



## **Overlap of jurisdiction between the newly established criminal courts in Algerian law**

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#### **Abstract:**

The distinctive nature of the investigating judge's role within the judicial system is highlighted, as he is a judge who combines functional independence with membership of a specialised judicial structure, in line with the approach dictated by modern and complex criminal developments. Conversely, the investigating judge's exercise of his discretionary powers in this regard is limited by a set of constraints, including the nature of specific and local jurisdiction and the practical issues this raises as a result of the overlap between criminal jurisdictions, despite the legal framework established in both the Algerian and Tunisian systems, and the issue of specialisation in this field.

**Keywords:** judicial investigation, specialisation, criminal jurisdictions, subject-matter jurisdiction, overlap of jurisdiction.

#### **Introduction**

The assignment of investigations to specialist judges within the newly established judicial poles represents one of the most prominent manifestations of the transformation in contemporary criminal policy, particularly in the face of modern and increasingly complex crime.

The Algerian legislator has recognised that the effectiveness of judicial investigation is no longer achieved through legislation alone, but has extended to structural and personnel reorganisation within the judicial system, so that the investigating judge is provided with appropriate legal means and technical tools, whilst scientific and practical controls are imposed.

The issue of defining the legal status of the investigating judge within the criminal division, as a specialised judge, has implications for practical performance and functional independence, particularly given the multitude of parties involved in public prosecutions <sup>1</sup>



The issues and questions revolve around **the limits of jurisdiction during the judicial investigation phase within the framework of specialised criminal courts. What are the main obstacles arising from overlapping jurisdictions?**

To address this issue and in accordance with the principles of scientific research, we have adopted both analytical and comparative methodologies as tools to examine the subject from both academic and practical perspectives. We have delved into the legal texts in an attempt to identify the point of conflict in jurisdiction between the specialised criminal courts, such that the answer is based on two main axes: the first addresses the role of the investigating judge within the criminal courts and the rules governing his jurisdiction, whilst the second is devoted to the obstacles facing investigations within the criminal courts regarding the issue of jurisdiction. and, in conclusion, we address the most important findings and recommendations derived from our study and professional experience in the investigative judiciary.

### **The first section: The role of the investigating judge within the criminal courts and the limits of his jurisdiction**

Both Algerian and Tunisian legislators have opted to adopt a system of specialised judicial chambers, as an institutional framework designed to concentrate judicial expertise and improve the functioning of the criminal justice system; The specialised investigating judge is one of the cornerstones of this system, given their pivotal role in conducting investigations into cases of a technical nature or of extreme gravity.

Under Algerian law, the legislature has enshrined the jurisdiction of specialised investigating judges through the establishment of specialised criminal courts pursuant to amendments to the Code of Criminal Procedure, particularly in the areas of counter-terrorism, corruption, organised crime and money laundering. This establishment was in response to the requirements of judicial efficiency and to ensure a balance between the speedy adjudication of complex cases and the safeguarding of the rights of the defence<sup>2</sup>.

Under Tunisian law, specialised judicial chambers have been established—notably the Anti-Terrorism Chamber and the Economic and Financial Chamber—as a legislative measure to tackle emerging and serious crimes<sup>3</sup>. Within these divisions, the investigating judge has been granted specific and exclusive jurisdiction over certain offences, thereby enshrining the principle of judicial specialisation, which we shall examine and summarise in the following points.

#### **First: Establishing the jurisdiction of the specialised investigating judge**



The distinctive role of the investigating judge within the criminal justice system has prompted the legislature in both Algeria and Tunisia to establish a specific legal framework governing the appointment of such judges and defining their status within the judicial system, in line with the principle of judicial specialisation and to ensure the proper administration of justice.

Firstly, the appointment of an investigating judge to a judicial division is based on rigorous legal and institutional considerations, aimed at selecting judges with the competence and professional experience to handle sensitive cases independently. Under Algerian law, specialised investigating judges are appointed within judicial divisions in accordance with legal and administrative mechanisms that take into account the specific nature of the division's jurisdiction, with the competent authority intervening in the appointment to ensure a balance between judicial independence and the requirements of the judicial system.

Under Tunisian law, the appointment of investigating judges working in the specialised chambers is subject to specific criteria, often based on the principles of competence and expertise, whilst taking into account the constitutional guarantees regarding the independence of the judiciary and its immunity from influence<sup>4</sup>.

On the other hand, the distinctive nature of the investigating judge's role within the judicial system is highlighted by the fact that he is a judge who combines functional independence with membership of a specialised judicial structure; This role is not limited to that of an investigating judge in the traditional sense, but extends to include him as an active member of a judicial division subject to specific internal regulations, dealing with specialised public prosecutors' offices and judicial enforcement bodies with a specific structure.

Consequently, an examination of the basis for appointing an investigating judge within the judicial system and the specific nature of their role is essential to understanding the nature of this judge and whether they are independent, It also allows us to highlight the extent to which both the Algerian and Tunisian legislatures have succeeded in establishing a specialised judiciary for combating complex crimes<sup>5</sup> in terms of the exercise or limitation of the investigating judge's discretionary powers.

### **Secondly: The extent of the investigating judge's independence in conducting investigations within the criminal courts**

Whilst the legislature has granted the investigating judge of the specialised criminal division extended jurisdiction and exceptional powers, this does not mean that such authority is exempt from legal constraints or that it deviates from the general principles of justice. The issue of



authority within the specialised chambers oscillates between the need to preserve the judge's independence as a fundamental guarantee of a fair trial, and the requirements of technical specialisation, which may impose objective constraints on the judge's discretionary powers. This dilemma takes on added significance in the context of serious and complex cases, where the nature of the offences and the interests of the parties involved require the judge to be able to make swift and objective decisions, without being subject to any external influence or professional pressure<sup>6</sup>.

The independence of the investigating judge is the cornerstone of the administration of criminal justice; in specialised courts, this is not merely a slogan, but a constitutional and legal safeguard that grants him the ability to conduct his proceedings free from any subordination to the Public Prosecution Service or security directives, relying solely on his conscience and the provisions of the law. Although the Public Prosecution Service initiates proceedings, once the investigating judge takes charge of the case, he enjoys absolute freedom to seek both incriminating and exculpatory evidence, and the Public Prosecution Service may not dictate specific procedures to him or prevent him from hearing any party or conducting any search he deems necessary to establish the truth. This structural and functional independence ensures that the judge is able to tackle the complexities of financial, organised or cybercrime<sup>7</sup> with legal boldness, whilst maintaining the integrity and objectivity of the investigation.

On the other hand, the technical expertise that characterises criminal courts is a decisive factor in the exercise of a judge's discretionary power, as it defines the scope of available legal options and sometimes restricts the freedom of personal decision-making in the face of precise technical facts. In cases of financial corruption or complex cybercrimes, the judge finds himself compelled to rely on specialist experts, such as accountants or software engineers, which naturally directs his assessment of the evidence towards the technical findings provided by these experts, and reduces the possibility of dismissing it on the basis of mere personal judgement. Thus, expertise shifts from being an aid to becoming an objective constraint that limits the judge's authority in certain cases, particularly when classifying the facts or making crucial decisions such as pre-trial detention or judicial supervision<sup>8</sup>.

However, specialisation does not remove the judge's discretion; rather, it refines it in a manner that is more precise and better suited to the complex reality of modern crimes.

**Thirdly: The impact of specialisation on the discretionary power of the investigating judge within the criminal courts**



Specialisation is a key feature of the criminal courts, and it has a dual effect on the investigating judge's discretion: whilst technical expertise gives him greater ability to understand complex facts and accurately assess evidence, it may at the same time restrict his freedom to make traditional legal decisions.

Although specialisation enhances the accuracy of decisions, it carries the risk of directing discretionary power towards technical outcomes at the expense of legal considerations and procedural justice. A judge may become overly reliant on specific experts, thereby undermining the independence of legal decision-making in certain cases.

Furthermore, the clarity of the legal texts governing the work of the investigating judge within the criminal justice system does not make the investigating judge's independence practically apparent; rather, it remains subject to several factors that limit its absolute effectiveness.

Foremost among these is teamwork and coordination with security agencies and experts, which may restrict the judge's freedom in certain decisions and affect the balance between legal and technical considerations.

Secondly, there are time and administrative pressures resulting from the sheer volume of complex cases, which may lead to hasty decisions being taken under time pressure, thereby potentially affecting the quality of the investigation. Finally, although the Indictment Chamber provides judicial oversight, subsequent interventions do not necessarily prevent certain errors or unintended bias, which calls for the strengthening of mechanisms for monitoring and continuously evaluating the judge's performance<sup>9</sup>.

### **The second issue: Overlap in jurisdiction between the newly established criminal courts**

The territorial or subject-matter jurisdiction of the criminal courts was defined by clear and concise provisions, taking into account the seriousness of the offence committed (misdemeanour, offence, crime), and in terms of territorial or local jurisdiction, the competent court is that of the place where the offence was committed, the place of residence of the accused, or the place of their arrest, in accordance with the provisions of Articles 70 and 310 of the Code of Criminal Procedure. These simplified rules on jurisdiction have been significantly amended following the establishment of judicial bodies with extended jurisdiction – regional or national jurisdiction (**firstly**) – and the practical difficulties arising from overlapping jurisdiction (**secondly**).



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**First: The new specialised judicial bodies with extended jurisdiction  
Specialised inter-regional courts (courts with extended jurisdiction)**

Law No. 04-14 of 10 November 2004, amending and supplementing Decree No. 66-155 of 8 June 1966 relating to the Code of Criminal Procedure, which was itself amended in 2025, paved the way for the establishment of specialised regional judicial bodies through its provisions in Article 329 (formerly) and Article 310 (currently) of the Code of Criminal Procedure, which state: **“The local jurisdiction of the court may be extended to the jurisdiction of other courts by regulation in cases of drug offences and organised crime across national borders, offences relating to automated data processing systems, money laundering, terrorism and offences relating to foreign exchange legislation.”**

In line with this extended jurisdiction of the court, the territorial jurisdiction of the public prosecutor and the investigating judge may be extended under the same law in respect of these offences. These new judicial authorities, numbering four, were established by Executive Decree No. 06-348 of 5 October 2006, which provides for the extension of the territorial jurisdiction of certain courts, public prosecutors and investigating judges, as amended by Executive Decree No. 16-267 of 17 October 2016.

Thus, pursuant to this Executive Decree, the local jurisdiction of the Court of Sidi M’hamed in Algiers extends to the courts of the judicial councils of Algiers, Chlef, Laghouat, Blida, Bouira, Tizi Ouzou, Djelfa, Medea, M’Sila, Boumerdès, Tipaza and Aïn Defla.

The local jurisdiction of the Court of Constantine extends to the courts of the judicial councils of Constantine, Oum El Bouaghi, Batna, Bejaia, Tébessa, Jijel, Setif, Skikda, Annaba, Guelma, Bordj Bou Arreridj, El Tarf, Khenchela, Souk Ahras and Mila.

The local jurisdiction of the Court of Ouargla extends to the courts of the judicial councils of Ouargla, Adrar, Tamanrasset, Illizi, Biskra, El Oued and Ghardaïa.

Finally, the local jurisdiction of the Court of Oran extends to the courts of the judicial councils of Oran, Bechar, Tlemcen, Tiaret, Tindouf, Saïda, Sidi Bel Abbès, Mostaganem, Mascara, El Bayadh, Tissemsilt, Naâma, Aïn Témouchent and Relizane<sup>10</sup>.

The new judicial authorities with extended jurisdiction (specialised regional judicial authorities) from January 2008 and exercised their powers until 2020, the date on which new judicial authorities were established to hear certain offences that were previously within the jurisdiction of the judicial authorities with extended jurisdiction. Two new judicial bodies with national jurisdiction were established pursuant to Decree No. 04-20 of 30 August 2020 and subsequently



Decree No. 11-21 of 25 August 2021, amending and supplementing Decree No. 155-66 of 8 June 1966 relating to the Code of Criminal Procedure. These are the National Specialised Criminal Division for Combating Economic and Financial Crime (the Economic and Financial Division) and the National Criminal Division for Combating Crimes Related to Information and Communication Technologies<sup>11</sup> . .

### **1: The National Specialised Criminal Division for Combating Economic and Financial Crime**

#### **The National Specialised Criminal Division for Combating Economic and Financial Offences**

In accordance with Article 315 of the Algerian Code of Criminal Procedure: “**A National Specialised Criminal Division for the Fight against Economic and Financial Crime shall be established at the level of the Court of the Judicial Council of Algiers.**”

Furthermore, the National Specialised Economic and Financial Criminal Division shall have exclusive jurisdiction over the investigation, prosecution, and adjudication of the most complex economic and financial crimes and related offences. By ‘the most complex economic and financial offences’ is meant: ‘**an offence which, given the number of perpetrators, accomplices or victims, or due to the geographical extent of the offence, the seriousness of the resulting damage, its organised or cross-border nature, or the use of information and communication technologies in its commission, requires the use of special investigative methods, specialised technical expertise or international judicial cooperation**’<sup>12</sup> .

### **2: The National Criminal Division for Combating Crimes Related to Information and Communication Technologies**

#### **The National Criminal Division for Combating Offences Related to Information and Communication Technologies**

In accordance with Article 335 of the Code of Criminal Procedure: “A national criminal division shall be established at the level of the Court of the Judicial Council of Algiers (Sidi M’hamed Court), a national criminal division specialising in the prosecution and investigation of offences relating to information and communication technologies and related crimes, and shall also have jurisdiction to adjudicate on such offences if they constitute misdemeanours.”

Where the offence relating to information and communication technologies committed constitutes a felony, the competent judicial authority is, of course, the Criminal Court and not the National Criminal Division for Combating Offences Relating to Information and



Communication Technologies. Crimes related to information and communication technologies refer to any crime committed or facilitated by the use of an information system, an electronic communications system, or any other means or mechanism related to information and communication.

In accordance with Article 337 of the Code of Criminal Procedure, the National Criminal Division for Combating Crimes Related to Information and Communication Technologies has exclusive jurisdiction to prosecute, investigate and adjudicate the following offences when they constitute misdemeanours: crimes affecting state security and national defence; crimes involving the dissemination and promotion of false news among the public that is likely to undermine public security or tranquillity and the stability of society; crimes involving the dissemination and promotion of malicious information affecting public order and security, whether organised or transnational in nature; crimes under Article involving the compromise of automated data processing systems relating to public procedures and institutions; crimes involving trafficking in persons or human organs, or the smuggling of migrants, and crimes of discrimination and hate speech.

The National Criminal Division for Combating Crimes Related to Information and Communication Technologies is also exclusively responsible for the prosecution, investigation and adjudication of the most complex crimes related to information and communication technologies and associated offences.

In addition to these three judicial bodies (the specialised regional judicial body, the National Specialised Criminal Division for Combating Economic and Financial Crime, and the National Specialised Criminal Division for Combating Crimes Related to Information and Communication Technologies) which are responsible for the prosecution, investigation and adjudication of offences falling within their respective jurisdictions<sup>13</sup>, the legislature has established specific and distinct procedures for the prosecution and investigation of terrorist offences and transnational organised crime; these procedures are set out in Article 343 of Law No. 25-14, which contains the Code of Criminal Procedure.

Under these provisions, the investigating judge of the Court of the Judicial Council of Algiers (Sidi M'hamed Court) exercises joint jurisdiction with the specialised regional judicial authority in respect of offences of terrorism and sabotage as defined in the Penal Code, and the offences set out in Law No. 01-05 of 27 February 2005 on the prevention and combating of money



laundering and terrorist financing, as well as transnational organised crime of a criminal nature and related offences.

The investigating judge of the Court of the Judicial Council of Algiers exercises his or her powers throughout the national territory. However, the investigating judge of the Court of the Judicial Council of Algiers has exclusive jurisdiction to prosecute and investigate terrorist offences as set out in Articles 6, 9, 10, 12 and 13 of Article 87 bis and paragraph 2 of Article 87 bis 6 of the Penal Code, and related offences.

### **Second: Overlap of jurisdiction between specialised criminal courts**

In the event of an overlap in the jurisdiction of these judicial authorities, how is the competent judicial authority determined?

For example, in the case of an offence involving a breach of the legislation and regulations governing foreign exchange and the movement of capital to and from abroad, committed in the city of Setif, the court competent to investigate and adjudicate the case is, in principle, the court with extended jurisdiction located at the headquarters of the Judicial Council of Constantine, pursuant to Articles 70 and 310 et seq. of the Code of Criminal Procedure; this jurisdiction may be shared with the National Specialised Criminal Division for Combating Economic and Financial Crime located at the Court of the Judicial Council of Algiers (Sidi M'hamed Court).

The problem that may arise is where an economic offence falls within the jurisdiction of the National Financial and Economic Criminal Division, yet was committed using information and communication technologies; in such cases, there is an overlap of jurisdiction between two national divisions. In this regard, Article 341 of the Code of Criminal Procedure resolves the issue of positive conflict between the two divisions and grants jurisdiction to the National Financial jurisdiction.

Similarly, if the offence committed is one linked to information and communication technologies, such as cyberbullying through threats or the dissemination of false news, jurisdiction lies in principle with the ordinary court, namely the court of the place where the offence was committed or the court of the defendant's place of residence, unlike where the offence relating to information and communication technologies constitutes one of the offences listed in (the list of the Unit's jurisdiction), or constitutes a highly complex offence, for example: (the dissemination of news on social media networks affecting public security), jurisdiction lies exclusively with the National Criminal Division for Combating Crimes Related to Information and Communication Technologies, which sits at the Court of the Judicial Council of Algiers<sup>14</sup>.



The jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies may overlap with that of the regional judicial authority with extended jurisdiction where the offence relates to information and communication technologies; in such cases, how is jurisdiction distributed amongst all these judicial authorities?

Given the overlap in jurisdiction between the competent judicial authorities, particularly between the Economic and Financial Criminal Division, the National Criminal Division for Combating Crimes Related to Information and Communication Technologies, and the judicial authority with extended jurisdiction, it may happen that the case file is requested by all these judicial authorities at the same time<sup>15</sup>. In such cases, the law provides for procedures to resolve this issue.

### **1: Joint jurisdiction between the Economic and Financial Criminal Division and the judicial authority with extended regional jurisdiction**

There may be concurrent jurisdiction between the Economic and Financial Criminal Division and the judicial authority with extended regional jurisdiction (the specialised regional judicial authority).

In the event of a simultaneous claim for the case by the Public Prosecutor at the Economic and Financial Criminal Division and the Public Prosecutor at the judicial authority with extended territorial jurisdiction, for example in dealing with an offence against foreign exchange legislation and the movement of capital to and from abroad, jurisdiction shall, by operation of law, vest in the Public Prosecutor at the Economic and Financial Criminal Division (Articles 324 et seq. of the Algerian Code of Criminal Procedure)

The competent Public Prosecutor shall forward the case file subject to transfer, together with all supporting documents and evidence, to the Public Prosecutor at the Economic and Financial Criminal Division. Arrest warrants and orders for provisional detention issued shall remain in force until a contrary order is issued by the investigating judge of the Economic and Financial Criminal Division, who shall be the guarantor of the legality and validity of the provisional detention procedures; and the proceedings of the investigation and prosecution, as well as the procedural measures taken, shall not be renewed<sup>16</sup>.

The transfer of the case file to the investigating judge of the Economic and Financial Criminal Division and the Public Prosecutor attached to that Division entails the powers to manage and supervise judicial police operations concerning procedures that have been completed, are



ongoing, or are planned. Judicial police officers, regardless of the court to whose jurisdiction they belong, shall receive instructions and judicial delegations directly from the Public Prosecutor at the Economic and Financial Criminal Division<sup>17</sup>.

## **2: Joint jurisdiction between the National Criminal Division for Combating Crimes Related to Information and Communication Technologies and the judicial authority with extended regional jurisdiction**

The jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies may overlap with that of the judicial authority with extended territorial jurisdiction. Thus, if a crime related to information and communication technologies has been committed in the city of Setif by a person residing in that city and this crime does not fall within the exclusive jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies as defined in Articles 337 and 338 of the Code of Criminal Procedure (for example, the dissemination of false information and news to the public that does not affect public security, peace or the stability of society), jurisdiction is shared between the court with extended jurisdiction in Constantine and the Economic and Financial Criminal Division of the Court of the Judicial Council of Algiers. In this case, the procedures outlined in the first point shall apply.

As regards the overlapping jurisdiction between the National Criminal Investigation Unit for Crimes Related to Information and Communication Technologies and the National Economic and Financial Criminal Investigation Unit, it may also happen that the jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies coincides with that of the National Economic and Financial Criminal Division, as in the case of the crime of hacking into bank accounts via the internet<sup>18</sup>, where the fraudster unlawfully accesses computer systems to gain entry to bank accounts and embezzle funds. On the one hand, these acts constitute the most complex economic and financial offences within the meaning of Article 317 of the Code of Criminal Procedure, which fall within the jurisdiction of the National Economic and Financial Criminal Division; and, on the other hand, constitute a crime related to information and communication technologies within the meaning of Article 338 of the same Code, which falls within the jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies. In this scenario, where the two judicial bodies have concurrent jurisdiction, Article 341 of the amended and



supplemented Code of Criminal Procedure settles the matter by stipulating that jurisdiction must be vested in the National Economic and Financial Criminal Division.

**3: Joint jurisdiction between the National Criminal Division for Combating Crimes Related to Information and Communication Technologies and the judicial body with extended jurisdiction, sitting at the headquarters of the Algiers Judicial Council, which is responsible for prosecuting and investigating crimes of terrorism and sabotage.**

Certain offences falling within the jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies may also constitute crimes of terrorism and sabotage, the investigation of which falls to the Public Prosecutor and the investigating judge of the court sitting at the headquarters of the Algiers Judicial Council, in accordance with the provisions of Article 343 of the Algerian Code of Criminal Procedure such as computer piracy for the purposes of espionage or sabotage, for example, is an offence falling within the jurisdiction of the National Criminal Division for Combating Crimes Related to Information and Communication Technologies, which may also constitute, within the meaning of Articles 337 and 338 of the Code of Criminal Procedure, but which also constitutes an offence falling within the jurisdiction the court sitting at the headquarters of the Judicial Council of Algiers, which is responsible for investigating crimes of terrorism and sabotage<sup>19</sup>.

In this case, jurisdiction automatically reverts to the Court at the seat of the Algiers Judicial Council, pursuant to Article 342 of the Algerian Code of Criminal Procedure.

Tunisian law addresses conflicts of jurisdiction between specialised criminal divisions, such as the Economic and Financial Division and the Counter-Terrorism Division – as specialised chambers within the Court of First Instance in Tunis– and the ordinary courts through rules of subject-matter and extended territorial jurisdiction. The dispute is resolved through a conflict of jurisdiction, which is adjudicated by the Tunisian Court of Cassation, which determines the court legally competent<sup>20</sup>.

**Conclusions:**

- The investigating judge within the specialised divisions, although enjoying the status of an independent judge, faces pressures in practice arising from the nature of the cases assigned to him, their volume, and their political and economic sensitivity.



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- The expansion of the jurisdiction of specialised investigating judges, particularly in major cases, may in practice lead to their being overburdened, which would have a negative impact on the quality of the investigation.
  - Although the principle of judicial specialisation is enshrined, it is by no means absolute; rather, it is subject to a set of legal controls designed primarily to ensure a fair trial.
  - The expanded jurisdiction of the investigating judge within the criminal division centralises the investigation, whereby a single body or a specialist judge oversees the case from start to finish, thereby reducing the risk of duplicate investigations and conflicting rulings, and improving the speed of adjudication in economic cases compared to ordinary investigating courts.
  - Despite the theoretical advantages of the expanded jurisdiction of the investigating judge within the criminal divisions, practical experience has highlighted several factors that limit its effectiveness, such as a shortage of competent staff, resulting in poor-quality analysis and a backlog of cases, particularly in divisions covering large areas or handling cases of a diverse nature, whether in the Algerian or Tunisian systems.

**Recommendations:**

- Strengthening international and regional judicial cooperation between different jurisdictions to combat economic and financial crime in all its forms, through the conclusion of bilateral or multilateral agreements in this regard.
- Further encourage specialised training for practising judges abroad at specialist centres, rather than relying solely on national training programmes within the Higher Judicial School.
- Facilitate the exchange of expertise among investigating judges from different countries and entrust the resolution of jurisdictional conflicts to a neutral higher judicial authority, as is the case under Tunisian law.

**Footnotes**



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<sup>2</sup> **Jamal Najimi, Algerian Criminal Procedure Law in the Light of Judicial Precedent, Part Two, 3rd edition, Dar Houma for Printing, Publishing and Distribution, Algiers, 2017, p. 36**

<sup>3</sup> **Mohamed Bouzouitina, ‘The Public Prosecution Service: Between Subordination and Discretionary Power’, Journal of Legal Research and Studies, Special Issue on Criminal Law, No. 12, 2016, Al-Atrash Complex Publications, p. 13**

<sup>4</sup> **Othman Rabah, Economic Criminal Law: A Comparative Study of Offences Committed by Businessmen and Commercial Enterprises, and Banking, Tax and Customs Violations, and All Commercial Offences, Al-Halabi Legal Publications, 2nd edition, 2004, p. 124**

<sup>5</sup> **Ali Muhammad al-Baydin, The Criminal Instrument and Its Impact on Public Prosecution, Dar al-Thaqafa for Publishing and Distribution, 2010, p. 32**

<sup>6</sup> **Ayoun Samira, Research Judge at the Legal and Judicial Research Centre of the Ministry of Justice – Procedural Rulings Relating to Special Methods of Investigation and Inquiry and Their Specificities – Lecture delivered on the occasion of the study day on procedural safeguards, p. 96.**

<sup>7</sup> See Article 689-10 (inserted by Law No. 2001-1062 of 15 November 2001, Article 33, \*Journal Officiel\* of 16 November 2001). For the purposes of implementing the International Convention for the Suppression of the Financing of Terrorism, opened for signature in New York on 10 January 2000, any person guilty of a crime or offence defined by Articles 421-1 to 421-2-2 of the Criminal Code may be prosecuted and tried under the conditions provided for in Article 689-1 where such an offence constitutes the financing of acts of terrorism within the meaning of Article 2 of the said Convention.

<sup>8</sup> **Harrach Fawzi, Khalfi Abdelrahman, ‘The Specialisation of the Economic Criminal Judge in Algerian Law’, The Academic Journal of Legal Research, Vol. 11, No. 04–2020, p. 62**

<sup>9</sup> **Othman Moussa, Organisation and Functioning of Courts with Local Jurisdiction on the Occasion of the National Forum on the Organisation of the Administration of the Extended Local Council, Lecture delivered on 2 May, Algerian Courts with Local**



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<sup>10</sup> Malik Nasima, ‘The Institutional Foundations of the Economic and Financial Criminal Law System in Algerian Law’, \*Algerian Journal of Sciences\*, pp. 258–26 March, \*Law and Politics\*, Vol. 60, No. 02, 26 March 2023, p. 2.

<sup>11</sup> Harrach Fawzi, Khalfi Abdelrahman, ‘The Specialisation of the Economic Criminal Judge in Algerian Law’, *The Academic Journal of Legal Research*, Vol. 11, No. 04–2020, p. 62.

<sup>12</sup> Othman Rabah, *Economic Criminal Law: A Comparative Study of Crimes Committed by Businessmen and Commercial Institutions, and Banking, Tax and Customs Offences, and All Commercial Crimes – Al-Halabi Legal Publications*, 2nd edition, p. 69, 2004

<sup>13</sup> Noura Ben Bouabdallah, ‘Extended Jurisdiction in Criminal Matters under Algerian Law’, *Journal of Legal and Political Thought*, Vol. 6, No. 1, 2022, p. 976

<sup>14</sup> Supreme Judicial Council, *Criminal Policy in Algeria (2019): The Role of Criminal Courts in Tackling Complex Crimes. Case Law of the Algerian Supreme Court, Plea of Lack of Jurisdiction: Highlighting the Importance of Centralisation and the Absence of Conflicts of Jurisdiction between Judges.*

<sup>15</sup> Report by the Algerian Ministry of Justice (2022): Statistics on the adjudication of cases in criminal courts compared with ordinary courts.

<sup>16</sup> Harash Fawzi, Khalfi Abdelrahman, ‘The Specialisation of the Economic Criminal Judge in Algerian Law’, *The Academic Journal of Legal Research*, Vol. 11, No. 04–2020, p. 62.

<sup>17</sup> Masoud Masoud Mustafa, *Economic Crimes in Criminal Law, Part Two: Currency Crimes*, 3rd edition, Cairo University Press and Al-Kitab Al-Jami’i, p. 85, 1979.



<sup>18</sup> **Ahsan Bouzika, *Judicial Investigation*, Dar Houma, Algiers, 10th edition, 2015, p. 160**

<sup>19</sup> **Barbaa, M., ‘The Evolution of the Concept of Economic Crime and International Law: A Descriptive and Analytical Study’, *Algerian Journal of Legal, Economic and Political Sciences*, No. 42, 1993.**

<sup>20</sup> Article 706-75 (inserted by Law No. 2004-204 of 9 March 2004, Art. 1 – Official Journal of 10 March 2004, in force on 1 October 2004) The territorial jurisdiction of a regional court and a criminal court may be extended to the jurisdiction of one or more courts of appeal for the investigation, prosecution, preliminary inquiry and trial of crimes and offences falling within the scope of Articles 706-73, with the exception of paragraph 11, or 706-74, in cases which are or appear to be of great complexity