

ALGERIA

Algeria is another country which follows a system recognizing the right of individuals to sue the government in an Algerian court. This principle is provided for by article 7 of the Civil Procedure Code.

According to the provisions of articles 10 and 11, foreigners can be a party to any lawsuit in an Algerian court, either as a plaintiff or as a defendant.

However, when a foreigner is an original plaintiff or participates in a lawsuit as a third party, he is obliged to furnish security for reimbursement of losses which may arise from the expenses and fees which he might be liable to pay after the court proceedings. This security does not have to be furnished when an agreement exists between Algeria and the country of the plaintiff, nor does it apply if the defendant does not ask for it.^{2/}

There is no provision in the law concerning suits being brought by a foreign government against the Algerian government. In this case, the nature of the claim would indicate whether or not the exhaustion of the local remedies rule should apply, or whether other rules of international law should apply.

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^{1/} Ordinance No. 66-154 of June 8, 1966. Code de Procedure Civile (1973).

^{2/} Id., art. 460.