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## **The judicial control over administration**

The judicial control over administration in Algeria is governed by the Algerian Constitution, laws, regulations, and legal principles related to administrative law. The Algerian administrative law system provides for various mechanisms of judicial control over administrative actions to ensure their legality, fairness, and compliance with the rule of law. Some key aspects of judicial control over administration in Algeria include:

- 1 **Administrative Jurisdiction:** Algeria has established specialized administrative courts, known as the Council of State (Conseil d'État), **Appeal administrative tribunal** witch created recently according to law 22-13, administrative tribunal, which has jurisdiction over administrative disputes. The Council of State is the highest administrative court in Algeria and has the authority to hear cases related to administrative acts, decisions, and disputes arising from administrative actions.
- 2 **Judicial Review of Administrative Acts:** The Council of State has the power to review administrative acts for their legality, conformity with administrative procedures, and compliance with constitutional and legal requirements organic law 13-11 related to council of state organisation . Individuals and entities affected by administrative acts, decisions, or measures can bring cases before the Council of State to challenge the legality or validity of such actions.
- 3 **Grounds for Judicial Review :** The Council of State can review administrative acts on various grounds, including errors of law, errors of fact, abuse of power, violation of constitutional rights, and lack of competence or jurisdiction. The Council of State can annul or quash administrative acts that are found to be illegal, unfair, or contrary to the rule of law.
- 4 **Access to Justice:** Individuals and entities have the right to access the Council of State to seek judicial remedies against central administrative actions . This includes the right to file administrative appeals, requests for annulment or quashing of administrative acts, and other forms of legal

remedies to challenge administrative actions.

- 6 Procedural Safeguards: The Council of State is bound by procedural safeguards, including the right to a fair and impartial hearing, the right to be heard, the right to present evidence, and the right to legal representation. The Council of State is also required to provide reasoned decisions, explaining the legal and factual basis for its rulings.
- 7 6. Legal Remedies: The decisions of the appeal administrative tribunal can be subject to further appeal to the council of state on points of law. Additionally, in certain cases, individuals and entities may also seek redress through other legal remedies, such as constitutional courts, human rights institutions, depending on the nature of the administrative action being challenged.

It's important to note that the specific procedures, requirements, and limitations related to judicial control over administration in Algeria may be subject to change over time, and it's advisable to refer to the relevant Algerian laws, regulations, and legal principles for up-to-date and accurate information.