



Mechanisms of the work of the court of conflicts Between Legal texts and Judicial application According to Algerian Law for 2025

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ABSTRACT: The Court of Jurisdictional Conflicts in the Algerian judicial system is an exceptional judicial body whose purpose is to resolve disputes relating to the determination of jurisdiction between ordinary and administrative courts. This Court was established by Organic Law No. 98-03 of 3 June 1998 and has undergone several legal amendments, the most recent of which was adopted in June 2025. The 2025 amendment aims to strengthen the Court's effectiveness and simplify its procedures in line with contemporary trends in the administration of justice.

This study offers an analytical examination of the concept of the Court of Jurisdictional Conflicts, its competences, and its operating mechanisms as updated by recent legislative amendments. It also reviews the practical and theoretical challenges confronting the Court amid rapid legal changes and proposes solutions to enhance its role in delivering justice and protecting rights.

Keywords: Court of Jurisdictional Conflicts, administrative judiciary, competences, recent developments, judicial system.

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Introduction

The Court of Jurisdictional Conflicts is one of the essential pillars of the contemporary judicial system, particularly in light of the continuous evolution of national and international laws and the steady increase in disputes arising from the overlap of laws and divergent heads of jurisdiction. The need has become pressing for a specialized judicial body capable of adjudicating disputes stemming from conflicts of laws, in order to guarantee justice and ensure legal certainty for both citizens and institutions.

This research is based on an in-depth study of the concept of the Court of Jurisdictional Conflicts, its jurisdictional framework, and its operating mechanisms under the most recent legislation applicable in 2025. It focuses on the practical and theoretical challenges the Court faces amid rapid legal transformations. The research also addresses the legal rules governing the determination of judicial jurisdiction and methods for addressing conflicts of laws, thereby contributing to the development of both academic understanding and practical application of the Court's role in protecting rights and upholding the rule of law.

The importance of this study lies in shedding light on the role of the Court of Jurisdictional Conflicts in achieving a balance between national and international legal principles, while presenting a comprehensive vision of ways to enhance its efficiency and effectiveness within a changing legal environment, in service of justice and the protection of individual and collective rights.

The central question posed by this paper is therefore: **To what extent is the Court of Jurisdictional Conflicts, under the law of 2025, capable of ensuring effective and fair adjudication of jurisdictional disputes between different bodies, while balancing judicial speed with legal certainty?**

To answer this question, the study is divided into two main parts: the conceptual framework of the Court of Jurisdictional Conflicts (**Part I**), and the rules governing the functioning of the Court and the extent of its effectiveness (**Part II**).

Part I: The Conceptual Framework of the Court of Jurisdictional Conflicts.

The Court of Jurisdictional Conflicts is a specialized judicial body established to resolve disputes that arise concerning the determination of judicial jurisdiction between different courts whether ordinary courts or administrative courts or even between courts of the same category when a conflict of jurisdiction occurs. The Court's fundamental aim is to ensure the fair and swift resolution of disputes over jurisdiction and to prevent conflicts between the courts themselves, thereby preserving legal certainty and achieving justice.

The Court is characterized by its exceptional nature. It does not adjudicate on the merits (i.e., on rights and obligations) but is limited to procedural issues concerning which court is competent to hear the dispute. The Court's decisions are final and binding on all courts and parties and are not subject to appeal before any other court, in order to decisively settle the dispute. In most legal systems, including Algerian law, the Court of Jurisdictional Conflicts is established by an organic law defining its composition, competences, and procedures; its rules were most recently amended in 2025 to enhance efficiency and expedite the resolution of disputes.

The Court's principal functions are as follows:

- Resolving conflicts between courts regarding judicial jurisdiction;
- Unifying judicial practice in interpreting provisions relating to jurisdiction;
- Avoiding judicial inconsistency and delays in justice by issuing final and swift decisions;
- Providing a legal reference point for other judicial bodies when similar disputes arise.

I. Definition of the Court of Jurisdictional Conflicts.

The Court of Jurisdictional Conflicts was created following the 1996 Constitution, which inaugurated a dual judicial system as of that year. Article 152(4) of the 1996 Constitution provided: "A Court of Jurisdictional Conflicts shall be established to adjudicate cases of jurisdictional conflict between the Supreme Court and the Council of State." Subsequently, Organic Law No. 98-03 organizing the Court was enacted.¹ Article 179 of the 2020 constitutional amendment further provided that the Court shall decide cases of jurisdictional conflict between bodies of the ordinary judiciary and bodies of the administrative judiciary, and that an organic law shall define its organization, functioning, and competences.

The Court occupies a special position outside the hierarchical structure of both the ordinary and administrative judicial systems. Accordingly, it does not address conflicts arising within a single judiciary whether ordinary or administrative. Under Article 2 of the organic law, the seat of the Court is in Algiers, subject to the exceptional cases referred to in Article 93 of the Constitution.

Article 3 of the law defines when a conflict of jurisdiction arises, stating: "There is a conflict of jurisdiction when two judicial bodies, one subject to the ordinary judicial system and the other to the administrative judicial system, each declare itself competent to adjudicate the same dispute."

II. Characteristics of the Court of Jurisdictional Conflicts.

- The Court belongs to the judicial organization; it is not an administrative body but a specialized court addressing a specific matter with a particular composition and specific procedures.
- The Court is entirely independent of both the ordinary and administrative judiciaries and has a special standing.

¹ - Organic Law No. 98-03 of 3 June 1998 on the competences, organization, and functioning of the Court of Jurisdictional Conflicts, *Official Journal* No. 39, dated 7 June 1998.

- The Court's case law is binding on both the ordinary and administrative judiciaries and is not subject to any form of appeal.
- The Court is composed on a parity basis, i.e., an equal number of judges from the ordinary judiciary and from the administrative judiciary.

III. Composition of the Court of Jurisdictional Conflicts.

Under Organic Law No. 98-03 of 3 June 1998 on the competences, organization, and functioning of the Court of Jurisdictional Conflicts (Articles 5 to 11), the Court's members were defined as follows:

1 - President of the Court: Article 7 of Organic Law No. 98-03 provides: "The President of the Court of Jurisdictional Conflicts shall be appointed for three (3) years, alternately, from among the judges of the Supreme Court or the Council of State, by the President of the Republic upon the proposal of the Minister of Justice and after obtaining the conforming opinion of the High Council of the Judiciary." The President is appointed by presidential decree. This term provides a greater guarantee for the office of President. The Court consists of seven (7) judges, including the President, all of whom are subject to the Judicial Statute.

2 - Judges of the Court of Jurisdictional Conflicts: Judges are appointed from among the judges of the Supreme Court, with the other half from among judges of the Council of State.² All are subject to the Judicial Statute. This balance ensures the proper functioning of the body. Notably, the legislator did not specify a term of office for members, unlike the President.

3 - Government Commissioner: Article 9 of Organic Law No. 98-03 states: "In addition to the composition set out in Article 5 above, a judge shall be appointed as Government Commissioner for a term of three (3) years by the President of the Republic upon the proposal of the Minister of Justice and after obtaining the conforming opinion of the High Council of the Judiciary, to present submissions and oral observations."

4 - Registry: Under the 2025 law specific to the Court and pursuant to Law No. 25-13 concerning the Court of Jurisdictional Conflicts, the composition was officially changed by the amended and approved bill to nine members instead of seven, with an alternation mechanism between judges from the ordinary judiciary (the Supreme Court) and the administrative judiciary (the Council of State).

Article 7 of Law No. 25-13 provides that the President of the Court shall be appointed by the President of the Republic by presidential decree for a five-year term, alternately from among judges of the Supreme Court and of the Council of State, upon the proposal of the President of the Permanent Bureau of the High Council of the Judiciary, this body under the 2020 constitutional amendment being the guarantor of judicial independence.³

Part II: Rules Governing the Functioning of the Court of Jurisdictional Conflicts and Its Effectiveness.

The rules governing the Court aim at the swift resolution of disputes to avoid delays in justice. All decisions and procedures must be documented to ensure transparency and to provide a useful legal database of precedents. The recent 2025 amendments seek to:

Improve procedures for electronic filing and expedite the examination of disputes;

Strengthen coordination between courts and reduce instances of overlapping jurisdiction;

² - Article 8 of the Organic Law provides: "Half of the judges of the Court of Jurisdictional Conflicts shall be appointed from among the judges of the Supreme Court, and the other half from among the judges of the Council of State, by the President of the Republic upon the proposal of the Minister of Justice and after obtaining the conforming opinion of the High Council of the Judiciary."

³ - Article 180 of the 2020 constitutional amendment.

Organize training sessions for judges on interpreting provisions related to the determination of jurisdiction.

1. Competences of the Court of Jurisdictional Conflicts.

Pursuant to Articles 15 to 18 of Organic Law No. 98-03 on the Court, the Court is a judicial body competent to resolve jurisdictional conflicts and to determine which court is competent to hear the case. Article 15 provides: "Only matters relating to conflicts of jurisdiction may be brought before the Court of Jurisdictional Conflicts." This issue is addressed from two main angles.

1. Resolving Issues of Conflicts of Jurisdiction.

Given the dual judiciary adopted since the 1996 Constitution, conflicts of jurisdiction are inevitable, with both ordinary and administrative courts sometimes asserting jurisdiction over a given case (positive conflict). Conversely, in a negative conflict, each jurisdiction declines competence in relation to the same dispute. The constitutional legislator limited the Court's remit in Article 171, while Article 16 of Organic Law No. 98-03 broadened the scope by providing: "There is a conflict of jurisdiction when two judicial bodies, one subject to the ordinary judicial system and the other to the administrative judicial system, declare themselves competent or incompetent to adjudicate the dispute."⁴

The conditions for a positive conflict include the identity of the dispute in terms of subject matter, parties, and cause. A further condition is that the last decision rendered by either the ordinary or administrative judiciary be final, not subject to ordinary or extraordinary appeal, either because an appeal has been exhausted or because the time limit has expired. Article 17 of Law No. 98-03 provides: "From the day on which the last decision becomes no longer subject to any appeal before the courts of the administrative judicial system or the ordinary judicial system."⁵

As for negative conflicts of jurisdiction, these arise when both the ordinary and administrative judiciaries decline jurisdiction in respect of the same dispute and each acknowledges its lack of competence. The conditions include: two express declarations of lack of jurisdiction; identity of dispute (subject matter, cause, and parties) before each of the two jurisdictions; and the presence of two final judgments of lack of jurisdiction that have acquired the force of *res judicative*, no longer open to any appeal before any judicial authority.⁶

2. Resolving Issues of Contradictory Judgments.

A conflict may also take the form of contradictory judgments: each of the ordinary and administrative judiciaries issues a final decision on the same subject matter, and these decisions are inconsistent with one another, meaning each court has adjudicated differently, even though one of them must be incompetent. In such cases, the Court of Jurisdictional Conflicts determines which judicial decision is to be applied.

Certain conditions must be met: the existence of two final judgments (without specifying whether they are rendered by two different systems or the same one); the dispute must concern the same subject matter (not jurisdiction, or else we are in the presence of a negative conflict); the two judgments must be entirely contradictory whether as to facts, legal characterization, or the law applied; and there must be a denial of justice, placing the claimant in a situation that deprives them of rights recognized by law.

II. Procedures for Bringing an Action before the Court and Their Effectiveness:

⁴ - Article 16(2) of Organic Law No. 98-03 states: "The same dispute is understood to exist when the parties appear in the same capacity before an administrative authority and a judicial authority, and the claim is based on the same cause and the same subject matter brought before the judge."

⁵ - Examples of case law: File No. 67 dated 18 May 2008, published in the *Supreme Court Review*, special issue, Court of Jurisdictional Conflicts, 2009, p. 227.

⁶ - Decisions of the Court of Jurisdictional Conflicts: decision dated 13 July 2008; Decision No. 147344 of 17 December 1996; Decision No. 1975 of 7 May 2001.

A litigant bringing a case before the Court must be thoroughly familiar with litigation procedures, which are subject to formal and temporal conditions whose non-observance may result in inadmissibility.

Article 15 of Organic Law No. 98-03 states: "Only matters relating to conflicts of jurisdiction may be brought before the Court of Jurisdictional Conflicts." Article 18 clarifies certain procedures: "If the seised judge finds, in pending litigation, that another judicial body has declared itself competent or incompetent, and that his decision would lead to contradictory judgments by two different judicial systems, he must refer the case file, by a reasoned decision not subject to any appeal, to the Court of Jurisdictional Conflicts to decide the issue of jurisdiction. In such a case, all proceedings are stayed until the Court issues its decision." Upon referral, the registrar of the seised court must send a copy of the referral decision, together with all procedural documents, to the Court within one month from the date of pronouncement.

It follows that there are two ways to bring a case before the Court: where there is a positive or negative conflict of jurisdiction or where judgments are contradictory. This may be done either by referral from the courts, to prevent a jurisdictional conflict from arising, or by petition filed by interested parties when a conflict exists. The referral mechanism does not apply to actions based on contradictory judgments. Article 19 sets out the applicable steps: "The dispute shall be brought before the Court by a written petition, lodged and registered with the Registry. In the event of referral, the rules of the Code of Civil Procedure governing conflicts of jurisdiction between judges shall apply."

1. Action Brought by Interested Parties.

Several provisions stipulate procedures and conditions for a valid action. Article 17 of Organic Law No. 98-03 specifies: "The parties concerned may bring their action before the Court of Jurisdictional Conflicts within two months from the day on which the last decision is no longer subject to any appeal before the courts of the administrative judicial system or the ordinary judicial system." A written petition must be addressed to the Court by those with standing to safeguard their legal positions in cases of positive or negative conflicts and contradictory final judgments, and must be filed through a lawyer. In the case of referral, it is the judge who addresses the Court, in accordance with Article 18 above. The law requires that petitions be in writing to establish with precision the place and date of commencement of proceedings.

Petitions must be drafted in Arabic and registered with the Court Registry for entry in a special register, as provided in Article 19: "The dispute shall be brought before the Court by a written petition, lodged and registered with the Registry." The second paragraph provides that in case of referral, the rules in the Code of Civil Procedure governing conflicts of jurisdiction between judges apply.

Under the Code of Civil Procedure, if the courts involved are under the same Court of Appeal, the petition for resolving the conflict is submitted to that body, which designates the competent court and refers the case to it for adjudication in accordance with the law. If two Courts of Appeal have both declared themselves competent or incompetent, or if a conflict arises between a court and a Court of Appeal, the petition is submitted to the Civil Chamber of the Supreme Court.⁷

The registrar of the seised judicial body must send a copy of the referral decision, with all procedural documents, within one month from pronouncement.⁸ The number of copies must equal the number of parties to be served. Petitions and briefs must be signed by a lawyer admitted before the Supreme Court or the Council of State.⁹ Where the State, a wilaya, a municipality, or a public administrative body is a party, representation by counsel is not mandatory; petitions and briefs are signed by the legal representative, pursuant to Article 20 of the law, by the Minister or a duly authorized official. Article 827 of the Code of

⁷ - Bouamrane, Adel. "Resolving Conflicts of Jurisdiction between the Administrative and Ordinary Judiciary in the Algerian Legal System," *Notebooks of Politics and Law* (Dafatir al-Siyāsa wa-l-Qānūn), No. 8, January 2013, p. 131.

⁸ - Article 4 of Organic Law No. 98-03 on the Court of Jurisdictional Conflicts provides: "All the Court's work, discussions, deliberations, decisions, and the parties' memoranda shall be recorded in Arabic."

⁹ - Al-Arabi, Wardiya. *The Concept of Public Order in Administrative Judicial Procedures*, Master's Thesis, Public Law, University of Tlemcen, Faculty of Law and Political Science, academic year 2009-2010, p. 58.

Civil and Administrative Procedure further provides: “The State and the legal persons referred to in Article 800 are exempt from mandatory representation by a lawyer in bringing claims, defending, and intervening. Petitions, statements of defence, and intervention briefs submitted on behalf of the State or the persons referred to above shall be signed by their legal representative.”¹⁰

As for time limits, the Code of Civil and Administrative Procedure governs time limits for admissibility of administrative actions. Article 17(2) of Organic Law No. 98-03 provides: “The parties concerned may bring their action before the Court within two months from the day on which the last decision is no longer subject to any appeal before the courts of the administrative judicial system or the ordinary judicial system.”

Why require that an action for conflict of jurisdiction be brought only when the last decision is no longer subject to any appeal? According to Dr. Ammar Boudiaf,¹¹ the legislator’s aim is to leave open a corrective avenue before the competent judicial body ordinary or administrative so that it may remedy the situation.¹²

Time limits are fundamental and relate to the public interest; they are thus of public order. Public order comprises the essential rules and interests of society aimed at ensuring security, health, and public tranquility. It is an evolving concept that changes over time and place and includes traditional elements (security, health, tranquility) and modern ones (aesthetic, moral, environmental, and economic order). It falls within the State’s discretion in pursuit of the higher interests of society. From the standpoint of administrative law, public order consists of binding legal rules through which the State organizes social life and guarantees rights and freedoms by protecting the higher interests of the State and society.

If time limits for appeals are not respected, or if no appeal is available, the judge must raise inadmissibility of his own motion. Article 69 of the Code of Civil and Administrative Procedure states: “The judge shall raise of his own motion any plea of inadmissibility that concerns public order, particularly where time limits for appeals are not respected or where no appeal is available.” Article 17 of Organic Law No. 98-03 confirms the same, although it does not specify the fate of actions brought after expiry of the prescribed period.¹³

Under Law No. 25-13, currently in force and specific to the Court, disputes may be brought by paper petition or electronically an innovation consistent with the digital transformation across many State institutions, which facilitates litigants’ access. The petition is lodged and registered with the Registry. The applicant seising the Court must define the conflict of jurisdiction to be submitted to the judicial body in order to delineate and resolve the issue of competence.¹⁴

2. Action Brought by Way of Referral.

This method originated in France, particularly after the drawbacks associated with positive and negative conflicts became evident. The Decree of 25 July 1960 introduced a new mechanism referral intended to eliminate the delays of the prior regime, under which the litigant had to wait many years for a judgment of lack of jurisdiction by either the ordinary or the administrative courts before seising the Court of Jurisdictional Conflicts.

¹⁰ - Articles 399 and 400 of the Code of Civil and Administrative Procedure, Law No. 22-13 of 12 July 2022, *Official Journal* No. 48, dated 17 July 2022.

¹¹ - Boudiaf, Ammar. *The Algerian Judicial System (1962–2002)*, Jisour Publishing & Distribution, 1st ed., Algiers, 2003, p. 331.

¹² - Article 20 of Organic Law No. 98-03 concerning the Court of Jurisdictional Conflicts.

¹³ - Hamri, Najat Amal. *The Court of Jurisdictional Conflicts in Algerian Legislation*, Master’s Thesis in Public Law (Administration & Finance), Faculty of Law and Political Science, Akli Mohand Oulhadj University, Bouira, academic year 2016–2017, p. 44.

¹⁴ - Article 19 of Law No. 25-13 on the Court of Jurisdictional Conflicts.

The Algerian legislator was influenced to some extent by the French model and adopted referral in order to facilitate litigants' access and so they need not await the second body's decision, which might contradict that of the first. Hence the text provides: "...and that his decision would lead to a contradiction...".¹⁵

Referral is thus a preventive method aimed at finding a solution to a potential conflict before it occurs. When the administrative or ordinary judge perceives that ruling on the merits would lead to contradictory judgments because a decision has already been issued in the same dispute by a body belonging to a different judicial system either on competence or incompetence he must refer the case to the Court of Jurisdictional Conflicts to determine which jurisdiction is competent.¹⁶

A second objective is to avoid contradictory judgments. By mandating referral when the judge foresees contradiction with a prior decision, the legislator sought both to resolve the issue more easily and quickly and to prevent the second judgment from being rendered at all.

Article 18 of Organic Law No. 98-03 provides: "If the seised judge finds, in pending litigation, that another judicial body has declared itself competent or incompetent, and that his decision would lead to contradictory judgments by two different judicial systems, he must refer the case file, by a reasoned decision not subject to any appeal, to the Court of Jurisdictional Conflicts to decide the issue of jurisdiction. In such a case, all proceedings are stayed until the Court issues its decision."

Under Article 18 of Organic Law No. 25-13, which amends and supplements Law No. 98-03, if the seised judge finds that another judicial body has declared itself competent or incompetent and that his decision would lead to contradictory judgments by two different judicial systems, he must refer the case file, by a reasoned and unappealable decision, to the Court to resolve jurisdiction. All proceedings are stayed until the Court's decision. Upon referral, the Registry (the term replacing "Clerk's Office" in this law) must send a copy of the referral decision, together with all procedural documents, to the Court within one (1) month from the date of pronouncement.

3. Procedures for Adjudication before the Court.

These procedures include appointing a reporting judge, holding a public hearing and delivering the decision, and notification of the decision. Each is addressed below.

a) Appointment of the Reporting Judge.

Article 22 of Organic Law No. 98-03 provides: "Upon being seised, the President of the Court of Jurisdictional Conflicts shall appoint, from among the members of the Court, a reporting judge. The reporting judge shall study the briefs and documents in the file, prepare a written report, and file it with the Registry for transmission to the Government Commissioner." The reporting judge may issue a formal notice to any party that has not responded within the prescribed time limit, requiring a response within one month of the grant of such time. The report is read at a public hearing; the parties or their counsel may present oral observations immediately thereafter, followed by the submissions of the Government Commissioner.¹⁷

Article 23 provides that the notified party must submit its defence within one month if residing in Algeria, and within two months if residing abroad, from the date of service. Article 404 of the Code of Civil and Administrative Procedure states: "The two-month time limits for opposition, appeal, retrial, and cassation appeals provided for in this law shall be extended for persons residing outside the national territory."

¹⁵ - Chenikher, Hajar. "Conflict of Jurisdiction between the Administrative and Ordinary Judiciary: A Comparative Study between Algerian and Tunisian Legislation," *Al-Mufakkir Review*, Faculty of Law, Issue 6, University of Biskra, p. 288.

¹⁶ - Boudiaf, Ammar. *Administrative Justice in Algeria between Unity and Dualism, 1962-2000*, Dar Rihaneh, Algiers, 2000, p. 92.

¹⁷ - Boudiaf, Ammar. *The Algerian Judicial System*, previously cited, p. 335.

Under Organic Law No. 25-13 of 3 August 2025, which amends and supplements Organic Law No. 98-03 of 3 June 1998, the President of the Republic appoints the President of the Court for five (5) years, alternately from among judges of the Supreme Court and among judges of the Council of State, upon the proposal of the President of the Permanent Bureau of the High Council of the Judiciary and after obtaining the Council's conforming opinion, with consultation of the President of the Council of State for judges of that body.

b) Public Hearing and Delivery of the Decision. The Court holds its sessions upon convocation by its President, who presides over the hearing in accordance with the Code of Civil Procedure. Decisions are rendered by majority vote; in the event of a tie, the President's vote prevails. The Court must decide conflicts within a maximum of six (6) months from registration.

Decisions are issued in the name of the Algerian people and must include the names of the parties, the principal documents (endorsed), and the applicable legal texts, and, where appropriate, the parties' claims. Decisions must be reasoned and must state the names of the judges who took part and the name of the Government Commissioner. The original must be signed by the President, the reporting judge, and the Registrar.

Under Article 283 of the Code of Civil and Administrative Procedure, failure to state the foregoing particulars does not render a judgment void if the case file or hearing register shows that the law was in fact observed. The Court's decisions bind judges of both the ordinary and administrative judiciaries and are not subject to appeal. However, under Law No. 25-13, decisions may be the subject of an action for interpretation or to correct a material error an innovation compared with Law No. 98-03.¹⁸

c) Notification of the Decision.

Once proceedings are complete, the Court's work concludes with notification. The Registry of the Court notifies copies of decisions to the parties concerned and sends the case file, together with a copy of the decision, to the judicial body concerned within one month from pronouncement, under the responsibility of the President of the Court. Article 273 of the Code of Civil and Administrative Procedure states: "Pronouncement of the judgment is limited to reading out its operative part at the hearing by the President in the presence of the judges who deliberated."¹⁹

Article 31 of Law No. 25-13 provides that decisions of the Court shall be notified by all legal means by the Registry to the parties concerned, and the case file, together with a copy of the decision, shall be sent to the judicial bodies concerned within a period not exceeding one (1) month from pronouncement, under the responsibility of the President of the Court.²⁰

Conclusion:

This study has shown that the Court of Jurisdictional Conflicts plays a pivotal role in the judicial system as an effective mechanism to ensure fair adjudication of disputes concerning the determination of jurisdiction among different judicial bodies. The 2025 legislative amendments aim to enhance the Court's efficiency and streamline its procedures; however, practical challenges remain notably those arising from the complexity of legal provisions and the overlap of competences.

¹⁸ - See Article 30 of Law No. 98-03 on the Court of Jurisdictional Conflicts.

¹⁹ - Article 7 of Law No. 25-13 amending and supplementing Organic Law No. 98-03 on the competences, organization, and functioning of the Court of Jurisdictional Conflicts, dated 3 June 1998; published in the *Official Journal*, No. 53, issued on 10 August 2025, p. 8.

²⁰ - Article 32 of Law No. 25-13 on the Court of Jurisdictional Conflicts amending and supplementing Law No. 98-03.

The Court's success does not depend on legal texts alone but also on judges' ability to apply those texts with flexibility and prudence, so as to achieve justice and maintain legal certainty. There is a continuing need to review and develop procedures in step with legal and social developments to ensure the Court's effectiveness.

Recommendations:

- Develop mechanisms for arbitration and alternative dispute resolution to ease the Court's caseload and expedite case resolution.
- Organize continuous training programs for judges and Court members on recent legal amendments and best practices in dispute resolution.
- Create an integrated digital database documenting precedents related to jurisdictional conflicts and the competences of courts to facilitate decisions grounded in prior experience.
- Enhance coordination among judicial bodies to reduce overlap and ensure clarity of jurisdiction.
- Conduct periodic reviews of the laws governing the Court to adapt them to legal and social developments and thus ensure effective and sustainable justice.

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