

**People's Democratic Republic of Algeria  
Constitutional Council**



**Under the High Patronage of the President of  
the Republic**

**Mr. Abdelmadjid TEBBOUNE**

**the Constitutional Council organizes**

**The Commemoration of the  
30<sup>th</sup> Anniversary of its  
creation**

**program**

**Sunday, February 23<sup>rd</sup>, 2020**

**• Commemoration festivities (at the seat of the Constitutional Council)**

**08:30 – 09:30:** Reception of guests

**10:00 – 10:15:** Address by the President of the Constitutional Council

**10:15 – 10:45:** Address by the President of the Republic

**10:45 – 10:55:** Honorary distinction to the President of the Republic

**10:55 – 11:10:** Coffee break

**11:10 – 11:30:** Presentation of a documentary about the Constitutional Council

**11:30 – 12:00:** Honorary distinction to former Presidents of the Constitutional Council

**12:00 – 12:15** Presentation of the Council's editions on the occasion of the 30<sup>th</sup> Anniversary of its creation.

**12:15-12:30** visit of the foreign official delegations to the Headquarter of **CCJA**

**12:30 – 13:00:** Move towards the International Conference Centre Abdellatif Rahal

**13:00 – 14:00:** Lunch

**14:30 – 14:50:** Opening Session of the International Conference on “**Constitutional Justice and protection of rights and freedoms**”

**15:00-18:30: The first Workshop on**

**“Constitutional Justice and protection of rights and freedoms in Algeria”**

## **1<sup>st</sup> Axis : The Constitutional Council: thirty (30) years of rights and freedoms protection**

**Chairman of the session:** Mr. **Kamel FENICHE**, President of the Constitutional Council.

**Moderator:** Mr. **Ilyas SAM**, Director of studies and research

The Constitutional Council contributed since its creation to the protection of rights and freedoms enshrined in the Constitution, through its monitoring of texts that were submitted to it. Not only did the Constitutional Council protect these rights and freedoms, but it also developed constitutional principles through its power of interpreting constitutional provisions. The constitutional revision of 2016, introduced the mechanism of the exception of unconstitutionality according to specific conditions and procedures, as a new means of protecting rights and freedoms enshrined in the Constitution to enable the citizen to defend these rights and freedoms that are granted by the Constitution.

How did rights and freedoms form the basis for the Constitutional Council to constitutional monitoring of texts submitted to it?

What are the perspectives of the mechanism of the exception of unconstitutionality in reflecting a broader consecration of Constitutional rights and freedoms ?

**15:05-15:25** : Intervention by Mr. **Kamel FENICHE**, President of the Constitutional Council.

**15:25-15:45** : Intervention by Mr. **Gianni BUQUICCHIO**, President of the Venice Commission

**15:45-16:15** : Debate

## **2<sup>nd</sup> Axis: Roots of rights and freedoms in Algeria**

**Chairman of the session:** Mr. **Mohamed HABCHI**, Vice-President of the Constitutional Council.

**Moderator:** Mr. **Mohamed Bachir MESMOUDI**, Director of studies and research.

The Islamic religion has recognized in its principles many rights and freedoms that were adopted by many legal systems. Furthermore, many rights and freedoms set forth in the Constitution have their roots in the Islamic precepts. Article 2 of the Algerian Constitution provides that “Islam is the religion of the State”. The Algerian legislator considers it as one of the sources of legislation.

What are the roots of these rights and freedoms?

To what extent did they evolve with regard to the world’s legal systems?

**16:20-16:40** : Intervention by Mr. **Youssef BELMAHDI**, Minister of Religious Affairs and waqf.

**16:40-17:00** : Debate

### **3<sup>rd</sup> Axis: Development of rights and freedoms in the Algerian Constitutions**

**Chairman of the session:** Mr. **Abdenour GRAOUI**, Member of the Constitutional Council.

**Moderator:** Ms. **Narimane MOKNECHE**, Director of studies and research.

This axis tackles different rights and freedoms enshrined in the Algerian Constitutions, as well as constitutional, legal and institutional mechanisms of their protection.

So, to which extent has the political, economic and social system an impact on the development of these rights and freedoms? And to what extent does the protection of these rights and freedoms contribute in the establishment of the Rule of Law?

**17:05-17:25** : Intervention by Mr. **Ibrahim BOUTKHIL**, Member of the Constitutional Council.

**17:25-17:45** : Debate

#### **4<sup>th</sup> Axis: role of jurisdictions in the promotion of the mechanism of the exception of unconstitutionality.**

**Chairman of the session:** Mr. **El Hachmi BRAHMI**, Member of the Constitutional Council.

**Moderator:** Mr. **Rabeh MOUMEN**, Director of studies and research.

The Constituent endowed ordinary and administrative jurisdictions with an important role in promoting the exception of unconstitutionality mechanism and ensuring a filter system that consecrates the seriousness of the exception that is referred to the Constitutional Council.

How do the jurisdictions ensure the conditions and modalities of exercising the exception of unconstitutionality? Moreover, what are the legal and regulatory framework within which these jurisdictions will refer the exception of unconstitutionality to the Constitutional Council?

**17:50-18:10** : Intervention by Mr. **Abderachid TEBI**, First President of the Supreme Court.

**18:10-18:30** : Debate

**Monday, February 24<sup>th</sup>, 2020:**

**09:30 – 12:00: Second workshop on “Constitutional Justice and the protection of rights and freedoms: comparative approach”**

Focuses on:

1. Development of rights and freedoms in the Constitutions
2. Rights and freedoms in the jurisprudence of the constitutional Courts and Councils.
3. The exception of unconstitutionality as an efficient mechanism in the protection of rights and freedoms.

**Chairman of the session:** Mrs. **Salima Mousserati**, Member of the Constitutional Council.

**Moderator:** Mr. **Mohamed El hadi ACHOUI**, Director of studies and research.

**09:35 – 09:55** : Intervention of Mr. **Akram Aref MESSAADA**, Member of the Constitutional Court of Jordan and representative of the Union of Arab Constitutional Courts and Councils.

**10:00 – 10:30** : Debate

**10:30 – 10:45** : Break

**10:45 – 11:05** : Intervention of Dr. **Adlezio AGOSTINHO**, professor of Constitutional law, Angola.

**11:10-12:00** : Debate

**12:00-14:00** : Free lunch

**14:00-17:00** : Round table on “**Constitutional Justice and peace**” ( social peace inside countries).

The coordinator of the round table: Mr. **Kamel FENICHE**, President of the Constitutional Council.

The debate of the panel is about the following issues:

1. What is the notion of peace in the national constitutional corpus?
2. To what extent the constitutional justice has contributed to social peacebuilding and its safekeeping.
3. To what extent has the constitutional justice contributed in the transitional justice and national reconciliation.

The round table will be animated by presidents of the courts and constitutional councils and presidents of the participating delegations.

- Time allotted to each speaker is 5 to 10 mn.

**19:00-21:00** : Dinner in honor of the participants

**21:00** : Artistic evening in honor of the guests at Dar El Opera, **Boualem BESSAIH**.

**Tuesday, February 25<sup>th</sup>, 2020**

**Cultural and tourism program for foreign delegations**

**1. Visit to Raïs Palace and the Casbah**

**09:00** : Visit to Raïs Palace “**Bastion 23**”

**10:00** : A tour in the Casbah

**12:00** : Return to the hotel

**13:00** : Free lunch

**2. Visit to the central military museum of El Moudjahid and Park of El Hamma**

**14:00** : Visit of the Central military Museum

**15:30** : Visit of the park of " **El Hamma** "

**17:00** : Return to the hotel

**19:00** : Free dinner