

The role of the Algerian Constitutional Court in ensuring the transparency and integrity of the electoral process

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Abstract:

This study addresses the role of the Algerian Constitutional Court in ensuring the transparency and integrity of the electoral process, as the 2020 constitutional amendment has enshrined powers for the Constitutional Court in the electoral field, where it exercises prior oversight of electoral processes in this context, which is evident through Adjudicating appeals against decisions to reject candidacy, and approving the final list of candidates For elections Presidential, In addition to proving the reason for withdrawing the candidacy For elections Presidential.

In addition to its competence to exercise supervision On subsequent operations Voting, Where it considers appeals it receives regarding provisional results. For elections Presidential and legislative And the referendum, announces the final results For elections, considers appeals related to decisions of the Campaign Finance Oversight Committee. electoral.

Keywords: electoral process, Constitutional Court, transparency, candidacy, integrity.

دور المحكمة الدستورية الجزائرية في ضمان الشفافية والنزاهة في العملية الانتخابية

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ملخص:

تتناول هذه الدراسة دور المحكمة الدستورية الجزائرية في ضمان الشفافية والنزاهة في العملية الانتخابية، حيث أقر التعديل الدستوري لعام 2020 صلاحيات للمحكمة الدستورية في المجال الانتخابي،

حيث تمارس الرقابة المسبقة على العمليات الانتخابية في هذا السياق، وهو ما يتجلى من خلال الفصل في الطعون ضد قرارات رفض الترشيح، والمصادقة على القائمة النهائية للمرشحين للانتخابات الرئاسية، بالإضافة إلى إثبات سبب سحب الترشيح للانتخابات الرئاسية. بالإضافة إلى كفاءتها في ممارسة الإشراف على العمليات اللاحقة للتصويت، حيث تنظر في الطعون التي تتلقاها بشأن النتائج الأولية للانتخابات الرئاسية والتشريعية والاستفتاءات، تعلن النتائج النهائية للانتخابات، وتدرس الطعون المتعلقة بقرارات لجنة مراقبة تمويل الحملات الانتخابية. **الكلمات المفتاحية:** العملية الانتخابية، المحكمة الدستورية، الشفافية، الترشيح، النزاهة.

INTRODUCTION:

The constitution is the supreme law governing the state.,In order to ensure respect for the principle of the supremacy of the constitution, all authorities in the state must respect its provisions and not violate them. This is achieved by establishing an authority that preserves the existing constitution, confirms respect for it, and does not violate its provisions.It is consideredControl of the constitutionality of laws meansandThe ideal mechanism that ensures the implementation and respect of the provisions of the constitution, therefore, a body has been established in most countries to monitor the constitutionality of laws, which is responsible for guarding the constitution and not violating its provisions. This monitoring is carried out by judicial courts or political bodies.And I haveThe era of the Algerian constitutional founderUnder the constitutional amendmentYFor the year 2020With the mission of constitutional oversight to an independent constitutional institutionKnown asThe Constitutional Court, as the institution that ensures respect for the Constitution and oversees its interpretation.

andSince elections are the basic pillar in the process of democratic construction and the only tool for the peaceful transfer of political power and achieving real participation of citizens in political life,And what it produces as an expression of the will of the sovereign people,To chooseHis representatives who manage the affairs of state,I entrustedThe task of ensuring its validity lies with the Constitutional Judiciary, given its neutrality and independence.It has been assignedConstitutional Founder within the 2020 Amendment to the Constitutional CourtDirect supervision of the pre- and post-voting processes, which makes it the impregnable fortress of the people's will by confronting various attacks on the rights of voters and individuals, which adds integrity to the electoral process. In this context, the features of the study's problem are defined as follows:

-What role does the Constitutional Court play in monitoring the electoral process?

We address the problem of the study by adopting the analytical approach of constitutional and legal texts by dividing the study into two axes:

The first axis: Constitutional Court oversight of pre-election processes

The second axis: Constitutional Court oversight of post-election operations

The first axis: Constitutional Court oversight of pre-election processes.

The Constitutional Court exercises control over the pre-election processes. This is done by adjudicating the appeals against the decisions to reject candidacy (first) and approving the final list of candidates. For elections Presidential (second) in addition to proving the impediment to withdrawing the candidacy For elections Presidential (Third)¹.

Firstly: Constitutional Court oversight in the field of appeals against decisions to reject candidacy.

The independent national authority shall assume For elections The task of preparing, organizing, managing and supervising all operations. electoral And the referendum², In this context, the Independent National Authority shall decide on the validity of nominations. For elections The Presidential Council shall issue a reasoned decision within seven days from the date of filing the declaration of candidacy, with the necessity of notifying the candidate of its decision immediately upon its issuance, who has the right, in the event of his candidacy being rejected, to appeal it by means of a reasoned petition. At the court registry³ The Constitutional Court shall notify the petition within a maximum period of 48 hours from the date of notification.⁴, The President of the Constitutional Court shall appoint, from among the members of the Constitutional Court, one or more rapporteurs to study the appeals and submit reports and draft decisions regarding them.⁵.

Independent authority refuses For elections Request for permission to run for the presidency of the republic, If the applicant for a candidacy permit does not meet the conditions stipulated in Order 21-01 containing the organic law relating to the system Elections, especially those related to the deadlines for submitting the application for authorization to run for office, or the file and documents attached to it, or the guarantee, or the eligibility stipulated in Article 87, paragraph four of the 2020 Constitutional Amendment, or other legal conditions..⁶

The Constitutional Court receives the decisions of the Independent National Authority. For elections Related to nominations, attached to the nomination files,

within 24 hours of their issuance, and deposited with the General Secretariat of the Constitutional Court against a receipt.⁷,The Constitutional Court shall decide on appeals by decisions that are immediately communicated to the appellants.⁸Within a maximum period of 7 days from the date of sending the last decision of the Independent Authority.For elections⁹, andIf the appeal is accepted, the Constitutional Court shall register the appealing candidate in the final list of candidates.To electpresident.¹⁰

secondly:Constitutional Court oversight of the approval of the final list of candidatesTo electpresident

The Constitutional Court approves the final list of candidatesTo electThe President of the Republic and those arranged alphabetically according to their titles by decision, within a maximum period of 7 days from the date of sending the last decision to the Independent National Authority.For elections¹¹Taking into account the provisions of Article 95 of the 2020 Constitutional Amendment, with the obligation to publish its decision in the Official Gazette of the People's Democratic Republic of Algeria.¹²,Its decision is final and cannot be appealed, and the court is not obligated to amend it.¹³,The decisions of the Constitutional Court are sent to the Secretary-General of the Government for publication in the Official Gazette of the People's Democratic Republic of Algeria..¹⁴

Thirdly:The Constitutional Court's oversight in the field of proving a serious impediment or the death of a candidate after its approval of the list of nominations or in the field of proving an impediment to withdrawing the nominationTo electpresident.

To avoid disrupting the procedureElectionsThe presidential election at the time specified for it and the resulting vacancy in the presidency of the republic, which may be caused by the withdrawal of candidates from the presidential race.¹⁵

After the Constitutional Court approves the nomination list and publishes it in the Official Gazette, the date is postponed.VotingFor a maximum of 15 days.¹⁶

Referring to the provisions of Articles 95 of the 2020 Constitutional Amendment and Article 255 of Order 21-01, it becomes clear that whoever has his candidacy file accepted by the independent authority can withdraw his candidacy before the Constitutional Court gives its approval, since if it decides to accept the file, he loses his right toWithdrawalHowever, the Algerian constitutional founder allowed the withdrawal of candidacy after the Constitutional Court approved the candidacy file, and distinguished betweenWithdrawalScheduled for the first and second roundsFor elections.

1- WithdrawalScheduled for the first round:

If the Constitutional Court approves the list of nominations for elections, the withdrawal of candidacy is only decided in two cases:

In the event of a serious impediment proven by the Constitutional Court legally, or in the event of the death of the candidate concerned.¹⁷ In such a case, the legislator granted another period to submit a new nomination within one month before the date.¹⁸

It is worth noting that the decision in the first round does not affect the continuation of the process. Due to the presence of several candidates.¹⁹

2- Withdrawal scheduled for the second round:

If a candidate withdraws from the second round, the process continues without taking this withdrawal into consideration²⁰, and it is decided in the second round, if one of the candidates dies or is subject to a legal impediment, the Constitutional Court declares that all operations must be carried out. Again, in this case the deadline for organizing new elections is extended for a maximum period of 60 days, and the President of the Republic whose term is in effect or whoever assumes the position of Head of State remains in office until the President of the Republic takes the oath.²¹

It is decided in the second round, in the event of the death of the candidate or the occurrence of a legal impediment for him, after the Constitutional Court approves the list of nominations. The presidential election shall be published in the Official Gazette of the People's Democratic Republic of Algeria. In this case, the voting date shall be postponed for a maximum period of 15 days.²² The decision regarding the death or proof of a legal impediment of one of the candidates for the second round of the presidential elections, as well as the decision to conduct all electoral operations again, and to extend the deadlines for organizing them stipulated in Article 95, paragraphs one and three of the Constitution, shall be communicated to the President of the Republic and the President of the Independent National Authority.

For elections The two decisions shall be published in the Official Gazette of the People's Democratic Republic of Algeria.²³

We see that Article 255 of Order 21-01, which includes the Organic Law relating to the system of elections, is shrouded in ambiguity, as it includes provisions relating to the first round of presidential elections, but not the second round.

The second axis: Constitutional Court oversight of post-election operations

The Constitutional Court exercises control over the subsequent processes of the process. Voting, where it considers appeals it receives about provisional results. For elections Presidential and legislative And the referendum (First) Announcement of the final results For elections (Second) Considering appeals related to decisions of the Campaign Finance Oversight Committee. electoral (Third).

Firstly: Constitutional Court oversight of appeals it receives regarding provisional results For elections Presidential And legislative And the referendum

The Algerian constitutional founder, within the 2020 constitutional amendment, authorized the Constitutional Court to rule on the appeals it receives regarding the results of Elections Presidential and legislative And the referendum²⁴.

1- Adjudication of appeals regarding provisional results To elect president:

The Constitutional Court exercises its supervision over the provisional results of the presidential elections, whereby the appeals related to them are filed at the level of the Constitutional Court's registry within 48 hours of the announcement of the provisional results.²⁵ The President of the Constitutional Court shall appoint, from among its members, one or more rapporteurs to study each appeal, provided that the rapporteur is required to submit a report and a draft decision on the appeal to the Constitutional Court to rule on it in accordance with the provisions of Article 260 of Order 21-01.²⁶ Including the amended and supplemented organic law relating to the electoral system, on receiving a copy of the report and the draft decision for the members of the Constitutional Court²⁷, The Constitutional Court shall notify the declared elected candidate who objects to his election to submit a written memorandum within 72 hours from the date of notification.²⁸ The Constitutional Court shall adjudicate the appeals within 3 days, and if the appeals are found to be well founded, the results reports prepared pursuant to a reasoned decision shall be reformulated and the final results shall be announced. For elections The Presidential Council shall, within 10 days from the date of receipt of the minutes by the President of the Independent Authority.²⁹

The Independent National Authority was established. For elections In Algeria under the law DWe 19-07³⁰ and The Algerian constitutional founder established, within the 2020 constitutional amendment, the independent national authority. For elections Among the institutions responsible for oversight, the legislator regulated its provisions within Order 21-01 relating to the electoral system, which in turn repealed Organic Law 19-07 that established it.

Both the 2020 constitutional amendment and Order 21-01 containing the organic law on the electoral system have empowered the Independent National Authority. For elections The task of preparing, organizing and managing presidential, legislative and local elections and operations Referendum And to supervise them, as the constitution authorized it to directly register and review the electoral lists, prepare the electoral process, vote and sorting operations, and settle electoral disputes.³¹ The Independent National Authority is also responsible for announcing the preliminary results of the elections, not the final ones, which remain the prerogative of the Constitutional Court. At this stage, the constitutional amendment granted it the right to consider all appeals it receives regarding the provisional results. For elections Whether presidential or legislative or Referendum and the final results are announced For elections Presidential and legislative And the referendum³².

The Constitutional Court, after being notified by the President of the relevant chamber, shall declare the seat of an elected member of the National People's Assembly or the Council of the Nation, who belongs to a political party and who has voluntarily changed his/her seat, vacant. His affiliation The politician on whose basis he was elected, whereby he is stripped of his electoral mandate by force of law, provided that the representative who resigned from his party or was removed from it retains his mandate as a non-affiliated representative³³.

2- Adjudication of appeals related to results Temporary For elections Legislative:

The Constitutional Court exercises its control over the provisional results. For elections Legislative, where it receives in this context the provisional results and the minutes of the sorting and concentration of the results for each of the elections for members of the National People's Assembly and two-thirds of the members of the Council of the Nation.³⁴ Each list shall have candidates. For elections Legislative, and every candidate, and every party participating in the elections in the relevant district, has the right to appeal the provisional results.³⁵ This is done by submitting a request in the form of a petition to be deposited with the registry of the Constitutional Court within 48 hours following the announcement of the provisional results by the Independent National Authority. For elections The appeal petition must include the data specified in Article 69 of the Regulations specifying the rules of work of the Constitutional Court.³⁶ The Constitutional Court must notify the appeal to the list whose victory is being contested or to the candidate whose victory is being contested by all legal

means.³⁷, so that you can submit a written memorandum to the Constitutional Court within 72 hours from the date of filing the appeal³⁸.

The Constitutional Court is debating the appeals against the results of the elections of the members of the National People's Assembly and two-thirds of the elected members of the Council of the Nation in a closed session.³⁹The appeal shall be decided within 3 days from the expiry of the 72-hour period. If the appeal is deemed to be well-founded, a reasoned decision shall be announced, either to cancel the disputed matter and holding a new vote, or re-drafting the prepared results report, and announcing the legally elected candidate finally, provided that the cancellation decision is notified. As the case may be, to the President of the National People's Assembly or the President of the Council of the Nation, and to the President of the Independent National Authority. For elections To the concerned parties, with the obligation to publish the cancellation decision. Or re-formulating the results report in the Official Gazette of the People's Democratic Republic of Algeria⁴⁰.

It should be noted that in the event of objections being submitted regarding the elections of two-thirds of the elected members of the National Assembly, they must be recorded in the counting report located at the polling station, or the appeal will be rejected in form.⁴¹

The Constitutional Court announces the final results after ruling on the appeals. For elections Legislative⁴², within a maximum period of 10 days from the date of receipt of the interim results from the independent authority. For elections⁴³, The announcement of the final results shall be published in the Official Gazette of the People's Democratic Republic of Algeria.⁴⁴

3- Deciding on appeals regarding provisional results For consultation electoral by Referendum:

The Constitutional Court exercises its control over the results. Consultations electoral After receiving the minutes of concentrating the results of the state electoral committees, and those prepared by the electoral committee for residents abroad⁴⁵ It considers the appeals registered at its level.⁴⁶ Where every voter has the right to challenge the validity of the voting process by submitting a protest that is recorded in the vote counting record located at the polling station level⁴⁷, The appeal shall be submitted in the form of a petition to the Constitutional Court Registry within 48 hours of the announcement of the provisional results, by the voter or his legally qualified representative.⁴⁸, The appeal petition must be written in Arabic, and must include the appellant's title, surname, name, address,

voter card number, ID card number, place and date of issuance, and signature, along with a presentation of the facts and justified means⁴⁹.

The appeal must be notified by all legal means to the state electoral commission or to the electoral commission for residents abroad whose results are being appealed, in order to submit written memoranda within 72 hours from the date of notification. Immediately upon receipt of the appeal by the Constitutional Court, its president shall appoint one or more rapporteurs to study it and prepare a report and draft decision regarding it⁵⁰, The Constitutional Court shall decide on appeals within 3 days from the date of their registration with the Constitutional Court Registry⁵¹, For the Constitutional Court to announce the final results For referendum Within a maximum period of 10 days from the date of receipt of the minutes from the state electoral committees and the electoral committee for residents abroad⁵².

It is worth noting that the Constitutional Court, after examining the appeals, can: Help With judges and experts, and announces the final results related to By consultations Referendum And the election of the President of the Republic And the elections Legislative⁵³ It may also request the competent authorities to provide it with documents or files of the candidates in the elections in order to ensure that they meet the legal requirements.⁵⁴, Moreover, it can listen to anyone and, if necessary, request all necessary documents to verify the results recorded in the results concentration reports. Referendum And the elections Presidential and legislative⁵⁵.

secondly: Constitutional Court announces final results For elections

The Constitutional Court is the body responsible for announcing the final results. For elections Presidential and legislative And referendums Within a maximum period of 10 days from the date of receipt of the minutes by the head of the independent authority.⁵⁶ This provides credibility to these elections and leads to their acceptance by all parties to the electoral process, which leads to strengthening the legitimacy of the elected bodies.⁵⁷.

Thirdly: Constitutional Court oversight of appeals against decisions of the Campaign Finance Oversight Committee electoral

It is established by the independent authority. For elections Campaign Finance Oversight Committee electoral⁵⁸, At which level the campaign account is deposited electoral Within a period of two months from the date of announcing the final results, and upon the expiry of this period, the candidate or the list of candidates will not be able to Benefit To compensate for their campaign expenses electoral.⁵⁹

The Campaign Finance Oversight Committee* reviews the validity and reliability of transactions recorded in the campaign account. And within a period of 6 months, a face-to-face decision shall be issued approving, amending or rejecting the account.⁶⁰ The rejection will be decided in the event that the account is not deposited or deposited outside the two-month period specified by law or the maximum limit is exceeded or the campaign account results in electoral surplus resources from donations.⁶¹

It is worth noting that the decisions issued by the Campaign Finance Oversight Committee electoral. It may be appealed before the Constitutional Court within one month of its notification to the concerned parties.⁶², "This would provide guarantees for candidates. For elections Presidential and legislative campaign expenses reimbursement electoral. It may reach 30% for the first and 20% for the second, if they obtain a specific number of votes expressed."⁶³

The President of the Constitutional Court shall appoint one or more rapporteurs from among the members of the Constitutional Court to examine the appeal against the decision of the Election Campaign Financing Monitoring Committee.⁶⁴ The Constitutional Court shall decide on the appeal by virtue of a decision.⁶⁵ It shall be communicated to the President of the National People's Assembly or the President of the Council of the Nation, as the case may be, and to the President of the Independent National Authority. For elections, and also informs the concerned parties⁶⁶ Given the nature Technical and technical for this type of appeals, The court can Constitutional Help With experience in the field of studying accounts related to campaign expenses electoral. As was the case. Formerly the Constitutional Council, according to Article 57 of the 2019 Regulations for the Rules of Procedure of the Constitutional Council⁶⁷

The legislator is criticized in the Elections Law for not clarifying the nature of the resolution issued by Campaign Finance Oversight Committee electoral, and according to the pillars of the administrative decision, it is more likely to be an administrative decision than any other legal act, and therefore if the operative part of the decision stipulates the rejection of the electoral campaign account of one of the candidates or one of the party lists, then the appeal against it according to the rules of judicial jurisdiction stipulated in either the Civil and Administrative Procedures Law or the Organic Law of the Council of State, is referred to the Council of State considering the action administrative, and this is to avoid a conflict of jurisdiction between the Constitutional Court and the Council of State, and accordingly the legislator must clarify the ambiguity

surrounding the nature of the decision issued by the Election Campaign Financing Committee.

Assigning the investigation into the campaign accountselectoral Campaign Finance Oversight Committeeelectoral It is inconsistent with the principle of judicial impartiality, as this committee is subordinate to the independent monitoring authority.ElectionsWhich makes it an opponent and a judge at the same time..⁶⁸

conclusion:

We conclude from the above that the constitutional founder within the constitutional amendment of 2020 was assigned to the Constitutional Court. Direct supervision of the electoral process, where it is carried outSupervision of previous operations, through adjudicating appeals against decisions to reject candidacy, and approving the final list of candidates.For electionsPresidential as well as proof of the impediment to withdrawing the candidacyFor electionsThe Presidential Court also exercises oversight over the subsequent processes of the process.Voting,Where it considers appeals it receives regarding provisional results.For electionsPresidential and legislativeAnd the referendum, announces the final resultsFor elections, considers appeals related to decisions of the Campaign Finance Oversight Committee.electoral.

The Constitutional Court's monitoring of electoral processes would give them integrity and legitimacy that would be accepted by voters and inspire confidence in them.

Footnotes:

¹**Shadia Rehab**The jurisdiction of the Constitutional Court in Articleelectoral», Constitutional Council Magazine, issued by the Constitutional Council, No. 17, 2021, p. 71.

²Article 7 of Order 21-01,MDated March 10, 2021, the Organic Law relating to the system includes:Elections, O.R.G.J. No. 17, issued on March 16, 2021, p. 8.

³Article 56 of the system specifying the rules of work of the Constitutional Court, Official Gazette No. 4, issued on 20 Jumada al-Thani 1444 corresponding to January 22, 2023, p. 10.

⁴Article 252 of Order 21-01, MDated March 10, 2021, includes the Organic Law relating to the electoral system, previous reference, p. 36.

⁵Article 57/2 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

⁶Shadia Rahab, Jurisdiction of the Constitutional Court, previous reference, p. 75.

⁷Article 55 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

⁸Article 58/1 of the system specifying the rules of work of the Constitutional Court,sourcePrevious, p. 10.

⁹ Article 225, paragraph 4 of Order 21-01,sourcePrevious, p. 36.

¹⁰Article 58/2 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

¹¹Article 59 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

¹² Article 252, paragraphs 5 and 4 of Order 21-01,sourcePrevious, p. 36.

¹³ Shadia Rahab, Jurisdiction of the Constitutional Court, previous reference, p. 77.

¹⁴Article 60 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

¹⁵**AmmarAbbas**,The jurisdiction of the Constitutional Court in the fieldElectoral, previous reference, p. 120

¹⁶Article 95From the decree Presidential No.20-442, Historian in15Jumada First1442Agree to30December2020, Related By issuing Modification Constitutional Authenticated attic in Referendum first November2020, G.R.G.C, number82, Outgoing on the date12/30/2020.p23.

¹⁷ Article 95 of the Constitutional Amendment 2020,Previous source,p. 23.

¹⁸Paragraph 2 of Article 255 of theorR 21-21,sourcePrevious, p. 37.

¹⁹Ammar Abbas, the powers of the Constitutional Court in the fieldElectoralPrevious reference, p. 121.

²⁰ Paragraph 2 of Article 95 oftheConstitutional Amendment 2020,Previous source,p. 23.

²¹Article 95 of the Constitutional Amendment 2020,Previous source,p. 23.

²²Paragraph 2 of Article 255 of Order 21-01, includes the Organic Law relating to the systemElections,sourcePrevious, p. 37.

²³Article 63 oforder The determinant For rules a job The court Constitutional, G.R.G.G number4, Outgoing on the date29Jumada Second1444Agree22January2023,p10.

²⁴Article 191 of the Constitutional Amendment,Previous source, p.40.

²⁵Article 61 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

²⁶Order No. 21-01 dated 26 Rajab 1442 corresponding to March 10, 2021, containing the Organic Law relating to the electoral system, Official Gazette No. 17, issued on 26 Rajab 1442 corresponding to March 10, 2021, p. 8.

²⁷Article 62 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 10.

²⁸Article 259 of Ordinance 21-01, the organic law relating to the electoral system,sourcePrevious, p. 37.

²⁹Article 260 of Ordinance 21-01, the organic law relating to the electoral system,sourcePrevious, p. 37.

³⁰Organic Law No. 19-07 of September 14, 2019,YAttached to the independent national authorityFor elections, O.R.G.J. No. 55, issued on September 15, 2019 (repealed).

³¹HamidMy **determinants**, "The Independent National Authority" For elections Under the constitution 2020», World Politics Magazine Study lab A Political and International Studies, University of M'hamed Bouguerra, Boumerdes, Volume 06, Issue 02, 2022, p. 563.

³²Linda Onisi, previous reference, p. 116.

³³Article 120 of the Constitutional Amendment 2020, source Previous, p. 28.

³⁴Article 66 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 10.

³⁵Article 67 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 11.

³⁶Article 69 of the statute specifying the rules of procedure of the Constitutional Court states: "The appeal petition stipulated in the-**A In Articles 209 and 240 of the Mother—R 21-01 dated 26 Rajab 1442 corresponding to March 10, 2021, including the organic law related to the electoral system, amended and supplemented, with the following data:**

- **The appellant's name, surname, profession, address and signature**
- **Mention the municipal or provincial council to which the appellant belongs. To elect Members of the National Assembly**
- **If it concerns a political party or a list of candidates: the name of the party or list, the address of the headquarters, and the description of the person filing the appeal who must prove the authorization or agency granted to him.**
- **Presentation of the objection and its foundation in the form of grounds and arguments**
- **The appeal must be accompanied by supporting documents and means.**
- **The appeal petition must be written in Arabic.**

³⁷Article 70 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 11.

³⁸Article 209 of Ordinance 21-01, the organic law relating to the electoral system, source Previous, p. 32.

³⁹Article 71/1 of the Regulations Determining the Rules of Procedure of the Constitutional Court, previous reference, p. 11.

⁴⁰ - Article 210 of Order 21-01, which includes the organic law relating to the electoral system, source Previous, p. 32.

- Paragraphs 2 and 3 of Article 71 of the system specifying the rules of work of the Constitutional Court, source Previous, p. 11.

⁴¹Article 68 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 11.

⁴²Article 72 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 11.

⁴³Article 211 of Ordinance 21-01, the organic law relating to the electoral system, source Previous, p. 32.

⁴⁴Article 72/2 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 11.

⁴⁵Article 81 of the Regulations Determining the Rules of Procedure of the Constitutional Court, source Previous, p. 12.

⁴⁶Article 83/2 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 12.

⁴⁷Article 82 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 12.

⁴⁸Article 83/1 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 12.

⁴⁹Article 84 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 12.

⁵⁰Article 85 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 12.

⁵¹Article 86 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 12.

⁵²Article 87 The system specifying the rules of work of the Constitutional Court,sourcePrevious, p. 12.

⁵³Article 89 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 13.

⁵⁴Article 90 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 13.

⁵⁵Article 91 of the Regulations Determining the Rules of Procedure of the Constitutional Court,sourcePrevious, p. 13.

⁵⁶Articles: 260/2, 263/2, 241/3 of Order No. 21-01,dated in10March2021, Includes the law Organic Related Systematically Elections, G.R.G.G number17, Issued on the date16March2021, S8.

⁵⁷Ammar Abbas, the powers of the Constitutional Court in the fieldElectoral, previous reference, p. 128.

⁵⁸The material115/1From Order No. 21-01, YThe organic law on the system includesElectionsFor the year 2021,sourcePrevious, p. 18.

⁵⁹Article 116 of Order No. 21-01, YThe organic law on the system includesElectionsFor the year 2021,sourcePrevious, p. 18.

⁶⁰Article 118fromOrder No. 21-01, YThe organic law on the system includesElectionsFor the year 2021,sourcePrevious, p. 19.

⁶¹ Articles 119, 120 of Order No. 21-01, YThe organic law on the system includesElectionsFor the year 2021,sourceformer.

⁶²Article 121 of Order No. 21-01,yThe organic law on the system includesElectionsFor the year 2021,sourcePrevious, p. 19.

- Article 64 of the system specifying the rules of work of the Constitutional Court,sourcePrevious, p. 10.

⁶³Ammar **Abbas**The jurisdiction of the Constitutional Court in the fieldElectoral, previous reference, pp. 122, 123.

⁶⁴Article 75 of the Regulations Determining the Rules of the Constitutional Court,sourcePrevious, p. 11.

⁶⁵Article 65 of the Regulations Determining the Rules of the Constitutional Court,sourcePrevious, p. 10.

⁶⁶Article 76 of the Regulations Determining the Rules of the Constitutional Court,sourcePrevious, p. 12.

⁶⁷Amina Rais, “The Role of the Constitutional Court inElectionsThe Presidency: A Critical Vision in Light of Order 21-01 Containing the Organic Law on the Amended and Supplemented Electoral System”, Algerian Journal of Human Security, Human Security Laboratory: Reality, Stakes and Prospects, University of Batna 1, Algeria, Volume 07, Issue 02, 2022, p. 234.

⁶⁸Shadia Rahab, previous reference, p. 96.