authority of the administrative judiciary to exercise oversight over the administration does not imply a conflict between the two bodies.

⁶ Benkada, Nouredine. (2014/2015). *Mabda' al-Mashru'iyya fi al-Qarar al-Idari* [The Principle of Legality in Administrative Decisions]. Master's Thesis, Faculty of Law and Political Science, Department of Law, Mohamed Khider University of Biskra, Algeria, p. 06.

⁷ Lahmidani, Taha. (2013/2014). *Al-Nizam al-'Amm lil-Hurriyat al-Fardiyya* [The Public Order of Individual Freedoms]. Doctoral Dissertation, Faculty of Legal, Economic and Social Sciences - Souissi, Mohammed V University, Salé, Morocco, p. 296.

⁸ Abdallah, Abdelghani Bassiouni. (1983). *Mabda' al-Musawah amam al-Qada' wa Kafalat Haqq al-Taqadi* [The Principle of Equality before the Judiciary and Guaranteeing the Right to Litigation]. Mansha'at al-Ma'arif. Alexandria, p. 25.

⁹ Salhi, Yahia. (2014/2015). *Al-Raqaba al-Qada'iyya 'ala A'mal al-Idara al-'Amm fi al-Tashri' al-Jaza'iri* [Judicial Review of Public Administration Actions in Algerian Legislation]. Master's Thesis, Specialization: Administrative Law, Faculty of Law and Political Science, Mohamed Khider University of Biskra, Algeria, pp. 70, 81.

Quite the contrary, the establishment of judicial review over administrative actions signifies that both entities – the administrative judiciary and the public administration as the executive authority – pursue a common objective: upholding the rule of law. Put differently, while each body possesses distinct roles, these roles are fundamentally complementary, mutually reinforcing, and collectively aimed at achieving a single, overarching goal. Judicial review was instituted to empower individuals to contest the legality of administrative activities¹⁰.

Based on the preceding discussion, we conclude that administrative judicial review is of paramount importance in the realm of protecting rights and freedoms. It constitutes one of the most significant guarantees provided by law to individuals, who are considered the weaker party in administrative disputes, enabling them to protect their constitutionally enshrined rights against a powerful administration vested with public authority privileges. As a result, challenging the administration through litigation has become a viable recourse for individuals, contrasting with previous attitudes. This empowers the administrative judge to play a crucial and undeniable role in restoring balance in favor of the weaker party – the litigant.

Part Two: Limits of Administrative Judicial Review in Protecting Rights and Freedoms and the Obstacles Encountered

It is well-established that the administrative judge cannot intervene *sua sponte* (on their own initiative) to adjudicate disputes between the administration and other entities, whether natural or juridical persons. Instead, the judge's fundamental role is limited to applying the law. This involves examining the administrative act challenged in a lawsuit initiated by parties possessing *locus standi* and ruling on its conformity with the law, thereby upholding the principle of legality. This process serves as a fundamental guarantee for the protection of individual and collective rights and freedoms. Nevertheless, this function may sometimes encounter impediments that curtail its efficacy in this sphere, necessitating remedial action. To elaborate further, we will address the following:

Subsection One: The Exclusive Jurisdiction of the Administrative Judge in Reviewing Administrative Actions for the Protection of Rights and Freedoms

General legal principles dictate that administrative actions must be subject to judicial review, and that the administrative judge should possess comprehensive jurisdiction in this field. This jurisdiction includes reviewing the administration's discretionary power and the appropriateness of the administrative decision in light of the grounds for its issuance. The judge's authority is not limited solely to annulling the administrative decision; it also extends to determining administrative liability for damages arising from such actions that have violated individuals' rights and freedoms.

¹⁰ Zerrougui, Leila. (1999). *Salahiyyat al-Qadi al-Idari 'ala Daw' al-Tatbiqat al-Qada'iyya lil-Ghurfa al-Idariyya lil-Mahkama al-'Ulya* [The Powers of the Administrative Judge in Light of the Judicial Applications of the Administrative Chamber of the Supreme Court]. *Nashrat al-Qada' [Judiciary Bulletin]*, No. 54, p. 177.

Within this framework, the administrative judge exercises comprehensive review (*raqaba shamila*) over both the material and legal actions of the administration, aiming to provide adequate protection for individual and collective rights and freedoms within a specific legal context. To effectuate this, the administrative judge adjudicates disputes that may arise between the administration and other entities. This form of review is one among several types of judicial oversight of administrative activity, distinguished by its unique forms and consequences compared to other oversight mechanisms¹¹.

The comprehensive scope of administrative judicial review over administrative actions requires examining both the external legality and internal legality of the contested administrative decision. This review extends to the decision's substance (*madmunuhu*) to evaluate its conformity with the principle of legality and the extent to which it protects public rights and freedoms from potential administrative arbitrariness¹².

Furthermore, the administrative judge wields broad discretionary power in defining the nature of the specific freedom at issue and delineating the content of public order requiring protection. In exercising this discretion, the judge takes into account the prevailing political, economic, social, and ethical conditions within society, along with the circumstances of time and place specific to the facts of each case. The judge critically examines whether the administrative measure undertaken genuinely aims both to maintain public order and to protect individual and collective public rights and freedoms¹³.

However, despite the extensive scope of the administrative judge's review over administrative actions, there exist limitations and obstacles that curtail the comprehensiveness of this review, necessitating the identification of effective means to overcome them. This will be addressed below:

Subsection Two: Obstacles Impeding the Authority of the Administrative Judge in Protecting Rights and Freedoms and Methods for Addressing Them

While it is acknowledged that administrative judicial review constitutes comprehensive oversight of administrative actions and represents a fundamental guarantee for the protection of constitutionally enshrined individual and collective rights and freedoms, achieving this objective can be hindered by several obstacles that limit its effectiveness, thereby requiring efforts to rectify them. This will be discussed briefly below:

First: Obstacles Impeding the Authority of the Administrative Judge in Protecting Rights and Freedoms

¹¹ Jebri, Mohammed (2021), *ibid.*, pp. 923-924.

¹² Jebri, Mohammed (2021), *ibid.*, pp. 923-924.

¹³ Aouabdi, Amar. (1994). *Amaliyyat al-Raqaba 'ala A'mal al-Idara* [The Process of Reviewing Administrative Actions]. Diwan al-Matbu'at al-Jami'iyya (OPU), p. 91.

Administrative judicial review is inherently a *subsequent* review , given that the administrative judge does not act *sua sponte* (on their own initiative) to protect rights and freedoms, even when serious violations or infringements of these constitutionally guaranteed rights and freedoms occur. Intervention is contingent upon the initiation of a lawsuit by an aggrieved party who meets the requirements for litigation, namely standing and interest . The judicial review exercised by the administrative judge over administrative activity is thus a review initiated upon request, not an automatic mechanism arising incidentally from the function of resolving administrative disputes. Furthermore, justice delayed by slow procedures constitutes an injustice to the litigant and negatively impacts the effectiveness of judicial review, potentially leading to the forfeiture of individual and collective rights and freedoms, in addition to eroding the credibility and public trust in the justice system among litigants¹⁴ .

In this context, administrative judicial review of the material and legal acts and actions of the administration serves as one of the most significant guarantees upholding the principle of legality. The administrative judge possesses the authority to review the legal and material actions undertaken by the administration and their potential diverse legal consequences affecting the interests of individuals. However, this review can only be realized subsequent to the filing of a lawsuit by those possessing the requisite standing and interest¹⁵ . This principle was affirmed by the 2020 Constitutional Amendment¹⁶ in Article 168, which stipulates: "The judiciary shall examine appeals against decisions of administrative authorities."

While the constitutional founder has attempted to furnish judges with constitutional and legal guarantees during the exercise of their duties and powers, potentially providing suitable professional conditions characterized by the necessary tranquility and impartiality – which would undoubtedly reflect positively on individual and collective rights and freedoms – it is crucial to note that these significant guarantees have primarily encompassed sitting judges but not public prosecutors. This constitutes a significant injustice towards the latter, despite their pivotal role in protecting both individual and collective rights and freedoms.

The fact that prosecutors do not enjoy these same guarantees represents a flagrant violation of a fundamental constitutional principle, namely the independence of the judiciary as a distinct branch of power. This inevitably impacts rights and freedoms negatively. The absence of a genuinely independent judicial authority dedicated to effectively upholding the principle of legality renders

¹⁴ Jebri, Mohammed (2021), *op. cit.* p. 925.

¹⁵ Jebri, Mohammed (2021), *ibid.* 13], p. 920.

¹⁶ Presidential Decree No. 20-442 of 30 December 2020, concerning the promulgation of the Constitutional Amendment approved in the referendum of 1 November 2020. *Official Gazette of the People's Democratic Republic of Algeria*, No. 82, 30 December 2020.

the individual and collective rights and freedoms affirmed by various constitutions, covenants, conventions, and international and regional charters mere ink on paper¹⁷.

Second: Methods for Addressing the Obstacles Impeding the Authority of the Administrative Judge in Protecting Rights and Freedoms

Given the obstacles and impediments confronting the administrative judge's authority in protecting rights and freedoms, it has become imperative to address these challenges and remove these barriers. This is necessary to create conducive conditions enabling the administrative judge to deliver justice through appropriate procedures during the course of litigation, thereby safeguarding individual and collective rights and freedoms¹⁸. However, realizing this requires several measures, the most important of which include:

- **Expediting Justice and Simplifying Procedures:** Providing genuine protection for constitutionally guaranteed individual and collective rights and freedoms against administrative authorities hinges upon the speedy resolution of disputes and the simplification of litigation procedures. To this end, Algeria has undertaken the digitization of the justice sector, recognizing it as one of the state's essential public services and a national priority. The state has prioritized its development and modernization to keep pace with the profound changes occurring globally and within Algerian society across all domains, particularly concerning the enhancement of administrative judicial review for the protection of individual and collective rights and freedoms¹⁹. This commitment was materialized through the enactment of Law No. 15-03 concerning the Modernization of Justice²⁰.

- **Ensuring Genuine Judicial Independence:** It is essential to work towards the effective realization of the administrative judge's independence, encompassing both organic (structural) and functional aspects. The independence of the judiciary is a human right before it is a right of judges themselves. Organic independence entails the absence of interference from any other authority in managing the judge's professional career, ensuring freedom from any form of control or domination. This manifests through several key aspects, including: appointment procedures, irremovability, transfer, and disciplinary processes. Functional independence refers to judges performing their judicial tasks and exercising their powers strictly according to the law, free from any pressures or threats that could compromise their integrity, impartiality, and security, thereby embodying the principle of separation of powers²¹. Perhaps the most concrete manifestation of genuine functional independence of the judiciary from both the legislative and executive branches is its exclusive authority to manage its own administrative and financial affairs without interference in any form from other branches. Financial

¹⁷ Jebri, Mohammed (2021), *op. cit.*, p. 929.

¹⁸ Farouk, Djamel (2006), *op. cit.*, p. 203

¹⁹ Fettnci, Abderrahmane (2022), *op. cit.* [Previous Reference], p. 637.

²⁰ Law No. 15-03 of 1 February 2015, concerning the Modernization of Justice. *Official Gazette*, No. 06, 10 February 2015.

²¹ Jebri, Mohammed (2021), *op. cit.*, p. 928.

independence is considered one of the fundamental pillars upon which true judicial independence rests²²

- Upholding the Principle of Irremovability: In this regard, the principle of the irremovability of judges represents the cornerstone of judicial independence and the tangible outcome of the effective implementation of the principle of separation of powers. For litigants, this principle constitutes one of the most effective guarantees for ensuring justice and protecting their individual and collective rights and freedoms from any form of arbitrariness or encroachment they might face from any authority, particularly the executive branch, especially if the latter possessed the power to remove a judge from exercising their legal functions²³. The immunity of judges from removal is considered one of the strongest factors supporting judicial independence. It enables judges to approach their duties with freedom and confidence, without fear, hesitation, or intimidation from other authorities, especially the executive. This leads to the effective realization of the principle of legality and provides the administrative judge with a fundamental assurance to pronounce the truth without fear when confronting threats to individuals' rights and freedoms stemming from the arbitrariness and injustice of the executive authority²⁴.

Section Two: The Powers of the Administrative Judiciary in Ensuring the Protection of the Exercise of Rights and Freedoms

The administrative judiciary possesses extensive powers concerning the material or legal acts issued by the administration. Through exercising these powers, it aims to uphold the principle of legality and guarantee the protection of individual and collective rights and freedoms. To this end, all administrative actions are subject to review by the administrative judiciary. This applies whether the actions involve procedures and measures issued by competent administrative authorities that restrict rights and freedoms to maintain public order, or other actions taken by these authorities in the exercise of their discretionary power. Such review operates through various legal mechanisms designed to strike a balance between guaranteeing the protection of rights and freedoms and preserving public order. This will be detailed below.

Part One: Judicial Review of Administrative Police Measures and its Role in Protecting Rights and Freedoms

In exercising their legal competencies and powers, competent administrative authorities undertake various acts, some material and others legal. They issue a range of measures and

²² Fettnaci, Abderrahmane (2025/likely 2023/2024), *ibid.* 21], p. 122.

²³ Fettnaci, Abderrahmane. (2025 - *Note: Year appears futuristic, likely a typo for 2023 or 2024*). Istiqlaliyyat al-Sulta al-Qada'iyya fi al-Jaza'ir wa Atharuha 'ala Nazahat al-'Amaliyyat al-Intikhabiyya [The Independence of the Judicial Authority in Algeria and its Impact on the Integrity of Electoral Processes]. *Al-Bahith Journal for Academic Studies*, 12(1), p. 132.

²⁴ Gherissi, Djamel. (2018). Hasanat al-Qadi didda al-'Azl fi al-Qanun al-Jaza'iri [The Judge's Immunity Against Removal in Algerian Law]. *Journal of Research and Studies*, 15(2), University of Chadid Hamma Lakhdar, El Oued, Algeria, p. 185.

procedures through which certain rights and freedoms are restricted for the purpose of maintaining public order. This function is termed administrative police .

However, these authorities may sometimes act arbitrarily when issuing these measures affecting individuals, particularly by failing to strike a balance between protecting rights and freedoms and maintaining order. To ensure this balance is achieved, it is necessary to subject these measures to the review of the administrative judiciary, whether they are issued under ordinary circumstances or exceptional circumstances. This will be addressed in some detail below:

Subsection One: The Role of Administrative Judicial Review of Administrative Police Measures in Ordinary Circumstances in Protecting Rights and Freedoms

Administrative police refers to the set of measures and procedures imposed by competent state authorities, whether central or decentralized, for preventive purposes aimed at ensuring a balance between guaranteeing the exercise of rights and freedoms and preserving public order. However, the implementation of these measures and procedures by competent authorities can have significant adverse consequences, potentially negatively impacting the private lives of individuals by restricting their individual and collective rights and freedoms.

In this context, given the importance of administrative police measures in potentially protecting public rights and freedoms from arbitrary actions by competent administrative authorities, it becomes essential to subject these measures to judicial review. This review should encompass scrutiny of their objectives to ascertain their actual realization²⁵ , in addition to review of their grounds/reasons and means , examining both their legality²⁶ and their appropriateness/proportionality (mada mula'amatiha - suitability review²⁷. This review takes several forms. The first form is the review for annulment, considered an effective mechanism for judicial oversight of administrative police measures on the one hand, and the best guarantee for individual and collective rights and freedoms against administrative police authorities, whether central or local, on the other.

The second form is the action for compensation , which adjudicates claims for compensation for damages resulting from harmful acts (legal or material) against individuals that may be issued by an administrative police authority in the context of protecting rights and freedoms.

From the foregoing, it can be stated that the administrative judge's review of administrative police powers in ordinary circumstances constitutes an important mechanism for achieving a balance between protecting individual and collective public rights and freedoms and maintaining public order with all its essential components.

²⁵ Abdallah, Abdelghani Bassiouni. (2003). *Al-Nazariyya al-'Amma fi al-Qanun al-Idari* [The General Theory of Administrative Law]. Mansha'at al-Ma'arif. Alexandria, Cairo, p. 402.

²⁶For more detail, see: Benlaghouini, Abdelhamid. (2003). *Dawr al-Qadi al-Idari fi Himayat al-Huquq wal-Hurriyat al-Asasiyya* [The Role of the Administrative Judge in Protecting Fundamental Rights and Freedoms]. Master's Thesis, Faculty of Law, University of Algiers, Algeria, p. 43.

²⁷ For more detail, see: Benlaghouini, Abdelhamid (2003), *ibid.* 25], p. 51.

Subsection Two: The Role of Judicial Review of Administrative Police Measures in Exceptional Circumstances in Protecting Rights and Freedoms

Administrative police authorities possess broad powers in exceptional circumstances, distinct from those granted in ordinary times, to confront these situations. And while these authorities are obligated to preserve public order and counter threats to it under these circumstances, they do not possess absolute power in doing so; rather, they are mandatorily subject to judicial review once a set of legal conditions are met.

The unconstrained exercise of powers and discretionary authority by administrative police under these conditions could significantly impair individuals' rights and freedoms, potentially even preventing their exercise. Thus, any deviation by administrative police authorities from respecting elements such as jurisdiction (*ikhtisas*), form and procedure (*shakl wa ijra'at*), or the subject matter (*mahall*) of the administrative decision under these circumstances does not, under any circumstances, mean the administration escapes the constraints of observing the requirements of the principle of legality. The administration must adapt its actions to the specific constraints (*dawabit*) necessitated by the exceptional circumstances, particularly concerning the necessity of stating the reasons (*tasbib*) for administrative decisions or other police measures and their objectives taken in this context; otherwise, all its actions are considered void. Merely invoking the existence of an exceptional situation is insufficient justification for the administration to infringe upon individuals' rights and freedoms²⁸.

It is noteworthy in this regard that the principle of legality is not excluded, suspended, or even halted during exceptional circumstances. Rather, its scope is adapted by the administrative judge and operates under judicial review, embodying the rule of law. This ensures that decisions by administrative police authorities remain continuously subject to administrative judicial review. The latter serves as a secure refuge (*malja' hasin*) for protecting rights and freedoms and a strong pillar (*rukn matin*) for establishing the state of right and law (*dawlat al-haqq wa al-qanun*) in such times. This is achieved by assessing the appropriateness/proportionality of the exceptional measures taken by administrative police authorities relative to the reasons that necessitated them²⁹.

Administrative judicial review works to verify the administration's adherence, in such circumstances, to the constraints and limits that cannot be exceeded, preventing the public administration from exploiting the exceptional situation to infringe upon individual rights and freedoms. On this basis, it can be said that the existence of exceptional circumstances and the

²⁸ Al-Khalayleh, Mohammed Ali. (2015). *Al-Qanun al-Idari, Al-Kitab al-Awwal* [Administrative Law, Book One] (1st ed.). Dar Al-Thaqafah for Publishing and Distribution. Amman, pp. 228-229.

²⁹ Baali, Mohamed Seghir. (2013). *Al-Qanun al-Idari* [Administrative Law] (n.ed.). Dar Al-Ulum for Publishing and Distribution. Annaba, Algeria, p. 318.

application of exceptional laws do not signify an abandonment of legality but require adherence to a special type of legality, termed "exceptional legality"³⁰.

Part Two: Mechanisms of Administrative Judicial Review of Administrative Actions and their Role in Protecting Rights and Freedoms

The protection of individual and collective rights and freedoms does not stop merely at their enshrinement in state laws; rather, mechanisms must be established that guarantee their protection and preservation from any infringements they might suffer, especially from administrative police authorities, given the nature of their activity and the gravity of the measures and procedures they implement in pursuit of protecting public order³¹.

The administrative lawsuit represents one of the legal mechanisms for protecting rights and freedoms, while simultaneously serving as a means to exercise judicial review over unlawful administrative actions. Given its importance in this field, all international and national legal systems related to human rights have recognized the right of recourse to the judiciary to challenge public authorities within the state, as a judicial means for protecting individuals' rights and freedoms³².

Within this framework, these administrative lawsuits vary within the Algerian judicial system and in their use as mechanisms to initiate judicial review. The action for annulment and the action for compensation are considered the most frequently used mechanisms by individuals to trigger the review of the administrative judge when their rights and freedoms are infringed upon. This is what we will address below:

Subsection One: Initiating the Action for Annulment and its Role in Protecting Rights and Freedoms

The action for annulment is considered one of the most important and effective administrative lawsuits in upholding the rule of law, protecting the principle of legality, and ensuring the protection of individuals' rights and freedoms³³.

It serves as a guarantee for individuals' rights and freedoms against the abuse of power (by the administration by annulling its unlawful decisions that violate individual rights and freedoms. It is also considered the effective tool for judicial review of administrative actions, compelling the administration to adhere to the provisions of applicable legal rules and respect its boundaries, for fear that its unlawful decisions might be annulled³⁴.

³⁰ Al-Sarayeh, Muslih Mamdouh. (2014). *Al-Qanun al-Idari, Al-Kitab al-Awwal* [Administrative Law, Book One]. Dar Al-Thaqafah for Publishing and Distribution. Amman, pp. 317-318.

³¹ Sharif, Mahmoud Saad Eddin. (1979). *Falsafat al-'Alaqa bayn al-Dabt al-Idari wal-Hurriyat al-'Amma* [The Philosophy of the Relationship between Administrative Police and Public Freedoms]. Dar Al-Kitab for Printing and Publishing. Cairo, p. 5.

³² Aouabdi, Amar. (2003). *Al-Nazariyya al-'Amma lil-Munaza'at al-Idariyya fi al-Nizam al-Qada'i al-Jaza'iri* [The General Theory of Administrative Disputes in the Algerian Judicial System]. Diwan al-Matbu'at al-Jami'iyya (OPU). Algiers, p. 312.

³³ Hasni, Dalila. (2005/2006). *Al-Aliyyat al-Qada'iyya li-Himayat Huquq al-Insan fi al-Jaza'ir* [Judicial Mechanisms for the Protection of Human Rights in Algeria]. Master's Thesis, Faculty of Law, University of Tlemcen, p. 96.

³⁴ Sedira, Nadjwa & Rahem, Farida. (2010, April 28-29). *Sultat al-Qadi al-Idari fi Da'wa Himayat al-Hurriyat al-Asasiyya* [The Powers of the Administrative Judge in the Action for the Protection of Fundamental Freedoms]. Paper presented at the

Given the seriousness and effectiveness of administrative judicial review for annulment in nullifying administrative decisions and terminating their legal effects, this review represents a certain guarantee for protecting individuals' rights and freedoms from tyranny, injustice, overreach, or arbitrariness by administrative authorities and bodies³⁵.

The administrative judge reviews the form and procedures related to the administrative decision to protect collective and individual rights and freedoms and ensure the public interest. For instance, expropriation for public utility is preceded by several procedures, the failure to undertake which results in the declaration of nullity of the administrative decision aimed at expropriation³⁶.

Furthermore, owing to the risk posed by the administration's discretionary power to public rights and freedoms when exercising its functions, the appropriateness/proportionality of administrative decisions taken by the administration that restrict public freedoms has been subjected to the review of the administrative judiciary, considered the best and most effective means of protecting individuals' rights and freedoms from administrative arbitrariness.

Subsection Two: Action for Compensation as a Mechanism to Uphold the Principle of Legality and Protect Rights and Freedoms

The action for compensation is considered one of the most significant administrative lawsuits owing to its practical and applied value. It serves as an effective judicial instrument for upholding the principle of legality and protecting and defending individual rights and freedoms against unlawful activities of public administration that are detrimental to the interests of individuals. For this reason, the administrative judiciary has made this mechanism available to individuals for the purpose of safeguarding their rights and freedoms by enabling them to hold the administrative authority accountable before the administrative judiciary³⁷.

In such cases, the administrative judge has the authority to review the extent of the administration's liability for its legal and material acts when these have caused damage infringing upon individual and collective rights and freedoms, with the aim of compelling the administration to provide compensation³⁸.

Within the scope of compensation jurisdiction, the administrative judge enjoys broader powers and authorities than those possessed within the annulment jurisdiction. This is because the judge's role in annulment proceedings is confined to examining the legality of the administrative decision.

International Symposium: The Role of the Administrative Judiciary in Protecting Fundamental Freedoms, University Center of El Oued, p. 11.

³⁵ Aouabdi, Amar. (2014). *Al-Qanun al-Idari* [Administrative Law] (Vol. 2, 6th ed.). Diwan al-Matbu'at al-Jami'iyya (OPU). Ben Aknoun, Algiers, p. 48 ff.

³⁶ Zerrougui, Leila. (2003). Dawr al-Qadi al-Idari fi Muraqabat Mada Ihtiram al-Idara lil-Ijra'at al-Muta'alliqa bi-Naz' al-Milkiyya al-Khasa lil-Manfa'a al-'Umumiyya [The Role of the Administrative Judge in Monitoring the Administration's Respect for Procedures Related to Expropriation of Private Property for Public Utility]. *Majallat Majlis al-Dawla [State Council Journal]*, No. 03, pp. 13-30.

³⁷ Al-Sanari, Mohammed Abd El-Aal. (n.d.). *Mabda' al-Mashru'iyya wal-Raqaba 'ala A'mal al-Idara: Dirasa Muqarana* [The Principle of Legality and Review of Administrative Actions: A Comparative Study]. Dar Al-Nahda Al-Arabiya. Cairo, p. 325.

³⁸ Sharqawi, Soad. (1980). *Al-Mas'uliyya al-Idariyya* [Administrative Liability]. Dar Al-Ma'arif. Cairo, p. 100.

Moreover, annulment review is restricted to legal acts, excluding material acts, whereas in an action for compensation, the administrative judge possesses the authority to investigate and ascertain the manner in which public rights and freedoms have been infringed upon by the administration.

Consequently, holding the administration liable for compensating damages arising from its harmful acts complements the administrative judge's role in protecting rights and freedoms. This involves striving to achieve a balance between the requirements of public order and the imperatives of protecting public rights and freedoms. The administrative judge does not prioritize public order at the expense of public freedoms, nor sacrifice the freedoms established for individuals merely to guarantee the protection of public order; rather, the judge endeavors to strike a balance between the two³⁹.

Subsection Three: Urgent Proceedings as a Mechanism for Protecting Public Rights and Freedoms

Judicial protection for public rights and freedoms can only be effectively realized through swift procedures. The inherent slowness of procedures associated with the action for annulment often renders it inadequate for providing rapid protection. This inadequacy led the Algerian legislator to adopt an alternative mechanism: the urgent administrative action, often referred to as summary or expedited proceedings.

Within this framework, under the Code of Civil and Administrative Procedure⁴⁰, the Algerian legislator introduced provisions designed to expand the administrative judge's powers in protecting rights and freedoms against potential administrative arbitrariness. However, the judge presiding over urgent proceedings can only exercise these powers if specific conditions are met, the most prominent being the existence of urgency. Failure to meet any of these conditions limits the effectiveness of the urgent proceedings judge's role in providing protection for public rights and freedoms.

The administrative judge in urgent proceedings now possesses the authority to order necessary measures aimed at safeguarding fundamental freedoms when they are violated by public legal persons or bodies subject to the jurisdiction of administrative courts during the exercise of their powers. This applies specifically when such violations constitute a serious and manifestly unlawful infringement of those freedoms⁴¹.

Ensuring the protection of individual rights and freedoms does not solely depend on the mere issuance of a judgment annulling unlawful administrative decisions that infringe upon these rights and freedoms, or ordering the administration to pay compensation for damages resulting from its harmful acts. Rather, it extends to the effective enforceability of those judgments against the

³⁹ Melloui, Zine. (2003). *Al-Huquq wal-Hurriyat fi Dhill al-Hukm al-Rashid* [Rights and Freedoms under Good Governance]. *Al-Haqiqa Journal*, University of Adrar, Algeria, No. 03, December 2003, p. 418.

⁴⁰ Law No. 08-09 of 15 February 2008, comprising the Code of Civil and Administrative Procedure. *Official Gazette*, No. 21, 23 April 2008. (As amended and supplemented).

⁴¹ Article 920 of Law No. 08-09, comprising the Code of Civil and Administrative Procedure, previously cited [i.e., #39].

administration. This enforcement is considered a crucial means of upholding respect for the law and affirming the independence of the judiciary. Accordingly, the Algerian constitutional founder has mandated all competent state bodies to ensure the enforcement of judicial judgments under all circumstances and at all times⁴².

Conclusion

We conclude from this research paper that administrative judicial review plays a prominent role in the protection of rights and freedoms. It is considered the most effective means of embodying the principle of legality and the rule of law, and the true refuge for protecting fundamental individual and collective rights and freedoms from all forms of arbitrariness that may emanate from the administration, whether through the annulment of unlawful administrative acts or by compelling the administration to provide compensation for damages inflicted upon individuals. This stems from the fact that individuals tend to place greater trust in this form of review for the protection of fundamental rights and freedoms, owing to the knowledge, integrity, and independence demonstrated by the judiciary when exercising its oversight.

However, this review sometimes encounters certain obstacles that limit its effectiveness. This challenge has been addressed by the Algerian legislator under the Code of Civil and Administrative Procedure by granting extensive powers to the administrative judge to ensure adequate protection for public rights and freedoms, specifically by providing for mechanisms enabling the administrative judge to oversee the enforcement of judgments, recognizing that this does not fundamentally conflict with the principle of separation of powers.

Based on this study, we have reached several key findings, summarized as follows:

Results:

- The exercise of public freedoms frequently encounters limitations imposed by administrative authorities, often justified by the imperative to preserve public order in all its facets.
- Judicial review of administrative actions is an essential necessity for safeguarding public rights and freedoms.
- Judicial review serves as an effective mechanism for upholding the principle of legality and constitutes the primary recourse for protecting fundamental individual and collective rights and freedoms against potential administrative arbitrariness.

Suggestions:

- Enhancing the legal and practical realization of the principle of judicial independence and impartiality, shielding judges from undue pressure when reviewing administrative actions, particularly those affecting rights and freedoms.

⁴² Article 178 of the 2020 Constitutional Amendment states: ("All competent state bodies are required at all times, in all places, and under all circumstances, to ensure the enforcement of judicial judgments").

- Emphasizing the specialized training and development of judges within the administrative judiciary.
- Administrative judges should prioritize achieving a balance between the imperative of protecting rights and freedoms and the necessity of maintaining public order when exercising their review of administrative actions.

References

I. Primary Legal Sources:

- Constitutions:
 - Presidential Decree No. 20-442 of 30 December 2020, concerning the promulgation of the Constitutional Amendment approved in the referendum of 1 November 2020. *Official Gazette of the People's Democratic Republic of Algeria*, No. 82, 30 December 2020.
- Legislation:
 - Law No. 08-09 of 15 February 2008, comprising the Code of Civil and Administrative Procedure. *Official Gazette*, No. 21, 23 April 2008. (As amended and supplemented).
 - Law No. 15-03 of 1 February 2015, concerning the Modernization of Justice. *Official Gazette*, No. 06, 10 February 2015.

II. Secondary Sources:

- Books:
 1. Abdallah, Abdelghani Bassiouni. (2003). *Al-Nazariyya al-'Amma fi al-Qanun al-Idari* [The General Theory of Administrative Law]. Mansha'at al-Ma'arif. Alexandria, Cairo.
 2. Abdallah, Abdelghani Bassiouni. (1983). *Mabda' al-Musawah amam al-Qada' wa Kafalat Haqq al-Taqadi* [The Principle of Equality before the Judiciary and Guaranteeing the Right to Litigation]. Mansha'at al-Ma'arif. Alexandria, Cairo.
 3. Al-Khalayleh, Mohammed Ali. (2015). *Al-Qanun al-Idari, Al-Kitab al-Awwal* [Administrative Law, Book One] (1st ed.). Dar Al-Thaqafah for Publishing and Distribution. Amman.
 4. Al-Sanari, Mohammed Abd El-Aal. (n.d.). *Mabda' al-Mashru'iyya wal-Raqaba 'ala A'mal al-Idara* [The Principle of Legality and Review of Administrative Actions]. Dar Al-Nahda Al-Arabiya. Cairo.
 5. Al-Sarayreh, Muslih Mamdouh. (2014). *Al-Qanun al-Idari, Al-Kitab al-Awwal* [Administrative Law, Book One]. Dar Al-Thaqafah for Publishing and Distribution. Amman.
 6. Aouabdi, Amar. (n.d.). *Amaliyyat al-Raqaba 'ala A'mal al-Idara* [The Process of Reviewing Administrative Actions]. Diwan al-Matbu'at al-Jami'iyya (OPU).

7. Aouabdi, Amar. (2002). *Qada' al-Tafsir fi al-Qanun al-Idari* [Interpretive Jurisdiction in Administrative Law]. Dar Houma. Algiers.
8. Aouabdi, Amar. (2003). *Al-Nazariyya al-'Amma lil-Munaza'at al-Idariyya fi al-Nizam al-Qada'i al-Jaza'iri* [The General Theory of Administrative Disputes in the Algerian Judicial System]. Diwan al-Matbu'at al-Jami'iyya (OPU). Algiers.
9. Aouabdi, Amar. (2014). *Al-Qanun al-Idari* [Administrative Law] (Vol. 2, 6th ed.). Diwan al-Matbu'at al-Jami'iyya (OPU). Ben Aknoun, Algiers.
10. Baali, Mohamed Seghir. (2013). *Al-Qanun al-Idari* [Administrative Law] (n.ed.). Dar Al-Ulum for Publishing and Distribution. Annaba, Algeria.
11. Sanah, Rabah. (2018). *Muhadarat fi al-Hurriyat al-'Amma* [Lectures on Public Freedoms] (n.ed.). Bilqis Publishing House. Dar El Beida, Algeria.
12. Sharif, Mahmoud Saad Eddin. (1979). *Falsafat al-'Alaqa bayn al-Dabt al-Idari wal-Hurriyat al-'Amma* [The Philosophy of the Relationship between Administrative Police and Public Freedoms]. Dar Al-Kitab for Printing and Publishing. Cairo.
13. Sharqawi, Soad. (1980). *Al-Mas'uliyah al-Idariyya* [Administrative Liability]. Dar Al-Ma'arif. Cairo.

- Journal Articles:

1. Fettnaci, Abderrahmane. (2022). Tadhqiq Nizam al-Idara al-Elektroniyya fi Majal Tasyir al-Marafiq al-'Amma wa Bayan Tabi'at Athariha 'ala al-Mabadi' allati Tahkumaha [Assessment of the E-Administration System in Public Utilities Management and Clarification of its Effects on Governing Principles]. *Journal of Legal and Economic Studies*, 5(2). (in Arabic)
2. Fettnaci, Abderrahmane. (2025 - Note: Year appears futuristic, likely a typo for 2023 or 2024). Istiqlaliyyat al-Sulta al-Qada'iyya fi al-Jaza'ir wa Atharuha 'ala Nazahat al-'Amaliyyat al-Intikhabiyya [The Independence of the Judicial Authority in Algeria and its Impact on the Integrity of Electoral Processes]. *Al-Bahith Journal for Academic Studies*, 12(1). (in Arabic)
3. Gherissi, Djamel. (2018). Hasanat al-Qadi didda al-'Azl fi al-Qanun al-Jaza'iri [The Judge's Immunity Against Removal in Algerian Law]. *Journal of Research and Studies*, 15(2). University of Chahid Hamma Lakhdar, El Oued, Algeria. (in Arabic)
4. Jebri, Mohammed. (2021). Nahwa Taf'il Raqabat al-Qadi al-Idari 'ala Nashat al-Idara al-'Umumiyya fi Majal al-Huquq wa al-Hurriyat [Towards Activating the Administrative Judge's Review of Public Administration Activity in the Field of Rights and Freedoms]. *Al-Ihya Journal*, 21(29). (in Arabic)
5. Melloui, Zine. (2003). Al-Huquq wal-Hurriyat fi Dhill al-Hukm al-Rashid [Rights and Freedoms under Good Governance]. *Al-Haqiqa Journal*, University of Adrar, Algeria, No. 03, December 2003. (in Arabic)
6. Zerrougui, Leila. (1999). Salahiyat al-Qadi al-Idari 'ala Daw' al-Tatbiqat al-Qada'iyya lil-Ghurfa al-Idariyya lil-Mahkama al-'Ulya [The Powers of the Administrative Judge in Light of the Judicial

Applications of the Administrative Chamber of the Supreme Court]. *Nashrat al-Qada' [Judiciary Bulletin]*, No. 54. (in Arabic)

7. Zerrougui, Leila. (2003). Dawr al-Qadi al-Idari fi Muraqabat Mada Ihtiram al-Idara lil-Ijra'at al-Muta'alliqa bi-Naz' al-Milkiyya al-Khassa lil-Manfa'a al-'Umumiyya [The Role of the Administrative Judge in Monitoring the Administration's Respect for Procedures Related to Expropriation of Private Property for Public Utility]. *Majallat Majlis al-Dawla [State Council Journal]*, No. 03. (in Arabic)

- Theses and Dissertations:

- Benkada, Nouredine. (2014/2015). *Mabda' al-Mashru'iyya fi al-Qarar al-Idari* [The Principle of Legality in Administrative Decisions]. Master's Thesis, Faculty of Law and Political Science, Department of Law, Mohamed Khider University of Biskra, Algeria. (in Arabic)

- Benlaghouini, Abdelhamid. (2003). *Dawr al-Qadi al-Idari fi Himayat al-Huquq wal-Hurriyat al-Asasiyya* [The Role of the Administrative Judge in Protecting Fundamental Rights and Freedoms]. Master's Thesis, Faculty of Law, University of Algiers, Algeria. (in Arabic)

- Farouk, Djamel. (2006). *Al-Raqaba al-Qada'iyya 'ala A'mal al-Dabt al-Idari* [Judicial Review of Administrative Police Actions]. Master's Thesis, Faculty of Law, Badji Mokhtar University, Annaba, Algeria. (in Arabic)

- Hasni, Dalila. (2005/2006). *Al-Aliyyat al-Qada'iyya li-Himayat Huquq al-Insan fi al-Jaza'ir* [Judicial Mechanisms for the Protection of Human Rights in Algeria]. Master's Thesis, Faculty of Law, University of Tlemcen. (in Arabic)

- Lahmidani, Taha. (2013/2014). *Al-Nizam al-'Amm lil-Hurriyat al-Fardiyya* [The Public Order of Individual Freedoms]. Doctoral Dissertation, Faculty of Legal, Economic and Social Sciences - Souissi, Mohammed V University, Salé, Morocco. (p. 296).

- Salhi, Yahia. (2014/2015). *Al-Raqaba al-Qada'iyya 'ala A'mal al-Idara al-'Amm fi al-Tashri' al-Jaza'iri* [Judicial Review of Public Administration Actions in Algerian Legislation]. Master's Thesis, Specialization: Administrative Law, Faculty of Law and Political Science, Mohamed Khider University of Biskra, Algeria.

- Shoukri, Abdessamad. (2010/2011). *Himayat Huquq al-Afrad 'ala Daw' al-Ijtihad al-Qada'i al-Idari al-Maghribi* [Protection of Individual Rights in Light of Moroccan Administrative Case Law]. Master's Research Paper in Public Law, Faculty of Legal, Economic and Social Sciences, Tangier. (in Arabic)

- Conference Papers:

- Sedira, Nadjwa & Rahem, Farida. *Sultat al-Qadi al-Idari fi Da'wa Himayat al-Hurriyat al-Asasiyya* [The Powers of the Administrative Judge in the Action for the Protection of Fundamental Freedoms]. Paper presented at the International Symposium entitled: The Role of the

Administrative Judiciary in Protecting Fundamental Freedoms, at the Center... [Location/Full
Conference Details Missing]. (in Arabic)

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