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Press Freedom and Judicial Guarantees in Its Protection

Abstract

This study delves into the vital role of the administrative judiciary in Algeria in safeguarding press freedom, focusing on its involvement in various regulatory and oversight functions. Specifically, the research examines the authority of the written press sector in granting licenses, or accreditation, for the issuance of newspapers and the administrative judiciary's capacity to intervene when there are refusals to grant such licenses. Furthermore, the study highlights the judiciary's role in monitoring and controlling administrative bans on newspapers, both in ordinary circumstances and during exceptional situations, such as national emergencies or political crises. The analysis covers the legal frameworks that empower the administrative judiciary to protect press freedom and prevent any unjustified restrictions on the media. In the context of Algeria, the balance between government regulation and the judiciary's role in ensuring media independence is explored, showcasing how the administrative judiciary can serve as a check on executive power, thereby strengthening democratic principles. Through this exploration, the study underscores the significance of judicial oversight in preserving the fundamental right to free expression, which is essential for a healthy, functioning democracy.

Keywords: *administrative judiciary, press freedom, Algeria, judicial oversight*

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Mətbuat azadlığı və onun müdafiəsində məhkəmə zəmanətləri

Xülasə

Bu tədqiqat Əlcəzairdə inzibati məhkəmə sisteminin müxtəlif tənzimləmə və nəzarət funksiyalarında iştirakına diqqət yetirərək, mətbuat azadlığının qorunmasında mühüm rolunu

araşdırır. Konkret olaraq, tədqiqat qəzetlərin buraxılması üçün lisenziyaların və ya akkreditasiyanın verilməsində yazılı mətbuat sektorunun səlahiyyətlərini və bu cür lisenziyaların verilməsindən imtina olduqda inzibati məhkəmə sisteminin müdaxilə etmək imkanlarını araşdırır. Bundan əlavə, tədqiqat həm adi şəraitdə, həm də milli fövqəladə hallar və ya siyasi böhranlar kimi müstəsna hallarda qəzetlərə inzibati qadağaların monitorinqi və nəzarətində məhkəmə sisteminin rolunu vurğulayır. Təhlil mətbuat azadlığını qorumaq və mediaya hər hansı əsassız məhdudiyyətlərin qarşısını almaq üçün inzibati məhkəmə sisteminə səlahiyyət verən hüquqi çərçivələri əhatə edir. Əlcəzair kontekstində dövlət tənzimlənməsi ilə məhkəmə sisteminin medianın müstəqilliyinin təmin edilməsində rolu arasında tarazlıq araşdırılır, inzibati məhkəmənin icra hakimiyyəti üzərində necə bir yoxlama rolunu oynaya biləcəyi nümayiş etdirilir və bununla da demokratik prinsiplər gücləndirilir. Bu araşdırma vasitəsilə tədqiqat sağlam və fəaliyyət göstərən demokratiya üçün vacib olan əsas ifadə azadlığının qorunmasında məhkəmə nəzarətinin əhəmiyyətini vurğulayır.

Açar sözlər: *inzibati məhkəmə, mətbuat azadlığı, Əlcəzair, məhkəmə nəzarəti*

Introduction

Freedom of expression is a fundamental value that stands at the heart of any democratic society, as it enables individuals to express their views, challenge the status quo, and contribute to societal development. This freedom is inseparable from democracy itself, and it serves as the foundation for the establishment of democratic societies. It ensures that citizens can interact with one another, participate in public life, and develop their ideas without fear of repression or censorship. For a society to thrive, it must guarantee the protection of its citizens' freedoms, especially the right to freely express opinions and access diverse sources of information.

In this context, Algeria has enshrined freedom of expression within its constitutional framework, recognizing its critical importance in shaping a democratic society. Article 50 of the Algerian Constitution guarantees the freedom of the written press, audiovisual media, and online networks, explicitly stating that such freedoms shall not be subject to any form of prior censorship. This constitutional safeguard ensures that media outlets are free to operate without undue interference, allowing for the dissemination of diverse opinions and information.

In addition to constitutional protections, Algeria has enacted a new media law (12-05), which assigns the responsibility for establishing newspapers and other media institutions to newly created regulatory bodies: the Written Press Regulatory Authority and the Audiovisual Regulatory Authority. These regulatory bodies are tasked with ensuring that media institutions operate within the confines of the law and uphold democratic principles. They are bound to respect the constitutional provisions and the fundamental principles of the legal system, ensuring that the freedom of the press is preserved in a way that aligns with the values of the Constitution.

However, to prevent the government or administrative bodies from exceeding their legal authority and curbing press freedom, Algerian legal scholars and administrative jurisprudence stress the importance of imposing checks and balances on these regulatory bodies. This includes the need for judicial oversight to ensure that administrative decisions related to media licensing, bans, and censorship are legitimate and transparent. The fear of administrative overreach or abuse of power necessitates that these bodies are held accountable through the administrative judiciary, which can intervene to protect the public interest, uphold the rule of law, and safeguard the fundamental right to free expression.

Research

This study, therefore, seeks to explore the critical role of the administrative judiciary in protecting press freedom in Algeria. By examining the mechanisms in place to prevent administrative bodies from infringing upon the rights of journalists and media outlets, this research aims to shed light on the ways in which judicial oversight functions as a safeguard against unjust restrictions on press freedom. Through a deeper understanding of these legal and institutional frameworks, we can better appreciate the importance of maintaining a delicate balance between regulation and freedom in the media sector.

I. Press Freedom and Its Importance

Press freedom has become an issue of paramount importance, supported by constitutional and international guarantees that ensure its protection. Constitutions recognize freedom of expression and the press as fundamental and general rights, and international legislation reinforces these principles within its provisions.

1. Press Freedom and Its Place Among Public Liberties

There are various definitions of press freedom, but constitutional jurisprudence generally agrees that press freedom is a public freedom, as are all fundamental freedoms.

1.1 Definition of Press Freedom

The French scholar Duguit defined press freedom as "the right of an individual to express his or her opinions and beliefs through publications in various forms such as books, pamphlets, magazines, newspapers, or advertisements, without these publications being subject to prior authorization, but with the authors' civil or criminal responsibility." (Salman, 2014, p. 289).

Another definition suggests that press freedom is the right of an individual to express their opinions and ideas through print on all topics, without prior authorization or censorship. In broader terms, it refers to the right to publish, but this right is not absolute and is governed by the law (Arabi, 2016, p. 11).

Press freedom is also understood as the liberty of individuals—whether independently or collectively, through a company, party, or organization—to print anything they wish, publish it, and manage their own newspaper or create a new one, spreading views and comments they believe serve the public good. It also acknowledges the public's right to have their ideas shared through the press (Amin, 2005, p. 16).

Professor Francis Bell defines press freedom in three points:

- Media freedom is a legitimate freedom defined by law, and no media institution may act outside this legal framework. Media freedom does not equate to chaos; rather, it is a regulated activity within legal boundaries.
- Media freedom implies that every citizen has the right to establish a newspaper or a media institution, which must operate within the confines of public law.
- The state should not directly intervene in press affairs, and any government support for the media sector should be distributed in a way that ensures the survival of smaller institutions, as media organizations are vital for the public interest (Ahddaden, 2014, pp. 44-45).

These definitions align with Article 11 of the 1789 Declaration of the Rights of Man and the Citizen, which states: "The free exchange of ideas and opinions is one of the most precious of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law." (Salman, 2014, p. 290).

2.1 Public Liberties

Professor Rouch defines public liberties as the fundamental rights in a modern and liberal state that are necessary for true freedom. Professor Gilles Lebreton argues that the term "fundamental rights" is broader than "public liberties." (Saifan, 2010, pp. 24-25).

In its ruling on press institutions on 10 November 1984 and again on 18 January 1985, the French Constitutional Council explicitly made a distinction within public liberties, recognizing that certain freedoms are more essential (fundamentals) than others, meaning they are more important and thus enjoy special protection (p. 63).

Traditional and modern jurisprudence has debated the classification of rights and freedoms, especially the status of press freedom and freedom of expression. Among the most prominent classifications are those by Professor Duguit, Professor Hauriou, and scholar Esmein. These classifications are as follows:

1.2.1 Professor Duguit's Classification:

- Negative freedoms
- Positive freedoms

2.2.1 Professor Hauriou's Classification:

- Personal freedoms: individual liberty, family liberty, freedom of contract, freedom to work.

- Spiritual or moral freedoms: freedom of belief, freedom of education, press freedom, and freedom of assembly.
- Freedoms that establish social institutions: social, economic, and trade union freedoms, freedom to form associations.

3.2.1 Scholar Esmein's Classification:

- Freedoms with material content: freedoms of security, mobility, property, housing, and trade.
- Freedoms with immaterial content: freedom of belief, freedom of worship, and press freedom.

In modern jurisprudence, George Burdeau divided public liberties into four main groups:

- Personal physical freedoms: freedom of movement, security, private life, housing, and correspondence.
- Collective freedoms: the right to form associations, freedom of assembly, and freedom of demonstration.
- Intellectual freedoms: freedom of opinion, freedom of thought, freedom in the arts, radio, television, education, and religious and ideological freedom.
- Economic and social freedoms: the right to work, freedom of labor, property rights, and freedom of trade and industry (Abdullah, 2002, pp. 398-399).

All of these classifications, including others, agree that freedom of speech and press, in its broadest sense, including radio and television, are fundamental rights. These freedoms can be considered either collective or individual rights, reflecting the importance of the press in shaping public opinion and its essential role in modern states. Press freedom is a cornerstone of democracy, and protecting it ensures the protection of democracy itself and the stability of the state.

2. Press Freedom in the Algerian Constitution and International Covenants and Treaties

Both the Algerian Constitution and international conventions and treaties emphasize the importance of freedom of expression and the press, enshrining protections and guarantees for them.

1.2 Press Freedom in the Algerian Constitution

The Algerian Constitution contains several provisions that establish the fundamental principles for public liberties, including freedom of opinion and expression in all forms. Article 38 states that "fundamental freedoms and human and citizen rights are guaranteed," while Article 42 asserts "the inviolability of freedom of belief and the inviolability of freedom of opinion." Additionally, Article 48 guarantees "freedom of expression, the establishment of associations, and meetings for citizens."

The 2016 constitutional amendment introduced significant new guarantees for press freedom, particularly with the removal of imprisonment penalties. Article 50 explicitly guarantees the freedom of written and audiovisual press and media networks, stating that these freedoms are not subject to any form of prior censorship. It also stipulates that "this freedom cannot be used to violate the dignity, freedoms, or rights of others." Moreover, the publication of information, ideas, images, and opinions is guaranteed within the framework of the law, while respecting the nation's core values and cultural, religious, and ethical principles. It further emphasizes that press offenses cannot result in imprisonment (Law No. 01-16, 2016).

2.2 Press Freedom in International Covenants and Treaties

Article 19 of the Universal Declaration of Human Rights states, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers." However, Article 29 of the same declaration imposes restrictions on freedom of opinion and expression to ensure the rights and freedoms of others, as well as to maintain public order, protecting individuals' privacy, and ensuring societal well-being. These limitations are as follows:

1. Everyone has duties toward the community, as only within the community can one's personality fully develop.
2. No individual shall be subject, in the exercise of their rights and freedoms, to any restrictions other than those determined by law, exclusively aimed at ensuring due recognition and respect for the rights and freedoms of others, as well as fulfilling the just requirements of morality, public order, and the general welfare in a democratic society.

3. No individual may exercise their rights and freedoms in a manner contrary to the principles of the United Nations and its purposes.

Furthermore, Article 19 of the International Covenant on Civil and Political Rights reiterates the following:

a. Every individual has the right to hold opinions without interference.

b. Every individual has the right to freedom of expression, which includes freedom to seek, receive, and impart information and ideas of all kinds, without regard to frontiers, whether orally, in writing, in print, or through any other medium chosen by the individual.

It also allows for limitations to this right in specific cases such as respecting the rights of others, protecting national security, public order, public health, or morals, and safeguarding the reputation of others (United Nations, 1966).

Article 20 of the same Covenant prohibits the advocacy of war and the incitement to racial, national, or religious hatred that constitutes incitement to discrimination, hostility, or violence.

In the European Convention on Human Rights, Article 10 establishes the following:

1. Everyone has the right to freedom of expression. This right includes the freedom to hold opinions, to receive and impart information and ideas without interference by public authorities and regardless of frontiers. However, this may be subject to prior authorization for broadcasting institutions.

2. These freedoms carry responsibilities and may be subject to restrictions or penalties under the law in a democratic society to safeguard national security, public safety, and public health, protect the rights of others, maintain public order, or prevent the dissemination of confidential information (Council of Europe, 1950).

The American Convention on Human Rights, under Article 13, outlines:

1. Every individual has the right to freedom of thought and expression, including the freedom to seek, receive, and impart information without regard to frontiers, whether orally, in writing, in print, or through any other medium chosen by the individual.

2. The exercise of this right may not be subject to prior censorship but can be subject to post-publication responsibility, defined by law, and necessary for:

- Respecting the rights or reputations of others.
- Protecting national security, public order, public health, or morals (Organization of American States, 1969).

The African Charter on Human and Peoples' Rights, Article 9, affirms:

- Every individual has the right to receive information.
- Every individual has the right to express and disseminate their opinions within the framework of laws and regulations.

Additionally, Article 27 specifies the scope of these freedoms:

- Every individual has duties toward their family, society, the state, and the international community.
- The exercise of rights and freedoms must respect the rights of others and public order, security, morals, and the public interest (African Union, 1981).

II. Judicial Oversight of the Freedom to Publish Newspapers

The administrative judiciary plays a significant role in protecting press freedom through judicial oversight of the rejection of newspaper publishing licenses, as well as oversight of administrative bans on newspapers.

1. Licensing for Newspaper Publication Under Media Law 12-05

Algerian Media Law 12-05 outlines the procedures for issuing newspapers under the authority of the Press Regulatory Authority, an independent administrative body responsible for overseeing the process.

1.1 Definition and Procedures for Newspaper Publishing Licenses

A license entails obtaining prior approval from the administration to engage in a specific activity, according to regulatory rules that define the conditions for granting permission in both substantive and personal aspects (Tahrawi, 2009, p. 243). Licensing is considered a relatively strict measure since

it requires prior authorization from the administrative authority. The justification for licensing lies in the need to protect society, a duty of the administration to prevent harmful activities that could disrupt public order (Nassar, 2007, pp. 59-60).

There are two types of licenses:

- **Restricted License**: This type of license specifies the conditions necessary for exercising freedom. If these conditions are met, the administrative authority is obligated to approve the license.
- **Discretionary License**: This type grants the administration discretionary power to approve or reject the license even if the required conditions are met. However, the administration must not misuse this power arbitrarily.

Licensing imposes a restriction on the exercise of freedoms. If it is a restricted license, the administration only permits individuals to exercise their freedom after verifying compliance with legal conditions. Consequently, individuals remain subject to the administrative authority's approval or rejection. In the case of a discretionary license, the administration may abuse its authority under the pretext of maintaining public order, thereby making the exercise of freedom contingent on the administration's will (Hamouda, 2008, p. 76).

1.2 Procedures for Obtaining a Newspaper Publishing License

Media Law 12-05 (Organic Law No. 12-05, 2012). requires newspapers to obtain accreditation (license) before publication. Article 11 stipulates that issuing any periodic publication is a free process but must undergo registration procedures and verification of information accuracy. A prior declaration must be submitted and signed by the director responsible for the publication to the Press Regulatory Authority as specified in this law. Upon submission, an immediate receipt is issued.

According to Article 13 of Media Law; once the declaration is submitted and the receipt is issued, the Press Regulatory Authority grants accreditation within sixty (60) days from the date of submission. Accreditation is granted to the publishing institution and is considered approval for publication.

Article 12 of the Media Law specifies the required details for the declaration submitted to the regulatory authority, including:

- The title of the publication and its frequency of issuance
- The subject matter of the publication
- The place of publication
- The language(s) of the publication
- The name, surname, address, and qualifications of the director responsible for the publication
- The legal nature of the publishing company
- The names and addresses of the owner(s)
- The composition of the capital of the company or institution owning the publication title
- The format and price of the publication

Additionally, the Media Law stipulates that the director responsible for any periodic publication must meet the following conditions (Article 23 of the Media Law):

- Hold a university degree
- Have a minimum of ten (10) years of experience in journalism for general media publications, or five (5) years of experience in the field of scientific, technical, or technological specialization for specialized publications
- Be an Algerian citizen
- Enjoy full civil rights
- Have no prior convictions for crimes involving dishonor or moral misconduct
- Not have engaged in actions against the November 1, 1954 Revolution for individuals born before July 1942.

3.2 The Legal Nature of the Decision to Reject a License

An administrative decision is defined as an expression by the administration, in the legally required form, of its binding will, based on its public authority as prescribed by laws and regulations, with the aim of creating a legal position whenever possible and legally permissible, and when

motivated by the pursuit of public interest in a given society, targeting individuals by their attributes rather than their identities.

From this definition, several conditions must be met for licensing to constitute an administrative decision (Mahyou, 2006, p. 292):

- **It must be administrative in nature and issued by an administrative authority expressing its binding will**: The Press Regulatory Authority is an independent body with legal personality and financial autonomy (Article 40 of Media Law 12-05). It is an independent administrative authority with regulatory power. Despite its oversight and deterrent functions, it remains an administrative, not a judicial, entity, and as such, it falls under the supervision of the administrative judiciary (Weil & Boyou, 2009, p. 40).
- **It must be enforceable**: This means that it is issued by an administrative authority that has the right to do so without requiring approval from a higher administrative authority (Tamawi, 2010, p. 404). The Press Regulatory Authority is the sole administrative body authorized to grant newspaper licenses, as stipulated in Article 13 of the Media Law (Article 13, Media Law).
- **It must create legal effects on a legal status**: The refusal to grant a newspaper license affects the legal status of the applicant, as it impacts the individual's freedom of expression through public dissemination and obstructs the issuance of newspapers (Hamouda, 2008, p. 208).

3.3 Judicial Jurisdiction and Oversight of the Administrative Ban on Newspapers

The Press Regulatory Authority is an independent national administrative body whose administrative decisions are subject to judicial oversight and can be challenged before the competent judicial authority.

3.3.1 The Jurisdiction of the State Council in Disputes Over Newspaper Licensing

Article 14 of the Media Law states that the decision of the Press Regulatory Authority to refuse a license is subject to appeal before the competent judicial authority (Article 14, Media Law). Article 901 of the Civil and Administrative Procedures Law stipulates:

"The State Council has exclusive jurisdiction, as a court of first and final instance, to rule on annulment, interpretation, and validity claims regarding decisions issued by central administrative authorities."

Article 09 of Organic Law 98/01 on the jurisdiction, organization, and operation of the State Council, as amended and supplemented, states:

"The State Council has exclusive jurisdiction, as a court of first and final instance, to rule on annulment, interpretation, and validity claims regarding decisions issued by central administrative authorities, national public bodies, and national professional organizations." (Organic Law 11-13, 2011).

Accordingly, the State Council is the legally competent body to hear administrative cases brought by legal entities against the Press Regulatory Authority in case of a refusal to grant newspaper publishing licenses. The decision to refuse a license must be justified and communicated to the concerned party within the stipulated timeframe of sixty days from the submission of the publication declaration.

The Egyptian Administrative Court has affirmed that restrictions on public freedoms guaranteed by the constitution constitute urgent matters that warrant the suspension of execution due to their serious implications. It ruled that the restriction of freedoms should not persist until a final judgment is reached in the main lawsuit (Fahmy, 2009, p. 139).

3.3.2 Judicial Oversight of Newspaper Bans

Judicial oversight serves as a safeguard for individuals against administrative attempts to hinder the exercise of their rights. It helps them overcome the excessive restrictions imposed by the government on their freedoms. The judiciary has historically been, and continues to be, the natural guardian of these rights and freedoms (Abu Younis, 1996, p. 288).

The Supreme Administrative Court has emphasized the importance of public freedoms and the right of every individual to enjoy them, provided they do not harm others. Freedom is not absolute but is subject to legislative restrictions to ensure that individuals exercise their rights within reasonable limits. The court has also reaffirmed the principle of press freedom, stating that it should

not be restricted except to protect social order and only to the extent necessary for safeguarding society (Fahmy, 2009, pp. 141-142).

The Egyptian Administrative Court has ruled that restricting constitutional public freedoms is an urgent matter that justifies the suspension of execution due to its serious consequences. If such a restriction is likely unconstitutional or unlawful, it should not remain in effect until a final judgment is issued (p. 139).

3.3.3 Administrative Seizure of Newspapers in French Law

French law permits the administrative seizure of newspapers if their content poses a threat to public order, particularly if their circulation could incite disturbances that the administration might struggle to control. However, French law requires that such a seizure be proportionate to the scale of the threat and the disturbance caused.

This was evident in the case of *L'Action Française* newspaper. When the matter was brought before the French State Council, it upheld the seizure but ruled that the newspaper did not constitute a genuine threat, leading to a compensation ruling—not because of the seizure itself but due to its excessive generalization (Nassar, 2007, pp. 108-109).

3.3.4 Administrative Decisions Under the Algerian State of Emergency

The Algerian legislature has stipulated that administrative decisions taken under a state of emergency, including those suspending or closing any company, entity, or institution due to threats to public order, public security, the proper functioning of institutions, or higher national interests, are legally justified (Article 3 of Decree 92-320).

3.3.5 Judicial Oversight of Administrative Censorship on the Press

To uphold the principle of prioritizing freedom, administrative judges exercise deeper and broader oversight over administrative measures that restrict freedoms—especially press freedom—compared to other administrative decisions. This oversight includes:

- The administration has authority over newspaper circulation only to the extent necessary for protecting public order. Since maintaining public order is the natural limit for all freedoms, its disruption could undermine the legal foundation of all liberties. Therefore, the administration may not ban a particular newspaper issue unless it poses a tangible threat to public order. It cannot prohibit circulation for political reasons or to suppress certain news or articles unless they genuinely affect public order.
- The justification for a ban may involve news, articles, or images that threaten public order by disrupting one of its four components: public security, public tranquility, public health, and public morals. The administrative judge, in reviewing a ban, first verifies the existence and validity of the facts cited by the administration. Once their validity is confirmed, the judge assesses whether they align with the law to determine whether they genuinely justify the ban—this is known as judicial review of the legal characterization of facts.
- Given the impact on a fundamental legal right, the administrative judge assesses the necessity of banning a newspaper to counteract the alleged harm to public order. Additionally, the judge ensures that the measure is proportionate to the circumstances that justify its imposition (Abu Younis, 1996).

Conclusion

Freedom of expression is, in itself, a supreme value and one of the fundamental pillars of democratic systems. It serves as the gateway to exercising numerous intellectual, cultural, and other rights and freedoms, such as the right to criticism, freedom of the press, printing and publishing, scientific research, and literary, artistic, and cultural creativity. The press, as a crucial means of communication, plays a pivotal role in disseminating information, shaping public opinion, and holding authorities accountable, making its protection essential in any democratic society.

For these reasons, international charters, treaties, and national constitutions have accorded freedom of expression great importance by explicitly recognizing and enshrining it as a fundamental public freedom. This recognition is accompanied by a range of legal and institutional guarantees aimed at safeguarding individuals from arbitrary restrictions and ensuring that freedom of the press can thrive without undue interference. However, despite these legal safeguards, the exercise of press

freedom often encounters challenges, including administrative restrictions, licensing requirements, and censorship, which necessitate continuous judicial oversight to prevent abuses of power.

In Algeria, the Press Regulatory Authority functions as an independent administrative body responsible for overseeing the press sector and issuing necessary licenses for newspaper publication. The legislature has subjected its decisions regarding newspaper licensing (accreditation) to judicial oversight by the administrative judiciary, which serves as the primary safeguard for the freedom of the press. This judicial review ensures that any decision to refuse or restrict press activity is legally justified and not based on arbitrary administrative discretion.

The role of the administrative judiciary in overseeing press regulation is crucial in maintaining a balance between the need to uphold public order and the fundamental right to freedom of expression. Through judicial review, individuals and media organizations have the right to challenge decisions that may unjustly curtail press freedom, thereby reinforcing democratic principles and the rule of law. Judicial oversight not only provides legal recourse against administrative decisions but also acts as a deterrent against potential misuse of regulatory powers by ensuring accountability and transparency in decision-making.

Nevertheless, the effectiveness of judicial oversight depends on the independence and impartiality of the judiciary, as well as the existence of clear legal frameworks that define the limits of press regulation. A legal system that fosters a free press, while preventing abuses such as misinformation and incitement to violence, is essential for democratic governance. Striking the right balance between press freedom and regulatory control remains a continuous challenge, requiring constant legal and institutional refinement.

So, the protection of press freedom through judicial oversight is a fundamental aspect of a democratic society. In Algeria, subjecting the decisions of the Press Regulatory Authority to administrative judicial review ensures that the licensing process remains fair, transparent, and aligned with constitutional and international standards on freedom of expression. Upholding these principles is not only vital for the development of an independent and responsible media sector but also for the broader advancement of democracy, human rights, and the free exchange of ideas in society.

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