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	Title of research article The Legal and Judicial Cooperation Agreement of the Arab Maghreb Union: Foundations, Mechanisms, and Implications for the Determination of International Jurisdiction in the Maghreb Legal Order
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Abstract The establishment of the Arab Maghreb Union (AMU) marked a turning point in regional integration efforts within North Africa, particularly in the harmonization of legal and judicial frameworks. Central to this project is the Legal and Judicial Cooperation Agreement, which provides a structured basis for resolving conflicts of jurisdiction among member states. This agreement represents a deliberate attempt to address the fragmentation of private international law within the Maghreb and to ensure judicial predictability in cross-border disputes. Ratified in Algeria by Presidential Decree No. 94-81 on 27 June 1994, the agreement sets forth common jurisdictional rules while preserving national legal particularities. This article critically examines the agreement's principles, scope, and impact. It evaluates the legal significance of its provisions, explores the balance between regional unification and national sovereignty, and highlights the challenges of practical implementation. By situating the agreement within both regional integration theory and comparative international law, the study underscores its contribution to the gradual construction of a regional private international law system. The findings indicate that while the agreement advances harmonization, its effectiveness depends on consistent national enforcement, institutional commitment, and a shared vision of legal integration. The research contributes to broader debates on legal regionalism, sovereignty, and the role of judicial cooperation in enhancing economic, political, and social integration in North Africa. It also provides recommendations for strengthening the agreement's role as a vehicle for unifying jurisdictional rules in the Maghreb and aligning them with global private international law practices.	
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Introduction:

The rules governing international jurisdiction in various countries serve as the framework that determines the cases in which national courts have the authority to hear disputes involving a foreign element. This authority does not

extend to matters falling under the jurisdiction of foreign courts. The importance of this framework stems from the fundamental role jurisdiction plays in regulating private legal relationships with an international dimension. Clarity and stability in jurisdiction rules lead to increased legal certainty and ensure judicial security for parties involved in cross-border dealings.

The international community quickly recognized that differences between national systems regarding jurisdiction rules create practical difficulties affecting the stability of international transactions. This recognition has driven continuous efforts to unify these rules or at least bring them closer together. Such efforts are evident within regional and economic blocs, such as the European Union, and in regional organizations like the League of Arab States. They are also reflected in bilateral and multilateral agreements aimed at setting common standards to facilitate the resolution of international disputes.

Within this context, the Legal and Judicial Cooperation Agreement of the Arab Maghreb Union, signed in Tripoli (Libya), emerged as an advanced step toward coordinating judicial rules among the states of the region. It represents a form of international judicial cooperation responding to an urgent need to regulate legal and judicial relations in a region characterized by strong historical, cultural, and economic ties.

The importance of this study lies in the fact that the topic of international jurisdiction has not received sufficient attention within private international law, unlike the conflict of laws issue, which has been extensively studied. For this reason, this research attempts to compare the rules of international jurisdiction applied by Algerian judicial bodies under the Code of Civil and Administrative Procedures with the jurisdictional rules set out in the Legal and Judicial Cooperation Agreement of the Arab Maghreb Union, especially Articles 33 and 34. The key research question is: **To what extent does the national judge have jurisdiction under the provisions of the Legal and Judicial Cooperation Agreement of the Arab Maghreb Union?**

This study is divided into two main parts. The first part discusses the criteria for international jurisdiction of Algerian judicial bodies. The second part examines the role of the Arab Maghreb Union's judicial cooperation agreement in determining jurisdiction.

Part One: Criteria for International Jurisdiction of Algerian Judicial Bodies

Since no supreme international authority exists to determine the international jurisdiction of national courts for all states, legal systems have independently defined the jurisdiction of their national courts over disputes involving foreign elements. This is done by applying several rules that assign jurisdiction to the court that meets the conditions of jurisdiction. Accordingly, the first section will address the concept of international jurisdiction and the criteria for jurisdiction of Algerian courts. The second section will discuss the rules governing the jurisdiction of Algerian judicial bodies.

Section One: Standards of International Judicial Jurisdiction in Algerian Courts

Given the absence of a supranational body responsible for defining international jurisdiction for the courts of each state, national legal systems have developed their own criteria. These systems independently determine the jurisdiction of their courts over disputes involving a foreign element. They do so by relying on several legal standards designed to grant jurisdiction to the court that meets specific criteria. In this context, we will address in the first subsection the concept of international judicial jurisdiction and the criteria for Algerian courts. In the second subsection, we will present the legal standards governing jurisdiction for Algerian courts.

Subsection One: The Concept of International Judicial Jurisdiction and the Criteria for Algerian Courts

Based on the principle of national sovereignty, legislators in each country seek to ensure that their citizens are subject to their national judiciary. Thus, international judicial jurisdiction is understood as belonging to the state's own courts. The rules of international jurisdiction aim to resolve disputes that involve a foreign element. When a national judge is presented with such a dispute, they must determine whether they have jurisdiction, according to the scope established by national law, which includes rules of international jurisdiction.

Accordingly, this subsection aims first to define the concept of international judicial jurisdiction and then to identify the standards used by Algerian courts to determine whether they have jurisdiction over a given case.

Branch One: The Concept of International Judicial Jurisdiction

International judicial jurisdiction refers to the legal provisions that determine the authority of a state's courts to hear disputes involving a foreign element, in comparison to the courts of other states. These provisions are based on domestic rules of jurisdiction that assign authority to each national court in relation to foreign courts (Hicham, 2012, p. 37).

The term "international" in this context refers to the nature of the dispute and the legal relationship at issue before the court, rather than the international status of the court itself. Therefore, the court must first determine whether it has jurisdiction over the dispute before addressing questions of territorial or subject-matter jurisdiction under national rules (Soumaya, 2015–2016, pp. 12–13).

According to scholars of private international law, the rules governing international judicial jurisdiction are considered substantive rather than conflict-of-laws rules. They directly identify the cases in which national courts have jurisdiction. These rules do not concern the jurisdiction of foreign courts, which are not bound by laws enacted by another sovereign authority. As such, they do not serve a practical function for foreign judicial systems. This differs from conflict-of-laws rules, which identify the applicable national or foreign legal system (El-Haddawi, 2013, p. 234).

In light of the above, international judicial jurisdiction can be defined as one of the key areas of private international law. It determines the judicial authority granted by national law to a specific court to resolve a dispute involving a foreign element, and whether that court has jurisdiction to decide the matter (Ben Khalifa, 2021, p. 12).

It is generally accepted that the rules of international judicial jurisdiction are national legal provisions developed to manage conflicts of jurisdiction. They are enacted by the national legislature, which holds the authority to define the jurisdiction of its courts in disputes with an international dimension. Furthermore, the national legislature may indirectly affect the jurisdiction of foreign courts by choosing to renounce its own (El-Haddawi, 2013, p. 233).

Branch Two: The Nature of International Judicial Jurisdiction Rules

Legal scholars in private international law hold that jurisdictional rules can be divided into two categories. The first category protects fundamental interests of the community and is considered mandatory. Agreements that contradict these rules are deemed null and void. The second category seeks to protect the private interests of individuals. These rules are supplementary and may be altered by agreement between the parties (Hicham, 2012, p. 118).

On this basis, scholars distinguish several characteristics of international jurisdiction rules, particularly with regard to their relation to public order (first) and their substantive nature (second).

First: Rules of International Judicial Jurisdiction as Public Policy

As previously noted in the discussion on international jurisdiction, two main approaches can be identified in this field.

The first approach considers the rules of international jurisdiction as part of public policy. This view holds that the administration of justice is a fundamental function of the state, exercised through one of its legally empowered authorities—namely, the judiciary. Furthermore, the attribution of jurisdiction to national courts often includes consideration for the protection of the weaker party in the legal relationship, provided that this party holds the nationality of the state or resides within its territory. However, if the judge finds that the decision to be rendered would likely not be enforceable in the future, they are required to relinquish jurisdiction in favor of a more appropriate judicial authority to resolve the dispute (Soumaya, 2015–2016, p. 21).

Another perspective in legal scholarship adds that as long as the judge adheres to the legal rule granting jurisdiction and applies it correctly, this ensures both effectiveness and the enforceability of judgments issued on such matters (Ben Khalifa, 2021, p. 29).

The second approach is based on the classification of jurisdictional cases into two types: mandatory jurisdiction and discretionary jurisdiction. The first is linked to public policy, while the second allows more judicial flexibility. Examples of mandatory jurisdiction include:

- The defendant's domicile or habitual residence is within the territory of the judge's state.
- The foreign party has chosen a domicile within the judge's state.
- There are multiple defendants, and at least one resides within the forum state.
- The obligation originated in the forum state, or it is to be performed there.
- Requests for provisional or precautionary measures. (Soumaya, 2015-2016, pp. 21-22)

As for discretionary jurisdiction, it includes the following scenarios:

- The claimant holds the nationality of the judge's state.
- Voluntary submission to jurisdiction.
- Preliminary matters and incidental claims.
- Cases related to personal status.
- When the foreign claimant is either a national or a resident of the forum state (Soumaya, 2015-2016, p. 22)

Second: Rules of International Jurisdiction as Substantive Norms

Since determining the competent judicial authority reflects an expression of state sovereignty, every state retains the right to regulate its own rules of international jurisdiction. These rules are developed in line with national legislative priorities and aim to serve specific social and economic objectives.

In the absence of an international court tasked with resolving disputes of a cross-border nature, the responsibility naturally shifts to national courts. This makes it necessary to define jurisdiction in advance through domestic legislation. Such a task falls within the core duties of the national legislator, who must establish clear rules to determine the jurisdiction of their courts, given that the judiciary is a public institution under state supervision and sovereignty (Soumaya, 2015-2016, p. 14).

Referring to international jurisdiction rules as substantive rules stems from their defined legal content. In cases involving a foreign element, the key issue is whether national courts have jurisdiction. At this point, the jurisdictional rule functions directly, either by granting the national court jurisdiction or by removing it in favor of another competent authority (Ben Khalifa, 2021, p. 36).

Section Two: Criteria for the Jurisdiction of Algerian Courts

The legislator in every country holds full authority to establish the criteria that define international judicial jurisdiction. A comparison between different legal systems reveals variation in the foundations upon which these rules are built. For instance, both Tunisia and Turkey assign the regulation of international jurisdiction to the rules of private international law. France, in contrast, bases its approach on provisions found in its civil code. In Algeria, the legislator addressed the issue of international jurisdiction in Articles 41 and 42 of the Code of Civil and Administrative Procedure.

Thus, the determination of international jurisdiction differs from one country to another. This section aims to explore this difference by analyzing:

- The criteria for international jurisdiction (First Branch), and

- The extension of jurisdiction rules to the international domain (Second Branch).

Branch One: Criteria of International Judicial Jurisdiction

Across various legal systems, several criteria are used to define international jurisdiction. Some states rely on personal criteria, such as the nationality of the parties involved. Others apply territorial criteria, such as domicile or residence.

First: Criteria Based on Personal Sovereignty

One of the most prominent criteria in this category is the principle of nationality privilege. According to this principle, a national—whether claimant or defendant—has the right to bring a legal claim before national courts, regardless of domicile, the opposing party's domicile, or their respective nationalities.

Alongside this, domicile is also considered a key factor in determining jurisdiction. Thus, nationality as a jurisdictional criterion allows nationals to access their own courts, whether or not they reside in the country. In this sense, nationality reflects a manifestation of state sovereignty (Zrouti Tayeb, 2010, p. 30).

1) Nationality as a Basis for Determining International Jurisdiction

Legal scholars regard nationality as one of the oldest and most established jurisdictional criteria in comparative law. Nationality acts as a link between the parties and the forum state. As such, it gives an international character to the rules of jurisdiction under private international law. This distinguishes it from the domicile-based criterion, which is considered a legal but not a political connection (Ben Khalifa, 2021, p. 134).

Accordingly, nationality provides original jurisdiction to national courts over matters involving their citizens. This applies whether the case is brought by or against them, and whether the dispute arises within or outside the state. This reflects the principle that national courts have jurisdiction over their nationals, making nationality a non-territorial personal criterion based on personal status (Dawadi, n.d.).

Some scholars argue, from a theoretical standpoint, that jurisdiction based on nationality reflects the principle of equality among nationalities, aiming for equal treatment of all individuals regardless of citizenship. However, this principle does not necessarily lead to granting national courts jurisdiction in all cases involving a foreign party—whether claimant or defendant.

Certain scholars find this basis to be imprecise, due to its ambiguity and limited contribution to the goals of justice or public interest. It may even result in unfair outcomes, especially when a foreign defendant challenges the court's jurisdiction solely based on their nationality. This can delay the litigation process. A notable concern arises when a foreign defendant refuses to appear in court, arguing that they are not subject to national jurisdiction. This raises the issue of cross-border enforcement of judgments, especially in the absence of effective mechanisms for enforcement.

As a result, some legal experts argue that jurisdiction should be based on real and objective connections, such as the direct link between the dispute and the facts or contested interests. This approach aligns with the international legal principle of “the plaintiff follows the defendant”, and contributes to fair and balanced jurisdiction (Ben Khalifa, 2021, p. 136).

2) Domicile as a Basis for International Judicial Jurisdiction

Domicile is one of the general principles used in determining both domestic and international judicial jurisdiction. It provides that jurisdiction lies with the court of the defendant's domicile. Many comparative legal systems have adopted this standard as a key criterion for establishing international jurisdiction (Hicham, 2012, p. 56).

This standard is among the most widely used in international jurisdiction. Despite some criticism, it remains fundamental in both private international law and domestic legal systems. It is, in fact, the basis upon which other rules of jurisdiction are often built (Hicham, 2012, p. 56).

However, this standard does not follow a logical order when identifying the parties, since legal proceedings are generally initiated by the plaintiff, not the defendant. Still, the idea of using the defendant's domicile as a jurisdictional basis is well-established in private international law. It has broad support in national legal systems, especially when the dispute is international in nature and involves parties from different legal territories. This rule is justified by its presence in the majority of modern legal systems (Ben Khalifa, 2021, p. 152).

Branch Two: Criteria for Jurisdiction of Algerian Courts

In examining how Algerian courts are granted jurisdiction under national law, it is clear that the legislator has addressed this issue in Articles 41 and 42 of the Code of Civil and Administrative Procedure.

Article 41 provides: "Any foreigner, even if not residing in Algeria, may be summoned before Algerian courts to enforce obligations entered into in Algeria with an Algerian national."

It also adds: "A foreigner may also be summoned before Algerian courts regarding obligations entered into in a foreign country with Algerian nationals."

Article 42 states: "Any Algerian may be summoned before Algerian courts regarding obligations contracted in a foreign country, even with a foreign party." (Law No. 22-13 of 12 July 2022, amending and supplementing Law No. 08-09 of 25 August 2008 on the Code of Civil and Administrative Procedure, Official Gazette No. 48, issued on 17 July 2022)

Legal scholarship holds that assigning jurisdiction to Algerian courts when either the plaintiff or defendant is an Algerian national reflects the protection of the right to access the judiciary. Through Articles 41 and 42, the legislator adopted a "privileged" approach, granting Algerian nationals access to their domestic courts regardless of where the contract was concluded. This approach overrides other potential jurisdictional standards, as nationality-based jurisdiction takes precedence over other connecting factors (Soumaya, 2015–2016, p. 63).

In addition, the Algerian legislator based international jurisdiction on whether one of the parties to the dispute is an Algerian national at the time the lawsuit is filed. This applies regardless of whether their nationality changed after the legal relationship arose and regardless of whether the claim is proprietary, mixed, or related to personal status or legal capacity (Zrouti, n.d., p. 325).

It is important to note that nationality-based international jurisdiction under Articles 41 and 42 is discretionary, not mandatory. The language of the articles is permissive, not binding, which allows parties benefiting from this rule to waive it. Furthermore, the jurisdictional provisions outlined in these articles are not considered part of public policy (Soumaya, 2015–2016, p. 63).

Section Two: The Role of the Judicial Cooperation Agreement Among Maghreb Union States in Determining Jurisdiction

In addition to national legislation governing international jurisdiction, Algeria has entered into both bilateral and multilateral treaties aimed at facilitating international judicial cooperation. These agreements include legal provisions that regulate the authority of domestic and foreign courts to hear international disputes.

One of the most significant agreements to which Algeria is a party—and the focus of this study—is the Judicial and Legal Cooperation Agreement among the Maghreb Union States, ratified by Algeria on 27 June 1994. (Agreement on Judicial and Legal Cooperation among the Maghreb Union States, ratified by Presidential Decree No. 94-181 dated 17 Muharram 1415 AH / 27 June 1994)

This agreement plays a key role in unifying the rules of international jurisdiction within the Maghreb region. Accordingly, this study will address:

- General jurisdiction cases (Section One)
- Exclusive jurisdiction cases (Section Two)

Section One: General Jurisdiction Cases

Article 34 of the Maghreb Union Agreement addresses general (or ordinary) jurisdiction, as opposed to exclusive jurisdiction, which is discussed in Article 33.

Branch One: Personal Criteria for International Jurisdiction

Personal jurisdictional criteria include:

- Domicile
- Place of residence
- Place of performance of the obligation

1) Jurisdiction Based on the Defendant's Domicile or Place of Residence

The defendant's domicile is one of the core standards upon which international jurisdiction is based in all legal systems, just as it is for domestic jurisdiction. The origin of this rule lies in a principle of Roman law, which states that "the plaintiff must go to the court of the defendant's domicile."

Most modern legal systems have adopted this principle, based on the rule that the competent judge is the one with authority over the defendant's place of residence. This is because the defendant's domicile grants the court territorial jurisdiction, enabling it to issue enforceable decisions. Moreover, it facilitates access to evidence and documents relevant to the case. From a practical standpoint, the defendant's domicile is also the center of their interests and activities (Moussilhi, 2000, p. 16).

Referring to Article 34 of the agreement, the text states: "In matters not covered by the previous article, the courts of a contracting party shall have jurisdiction in the following cases:

(a) If the domicile or place of residence of the defendant—or one of them, in cases involving multiple defendants—was located in the territory of that contracting party at the time the action was filed, or if the defendant had a representative there."

The article also defines domicile:

- For a natural person, it means their habitual residence or the place of their professional activity in matters related to that activity, or their elected domicile, or their last known residence if they have left and their current domicile is unknown.
- For a legal entity, it refers to its registered office, center of operations, or branch office—provided that the claim is connected to the activities of that center or branch, and the summons was served there. (*Article 34, Judicial Cooperation Agreement among Maghreb Union States*)

Second: Jurisdiction of the Court Where the Obligation Is to Be Performed

This rule applies when the subject of the dispute is a contractual obligation that is to be performed in a given country, regardless of where the obligation was created. The competent court is the one within whose jurisdiction the obligation was, or is to be, carried out. It is considered the most suitable forum to resolve the dispute.

This rule applies under the following conditions:

1. The dispute must concern a contractual obligation. Other types of obligations are excluded.
2. The obligation must have been performed in that country or agreed to be performed there.
3. The parties must have explicitly or implicitly agreed on performance in that country.

This rule is based on territorial grounds, linking the location of performance with the jurisdiction of the court (Amara, n.d., p. 395).

This is reflected in Article 34(b) of the Agreement, which states:

“If the contractual obligation at issue was performed or was to be performed in the territory of the contracting party, based on an explicit or implicit agreement.”

Section Two: Specific Jurisdictional Cases

First: Jurisdiction Based on the Place Where the Act Occurred

Article 34(c) provides: “In cases of non-contractual liability, jurisdiction is conferred if the act giving rise to liability occurred in the territory of the contracting party.”

Scholars interpret this as a jurisdictional standard based on factual occurrence. The competent court is the one in the location where the act took place. However, when the act occurs in more than one country, the decisive factor is the main act, and jurisdiction lies with the court in the state where it occurred (Ibid., p. 397).

Second: Jurisdiction Based on Voluntary Submission

Voluntary submission refers to a legal act through which the parties agree to grant jurisdiction to a specific court, even if that court is not originally competent under the applicable jurisdictional rules. In this case, the parties exclude the competent court and instead grant authority to another, based on mutual agreement.

However, this agreement is not valid if it grants jurisdiction not recognized under existing procedural laws. For the agreement to be valid, it must be explicitly permitted by national legislation or an applicable international treaty. Otherwise, it is considered null and produces no legal effect.

National laws may permit such agreements within certain boundaries, while some legal systems may prohibit them altogether (Abdelnour Ahmed, 2015–2016, p. 12).

This principle is codified in Article 34(d) of the Agreement:

“If the defendant explicitly accepts the jurisdiction of the courts of the contracting party, either by choosing a specific forum or by agreeing to its jurisdiction.”

Third: Jurisdiction over Incidental Claims and Preliminary Issues

In some cases, a dispute may not fall within the jurisdiction of the state’s courts based on standard jurisdictional criteria. However, the courts may still exercise jurisdiction to ensure the proper administration of justice and to prevent denial of justice, especially in urgent matters where swift judicial intervention is required. This includes incidental claims, provisional measures, and counterclaims (Amara, n.d., p. 400).

Preliminary issues are those that must be resolved first in order to decide the main case, where the national court has jurisdiction. Incidental claims are those introduced during the proceedings and add new elements regarding the subject, cause, or parties of the original dispute.

They may also expand the scope of the original claim by introducing additional demands not present at the outset (Nabaa Mohamed Abdel, 2017, p. 133).

Article 34(f) of the Agreement addresses this, stating: “If the case involves a counterclaim or incidental claims, and the courts are competent to hear the original claim in accordance with the provisions of this Agreement.”

Fourth: Jurisdiction Based on Nationality in Status and Capacity Matters

Article 34(g) states: “If the claim relates to the personal status or legal capacity of nationals of the contracting party, and they held that nationality at the time of filing the claim.”

This article adopts the principle that judicial jurisdiction follows legislative jurisdiction. It applies the general rule in conflict of laws that personal status and legal capacity are governed by the law of nationality. Therefore, these matters are subject to the courts of the state whose nationality the person held (Amara, n.d., p. 402).

Section Two: Cases of Exclusive Jurisdiction

The Agreement outlines specific matters falling under exclusive jurisdiction of the courts of the contracting party. According to legal scholars, these cases are exceptions to the general rules of international jurisdiction. Once the court determines it has exclusive jurisdiction, it alone may hear the case.

This is stated in Article 33, which provides: “The courts of each contracting party have exclusive jurisdiction over the following matters:

- Real rights over immovable property located in its territory.
- The validity, nullity, or dissolution of companies or legal persons headquartered in its territory, including the validity of their decisions.
- The validity of entries in public registers located in its territory.
- The registration of patents, trademarks, industrial designs, and similar rights registered or deposited in its territory.
- The enforcement of judgments if the place of enforcement is within its territory.”

We will now examine the main categories of exclusive jurisdiction, starting with real estate disputes (Section One), followed by corporate matters (Section Two).

Section One: Real Property Disputes

At the national level, Article 40 of the Algerian Code of Civil and Administrative Procedure states:

“Real estate claims, claims related to works on real estate, lease disputes (including commercial leases), and public works claims shall be brought exclusively before the court in whose jurisdiction the property or works are located.”

The primary justification for this rule is proximity. The court closest to the property can more easily inspect it or appoint an expert to do so. This also applies to leases and related obligations. Thus, the rule, though domestic, is applied in international jurisdiction as well.

It is particularly relevant in the execution of foreign judgments, as the location of the property is a key consideration. The state’s sovereignty over its territory and its national law governs such matters. The enforcement of a foreign judgment must occur in the country where the property is located, in accordance with its own procedural rules (Soumaya, 2015–2016, pp. 81–82).

Section Two: Corporate Matters and Validity of Public Registrations

Article 33(b) states that the courts of each contracting party have exclusive jurisdiction to decide on the dissolution or nullity of a company headquartered within its territory, as well as the validity of its decisions. The reason is that corporate matters are typically handled by the courts of the company’s registered office, in accordance with general legal principles (Amara, n.d., p. 402).

As for entries in public registers, any dispute over the validity or invalidity of such entries falls under the jurisdiction of the state where the registers are located. This is a logical outcome, as national courts are best placed to assess the accuracy and legality of entries in their own public records (*Article 33(h) of the Agreement*)

Conclusion

The principle that allows each state the freedom to define the rules governing its international judicial jurisdiction, in a way that aligns with its internal laws, highlights the limits of the relationship between international judicial jurisdiction and legislative jurisdiction. This study shows that international judicial jurisdiction stands as an independent legal topic, distinct from other areas under private international law, such as legislative jurisdiction.

This is evident from the fact that the first issue a judge must consider in an international dispute is whether or not their court has jurisdiction. As such, the conflict of international jurisdiction has led many legal systems to seek judicial cooperation agreements, which serve to ease the work of the judiciary and promote international legal collaboration.

One clear example of this is found in the Judicial Cooperation Agreement between the Member States of the Arab Maghreb Union, which reflects a regional effort to unify jurisdictional rules and strengthen judicial integration among the member states.

Findings

1. **Regional Legal Unification:** The agreement constitutes a pivotal legal instrument in reducing jurisdictional fragmentation among AMU states, thereby fostering regional legal cohesion.
2. **Balancing Sovereignty and Integration:** Although the agreement introduces unified jurisdictional rules, it preserves the primacy of national legislation in areas of sensitive domestic concern, reflecting the dual commitment to sovereignty and integration.
3. **Practical Challenges:** Implementation across AMU states reveals discrepancies in enforcement, with varying levels of institutional readiness and legal capacity affecting its effectiveness.
4. **Contribution to Private International Law:** The agreement represents an early regional model of codifying private international law rules, which may serve as a framework for future African or Arab regional legal projects.
5. **Future Directions:** For the agreement to reach its full potential, it requires stronger institutional mechanisms, judicial training, and alignment with international conventions to enhance predictability and credibility.

Ethical Considerations

This research adheres to ethical standards of academic integrity and transparency. No personal data, confidential case files, or sensitive state documents were used in the preparation of this study. All references are derived from publicly available legal texts, decrees, and academic analyses. The author confirms that no part of this work involved plagiarism, falsification, or misrepresentation of data.

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Conflict of Interest

The author declares no conflict of interest regarding the publication of this article.

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