



The National Independent Authority for Elections: From the Legal Framework to the Architecture of Electoral Integrity

Ouarda KHELIFI

State laboratory for health and nutrition social security,
University of Khenchela,(Algeria),

warda.khelifi@univ-khenchela.dz

Hachouf LOUBNA

Legal, Political and Shariaa research laboratory,
University of Khenchela,(Algeria)

loubna.hachouf@univ-khenchela.dz

Abstract :

The 2020 constitutional amendment enshrined the Independent National Authority for Elections, marking a significant milestone in the trajectory of electoral reform in Algeria. This authority has become a fundamental guarantee for the integrity and transparency of the electoral process. Under Ordinance No. 21-01, which establishes the organic law on elections, the legislator granted it broad powers, including the preparation and periodic or exceptional revision of electoral lists, the formation of municipal administrative committees and diplomatic representations abroad, the distribution of voter cards, and the management of the national electoral database to prevent duplicate registrations. The Authority also supervises the distribution of polling station members, monitors the voting process, and oversees the counting of votes to ensure fairness and transparency. The study recommends establishing a National Higher School affiliated with the Authority to train and qualify staff responsible for managing elections, organizing intensive training programs to enhance

professional competence, and entrusting the presidency of polling centers to judges to ensure neutrality and strengthen public confidence in electoral outcomes.

Keywords: *Independent National Authority, elections, organic law, electoral process.*

L'Autorité nationale indépendante pour les élections : du cadre juridique à l'architecture de l'intégrité électorale

Résumé :

La révision constitutionnelle de 2020 a consacré l'Autorité nationale indépendante pour les élections, marquant une étape importante dans la trajectoire de la réforme électorale en Algérie. Cette autorité est devenue une garantie fondamentale de l'intégrité et de la transparence du processus électoral. En vertu de l'ordonnance n° 21-01, qui établit la loi organique sur les élections, le législateur lui a accordé des pouvoirs étendus, notamment la préparation et la révision périodique ou exceptionnelle des listes électorales, la formation de comités administratifs municipaux et de représentations diplomatiques à l'étranger, la distribution des cartes d'électeur et la gestion de la base de données électorale nationale afin d'éviter les inscriptions multiples. L'Autorité supervise également la répartition des membres des bureaux de vote, contrôle le processus de vote et supervise le dépouillement des votes afin de garantir l'équité et la transparence. L'étude recommande la création d'une École nationale supérieure affiliée à l'Autorité afin de former et de qualifier le personnel chargé de la gestion des élections, l'organisation de programmes de formation intensive pour renforcer les compétences professionnelles, et la nomination de juges à la présidence des bureaux de vote afin de garantir la neutralité et de renforcer la confiance du public dans les résultats électoraux.

Mots clés : *Autorité nationale indépendante, élections, loi organique, processus électoral.*



Introduction

The issue of ensuring the integrity of the electoral process and the soundness of its various stages, free from violations and irregularities, primarily requires the existence of an independent and impartial electoral administration.

On this basis, Algeria took the initiative to constitutionalize the National Independent Authority for Elections in the 2020 constitutional amendment, as a model of an independent electoral administration whose mission is to organize, manage, and supervise elections. This was achieved by granting it the authority to call the electorate and to oversee the process until the announcement of the preliminary election results.

This authority was established under Organic Law No. 01-21 on Elections, which states in Article 8: "A National Independent Authority for Elections shall be established to carry out its duties without bias. It shall enjoy legal personality as well as administrative and financial independence, and shall be referred to in the text as 'the Independent Authority.'"

However, the main issue that arises in this study is: **To what extent is the National Independent Authority for Elections effective in ensuring the integrity of the electoral process?**

We will attempt to answer this question using the descriptive and analytical method, by presenting and explaining the relevant legal provisions and highlighting the powers of the National Independent Authority within the electoral process, through the following two sections:

- **Section One:** The Legal Framework of the National Independent Authority for Elections
- **Section Two:** The Powers of the National Independent Authority for Elections

1. The Legal System of the National Independent Authority for Elections

The National Independent Authority for Elections was established as a result of the 2020 constitutional amendment, following the issuance of Organic Law No. 07-19, which defined its composition, functioning, and operation. However, this law did not remain in effect for long, as the legislator later incorporated it into Ordinance No. 21-01, containing the Organic Law on Elections.

1.1. The Legal Nature, Composition, and Organization of the Authority

In the latest constitutional amendment of 2020, the Algerian constituent authority defined the legal nature of the National Independent Authority for Elections, as set out in Ordinance No. 01-21, which includes the Organic Law on the Electoral System, specifically in Part One, Chapter One. This ordinance also outlines the Authority's powers, as well as its organization and functioning in Chapter Two.

1.1.1. The Legal Nature of the Independent Authority

Article 200 of the 2020 Constitutional Amendment stipulates the legal nature of the Authority as follows: "The National Independent Authority for Elections is an independent institution." (Article 200 of the 2020 Constitutional Amendment)



Soumission : 01/06/2024 **Acceptation : 10/07/2025** **Publication : 15/08/2025**

Similarly, the legislator reaffirmed this in Article 8 of Ordinance No. 01-21, containing the Organic Law on Elections, which states “The National Independent Authority for Elections shall enjoy legal personality and administrative and financial independence, and shall be referred to in the text as ‘the Independent Authority.’” (Article 8 of the Organic Law on Elections)

From the aforementioned legal provisions, it is clear that the National Independent Authority for Elections is a constitutional institution that operates independently, both in its work and in the management of its budget, without being subject to any other constitutional body. This full independence ensures the integrity and transparency of the electoral process.

The National Independent Authority for Elections is entrusted with the mission of supervising and monitoring the entire electoral process, in accordance with Article 202 of the 2020 Constitutional Amendment and Article 7 of Ordinance No. 01-21, mentioned above.

1.1.2. Organization of the National Independent Authority for Elections

According to Ordinance No. 01-21 containing the Organic Law on Elections, the National Independent Authority for Elections consists of two bodies: an executive body, represented by the President of the Authority, and a deliberative body, represented by the Council of the Authority.

This structure differs from the previous one, which included the President, the Council, a special office, and various delegations.

First: The Council of the National Independent Authority for Elections

The deliberative body of the Authority is its Council, which is composed of twenty (20) members appointed by the President of the Republic from among independent figures, for a single six-year term.

This represents a change from the former structure, in which the Council consisted of fifty (50) members, as provided in Article 26 of the repealed Organic Law No. 19-07 on the National Independent Authority for Elections, which listed the following categories of members:

- a. Twenty (20) members from civil society elites
- b. Ten (10) members from academic professionals
- c. Four (4) judges from the Supreme Court and the Council of State
- d. Two (2) lawyers
- e. Two (2) notaries
- f. Two (2) bailiffs
- g. Five (5) members from professional backgrounds
- h. Three (3) national figures
- i. Two (2) representatives of the national community abroad

Accordingly, the members of the Council of the National Independent Authority for Elections are elected by their peers. In this regard, it should be noted that the initial selection of the members of the Independent Authority's Council is made through consultations aimed at identifying a consensual national figure, who then oversees the formation and installation of the Council.

(Rida, 2020, p. 210)

Article 40 of Ordinance No. 01-21 containing the Organic Law on Elections specifies the substantive conditions



Soumission : 01/06/2024 Acceptation : 10/07/2025 Publication : 15/08/2025

required for membership in the National Independent Authority for Elections. It provides that: "A member of the National Independent Authority for Elections must meet the following conditions:

- Be registered on the electoral list;
- Not hold a high position in the state;
- Not be a member of any local popular assembly or of Parliament;
- Not have been affiliated with any political party during the five (5) years preceding the appointment;
- Not have been convicted by a final judgment of a crime or misdemeanor resulting in a custodial sentence, and not have been rehabilitated, except in cases of unintentional misdemeanors;
- Not have been convicted of electoral fraud." (Article 40 of the Organic Law on Elections)

The Council of the Independent Authority serves as the deliberative body of the National Independent Authority for Election and convenes either at the request of its President or upon the request of two-thirds of its members.

Second: The Office of the National Independent Authority for Elections

The Office of the Independent Authority is composed of eight (8) members, who are selected from among the members of the Council for a period not exceeding two (2) years. The procedures for their election are to be determined by the internal regulations of the Independent Authority, which have not yet been issued.

The members of the Office, as well as other members of the Council of the Independent Authority, benefit from the right to secondment or attachment and receive allowances that will be set by the internal regulations of the National Independent Authority for Elections (Djeroubi, 2019, p. 213)

Third: The President of the National Independent Authority for Elections

The President of the National Independent Authority for Elections is elected by the members of the Council of the Independent Authority by a majority vote during the first meeting. In the event of a tie, the younger candidate is declared elected. (Kaddour, 2020, p. 255)

This election process serves as a mechanism to affirm the principle of constitutional legitimacy in the assumption of public office positions that require such a procedure.

Fourth: Local Delegations and Delegations at Diplomatic or Consular Missions

The Algerian legislator, in Articles 32 and 39 of Ordinance No. 21-01 mentioned above, stipulates that the Independent Authority for Elections has extensions at both the local and external levels.

At the local level, these extensions take the form of wilaya (provincial) and communal delegations, established in every province.

At the external level, they take the form of delegations within diplomatic and consular missions abroad.

Furthermore, Article 33 of the aforementioned Ordinance specifies that the wilaya delegations consist of three (3) to fifteen (15) members, depending on the number of municipalities in the province and the distribution of the



Soumission : 01/06/2024 Acceptation : 10/07/2025 Publication : 15/08/2025

electorate. Their appointment is made by a decision of the President of the National Independent Authority for Elections. (Rida, 2020, p. 213)

However, the Algerian legislator did not specify the number of members of the communal delegations or the delegations within diplomatic and consular missions abroad, as was done for the wilaya delegations. Instead, Article 39 of Ordinance No. 21-01 merely provides that the President of the Independent Authority shall establish the delegations within diplomatic and consular missions abroad by decision.

This approach aligns with the situation that existed before the promulgation of Ordinance No. 01-21, as Article 38 of repealed Organic Law No. 07-16 on the Independent Authority for Elections had already specified the number of members of the wilaya delegation.

The mission of the members of the local delegations and the delegations within diplomatic and consular missions abroad is to manage these delegations at the domestic or external levels, respectively.

1.2. Principles Governing the Work of the National Independent Authority for Elections

The functioning of the National Independent Authority for Elections is founded on a set of principles that ensure transparency and integrity in managing the electoral process. In the absence of these principles, elections lose both their credibility and transparency. These principles include:

1.2.1. Independence and Impartiality

The principle of independence means that the Independent Authority for Elections is not subject, in its organization or decisions, to any external body, including the executive branch itself. In other words, it must remain free from any influence that could undermine the integrity and credibility of the electoral process.

This was confirmed by the constitutional legislator in Article 200 of the 2020 Constitutional Amendment, as well as in Article 7 of Ordinance No. 01-21 mentioned earlier, which states: "The National Independent Authority for Elections shall enjoy legal personality and administrative and financial independence, and shall be referred to in the text as 'the Independent Authority.'" (Article 7 of the Organic Law on Elections)

As for impartiality, it refers to the Authority's obligation to treat all participants in the electoral process fairly and equally, without any form of discrimination or bias throughout the electoral process.

1.2.2. Integrity and Transparency

The principle of integrity is closely linked to the principle of impartiality, which must characterize the entire electoral process. The Algerian legislator designated the Independent Authority as the primary guarantor of the integrity and soundness of the electoral process at all its stages. This is achieved through the powers granted to it, enabling it to address any corruption, fraud, or manipulation that may affect the election results.

The principle of transparency, on the other hand, means allowing the general public and public opinion to monitor and scrutinize the Authority's decisions by keeping them



regularly and continuously informed about its activities and operations. This facilitates the fight against electoral corruption and irregularities, while also preventing any perception that the Authority is unable or unwilling to confront deficiencies or misconduct that may compromise the electoral process. (Haider, 2022, p. 713)

2. Powers of the National Independent Authority for Elections

In its effort to ensure the integrity of the electoral process at every stage, the Algerian legislator granted the National Independent Authority for Elections a wide range of powers, which extend from the moment the President of the Republic calls the electorate until the conclusion of the electoral process.

2.1. Tasks of the Authority During the Preliminary Stage

This preliminary stage of the electoral process begins with the President's call to the electorate and continues until the end of the elections. During this period, the Independent Authority undertakes a series of measures and procedures to guarantee the transparent and fair organization of the elections. In this regard, it performs the following tasks:

2.1.1. The Stage of Registration on Electoral Lists

This stage is provided for in paragraph two of Article 202 of the 2020 Constitutional Amendment, and it represents a process that precedes any electoral event. Its main purpose is to maintain the accuracy of the electoral body by updating the voter lists—specifically by removing voters who have changed residence or those who are deceased.

These procedures are detailed in Articles 50 to 70 of Ordinance No. 01-21, mentioned earlier. (Zerqet, 2021, p. 559)

The Independent Authority is responsible for maintaining the national database of the electoral body, as well as the electoral lists of municipalities and diplomatic and consular centers abroad, and for continuously updating them.

It also prepares and periodically revises these lists – either on a regular basis or on the occasion of each electoral or referendum event – through Municipal Committees for the Revision of Electoral Lists, which operate under the supervision of the National Independent Authority.

The President of the Authority announces the period for revising electoral lists and their closure through any appropriate means. (Tawfiq, 2020, p. 61)

2.1.2. Maintaining the National Electoral Database and Municipal Electoral Lists

The Algerian legislator defined the voter card in Article 2 of Ordinance No. 01-21 containing the Organic Law on Elections, as follows: “A personal card issued by the National Independent Authority for Elections to a person after registration on the electoral list, enabling him or her to exercise the right to vote in electoral and referendum operations.” (Article 2 of the Organic Law on Elections)

Some legal systems require voters to present both their identity card and voter card in order to cast their votes on election day, while others only require the identity card.

Article 10 of Ordinance No. 01-21, mentioned earlier, provides that the Authority is responsible for preparing and issuing voter cards, leaving the determination of their



Soumission : 01/06/2024 **Acceptation : 10/07/2025** **Publication : 15/08/2025**

technical and design specifications to implementing regulations. (Rabi', 2021, p. 25)

The voter card must contain the voter's surname, first name, date of birth, and address, as well as the registration number on the electoral list and the polling station number and address.

The National Independent Authority for Elections also maintains the national registry (database) of the electoral body, the modalities and conditions of which are defined by a special legal text.

2.1.3. Allocation of Meeting Halls and Public Facilities

The Organic Law on the Electoral System requires that gatherings and meetings be organized in accordance with the provisions of the Law on Public Meetings and Demonstrations. Referring to Law No. 89-29, as amended and supplemented by Law No. 97-19 relating to public meetings and demonstrations, it is stipulated that all meetings and demonstrations, including electoral campaigns, must be held in spaces specifically designated for such purposes (Zerkat, 2021, p. 961).

Furthermore, the National Independent Authority for Elections (ANIE) is entrusted with ensuring the fair and equitable allocation of broadcast time granted to candidates on national audiovisual media, in coordination with the Audiovisual Regulatory Authority responsible for overseeing this sector (Kadour, 2020, p. 248).

2.1.4. Receiving Presidential Candidacy Files

The National Independent Authority for Elections receives and examines candidacy files for the Presidential

Elections, issuing a reasoned decision within seven (7) days from the date of submission of the declaration of candidacy. The Authority verifies that candidates meet the conditions stipulated in Article 87 of the 2020 Constitutional Amendment, as well as the procedural requirements for filing candidacy documents, in accordance with the provisions of Ordinance No. 01-21 mentioned above.

Article 249 of the same Ordinance also sets out additional conditions, including those related to supporting documents proving compliance with the eligibility criteria prescribed by Article 87 of the Constitution, which outlines the requirements for candidacy for the office of President of the Republic.

The legislator further established the endorsement requirement, stipulating that any presidential candidate must collect 50,000 individual signatures from registered voters, distributed across at least 25 provinces (wilayas), with not fewer than **1,200 signatures per province. The National Independent Authority for Elections must verify the authenticity of the forms and signatures submitted. Additionally, the legislator provided, under Ordinance No. 01-21, that a candidate may alternatively submit a list containing 600 individual signatures from elected officials** of municipal, provincial, or parliamentary assemblies, provided that these are distributed across at least 29 provinces (wilayas) (Rabi', 2021, p. 27).

Moreover, Ordinance No. 01-21, which constitutes the Organic Law on Elections, introduced a new condition requiring presidential candidates to pay a deposit of 250,000 Algerian dinars to the Public Treasury. This payment must be made on the condition that the candidate has already obtained at least half of the required number of



Soumission : 01/06/2024 Acceptation : 10/07/2025 Publication : 15/08/2025

endorsements in 25 provinces, and within fifteen (15) days following the announcement of candidacies by the Constitutional Court.

Article 249 of the aforementioned Ordinance specifies the procedure for submitting presidential candidacies, stating that the candidate must personally submit the application to the President of the National Independent Authority for Elections, who provides a receipt. The declaration must include the candidate's full name, signature, occupation, and address, and be accompanied by all supporting documents proving fulfillment of eligibility requirements.

Likewise, Article 251 of Ordinance No. 01-21 stipulates that the declaration of candidacy for the Presidency of the Republic must be filed within no more than forty (40) days following the issuance of the Presidential Decree convening the electoral body.

The President of the National Independent Authority for Elections notifies candidates of the Authority's decisions regarding their candidacies. Furthermore, the Authority must transmit copies of these decisions and the complete candidacy files to the Constitutional Court within twenty-four (24) hours of their issuance, ensuring transparency and procedural integrity in the electoral process.

2.1.5. Appointment and Mobilization of Supervisors of Polling Centers and Stations

Among the important practical steps that confer credibility and transparency to the electoral process is the provision transferring the powers of public authorities in the field of election preparation and organization to the Independent National Authority. In this regard, the wilaya

delegate of the Independent National Authority is granted the right to appoint and mobilize the list of members of polling centers and stations from among voters residing within the territory of the wilaya. In this respect, the Authority is responsible for training and improving the performance of the agents and supervisors of the electoral process, as well as determining the manner in which they take an oath pledging loyalty, impartiality, and the integrity of the electoral process.

Furthermore, the wilaya delegate of the Independent Authority must take all necessary measures, in the event of the absence of one or more members of the polling station, to replace them in priority with the present principal members, and, if necessary, with substitute members. In addition, the delegate must ensure that no state property or means are used for the benefit of a political party, a candidate, or a list of several candidates (Kaddour, 2020, p. 247).

2.2. Powers of the Independent National Authority During the Period Concomitant with and Following Election Day

The Algerian legislator has granted the Independent National Authority for Elections broad and diverse powers throughout the voting process, as well as during the counting and announcement of results.

2.2.1. The Role of the Independent Authority During the Period Concomitant with the Election

First: Powers Related to the Adjustment of Voting Hours

According to the provisions of Article 132 of Ordinance No. 01-21 previously mentioned, voting in any electoral process begins at 8:00 a.m. and ends at 7:00 p.m The vote is



Soumission : 01/06/2024 Acceptation : 10/07/2025 Publication : 15/08/2025

conducted on a single day determined by presidential decree.

However, the President of the Independent National Authority, upon the request of the wilaya delegate of the Authority, may decide to open the polls up to seventy-two (72) hours earlier in municipalities where it is materially impossible to conduct voting on the designated day due to the remoteness of polling stations or the dispersal of the population.

The President of the Independent National Authority may also decide to open the polls up to one hundred and twenty (120) hours earlier, in coordination with diplomatic and consular delegations (Jeroubi, 2019, p. 218).

Second: Ensuring the Posting of the List of Supervisors at Each Polling Station in Designated Places

The Independent Authority ensures that the list of polling station supervisors is posted at the concerned station on election day. It also verifies compliance with the proper arrangement of ballot papers at polling stations. Additionally, the Authority is responsible for ensuring the availability of a sufficient number of ballot papers, necessary materials, and election documents, as well as the presence of transparent ballot boxes and voting booths at all polling centers (Kaddour, 2020, p. 249).

Third: Enabling Candidate Representatives to Monitor the Electoral Process and Obtain Counting Reports

The Algerian legislator has entrusted the Independent National Authority with the task of authorizing legally qualified candidates or candidate lists to monitor the voting

and counting processes, as well as to obtain certified copies of the original counting reports at polling centers and stations, and also at the municipal and wilaya electoral committees.

The list of legally qualified representatives must be submitted to the *wilaya* delegation of the Independent National Authority twenty (20) full days before election day (Kaddour, 2020, p. 248).

Fourth: Supervising the Counting of Votes

The Independent National Authority monitors the counting and tabulation of votes and verifies the integrity of the related procedures. It also ensures the preservation of the cast ballot papers, in accordance with the Organic Law on the Electoral System, as amended and supplemented by Article 152 of Ordinance No. 01-21 previously mentioned.

The counting begins immediately after the voting process ends and continues without interruption until completion. It takes place within polling stations, except in the case of mobile polling stations, where counting occurs at the corresponding attached polling centers. The Authority ensures that the tables designated for counting are arranged in a way that allows voters to circulate around them freely (Rabie, 2021, p. 32).

The Authority also supervises the members of the polling station as they select the counting officers and oversees the reading and tallying of votes, as stipulated in Article 154 of Ordinance No. 01-21 previously mentioned.



Fifth: Appointment of Municipal and Wilaya Electoral Committees

- a. Municipal Electoral Committees: These committees consist of a judge as chairperson, a vice-chai, and two assistants appointed by the wilaya coordinator of the Independent National Authority from among the voters of the municipality, excluding candidates, members of their political parties, relatives, and in-laws up to the fourth degree.

The committee meets at the municipality headquarters. Its task is to count the results obtained in all polling stations within the municipality and record them in an official report prepared in three (3) copies, in the presence of the legally authorized representatives of the candidates or candidate lists.

Under no circumstances may the results recorded at each polling station or the attached documents be altered. The municipal report must be signed by all committee members (Zergout, 2021, p. 962).

- b. Wilaya Electoral Committees :Working under the supervision of the Independent National Authority, these committees are responsible for verifying, consolidating, and compiling the final results received from the municipal electoral committees.
- They are composed of:
 - A judge with the rank of counselor, appointed by the President of the territorially competent judicial council, as chairperson;
 - The wilaya delegate of the Independent National Authority or their representative as vice-chairperson;

- A public officer assigned by the President of the Independent National Authority as a member tasked with performing administrative duties before the committee (Kaddour, 2020, p. 249).

2.2.2. Post-Election Day Duties

The post-election phase is also considered an important stage of the electoral process, as it involves the possibility of challenging the final election results. During this phase, the Independent National Authority has been entrusted with several tasks in order to exercise its oversight and ensure the integrity of the process.

First: Verifying Compliance with Counting and Tabulation Procedures

The Independent National Authority for Elections monitors the vote-counting and tabulation process and verifies the integrity of the procedures related thereto. It also ensures the preservation of the ballot papers that have been cast, in accordance with the provisions of the Organic Law on the Electoral System, as amended and supplemented by Article 152 of Ordinance No. 01-21 previously mentioned.

The counting process begins immediately after voting ends and continues uninterrupted until completion. It is carried out at polling stations; however, in the case of mobile polling stations, the counting is conducted at the corresponding attached polling centers. The Authority ensures that the tables designated for counting are arranged in such a way as to allow voters to circulate freely around them (Rabie, 2021, p. 32).

The Authority also supervises polling station members as they select counting officers and oversees the reading and



Soumission : 01/06/2024 Acceptation : 10/07/2025 Publication : 15/08/2025

tallying of votes, in accordance with **Article 154 of Ordinance No. 01-21 previously mentioned.

Second: Intervention in Case of Violation of the Provisions of the Organic Law on Elections

The Authority oversees and guides the voting process in accordance with the Electoral Law and the applicable regulations. It verifies the identity of voters registered on the electoral list as a general rule, as stipulated in Article 133 of Ordinance No. 01-21 previously mentioned.

Furthermore, it ensures the validity of proxies in accordance with the categories of principals mentioned in Article 157 of the same ordinance, ensuring that each proxy is granted to only one agent who meets the voter eligibility requirements.

The Authority supervises the administrative electoral committee during the drafting of proxy authorizations and ensures compliance with the legal timeframe for issuing such authorizations, which begins fifteen (15) days after the date of the convening of the electoral body and ends three (3) days before election day.

Third: Announcement of Preliminary Election Results

The President of the Independent National Authority for Elections is responsible for announcing the preliminary results of all electoral processes. This responsibility was transferred, for the first time, from the Minister of the Interior to the President of the Independent National Authority, marking an important step toward distancing the administrative apparatus from the electoral process (Kaddour, 2020, p. 250).

Fourth: Preparation and Publication of Detailed Reports on Each Electoral Process

The President of the Independent National Authority prepares a comprehensive report on each electoral and referendum process, which is then published after being approved by the Authority's Council (Zergout, 2021, p. 963).

Fifth: Performing Advisory and Awareness-Raising Functions

In this context, the Algerian legislator has empowered the Independent National Authority for Elections to carry out a series of tasks aimed at enlightening public opinion about the importance of elections. The Authority organizes awareness campaigns to educate citizens on issues related to electoral culture and its significance.

Additionally, it prepares a Charter of Good Electoral Practice and works to promote its adoption among all stakeholders in the electoral process. The Authority also provides opinions on draft laws and regulations related to elections and contributes to the promotion of scientific research on electoral issues, in cooperation with research centers and specialized institutions (Kaddour, 2020, pp. 250-251).

2.3. Methods of Intervention by the Independent National Authority for Elections to Protect the Electoral Process from Various Violations

The Algerian legislator has granted the Independent National Authority for Elections several mechanisms through which it can confront and prevent various forms of corruption that may affect the integrity of the electoral process.



2.3.1. Automatic Intervention by the Independent National Authority for Elections

The Independent National Authority for Elections intervenes automatically whenever any violation of the provisions of its founding Organic Law or the provisions of the Organic Law on Elections is detected.

Such intervention includes the use of law enforcement agencies to implement its decisions in accordance with the applicable legislation. The Algerian legislator has also empowered the Authority, in order to ensure the proper conduct of electoral operations, to coordinate with competent public authorities to provide all necessary security measures.

Moreover, it may take all appropriate measures when any violation or infraction is observed in the audiovisual media sector. If the Authority determines that a recorded act constitutes a criminal offense, it must immediately notify the territorially competent Public Prosecutor to initiate public legal proceedings (Kaddour, 2020, p. 251).

2.3.2. Receiving Petitions and Complaints

Under Article 155 of Ordinance No. 01-21 previously mentioned, the presiding officer of each polling station is required to allow party representatives and independent candidates to record their comments or objections in the official report of the counting results, using indelible ink.

The Authority supervises this process to ensure transparency during the vote-counting phase and may intervene either on its own initiative or upon notification from a representative of a political party or an independent candidate (Rabie, 2021, p. 32).

2.3.3. Notification of Public Authorities and Political Parties of Various Violations

The Independent Authority informs the relevant public authorities of any observation, defect, or deficiency related to its area of competence that could affect the organization or conduct of electoral operations. These authorities are required to act promptly and without delay to remedy the reported shortcomings and must inform the Independent Authority in writing of the measures and actions taken.

Furthermore, the Authority has the right to notify political parties, participating candidates, or their legally authorized representatives of any violation observed during the different stages of the electoral process.

The notified parties must act quickly and within the deadlines set by the Independent Authority to address the reported issues and must likewise inform it in writing of the measures and steps undertaken (Kaddour, 2020, pp. 251–252).

Conclusion

The Independent National Authority for Elections plays an active and crucial role in ensuring the integrity of the electoral process through the preparation, administration, and supervision of all its stages. This represents a significant positive development, as it constitutes one of the key guarantees for holding free and fair elections.

Through this study, we have reached a set of findings and recommendations as follows:



First: Findings

- 1) The constitutionalization of the Independent National Authority for Elections represents a remarkable development in the field of electoral oversight. It serves as a key safeguard for the integrity of the electoral process and a motivating factor for reforming the electoral system.
- 2) The Authority is responsible for preparing and periodically reviewing electoral lists, as well as conducting exceptional revisions. It also forms municipal administrative committees and diplomatic or consular delegations abroad, delivers voter cards to their holders, and maintains a national electoral database that prevents multiple registrations.
- 3) It mobilizes and assigns polling station members, closely monitors them before and during the voting process, in order to prevent electoral fraud and vote manipulation.
- 4) It oversees the counting process, ensuring the presence of representatives of competing political parties and certain civil society groups to guarantee the transparency and fairness of the elections.

Second: Recommendations

- 1) The establishment of a National Higher School affiliated with the Independent National Authority for Elections, or the organization of intensive training courses for its members, to train staff and supervisors involved in the electoral process and enable them to manage and ensure its integrity effectively.

- 2) Monitoring the voting process by entrusting the presidency of polling centers to judges, in order to strengthen neutrality and credibility in the conduct of elections.

References

1. Presidential Decree No. 20-442 of December 30, 2020, concerning the promulgation of the constitutional amendment approved in the referendum of November 1, 2020. Official Journal of the Algerian Republic, No. 82.
2. Ordinance No. 21-01 of March 10, 2021, containing the Organic Law on Elections. Official Journal of the Algerian Republic, No. 17, March 10, 2021.
3. Barakat, M., & Rahmani, R. (2021). The role of the Independent National Authority for Elections in the presidential elections. *Journal of the Research Professor for Legal and Political Studies*, 6, November.
4. Bouguern, T. (2020). Adopting the system of independent management of the electoral process in Algeria: The Independent National Authority for Elections as a model. *Journal of Legal and Political Research*, 2(2).
5. Jalloul, H. (2022). The Independent National Authority for Elections and the challenge of moralizing political life. *Journal of Law and Human Sciences*, 15(1).
6. Chelali, R., Ben Salem, A. A. R., & Hashi, M. A. (2020, March). The Independent National Authority for Elections in Algeria: From oversight bodies to the authority of organization and supervision. *Journal of Legal and Social Sciences*, 5(1).



Soumission : 01/06/2024 Acceptation : 10/07/2025 Publication : 15/08/2025

7. Zarif, K. (2020, January). The Independent National Authority for Elections: Its legal system, functions, and organization. *Journal of Law and Political Science*, University of Abbas Laghrour Khenchela, 13.
8. Jeroubi, F. (2019, December 8-9). The Independent National Authority for Elections in Algeria: Organization and powers. In *Proceedings of the 10th International Conference on Justice and the Constitution*.
9. Zergout, O. (2021). The regulatory framework of the Independent National Authority for Elections in Algeria. *Journal of Judicial Jurisprudence*, 13(2).