

Digitization of judicial enforcement in the Algerian judicial system

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Abstract---Digitalization is not merely a technical process of introducing computers into judicial administration; rather, it represents a fundamental transformation in the philosophy of judicial and administrative performance. This transformation is achieved through the restructuring of procedures, the facilitation of transactions, and the enhancement of transparency and speed in enforcement. The enforcement of judicial decisions, as a decisive stage in the course of justice, embodies the effective judicial protection of rights, whether with regard to the execution of judgments issued by ordinary or administrative judicial bodies. The ultimate purpose of issuing judgments is their enforcement, and this must be carried out within the shortest possible timeframes, especially in light of the opportunities provided by modern technologies, notably electronic notification and electronic signature. Accordingly, this study aims to identify the contribution of technological advancement to the enforcement of judicial decisions.

Keywords---Digitalization, judicial enforcement, civil judgments, administrative judgments, electronic notification.

Introduction

The enforcement of judicial judgments, in general, constitutes the essential stage through which the right forming the subject matter of the dispute is realized. The value of a judicial judgment does not lie solely in its operative part or in the authority of *res judicata* it enjoys, but rather in the ability to translate it into a tangible reality that achieves the intended purpose of the administration of justice. A judicial judgment that remains confined to paper, without the adoption of practical measures ensuring its enforcement, loses its essence and is stripped of its substance. This consideration has led the Algerian

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legislator to attach great importance to the institution of enforcement, as it represents the fundamental guarantee for the respect of rights, the stability of legal transactions, and the protection of public order. An order of obligation (judgment ordering performance) is considered one of the most important enforceable instruments provided for under Algerian law, as it constitutes the legal means enabling the creditor to compel a defaulting or recalcitrant debtor to fulfill his obligations, whether this pertains to the restitution of a right, the payment of a sum of money, the performance of an act, or the abstention from an act. The legislator has surrounded this type of judgment with a set of formal and substantive conditions that render it amenable to compulsory enforcement, in addition to establishing precise procedures that ensure the respect of the parties' rights during the enforcement stage, under the supervision of the judiciary and the competent enforcement authorities.

The importance of studying the subject of enforcing judgments of obligation within the Algerian judicial system becomes particularly evident with the adoption of digitalization mechanisms and digital transformation, which are likely to enhance the effectiveness of enforcement and shorten its timeframes. At the same time, this development raises new legal and security issues related to the protection of personal data and the evidentiary value of electronic documents. Accordingly, addressing the enforcement of judgments of obligation in Algerian legislation is not limited to the theoretical aspect related to the legal rules governing it; rather, it extends to examining practical dimensions, the issues raised, and the proposed solutions, in a manner that contributes to the development of the judicial system and ensures the efficiency of its outcomes.

Hence, the following research question arises: To what extent does digitalization contribute to enhancing the effectiveness of the enforcement of judicial judgments?

In order to answer this question, the analytical method has been adopted, which has been employed to analyze the relevant legal and regulatory texts governing the enforcement of judicial judgments in Algeria, with the aim of identifying the extent of their adaptation to the requirements of digital transformation and revealing any shortcomings or legislative ambiguities, particularly with regard to the enforceable instrument, attachment procedures, and electronic notification.

Section One: Digitalization of the Enforcement of Civil and Criminal Judicial Judgments

This section examines the analysis of concepts related to digitalization in the legal field, while highlighting the theoretical and legislative foundations that frame it, thereby paving the way for examining the impact of digitalization on this stage in the subsequent sections.

First Requirement: The Conceptual Framework of the Digitalization of Judicial Enforcem

In light of the global digital transformation currently taking place, the enforcement of judgments ordering performance within Algerian legislation has become required to adapt to digitalization mechanisms in order to ensure speed, effectiveness, and transparency. The integration of modern technologies has thus become a key tool for reducing enforcement timeframes and overcoming traditional procedural obstacles. Digital transformation also contributes to strengthening judicial oversight over enforcement processes by enabling judges and parties to track the various stages through secure information systems, thereby ensuring the protection of both creditors' and debtors' rights alike. However, this development simultaneously raises legal and security challenges, primarily related to the extent of protection of personal data and the guarantee of the evidentiary value of electronic documents as proof in enforcement proceedings.

First Branch: The Concept of the Digitalization of the Enforcement of Judicial Judgment

Digitalization is defined as the use of digital technologies to bring about a transformation in business and operational models, thereby providing new opportunities for wealth creation and achieving sustainable development. Digitalization is also considered an advanced digital replication process aimed at converting documents, regardless of their type, into a sequence of digital data, followed by an

intellectual process that organizes information and prepares it for indexing, classification, and processing in accordance with modern digital standards (Al-Arabi Belghith, 2025, p. 03)

The enforcement of judicial judgments refers to the legal procedures aimed at achieving the practical effect of judgments issued by courts, by compelling the party against whom the judgment is rendered to comply with its content, even through the use of public force when necessary. Legal doctrine has defined it as the legal means through which the creditor obtains the right stipulated in the enforceable instrument, by means of the intervention of the public authority to force the debtor to perform if he refuses voluntary compliance (Ben Aissa Ahmed, 2016, p. 45)

The legal environment has witnessed a remarkable development in adopting digitalization as a means of improving the performance of justice. In Algeria, the Ministry of Justice launched the “Digitalization of the Justice Sector” project starting in 2010, which culminated in the establishment of centralized information systems, including the internal justice network that connects all judicial bodies and enables the rapid and efficient exchange of data.

Electronic signature has also been introduced, electronic judicial documents have been recognized, and electronic portals have been created for case registration and follow-up. These measures have enhanced procedural transparency and facilitated access to legal information for litigants and legal professionals from any location. These transformations represent an inevitable outcome of the pressures of digital globalization, which have imposed on legal systems the necessity of adapting to contemporary requirements in order to achieve more effective and efficient justice, without compromising the fundamental guarantees of rights and freedoms. Digital transformation in the justice sector thus constitutes a strategic option aimed at developing the judicial institutional structure in a manner consistent with the requirements of the digital age, and is grounded in global trends that call for the modernization of justice systems through modern technological means. Nevertheless, this transformation is not without difficulties, as it faces a range of challenges and risks, whether in terms of technical readiness or with respect to legal guarantees related to the rights of litigants.

Second Branch: Objectives and Challenges of the Digitalization of the Enforcement of Judicial Judgments

With regard to the objectives of digitalizing the enforcement of judicial judgments, the Ministry of Justice, through a comprehensive digitalization plan, seeks to:

- Simplify judicial procedures by providing remote electronic services that facilitate interaction among lawyers, judges, and litigants.
- Improve the quality of services by enabling citizens to electronically access their judicial files and automatically obtain documents (Al-Din, 2025, p. 05)
- Reduce bureaucracy by shifting from the traditional paper-based model to a more effective and transparent digital administrative model.

As for the challenges facing the enforcement process, they include:

- Limited technological infrastructure: Some judicial bodies, especially in interior regions, lack regular network connectivity and modern digital equipment.
- Human and institutional challenges: This challenge is reflected in the lack of human qualification, particularly the inadequate training of employees and judicial officers in dealing with digital platforms, which limits the effective use of available technical applications and affects the quality of digital judicial performance.
- Security challenges: These relate to risks associated with information security, such as breaches of electronic systems or the leakage of sensitive data related to judicial files, which constitutes a direct threat to the privacy of judicial data and to the trust of users in digital justice.
- Cultural and knowledge-based challenges: These consist in the weak digital culture among some actors in the judicial sector and the insufficient awareness of the importance of

digitalization, highlighting the need to change traditional mindsets and to strengthen training and mastery of digital environment tools at all levels.

Second Requirement: The Scope of Digitalization in the Enforcement of Judicial Judgments

First Branch: The Role of Digital Transformation in Judicial Enforcement

Since the late 1990s, Algeria has launched a comprehensive project to reform the judicial system, known as the “Modernization of Justice” project, in response to the recommendations issued by the National Commission for the Reform of Justice in 1999. This project covered various aspects of the judicial process, including the digitalization of the enforcement sector, with the aim of improving judicial performance and alleviating pressure on traditional judicial bodies.

Within this framework, the Ministry of Justice focused on modernizing technical means by establishing a national information network linking courts and judicial councils, and by enabling judicial officers to use electronic platforms to register enforcement orders and remotely track enforceable instruments. An electronic system was also developed for managing enforcement files, allowing automated tracking of judicial enforcement procedures and providing a digital database on judgment debtors and the stages of the procedures.

This digital orientation has contributed to accelerating enforcement procedures, particularly with regard to official notification, and to reducing errors resulting from manual file processing. It has also enabled oversight of the course of enforcement and prevented certain bureaucratic practices that previously hindered the execution of judicial judgments.

Judicial enforcement in Algeria has witnessed remarkable development in recent years as a result of integrating digitalization into the justice system within the framework of the “Modernization of Justice” project. This transformation has been reflected in improving the quality of judicial performance in terms of speed and transparency, as well as in reducing administrative costs, thereby enhancing the effectiveness of the enforcement of judgments.

Digitalization has provided greater transparency in judicial transactions, particularly through electronic platforms that allow litigants to follow up on their files, obtain hearing dates and judicial decisions, as well as extract enforcement-related documents (such as certificates of nationality and criminal record extracts) without going through the traditional procedures that previously placed a burden on citizens.

Digital tools have also helped reduce material and time costs, both at the level of courts and for citizens. Reliance on electronic notifications and digital service has reduced expenses related to transportation, copying, and service fees, while also easing the pressure on human resources within the courts.

Second Branch: Mechanisms for the Digitalization of Enforcement

The Algerian legislator has attached particular importance to keeping pace with digital transformation in the field of judicial enforcement by introducing substantial amendments to legislative and regulatory texts.

At the level of the Code of Civil and Administrative Procedures (Law No. 08-09), electronic notification has been recognized as an official means alongside traditional paper-based notification. It has thus become possible to inform the parties of enforcement decisions via e-mail or secure text messages, which accelerates procedural timelines and ensures delivery within shorter periods. Furthermore, the legislator has recognized electronic documents as enforceable instruments, provided that they meet the conditions of a secure electronic signature in accordance with the provisions of Law No. 15-104 relating to electronic signature and electronic certification.

Legal texts have strengthened the role of the judicial bailiff as a pivotal actor in the enforcement process, as ministerial instructions have required bailiffs to use digital platforms for drafting service of process reports and entering enforcement data, thereby enabling precise centralized monitoring of the course of enforcement proceedings.

From a technical perspective, the Ministry of Justice has adopted a range of digital solutions aimed at making enforcement more transparent and efficient. The electronic portal of the Ministry of Justice has been developed to allow parties and judicial bailiffs to remotely monitor enforcement files, while providing automated, real-time notifications regarding hearing dates and enforcement procedures. Moreover, the National Justice Information System (SNIA) has been integrated, offering a centralized database connected to various judicial and administrative bodies, which facilitates the electronic attachment of funds or real property in coordination with banks and land registry offices.

In terms of security, certified electronic signatures and digital encryption have been activated to prevent any tampering with enforcement data. Electronic payment services have also been integrated into financial enforcement mechanisms, enabling creditors to recover their rights through approved payment platforms without resorting to traditional manual procedures that are often characterized by delays. These technical tools, together with the project to link enforcement platforms to the national digital identity, are likely to bring about a qualitative shift toward a fully integrated “digital justice.”

Section Two: Enforcement of Administrative Judicial Judgments by Electronic Means

The use of electronic means in the field of administrative litigation leads to accelerating the issuance of judicial judgments, allowing the immediate commencement of their enforcement procedures. Such acceleration positively contributes to the establishment of an effective judicial system that hastens the granting of rights to their rightful holders. This section is divided into two requirements: the first addresses the concept of enforcing electronic administrative decisions, while the second is devoted to the study of the electronic compulsory enforcement of administrative judicial judgments.

First Requirement: The Concept of Enforcing the Electronic Administrative Decision

First Branch: Definition of Electronic Administrative Decisions

After litigants have completed the filing of their claims, submitted their arguments, and provided the relevant data via the electronic portal of the Ministry of Justice through the National Electronic One-Stop Window dedicated to administrative judicial bodies, the administrative judge declares the closure of pleadings and withdraws to deliberate, in order to issue the judgment either immediately or at a subsequent session scheduled for another date.

First: Definition of the Electronic Administrative Judicial Judgment

Before defining the electronic administrative judicial judgment, it is necessary to define the administrative judicial judgment itself, which refers to the decision issued by a court duly constituted and competent to hear the dispute brought before it, in accordance with procedural rules, whether it is rendered on the merits, on part of the merits, or on an incidental issue arising therefrom (Farhat Farhat, Mohamed Said Linda, 2021, p. 450). An electronic administrative judicial judgment is defined as any judgment, order, or judicial decision issued by the administrative judge through electronic means after notification, aiming to resolve the administrative dispute brought before him.

Second: Issuance of the Electronic Administrative Judicial Judgment

After the adjudicating panel closes the pleadings before the parties, it withdraws on its own to render a final judgment resolving the dispute. All hearings are recorded on electronic media, and each judge participating in the panel has a copy thereof. Electronic deliberation then takes place among the members through the use of remote video conferencing technology, with the aim of reaching a final judgment issued by a majority vote. This judgment is drafted electronically and must include a set of

mandatory details, failing which it shall be void. Thereafter, the judges of the adjudicating panel sign the judgment by activating the electronic signature on the administrative case file (Mahmoud, 2020, p. 117) This process culminates in the public issuance of the administrative judicial judgment settling the dispute by means of technological tools. At the time of pronouncement, the judge and the panel are present in the virtual courtroom, and the judgment is read in the presence of the parties to the dispute, who are deemed duly notified of the judgment upon the display of the pronouncement session through the National Electronic One-Stop Window dedicated to administrative judicial bodies. This platform allows litigants and their lawyers to access case files, the operative part of judgments, and to obtain ordinary copies of administrative judicial judgments and decisions from any administrative judicial body across the national territory, without having to bear the cost of traveling to the seat of the issuing judicial authority.

Second Branch: Meaning of the Electronic Enforcement of the Administrative Judicial Judgment

There is no doubt that the technological development witnessed in litigation procedures is not limited to those procedures alone; rather, it must also be utilized in the enforcement of judicial judgments whenever possible and in accordance with the conditions and procedures determined by law.

First: Definition of Electronic Enforcement

Electronic enforcement refers to the legal mechanism that allows the recovery of rights recognized by the administrative judiciary and whose execution has become difficult or impossible through traditional means, by using modern electronic tools whenever possible, with the aim of accelerating enforcement and overcoming some of its obstacles (Nabil Saqr, 2008, p. 08)

Electronic enforcement does not differ from enforcement in its current traditional form in terms of substance; rather, it differs in terms of the means used to carry it out. The electronic tools employed in enforcement are what impart its electronic character, contributing to accelerating the pace of enforcement and addressing some of its difficulties. Nevertheless, it should be emphasized that electronic enforcement is an auxiliary means and not a substitute for enforcement; when the cause of impossibility ceases to exist, enforcement must be carried out in its original direct form as provided by law (Randa Ismail Atiya, 2022, p. 147)

Second: Conditions for Electronic Enforcement

The submission of the administration to the enforcement of administrative judicial judgments is reflected in the extent to which it complies with such judgments, just like individuals. To ensure their enforcement by administrative bodies, a set of legally defined conditions must be met, namely that enforcement be possible; that the judicial judgment issued electronically includes an obligation on the administration to perform an act or to refrain from performing an act; and that it may also include the obligation to pay a specifically determined sum of money. In addition, the enforceable instrument must bear the enforcement formula. The copy bearing the enforcement formula is signed and delivered by the registrar to the beneficiary of the judgment who wishes to pursue its enforcement. Its importance lies in the fact that it constitutes a legal means enabling the beneficiary of the enforceable instrument to resort to compulsory enforcement in order to recover his right (Article 281 of Law No. 08-09)

In this context, it is noted that electronic means may be used to convert the enforceable instrument from paper form to electronic form. After the electronic administrative judicial judgment is issued in accordance with what has been previously explained, it is electronically signed by the registrar and then sent by e-mail to the beneficiary of the judgment.

Another condition is the electronic notification of the enforceable instrument. In defining electronic judicial notification, it is first necessary to explain the meaning of traditional judicial notification, which refers to informing the party against whom enforcement is sought of the contents of the enforceable

copy of the instrument, compelling him to comply within a period of fifteen (15) days. Official notification of the judgment is effected upon the parties at their domicile by the judicial bailiff; exceptionally, the President of the Administrative Court may order that notification be carried out by the court registry.

As for electronic notification, the Algerian legislator has not provided an explicit definition thereof; rather, it was first provided for under the Law on the Modernization of Justice No. 15-03, in Article 09 thereof, and later reaffirmed in the amendment to the Code of Civil and Administrative Procedures No. 22-13, in Article 840.

According to legal doctrine, electronic notification has been defined as a procedural act by which a party is informed of any judicial measure taken against him through electronic means, without the need for physical travel or for searching for the domicile of the person against whom the judgment is rendered (Kabish Abdel Salam, 2024, p. 339). Its role lies in achieving personal notification, reducing default judgments, rationalizing costs, and contributing to the realization of prompt justice.

It should be noted that the Algerian legislator expressly referred to electronic notification without specifying the means to be used, thus leaving the matter open. Accordingly, among the electronic means that may be used for notification are e-mail, short text messages (SMS), or the electronic account created for lawyers by the Ministry of Justice.

In addition, another condition is that the administration be granted a reasonable period for enforcement. The time limit for enforcement granted to the administration bound by the obligation varies depending on the nature of the right adjudged in the judgment or decision rendered against it. Moreover, the execution of the electronic administrative judicial judgment must not be suspended. Administrative judicial judgments issued electronically acquire enforceability immediately after being signed by the reporting judge and after the enforceable copy of the instrument is issued and served on the legal representative of the concerned administrative body, who must then proceed with enforcement, provided that no appeal is lodged before the Administrative Court of Appeal or the Council of State, since such an appeal stays enforcement (Articles 900 bis (1) and 908 of the Code of Civil and Administrative Procedures). At the procedural level, there are also some practical experiences relating to electronic enforcement.

Second Requirement: Electronic Compulsory Enforcement of Administrative Judicial Judgments

The voluntary enforcement by the administration of administrative judicial judgments does not raise any difficulty; rather, it reflects its commitment to the principle of the rule of law through respect for judgments that have acquired the authority of *res judicata*. However, if the administration refuses to enforce such judgments, this will inevitably have a negative impact on the rights of beneficiaries and may encourage resorting to electronic enforcement of administrative judicial judgments in Algeria. Such refusal also undermines the authority of the judicial service and diminishes one of the three powers of the State. Consequently, the Algerian legislator has established a set of mechanisms enabling administrative courts to impose their judgments and compel administrative bodies to enforce them.

First Branch: Electronic General Mechanisms for Compelling the Administration to Enforce Judgments

When the administration refuses to enforce administrative judicial judgments, this constitutes a violation of the law. In such a case, the beneficiary of the judgment has the right to initiate electronically both an action for compensation and a criminal action.

A. Enforcement through an Electronic Compensation Action

The refusal of the administration to enforce final administrative judicial judgments and decisions gives rise to liability for the damages resulting from such refusal. In this case, the administration's liability may be established either on the basis of service-related fault or on the basis of equality before public burdens. Accordingly, the beneficiary of the judgment, or his lawyer, may file an action for compensation before the administrative court or the administrative court of appeal, in accordance with the rules of subject-matter jurisdiction, provided that the claim is submitted via the electronic portal of the competent judicial authority designated for the electronic filing and registration of claims (Maryam Shihab Ahmed Al-Akeidi, 2022, p. 79), without requiring their physical presence before the court. The claim must contain the same data as those required in an ordinary petition, failing which it shall be inadmissible for formal reasons. The litigant may also pay judicial fees directly upon electronically submitting the documents related to the case through electronic payment means used in electronic transactions (Khaled Mamdouh Ibrahim, 2021, p. 147)

Once the claim fulfills the legally required data, the court clerk registers it in an electronic register according to the order of receipt and endorses it electronically. An e-mail is then sent to the claimant or to the lawyer indicating the acceptance of the claim and the date of the first hearing. Subsequently, the initiating petition is electronically served on the defendant via e-mail to enable him to prepare his defense prior to the hearing. If the claim is rejected, the concerned party is notified of the reasons for inadmissibility and informed of the correct procedure to be followed for accepting and registering the petition (Lafta Hammal Al-Ajili et al., 2024, p. 316)

It should also be noted that the remaining stages of the compensation action may likewise be conducted through electronic means, from examination to adjudication, by using video conferencing technology, which enables real-time audio-visual communication between the judge and the parties without their physical presence in the courtroom. Ultimately, a judgment is issued electronically ordering one public legal person to pay a sum of money in favor of a private or public legal person.

It is worth noting that the new Code of Civil and Administrative Procedures No. 22-13 repealed Law No. 02-91, which determined specific rules applicable to certain judicial judgments, and referred the procedures relating to enforceable instruments involving the payment of sums of money that were contained in Law No. 02-91 to the provisions of Article 986 thereof. This article distinguishes between two types of enforcement procedures, depending on whether the parties are persons governed by private law or public law, as follows:

- Enforcement procedures in respect of persons governed by private law: The judicial bailiff must formally serve the party against whom enforcement is sought with a demand to perform, including the content of the enforceable instrument and costs, within a period of two months.
- If the party against whom enforcement is sought refuses to comply after the expiry of the two-month period, the judicial bailiff draws up a report of refusal to enforce and submits a collection request to the State Treasury officer of the wilaya where the convicted body is located, by means of a written petition accompanied by supporting records and the account number of the creditor administration. The public treasury officer may automatically order the withdrawal of the debt amount and costs from the accounts of the convicted body and transfer them to the creditor's account within a period not exceeding three months from the date of submission of the request. The treasury officer may also, prior to the transfer, request additional information from the judicial bailiff or from the judicial authority that issued the judgment or decision to be enforced within the prescribed time limit (Article 986 of Law No. 08-09)

Based on the foregoing enforcement procedures, electronic means may contribute to accelerating compulsory enforcement, starting with the electronic service of the demand to comply upon the party against whom enforcement is sought within a two-month period. The judicial bailiff may electronically

draft the report of refusal to enforce in the event of non-compliance after the expiry of the period, and then send the collection request to the treasury officer via e-mail. The latter then deducts the debt and costs from the account of the convicted administration and electronically transfers them to the account of the creditor beneficiary within three months. Moreover, prior to the electronic transfer, the treasury officer may submit an electronic request for additional information from the judicial bailiff or from the judicial authority that issued the judgment or decision to be enforced within the legally prescribed period.

B. Enforcement Procedures in Respect of Persons Governed by Public Law

The legislator has allowed public administrations referred to in Article 800 of this Law, which benefit from a judicial judgment or decision involving specified monetary amounts against other public administrations, to request the public treasury officer of the seat of the convicted body to collect those amounts.

The beneficiary of the judgment or decision submits a collection request to the treasury officer of the seat of the convicted body by means of a written petition accompanied by supporting reports demonstrating that all enforcement attempts have failed over a period of four months from the date of the demand to comply.

In light of the above, these procedures may also be carried out through modern technological means, by allowing public administrations to send collection requests to the treasury officer via e-mail. The latter then withdraws the debt and costs from the accounts of the convicted public administrations and electronically transfers them to the accounts of the beneficiary public administrations. Prior to the electronic transfer, the treasury officer may also submit an electronic request for additional information from the judicial authority that issued the judgment or decision to be enforced within the legally prescribed time limit.

C. Enforcement through an Electronic Criminal Action

Although compensation awarded for the administration's refusal to enforce may provide redress, it does not fully achieve the objective sought by the beneficiary of the judgment. Therefore, the Algerian legislator sought a more effective legal means and, to this end, amended the Penal Code in 2021 by adding a new, more deterrent sanction in Article 138 bis. This sanction consists of imprisonment from two to five years and a fine ranging from 200,000 DZD to 500,000 DZD.

For such a penalty to be imposed, the injured party must submit a complaint to the public prosecutor by accessing the electronic prosecution platform available via the Ministry of Justice's electronic portal, where it is reviewed and examined in order to take the appropriate action. Thereafter, the concerned party is electronically notified of the outcome and the measures taken (Zazoua Najat, 2021–2022, p. 136). As for criminal procedures, video conferencing technology may be used, as provided for in the Law on the Modernization of Justice No. 15-03, which was further activated following the amendment of the Code of Criminal Procedure by Order No. 16-04-20 in the context of combating the COVID-19 pandemic, after having previously been applied only in a limited manner under Law No. 15-03.

It should be noted that a judicial judgment issued for the offense of refusal by the administration to enforce judgments includes a custodial sentence, which cannot, under any circumstances, be enforced electronically, nor can such enforcement be envisaged. Even though electronic means may facilitate criminal procedures, the execution of such a judgment takes place only in its direct, traditional form, involving physical deprivation of liberty without recourse to electronic methods. By contrast, a judgment involving monetary compensation can easily be enforced electronically. Accordingly, it may be concluded that the nature of the judgment constitutes the decisive criterion for determining whether it may be enforced electronically or not.

Second Branch: Electronic Mechanisms Introduced by the Code of Civil and Administrative Procedures

Referring to the Code of Civil and Administrative Procedures No. 08-09, the Algerian legislator introduced new legal mechanisms enabling the administrative judge to compel the administration to enforce final judicial judgments and decisions in accordance with Articles 978 to 989.

A. Enforcement through the Imposition of a Threatening Fine Electronically

The threatening fine is a specified monetary amount imposed for each time unit of delay in enforcement, starting from the time determined by the judge. It is imposed as a sufficient penalty to limit administrative obstinacy and to compel compliance with enforcement. The fine is imposed against the administration by the administrative judge to ensure compliance in cases of partial or total non-enforcement or delay in enforcement. The request for imposing the threatening fine is submitted to the competent administrative judicial authority. The request for the fine may only be submitted after the lapse of a three-month period, beginning from the date of official notification of the judgment, except for urgent orders, for which the request may be submitted without adherence to this period. Electronic means may be utilized in this regard, allowing the claimant to submit the request for the threatening fine electronically via the administrative court's website, provided that the previously mentioned conditions are fulfilled.

Accordingly, the Algerian legislator assigned the jurisdiction to decide on this request to the administrative judge, whether the judge of merit or the urgent matters judge, with specification of the effective date of the fine. The adjudication procedures may also be conducted electronically through video conferencing technology (videoconference), ultimately resulting in the issuance of a judgment or decision imposing the threatening fine electronically against the administration. After the fine is imposed against the administration, it proceeds to the phase of liquidation by the administrative judicial authority that ordered it. Liquidation of the fine refers to the ancillary procedure, which is inseparable from the judgment imposing the threatening fine. It is not necessary for the beneficiary to request liquidation, as the administrative judge may carry it out *ex officio* whenever enforcement measures determined within a set period prove ineffective. Liquidation may occur in cases of partial or total non-enforcement or delayed enforcement.

B. Enforcement through Electronic Directives to the Administration

The principle of separation of powers requires that the competencies of each authority are not violated. However, if the administration deviates from its legally mandated administrative duties, acting arbitrarily, this results in the loss of individual rights, such as those established in administrative judicial judgments or decisions. The situation may become critical if the administration refuses to enforce such judgments (Bouab Abu Amer et al, 2018, p. 169).

Conclusion

In light of the preceding analysis and detailed discussion of the topic of digitizing the enforcement of judicial judgments in the Algerian judicial system, it becomes clear that digitization is not merely a technical choice but represents a fundamental transformation in the philosophy of justice delivery. It requires comprehensive adaptation at the legislative, institutional, and technical levels. Despite the challenges, digitization has brought a qualitative leap in the performance of judicial enforcement in Algeria, making it more open and efficient compared to previous stages. However, there remains a need for more sustainable technical and legislative support to ensure that this efficiency is generalized across all judicial authorities and enforcement files.

Among the most significant findings are:

- The Algerian experience indicates that the level of digital legal awareness among citizens and practitioners remains limited. Many litigants are unaware of the available electronic services or do not trust the effectiveness of enforcement via digital means, which drives them to continue relying on traditional paper-based procedures.
- The use of modern technological tools in the enforcement of administrative judicial judgments is a positive step toward achieving the concept of effective justice. It has contributed to creating an administrative judicial system with a new perspective, accelerating the granting of individual and collective rights and freedoms, while curbing the arbitrary practices of administrative authorities, thereby helping to restore public confidence and enhance judicial security.
- Electronic enforcement of administrative judicial judgments serves as a mechanism to embody the modernization of justice and improve the administrative judicial apparatus. It accelerates the pace of enforcement procedures and protects the rights and interests of individuals against administrative arbitrariness compared to traditional enforcement methods.
- The use of electronic means during the enforcement stage is an exception to the general rule, not a substitute for direct enforcement. It cannot be relied upon absolutely without the original direct enforcement, and it is applied only in cases where traditional enforcement is impossible. Thus, electronic enforcement should be seen as a complementary and supportive tool to traditional enforcement.
- The feasibility of electronic enforcement depends on the nature of the judicial judgment, as this determines whether electronic enforcement is possible. Procedural judgments can generally be executed quickly using electronic tools, as the digital environment was designed specifically to address procedural bottlenecks. In contrast, judgments outside the procedural framework are difficult to enforce electronically. Therefore, the enforcement phase has a mixed nature, combining both procedural and substantive aspects.

Key Recommendations:

- Promote the establishment of electronic courts in general, and specifically the electronic administrative court, which requires the enactment of special legislation regulating its administrative and procedural framework to achieve effective justice.
- Strengthen the mechanism of electronic enforcement through the creation of a dedicated electronic platform to facilitate communication between lawyers, judicial officers, and relevant public administrations using modern digital tools, thereby accelerating the execution of judgments or decisions.
- Activate electronic connectivity between administrative judicial bodies, banks, and financial institutions to allow electronic deduction from the administration's account to the account of the judgment creditor, thus operationalizing the electronic enforcement of administrative judicial judgments involving monetary obligations.
- Review and update the legal framework by issuing clear regulatory texts governing digitization in enforcement, particularly in areas such as electronic seizure, digital notification, and digital enforcement instruments, while amending the Code of Civil and Administrative Procedures to align with the digital transformation.

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