

The Role of Electronic Administrative Litigation in Achieving Expedited Justice.

دور التقاضي الإداري الإلكتروني في تحقيق العدالة الناجزة

م.م سبأ يحيى يونس العبيدي

مدرس القانون المدني المساعد

جامعة الامام جعفر الصادق (ع) / فرع كركوك

saba_yehya@ijsu.edu.iq

تاريخ قبول النشر ٢٠٢٤/٨/٥

تاريخ استلام البحث ٢٠٢٤/٤/١٠

الملخص:

العدالة الناجزة غاية عامة تسعى جميع التشريعات الاجرائية للوصول اليها، لانها تكفل السرعة في اجراءات التقاضي دون ان يمس ذلك الحق المدعى به، والخصوصية الدعاوى الادارية وتمييزها عن غيرها من الدعاوى لأنها متعلقة بحق حول مرفق عام او وظيفة عامة والخصوم فيها يكون احد اطرافها شخصا من اشخاص القانون العام او ربما يكون كلاهما شخصا من اشخاص القانون العام (الادارة) فهذا يستدعي سرعة الاجراءات دون المساس بأصل الحق وكون النظام الكلاسيكي يسبب البطء الاجرائي اتجهت بعض التشريعات الى التقنية واستخدامها في مرفق القضاء بل واصدار تشريعات خاصة لتنظيم هذا الامر ومن هذه الدول الامارات العربية المتحدة وسلطنة عمان.

الكلمات المفتاحية: التقاضي، العدالة، القضاء الإداري.

Summary:

Expedited justice is a general goal pursued by all procedural legislations Since it ensures the expeditiousness of litigation procedures without prejudice to the claimed right.

The specificity of administrative cases, distinguishing thereof from other cases, because it is relevant to a right of a public Utility or a public function, with one of the litigants being either a public law entity or possibly both parties being public law entities (the administration), This requires speedy procedures without prejudice to the essence of the right.

As the classical system causes procedural delays, some legislations have turned to technology and its utilization in the judicial system, even issuing specific legislation to regulate this matter. Among these countries are the United Arab Emirates and the Sultanate of Oman.



The importance of research:

The significance of the study lies in its attempt to address the topic of electronic administrative litigation from a legal perspective, and shedding light on its role in achieving expedited justice that embodies the concept of procedural efficiency.

Moreover, the importance lies in attempting to understand the topic of electronic administrative litigation and its role in achieving expedited justice, given the scarcity of legal studies on this subject.

Also, to establish a procedural legal framework in the Republic of Iraq and benefit from the legal regulations in Oman and the UAE, following their approach to avoid delays in electronic administrative litigation procedures.

The central issue in the research:

The research issue revolves around the fact that electronic litigation is one of the products of societal development, as the world increasingly relies on modern technology and tends to favor it over classical methods in litigation, and the extent to which it achieves expedited justice.

The research methodology:

The research methodology relied on the analytical approach to legal provisions and adopted a comparative method, where a comparison was made between the Royal Decree No. 125/2020 on the Simplification of Litigation Procedures for Certain Disputes and the UAE Ministerial Order No. (260) of 2019 regarding the Procedural Guide for Organizing Litigation Using Electronic Means and Remote Communication in Civil Procedures.

The research structure:

For the purpose of understanding the topic, we decided to divide it into two chapters, as follows:

Chapter one:

The Concept of Electronic Administrative Litigation and its Legal Regulation.

Electronic administrative litigation is a distinct type that differs from civil and criminal litigation. Therefore, to better understand the nature of electronic administrative litigation, we divided the first chapter into two sections.

The first section aims to define electronic administrative litigation, while the second section focuses on the legal framework that governs electronic administrative litigation.

Section 1: The Concept of Electronic Administrative Litigation

to explain the concept of electronic administrative litigation, it is necessary to delve into the concepts relevant to administrative litigation and the significance of resorting to administrative litigation.



Accordingly, We Will Divide this Section as Follows:

Sub-Section I: Definition of Electronic Administrative Litigation

Sub-Section II: Motivations for Resorting to Electronic Administrative Litigation

Sub-Section I:

Definition of Electronic Administrative Litigation and Relevant Concepts

Undoubtedly, the modern technology revolution has impacted all facilities within the state, including court facilities. Naturally, technology brings significant positive aspects that are indispensable. It can achieve expedited justice. Therefore, in this sub-section, we will address the definition of electronic administrative litigation and the relevant concepts, as follows:

First: Definition of Electronic Administrative Litigation

Electronic administrative litigation refers to the use of modern information technology systems by the judicial system in administrative justice. This replaces traditional procedural methods that litigants are accustomed to taking to file a case and initiate it before the competent court and follow up on the new procedures within it, including rulings or judicial procedures until the issuance of the final judgment and the possibility of appealing against it.¹

Whereas, electronic administrative litigation is supposed to adopt an unconventional approach to conducting judicial transactions and procedures, this entails transitioning from traditional paper-based procedures to using modern electronic means to file cases and their procedures, and store case files, the idea lies in connecting all judicial departments across various provinces, circuits, and divisions to the courts and integrating them into a single interactive framework,

the requires starting with working in each judicial circuit individually, then connecting them to their counterparts in other provinces, and gradually linking them to higher levels to perform their duties using electronic means,

As a result, there is easy and rapid communication between courts across the country, and it serves as a substitute for paper documents, archives, and files in a way that enables quick access to information, speed of retrieval, and linking between them. such process constitutes performance management in the justice system, referring to the effective means of time management within modern strategies for dealing with time.²

Some define electronic administrative litigation as “judiciary in which electronic means themselves provide judicial protection without human intervention except in the stage of preparation, establishment, development, and updating for the electronic administrative judge who operates independently from human intervention in the stage of issuing judgments and providing judicial protection for litigants.”³



Secondly: Concepts relevant to Electronic Administrative Litigation

Definition of Electronic Administrative Judiciary

Some define electronic administrative judiciary as “the use of electronic means in the administrative litigation process, commencing from its inception - the application and notification - to its progression - the sessions and ending with the issuance of the judgment, its appeal, and execution. Such electronic means deemed as assisting tools for the administrative judge in the litigation process.

It is also defined as” electronic means solutions replacing the administrative judge in issuing decisions or judgments”.⁴

Hence, the Emirati legislator indirectly defined it through the definition of tools used in the modern electronic development of the judiciary in Article 332 of the UAE Federal Decree Law No. 10 of 2017 amending certain provisions of Federal Law No. 11 of 1992 Civil Procedures Law, which stipulates that 'Remote communication technology in civil procedures refers to the use of visual and auditory communication means between two or more parties to achieve remote attendance and exchange of documents, including lawsuit registration, announcement procedures, trial, and execution, all of which are conducted using this technology.

It is also defined as “the use of judicial systems for modern information technology in administrative justice, replacing traditional mechanisms that litigants typically engage in to initiate, submit, and pursue lawsuits before the competent court, as well as monitoring any new developments in them, such as rulings or judicial procedures, until the issuance of the final judgment and its appeal.⁵

Definition of Electronic or Informational Administrative Court.

The electronic or informational administrative court is defined as "a dual-existence technical information space that allows for the electronic programming of administrative lawsuits. It consists of an international connectivity network, in addition to the administrative court building.

This space enables the emergence of a dual-existence technical information environment that allows for the electronic programming of administrative lawsuits.

It comprises a communication network, as well as the buildings of the Administrative Courts of the State Council. This space allows for the appearance of all administrative and judicial units of the State Council's courts, including its various departments and divisions, on the communication network for litigants, lawyers, judges, and their assistants.

Through the said, judges of the State Council's courts can undertake the task of hearing lawsuits within their jurisdictions and adjudicating them per legislations that authorize them to do so, using state-of-the-art technological techniques.

This includes adopting cutting-edge technologies for documenting judicial procedures, in addition to storing and exchanging lawsuit files.⁶



This court represents one of the modern forms of electronic administrative litigation, as digital trials are based on computer technology and the Internet.

Litigation can take place through the court's website, such as the 'Najis' platform on the website of the Administrative Judiciary in the Sultanate of Oman, which provides modern electronic services.⁷

Sub-Section II:

Motivations for Resorting to Electronic Administrative Litigation

Undoubtedly, electronic administrative litigation is independent and distinct from other courts. Therefore, we will outline the key advantages of using electronic means for the administrative judiciary:

Using electronic means for the administrative judiciary facilitates achieving expedited justice, meaning that utilizing technology in various stages of administrative litigation simplifies the litigation procedures for the parties, allowing them to initiate the case without needing physical presence at the court. This includes electronic registration of the lawsuit with the court's clerk, sending notifications and judicial announcements electronically, and exchanging briefs and documents through the court's website.⁸ Such transformation is a significant incentive for resorting to administrative litigation without obstacles or difficulties.

The electronic court enhances public life by reducing the presence of disputing parties in the court and avoiding encounters with corruption intermediaries, as interactions have become digital through the electronic platform. Such helps in spreading legal and judicial awareness and enables parties to access the electronic court with transparency. The services of the court uphold the principles of justice and full transparency in obtaining information. The digitization of procedures aims to achieve democracy and electronic integrity.⁹

Ease of access to justice and Expedited adjudication of cases are facilitated by the electronic court, allowing litigants to access the court, its laws, and procedures at any time and from any place through its electronic platform, in addition to the related websites. This is aimed at obtaining services and tracking their files.

The mechanisms of the court allow for the management of procedural time and the adjudication of cases within short time frames. This is achieved through the contribution of electronic notification methods and remote litigation, which enable the adjudication of cases in a shorter period compared to traditional trials.¹⁰ This system does not restrict the service to specific times for requesting services, allowing parties to request services from the website at any time. In practical reality, we have observed that some judges respond to services at various times, and the enforcement judge adjudicates ruling the requests.



Section 2:

The Legal Regulation for Electronic Administrative Litigation.

Legal regulation is one of the most important foundations of electronic litigation. It is inconceivable to apply electronic litigation without a legal framework that governs all the procedures and means through which administrative lawsuits are conducted. There is no doubt that the special nature of the electronic environment urgently requires appropriate legal rules. This is achieved through the issuance of procedural laws that organize these rules, in addition to adapting traditional rules to apply to electronic litigation procedures, starting from the filing of the lawsuit, through all stages of litigation, to the issuance of the final judgment.¹¹ In this context, we will discuss the legal framework for administrative litigation in the United Arab Emirates, the Sultanate of Oman, and the Republic of Iraq.

Sub-Section I:

The Legal Framework for Electronic Administrative Litigation in the United Arab Emirates

The United Arab Emirates is among the leading countries in the field of digital transformation, and electronic litigation is a part of this transformation. Consequently, legislation, regulatory guidelines, and ministerial decisions have continuously evolved to regulate electronic litigation. Based on the above, we will divide this section into two parts, as follows:

First: Laws Regulating Electronic Litigation in the United Arab Emirates.

Before delving into the legal regulation for electronic administrative litigation, it is essential to address the establishment of the Emirati administrative judiciary and the nature of the system in place. With the formation of the UAE Federation under a unified leadership, the government was established and legislation was enacted. The emergence of administrative judiciary in the United Arab Emirates can be traced back to 1971 when Article (102) of the UAE Constitution assigned the adjudication of administrative disputes between the federation and individuals to the federal judiciary. In 1973, the practical implementation of the administrative judiciary began with the establishment of the Federal Supreme Court, which commenced its functions during that year.

It should be noted that the United Arab Emirates operates under a unified judicial system. According to the Federal Civil Procedures Law No. (11) Of 1992, Article (25) stipulates that "The Federal Primary Court in the capital of the state shall have jurisdiction over all civil, commercial, and administrative disputes that arise between the state and individuals; whether the state is the plaintiff or the defendant..."



Undoubtedly, the United Arab Emirates is one of the pioneering Arab countries in the implementation of electronic litigation, either in terms of legal regulation or application to judicial facilities. The UAE launched its e-Government system in 2001.

Based on digital development, the foundation of the digital transformation project in the Public Prosecution was launched in 2006. The project expanded to all judicial facilities by 2008, contributing to a significant leap in digital transformation.¹² As a result, Emirati legislation Expedited evolved to achieve electronic litigation in line with the e-Government across all its sectors. Consequently, Notary Public Law No. 4 of 2013 was enacted and later amended by the law in 2017, addressing the electronic registry of the notary public and electronic documentation.

In this regard, the Abu Dhabi Judicial Department has launched the Smart Litigation System, which allows judges and their assistants to use the electronic Court Management System (CMS) on smart devices. This contributes to speeding up litigation procedures while maintaining performance quality according to global standards, aiming to achieve Expedited justice.¹³

Federal Law No. 46 of 2021 concerning Electronic Transactions and Trust Services was issued, pursuant to which the previous Law No. 1 of 2006 was repealed. This law aims to enhance trust in electronic transactions of all kinds by providing trusted services and accredited trust, facilitating licensing procedures and processes, and encouraging digital transformation, investment, and technological development.

Perhaps Law No. 2 of 2022 concerning Electronic Transactions and Commerce for the Government of Dubai is one of the most recent laws in the Arab world, offering numerous advantages and regulations for electronic transactions and commerce.

Second: Regulations and Ministerial Decisions Related to Electronic Judiciary

Regulations and ministerial decisions play a crucial role in explaining and simplifying laws. Cabinet Decision No. 39 of 2014 regarding the Executive Regulations of Federal Law No. 4 of 2013 provides the organizational framework for the profession of the notary public and addresses the electronic registry, electronic signatures, as well as electronic documentation and electronic seals.

In line with such decisions, Ministerial Decision No. 140 of 2015 was issued to establish the Case Management Office in federal courts and define its operating system. Article one of this decision states that "A Case Management Office shall be established in each federal court at various levels." This decision aims at early control of lawsuits as well as continuous judicial oversight without interruption.



Previously, the Civil Procedure Law No. 35 of 1992 AD included all matters related to civil procedures before civil and Sharia courts, and In 2017-2018, it was amended to include only certain procedures, and most of the procedures were transferred to the regulatory bylaws that were first issued in the year 2018 AD No. 57, and in The amendment that took place in the year 2020-2021 AD stipulates in the regulations many electronic procedures related to the announcement, registration of the case, attendance at sessions, electronic session minutes, electronic claim notice, electronic signature, and many others related to electronic trial procedures.

As for the procedural guide for organizing litigation using electronic means and remote communication in civil procedures, it was issued in Ministerial Decision No. 260 of 2019. such a guide consists of 27 articles detailing electronic litigation procedures in civil lawsuits. It covers remote trials, electronic media, electronic registration, electronic notifications, the commencement of decisions, electronic lawsuit registration, and more. It is evident that the aforementioned laws and decisions comprehensively cover electronic litigation from all legal aspects, allowing litigants to pursue their claims with ease. In continuation of previous legislation and decisions, the UAE legislator did not stop there but also issued Cabinet Decision No. 35 of 2019 regarding the implementation of electronic monitoring. Such decisions include defining electronic monitoring, its scope of application, execution methods, implementation plans, mechanisms, the duties of monitoring officials, and its consequences.

Sub-Section II:

The Legal Regulation for Electronic Administrative Litigation in the Sultanate of Oman

Establishing an administrative judiciary in the Sultanate of Oman began with Royal Decree 101/96 of the Basic Law of the State, where Article (67) concluded with establishing a judicial body specialized in adjudicating administrative disputes. Subsequently, by virtue of Royal Decree No. 91/99, the Administrative Judiciary Court was established, defining its jurisdiction and tasks, and it was placed under the supervision of the Minister of the Diwan of Royal Court Affairs. At that time, the court operated under the traditional system. After the issuance of Royal Decree No. 35/2022 regarding the organization of judicial affairs management, the Administrative Judiciary Council, the Public Prosecution, and the Administrative Judiciary Court were merged under the name of the Supreme Judiciary Council, aiming to strengthen the principle of separation of powers.

In respect of electronic litigation, the actual launch of the concept of electronic litigation in the Sultanate of Oman took place in 2016 at the Primary Court in

Muscat. The following year, the Administrative Judiciary Council announced the activation of the Electronic Litigation Management System in 11 primary courts across various governorates. This system resolved numerous obstacles due to its speed, accuracy, and efficiency, as well as its ability to save effort, time, and costs.

In 2019, the Administrative Judiciary Council launched the Lawyers' Portal, enabling them to register lawsuits, pay fees electronically, exchange memoranda, receive judicial announcements, and track procedures. Technological advancements in justice facilities have been rapidly progressing, leading to the launch of the "Qadaa" mobile application, aimed at allowing stakeholders to inquire about cases and sessions.¹⁴

Consequently on the foregoing, it reflects to us the Sultanate of Oman's plan for digital judicial transformation by the issuance of frequent legislation, During the COVID-19 pandemic, a law simplifying litigation procedures for certain disputes was issued by Royal Decree No. 125/2020, which included provisions related to electronic litigation, Which included provisions related to electronic litigation. For example, Article (3) of Electronic Transactions Law No. 69/2008 stipulates, "The provisions of this law shall apply to electronic transactions, records, and signatures as well as any electronic information message, and this law may not apply to the following:

- a. Transactions and matters related to personal status law, such as marriage, divorce, wills, and gifts.
- b. Court procedures, judicial announcements, summonses, arrest warrants, and judicial rulings.
- c. Any document that the law requires to be notarized by a notary public.

The aforementioned article initially did not allow for electronic litigation to begin. However, the Law on Simplifying Litigation Procedures changed this by making an exception to the said article. According to Article 5 of this law, lawsuits outlined in Article 1 can now be filed electronically. The regulatory bylaws for the Law on Simplifying Litigation Procedures, established by Ministerial Decision No. 104/2021, provided a framework for electronic litigation in the Sultanate of Oman. As a result, electronic platforms such as the "Qadaa" application were launched, along with modern electronic portals designed to simplify procedures and enhance the quality of procedural litigation through electronic means.

On January 11, 2022, the Administrative Court launched its website and activated the "Najiz" portal for the purpose of improving judicial facilities and in accordance with Oman Vision 2040.¹⁵ Without a doubt, such transformation contributes to achieving prompt justice by saving time and costs, and by completing transactions more quickly and accurately than before. It also provides services to everyone without the need to pay subscription fees, fulfilling the government's goal of contributing to the digital transformation of judicial facilities.



Sub-Section Three:

The Legal Framework for Electronic Administrative Judiciary in Iraq

The assignment of settling administrative disputes in Iraq electronically is unorganized; in other words, it does not exist. The settlement of administrative disputes is still conducted in the classical manner, which leads to delays in the procedural progress of administrative cases.

the provisions of Civil Procedure Law shall apply to Procedures unless otherwise provided specific provisions.

The jurisdiction of the courts shall be as follows:

First: Administrative Court:

The Administrative Courts are competent in adjudicating the validity of individual and organizational administrative orders and decisions issued by employees and bodies within ministries, entities not linked to ministries, and the public sector, where no authority for appeal has been designated. This is based on a request by an interested party with a known, present, and possible interest. However, a potential interest is sufficient if there is a reason to fear causing potential harm to those concerned. This section will be discussed in the following points:

First - Jurisdiction of the Administrative Court under the amended State Council Law No. (65) of 1979:

The article (7/fifth) of the law outlined the grounds for appeal to the Administrative Court regarding administrative orders and decisions, specifically as follows:

The order or decision must include a violation or contravention of the law, regulations, instructions, or internal regulations.

The order or decision must have been issued contrary to jurisdictional rules or be defective in form, procedure, subject-matter, or reason.

The order or decision must contain an error in the application of laws, regulations, instructions, or internal regulations, or in their interpretation, or it must involve abuse or arbitrariness in the exercise of authority or deviation from it.

The legislator has provided several characteristics of the administrative decision issued by the administrative authority in Iraq according to its specified jurisdiction by law, such as regulations, instructions, internal regulations, or internal publications.

It is considered as an order or decision the refusal or failure of the employee or entity to issue an order or decision that it was legally obligated to make. Thus, the legislator has adopted an exclusively legislative approach to delineate the jurisdiction of the Iraqi State Council courts exhaustively, making their jurisdiction very limited and inadequate in light of the developments in the administrative organization of

state institutions. This is in contrast to the development seen in defining the jurisdiction of administrative courts in comparative countries, where a general standard has been adopted, making the Egyptian State Council the general authority in all administrative disputes.

Secondly - Jurisdiction of the Administrative Court under Other Laws:

In recent years, several laws have been issued expanding the jurisdiction of the Administrative Court beyond those stipulated in the State Council Law. As a result, its jurisdiction has become as follows:

Considering appeals related to granting citizenship.¹⁶

Reviewing appeals submitted by the heads and members of provincial, district, and sub-district councils, as well as by governors, upon the termination of their membership for any reason.

Reviewing appeals related to decisions to dissolve provincial councils and other local councils.

Reviewing appeals related to the conditions for accrediting investment offices and laboratories in the field of environmental protection.

Reviewing appeals submitted against decisions of the Compensation Committee for failure to apply Compensation Law No. (5) of 2009. such law serves as a reference for appeals against decisions issued hereby, making the decision appealable before the Administrative Court.

The jurisdiction of the Administrative Court extends to matters concerning the service affairs of police officers and internal security forces.

Jurisdiction to adjudicate violations occurring in property transactions contrary to the Real Estate Registration System if registration has not acquired its final form.

Reviewing appeals against decisions regarding the inclusion of employees issued by the minister or head of the entity not affiliated with a ministry or the governor.

Thirdly: Employee Court

Employee Court replaced the General Disciplinary Board, which used to exercise its judicial jurisdiction before the issuance of the Fifth Amendment Law No. (17) of 2013 to the State Council Law No. (65) of 1979, under previous laws, namely the Civil Service Law No. (24) of 1960 as amended, and the Law on Discipline of State Employees and the Public Sector No. (14) of 1991 as amended. After the issuance of the aforementioned Fifth Amendment Law, the jurisdictions of the Employee Court were specified under the State Council Law, which stated: "Employee Courts are competent to adjudicate the following matters:



Adjudicating lawsuits submitted by employees against government circuits and the public sector regarding rights arising from the Civil Service Law or laws and regulations governing the relationship between the employee and the entity they work for.

Adjudicating lawsuits submitted by employees against government circuits and the public sector to challenge disciplinary penalties stipulated in the Law on Discipline of State Employees and the Public Sector No. (14) of 1991 and amended thereof.

consequently, the jurisdiction of the Employee Courts is exercised in two main fields as follows:

First Field - Jurisdiction of the Employee Court to adjudicate disciplinary lawsuits:

The Law on Discipline of State Employees and the Public Sector No. (14) of 1991, as amended, has defined the duties of employees, the penalties that may be imposed on them and their consequences, the procedures for imposing penalties, and the methods of appealing against them.

Therefore, the Employee Courts have jurisdiction over adjudicating appeals filed by employees in government circuits and the public sector against the penalties imposed on them, which include reprimands, warnings, salary deductions, admonitions, salary reductions, demotions, dismissal, and suspension.

Article (10) of the Discipline Law requires the minister or head of the circuit to form an investigative committee consisting of a chairman and two members with expertise, one of whom shall hold a bachelor's degree in law.

The investigative committee undertakes written interrogations with the violating employee referred to it. To perform its mission, it has the authority to hear and record the statements of the referred employee, and witnesses, and to access all necessary documents and data, that it deems necessary to review, the committee then drafts a report documenting the procedures taken, the statements heard, and its resulting recommendations. It may either decide not to hold the employee accountable and close the investigation or impose one of the penalties specified in this law.

All of this is then forwarded to the authority that referred the employee. Suppose the committee finds that the actions of the employee constitute a crime arising from their employment or committed in their official capacity. In that case, it shall recommend referring them to the competent courts.

The Discipline Law grants the minister or head of the department the authority to directly impose penalties of reprimand, warning, and salary deduction on the violating employee after questioning them, without referring them to an investigative committee.



On the other hand, Article (12) of the Discipline Law grants the minister the authority to impose a penalty of reprimand, warning, or salary deduction on an employee holding the position of general director or above when they commit an act contrary to this law's provisions.

If it appears to the minister that the employee has committed an act warranting a more severe penalty than what is allowed, the minister shall refer the matter to the Council of Ministers, including a proposal to impose the penalty. The employee subject to the provisions of this article has the right to appeal against the penalties imposed on them to the Employee Court.

Employee Courts, when reviewing decisions to impose disciplinary penalties, have the authority to approve, reduce, or cancel the imposed penalty.

Before filing the challenge with the Employee Court against a decision to impose a penalty, it is required to file a challenge with the administrative authority that issued the decision within thirty days of the date the employee was notified of the penalty decision. The set forth authority shall review such challenge within thirty days from its submission. Failure to adjudicate the challenge within the specified period is deemed a rejection of the challenge. The appeal shall be submitted to the Employee Judicial Court within (30) thirty days of the date the employee is notified of the rejection of the challenge, whether in fact or by judgment. The decision that is not appealed within the legal period specified by the legislator is deemed final. When reviewing appeals, the Employee Court shall adhere to the provisions of the Code of Criminal Procedure and the provisions of the Discipline Law, while ensuring that its sessions shall be confidential. Decisions of the Employee Court may be appealed to the Supreme Administrative Court within thirty days from the date of notification or deemed notification. The decision of the Employee Court that is not appealed within the specified period, and the decision of the Supreme Administrative Court as a result of the appeal, are deemed final and binding. The Supreme Administrative Court shall exercise the jurisdictions of the Court of Cassation, as stipulated in the Code of Criminal Procedure, when reviewing appeals against decisions of the Employee Court, in a manner consistent with the provisions of this law.

Second Field - Jurisdiction of the Employee Courts to Adjudicate Civil Service Lawsuits:

The Employee Court is competent in adjudicating lawsuits filed by employees against government circuits and the public sector concerning rights arising from the Civil Service Law or other laws and regulations governing the relationship between the employee and the entity they work for. The subjects of civil service lawsuits include disputes concerning requests submitted by the interested parties for



appointment, promotion, granting of allowances, termination of service during the probation period, and reinstatement of the employee to their previous position. These disputes also include cases related to salaries and allowances due to employees, the calculation of seniority for promotion due to obtaining university specialization degrees or completing training courses, and the calculation of professional practice duration upon appointment or reappointment. They also encompass disputes arising from the application of certain decisions of the now-dissolved Revolutionary Command Council, lawsuits related to additional lecture fees, end-of-service gratuities, and others. The Employee Courts have full jurisdiction when reviewing these disputes. Their authority is not limited to merely annulling the decision but also extends to amending the contested decision or awarding compensation for the damages caused to the plaintiff. Individuals concerned shall file their civil service lawsuits before the Employee Court within the legally specified period. Otherwise, the lawsuit may be dismissed if filed after thirty days from the date the employee was notified of the contested order or decision, within Iraq, or sixty days if outside Iraq. Decisions of the Employee Court may be appealed to the Supreme Administrative Court within thirty days from the date of notification or deemed notification. A decision of the Employee Court that is not appealed, and the decision of the Supreme Administrative Court resulting from an appeal, are deemed final and binding. The Supreme Administrative Court has the jurisdiction of the Court of Cassation as stipulated in the Civil Procedure Law when reviewing appeals against decisions of the Employee Court, subject to the provisions of this law.

therefore, adhering to the classical system for handling this type of lawsuit causes delays in administrative litigation procedures. So, there is a need for a law that provides for electronic administrative litigation to ensure faster procedures and protect interests.

Chapter two:

The Role of Electronic Administrative Litigation in Achieving Expedited Justice.

To elucidate the role of electronic administrative litigation in achieving speed justice, it is essential to first clarify the concept of expedited justice and then explain how electronic processes contribute to achieving this in various stages of administrative litigation. Therefore, we have divided this discussion into two main sections as follows:



Section One: Concept of expedited Justice

Section Two: The role of electronic technology in the stages of administrative litigation in achieving expedited justice.

Section One:

Concept of expedited Justice

Justice is the fair, equitable, and proper application of facts without the abuse of rights. It means abandoning discrimination based on race, gender, and creed when issuing judgments and decisions in criminal, administrative, and civil matters by courts and state security and authoritative institutions.

The right to speedy administrative litigation has guarantees. To explain this concept, we have decided to divide the requirement into two sub-sections as follows:

First Sub-Section: Definition of expedited Justice.

Second Sub-Section: Requirements for Achieving expedited Justice in Electronic Administrative Litigation.

First Sub-Section:

Definition of expedited Justice

Expedited justice does not mean achieving speed without justice. It first means justice, and second, it means in an appropriate time, neither implies speed at the expense of justice through an unsound decision that merely ends the dispute nor does it mean a decision that results in spawning more cases and increasing back-and-forth litigation. Without prejudice to the right to litigation as a constitutional right that must be adhered to.¹⁷

Some have defined justice as meeting all the conditions of fairness and being achieved within a reasonable time. It involves expediting the delivery of rights to their owners and preventing causes of delay, thereby achieving justice and fairness promptly rather than later.¹⁸

Expedited justice is a term that means the rightful owner receives their right quickly or in a timely manner without delay.¹⁹ For the rightful owner to obtain their right, they must be provided with all means to prove their rights against others and to defend them. Therefore, it has been said that it means "the rapid adjudicating of cases in a manner that does not compromise the respect for the right to litigation and the rights of defense."²⁰

The Supreme Constitutional Court in Egypt has defined it as "the adjudicating of disputes within a time frame that does not exceed all reasonable limits, without being excessively short."²¹

Expedited justice in electronic administrative litigation is achieved through the following:



Speedy adjudication of administrative lawsuits and completion of administrative litigation procedures, whereas the process of sending and receiving documents in electronic administrative litigation occurs without the need for parties to travel to the court premises. This helps save time, effort, and reduces costs.

Enhancing the productivity of administrative judges, whereas the administrative judge will be able to review twice the number of cases compared to what he was able to review previously, considering that litigants do not need to physically attend the court daily. Moreover, it allows the judge to discuss with the parties wherever they are, reducing the Possibility of requesting adjournment due to the inability to attend, especially in Iraq where the judicial system is centralized and the Administrative Court is exclusively located in the capital, Baghdad, where all cases from all provinces are presented before it. This creates difficulty for the litigant who is forced to travel from their provinces to the capital.

Second Sub-Section:

Requirements for Achieving expedited Justice in Electronic Administrative Litigation.

The aim behind the establishment of the right to resort to electronic administrative litigation is to allow litigants to request the judge to adjudicating their claims electronically without their physical presence, but rather in a virtual space. Therefore, it is incumbent upon the state to determine the cost of resorting to the judiciary in a manner that prevents individuals from being financially hindered from bringing their claims before the courts.

Additionally, the state commits to regulating the electronic judiciary with the necessary provisions that make it accessible to citizens both legislatively and technically. The legislative requirements are the legislative and regulatory framework upon which the application of electronic administrative litigation can be based.

In order to transition from classical administrative judiciary to electronic judiciary, amendments to the laws regulating administrative litigation procedures are necessary. This would enable individuals to litigate against public authorities by submitting electronic petitions and receiving electronic notifications. Legislation must be adapted to scientific and technological advancements by incorporating Internet technologies into administrative litigation.

The technical prerequisites refer to the technical means or requirements necessary for electronic administrative litigation, including computers, computer networks, the Internet, and electronic software.

The administrative judge needs to have management of the site and its



programming, which is achieved by delegating authority to technically qualified individuals. Their work focuses on monitoring the progress of electronic administrative litigation and addressing technical errors before they occur.

They also protect the system from viruses and assist court clerks in executing their technical duties. Such allows for technical protection of data and electronic administrative litigation procedures.²²

Consequently, Expedited justice in electronic administrative litigation is achieved because claims can be electronically filed, saving time and effort. Disputes can be electronically adjudicated, thus speeding up the process and reducing the need for adjournment requests. All these guarantees ensure expedited procedures without prejudice to the disputed right, at lower costs and with less effort, which is the essence of Expedited justice.

Whereupon, the preparation of courtroom and administrative and executive departments will take on a technological aspect that allows judges and litigants to follow their cases, attend hearings, submit requests, and communicate with court officials digitally without the need for physical presence. This digital communication is characterized by transparency and high speed in obtaining information and executing procedures.

The relevant authorities, such as the Ministry of Justice and the Ministry of Communications, need to work together to make the process of digital administrative litigation more efficient. This collaboration will establish a legal digital judiciary that enables litigants to access the electronic administrative court and assert their rights quickly and transparently. This will help avoid delays and ensure Expedited justice.

Hence, the technical prerequisites can be summarized as follows:

First: Electronic Case Management Systems, which are established through a set of applications and databases within the courts. These applications are used to collect, organize, process, store, and distribute cases and their data within the courts and to external Entities. This leads to increased productivity and improved performances of court personnel, as well as a reduction in the time required to process and improve services provided to the public. It also provides information that serves the court administration, especially the Ministry of Justice. Electronic case management systems typically consist of categories or software programs that eliminate duplication of work, prevent data redundancy, and allow data retrieval through multiple methods instead of just case numbers and plaintiffs' names. They also provide levels of accuracy in recording data such as addresses, reports, and detailed statistics for the court to supervise and monitor.²³

Second: Video Conferences, which consists of television cameras, screens,



microphones, speakers, and high-quality internet connections. This technology saves time by eliminating the need for litigants to travel to the court's location. It also facilitates hearing testimony from witnesses who are unable to attend in person and electronically records session minutes to prevent tampering or forgery afterward.

Third: Digital mail communication enables the exchange of messages between administrative departments, ministries, and courts over the internet. This facilitates speed when contacting administrative authorities to provide the court with administrative documents relevant to the administrative lawsuit.

Section Two: The role of electronic technology in the stages of administrative litigation in achieving expedited justice

Electronic administrative litigation stages manifest in two phases: pre-judgment and post-judgment. Therefore, it is advisable to divide the issue into two Sub-sections as follows:

First sub-section: The Role of Technology in the Pre-Judgment Phase in Achieving expedited Justice.

Second sub-section: The Role of Technology in the Post-Judgment Phase in Achieving expedited Justice.

First Sub-section:

The Role of Technology in the Pre-Judgment Phase in Achieving Expedited Justice.

In the pre-judgment phase, technology plays a role in achieving expedited justice. After filing the administrative lawsuit by the plaintiff or their representative at the litigation office or the competent court, or through the court's official website, it is necessary to create an electronic page on the court's official website.²⁴ This allows the disputing parties to access it remotely at any time and from any location (remote access) to learn about the defense aspects, procedures, and issue decisions. This respects their right to be informed of developments in the administrative lawsuit in accordance with the right to litigation before the courts. This is done after entering the password specific to the electronic lawsuit page.

This allows the plaintiff to quickly access session minutes, relevant documents, and expert reports without the need to adhere to specific court hours or bear the burden of travel, especially in Iraq where the judicial system is dual and administrative courts (Administrative Court of Justice and Employees' Court) are only present in the capital, Baghdad.

The researcher believes that while using electronic pages for administrative lawsuits speeds up the process and meets modern requirements, it's still important to keep paper copies in court archives. This is because digital systems, despite their



advantages, are at risk of becoming obsolete for various reasons. Keeping paper copies of files in court provides reassurance to all parties involved.

Thus, Article 3 of Ministerial decree No. 104/2021 was formulated to issue the regulatory provisions of the Simplified Procedures Law regarding some disputes, stipulating that records shall be established in the electronic system in each court to register lawsuits and execution requests. The electronic data related to registration shall be entered into these records and securely preserved to prevent any subsequent alteration, allowing for access and extraction in paper form. However, this does not preclude registration in paper records according to the established procedures.

The importance of technology and its role in achieving procedural expediency in session minutes²⁵ and their publicity When the session clerk uses a computer to write the minutes, including discussions between the tribunals, lawyers, and litigants regarding evidence and presented documents, it facilitates the extraction of official copies of these minutes or expert reports. The judicial assistant (session clerk) only needs to press the print link to obtain a copy of the duplicated images, ensuring the security and integrity of data storage and preventing any unauthorized modifications or alterations.²⁶

To ensure the digital transparency of sessions, the content of the session and the attendance can be photographed, and this image can be transferred to the main page of the administrative court's website.

Whereas, anyone related to the administrative case or any citizen will be able to access the electronic page of the administrative court on the internet using hall cameras. However, if a judge issues a decision to view it secretly, the recording will be paused and resumed thereafter.²⁷

The researcher believes that digital media is a means to document what happens during the session instead of paper transcripts, which in turn serves as evidence of the transparency of the pleadings in the electronic administrative lawsuit. On the other hand, it is a means to publish judicial decisions, legislation, and jurisprudential opinions.

In respect of the stage of judicial deliberation, all procedural legislations agree that judicial deliberation shall be conducted in private among the assembled judges, and no one other than the judges may participate in it.²⁸ However, the legislations did not specify the means of conducting deliberation. This means that it could be carried out through any secure technical medium as long as confidentiality is ensured. Especially since the legislations did not stipulate that judicial deliberation must take place at a specific location.²⁹

The researcher believes that it is necessary during electronic deliberation of



administrative lawsuits to take all necessary technological measures to ensure the confidentiality of judicial deliberation over the internet and to prevent unauthorized access.

Moreover, the researcher believes that the role of technology facilitates administrative litigation procedures quickly, especially since this type of litigation has a special nature, as it involves challenging an administrative decision believed by individuals to have been issued contrary to legality. As administrative lawsuits aim to protect the principle of legality, the outcome of such cases affects everyone involved.

Regarding full judicial claims, these are administrative claims filed by the plaintiff seeking a personal right. Therefore, the judge's authority here is not limited to determining the legality or illegality but extends to specifying the rights due to the plaintiff, including compensation. Examples of disputes in this jurisdiction include disputes related to administrative contracts and disputes concerning employees' rights.

These types of lawsuits, by their nature, cannot endure delays and require procedural speed without prejudicing the right. This is essential for achieving Expedited justice. Therefore, the role of electronic administrative litigation in achieving Expedited justice becomes evident.

Second sub-section:

The Role of Technology in the Post-Judgment Phase in Achieving Expedited Justice.

Firstly, the drafting of the judicial ruling's draft and its original version, and depositing it digitally.³⁰ This is regulated by UAE Law No. 260 of 2019. Whereas, Article 16 states:

1. In remote trials, the court issues its judgment electronically, including the facts of the case, its reasons, and its verdict. The electronic version of the judgment shall be electronically signed by the chief -judge and the judges.
2. The chief -judge sends a copy of the electronic ruling to the clerk via the secured electronic information system, who must deposit it and keep it in the case file.
3. except for clause (1) of this Article the electronic version of the judgment may be signed manually if the chief judge deems it necessary.
4. The chief -judge and the judges shall affix their electronic signatures at the beginning of each judicial year, and these signatures shall be stored in the electronic information system.
5. The parties and their representatives may obtain copies of the electronic version of the judgment after paying the prescribed fees.

The electronic services at this stage achieve procedural speed and reduce the



likelihood of errors in recital data.³¹ Additionally, the judge's habitual drafting of judgments digitally in computer memory will provide ready applications and templates that he can rely on in the future.³²

Taking into account the important aspects of electronic judgments in administrative cases: the use of technology to issue judgments electronically ensures consistency in rulings on specific subjects, even if different judicial panels or administrative courts are handling them. This upholds the principle of equality before the law for all members of society. This is because administrative judges rely on the legislations, judicial rulings, and jurisprudential studies available on the official website of the administrative court or the Ministry of Justice. Given the unified sources available for judges to consult, they are likely to issue consistent rulings unintentionally, thereby upholding the principle of equality before the law for all individuals in society.³³

Secondly: Digital Announcement of Administrative Judicial Rulings

The administrative judgment is deposited after being recorded in the electronic case file, allowing each party to access the case website, review the judgment, and obtain a copy. The administrative judge can also notify the parties of the judgment immediately after drafting it digitally by sending a copy to their lawyers via email. This ensures that the party against whom the judgment was issued can appeal within the specified timeframe, as the announcement of the digital judgment triggers the start of the appeal period.³⁴ Similarly, the party in whose favor the judgment was issued can proceed with its execution.

The judicial announcement of the judgment in an administrative case will address several significant issues, primarily ensuring that the party against whom a default judgment has been issued is properly notified. The electronic notification of the administrative decision via the personal email of the individual against whom the judgment was issued serves as conclusive evidence that they are aware of the default judgment. It also clearly indicates the start date of the period for filing an objection to the default judgment.

In this matter, justice is achieved by allowing the judge and the court to ensure that the person against whom the default judgment is issued receives the judgment in the administrative case and becomes aware of it by sending a notice, which is achieved by the electronic announcement (notification) that the traditional announcement of the default judgment (notification of the default judgment) is unable to achieve.

The researcher believes that this reflects positively on procedural speed, while



ensuring that all actions are legal and do not compromise the claimed right. This is the role of electronic administrative litigation in achieving Expedited justice.

Conclusion

After completing the research titled "The Role of Electronic Administrative Litigation in Achieving Expedited Justice," we have reached several conclusions and recommendations:

First Consequences:

The Iraqi legislator has not regulated electronic administrative litigation, unlike the Emirati and Omani legislators. This lack of regulation hinders the achievement of Expedited justice due to the reliance on the traditional litigation system, which causes delays and, consequently, the loss of rights and the failure to achieve Expedited justice.

Electronic administrative litigation refers to the use of technology in the administrative judiciary system.

Expedited justice means the speedy ruling of lawsuits without prejudice the claimed rights.

The electronic administrative litigation has revealed many positive aspects in achieving Expedited justice

Second: Recommendations

The Iraqi legislator should establish a procedural legal system aimed at electronic administrative litigation to achieve Expedited justice.

Initiate training courses to facilitate individuals' access to electronic administrative litigation.

Provide an information system that prevents hacking of the websites responsible for electronic administrative litigation to ensure confidentiality.

- (1) Ali Lotfi, "E-Government: Between Theory and Scientific Application," presented at the Sixth Electronic Government Conference on "The New Public Administration and E-Government," organized by the Arab Organization for Administrative Development, Arab League, Dubai, United Arab Emirates, December 9-12, 2007 page 8.
- (2) Safaa Outani, "The Electronic Court: Concept and Application," Journal of Damascus University for Economic and Legal Sciences, Volume 28, Issue 1, 2012, p. 170-169.
- (3) Hussein Ibrahim Khalil and Youssef Sayed Awad, The Concept of Electronic Litigation, a research paper presented at the Faculty of Law, Assiut University Conference "The Digital Age," April 12-13, 2016 p.6.
- (4) Sayed Ahmed Mohamed, Electronic Civil Justice in the UAE, research paper presented at the Law and Technology Conference held from December 9-11, 2017, Faculty of Law, Ain Shams University p.315.
- (5) Mahmoud Mokhtar Abdul-Maguid, Using Information Technology to Facilitate Civil Litigation Procedures, Arab Renaissance Publishing House, 2013 p.16.
- (6) Safaa Outani, The Previous Reference, P.170.
- (7) Abdalwafi Ikdad, "Digital Court and Information Systems for the Ministry of Justice," Local Office in Marrakech, Morocco, 2019 P.6.
- (8) Youssef Sayed Awad, the Specificity of Electronic Judiciary, PhD dissertation, Ain Shams University, 2012 P.56.
- (9) Said Boutouil, the Project of Electronic Courts in Morocco*, Dar Al-Afaq Al-Maghribiya, 2021 p.26.
- (10) Said Boutouil, The Previous Reference, P.25.
- (11) Mohamed Mahmoud Mohamed, The Previous Reference, P.47.
- (12) Khaled Mamdouh Ibrahim, "Procedures for Electronic Litigation in Civil and Criminal Matters," previously referenced, p. 51.
- (13) Khaled Mamdouh Ibrahim, The Previous Reference. 51.
- (14) Dawood Suleiman Al-Kharousi, "Explanation of the Omani Law on Simplifying Litigation Procedures in Certain Disputes," (no publisher), 2021-2022, pp. 35-36.
- (15) <https://omaninfo.om/topics/85/show/413111#:~:text=%2>
- (16) See Article 19 of the Iraqi Nationality Law No. 26 of 2006.
- (17) Jihad Al-Otaibi, "Swift Justice," published article available at the link <https://www.ammonnews.net/article/439594>
- (18) Shoukry El-Sayed, "Obstacles on the Path to Effective Justice," Article published in Al-Masry Al-Youm Newspaper on July 15, 2016. (almasryalyoum.com).
- (19) Ahmad Awad Hindi, Procedural Justice in Islamic Jurisprudence, a working paper presented at the Islamic Jurisprudence Conference on Humanitarianism and Interests, Development of Jurisprudential Sciences: Jurisprudence for the Vision of the World and Living in It, Sultanate of Oman, September 6-9, 2016.
- (20) Hossam Abdel Rahim, former Minister of Justice, "The Ministry of Justice Clarifies Reasons for Slow Litigation," published article available at: Minister of Justice: We seek to



implement prompt justice and eliminate slow litigation Egyptian today / (almasryalyoum.com).

- (21) Decision of the Supreme Constitutional Court, Case No. 11 of Judicial Year 24, Session on 10/6/2004.
- (22) Safaa Outani, The Previous Reference, P.179.
- (23) Rabab Mahmoud Amer, "Litigation in the Electronic Court," Journal of the College of Education for Girls for Humanities, Issue 25, Year 13, 2019, pp. 406 and the next
- (24) Article (5) of Law No. 260 of 2019 regarding the Procedural Guide for Regulating Litigation Using Electronic Means and Remote Communication in Civil Procedures of the UAE.
- (25) Article (10) of Law No. 260 of 2019 regarding the Procedural Guide for Regulating Litigation Using Electronic Means and Remote Communication in Civil Procedures of the UAE.
- (26) Nabil Omran, The First Draft Proposal for Regulating Electronic Lawsuits Procedures before Judicial Authority Courts, final version dated July 20, 2020, Article (1).
- (27) Rabab Mahmoud Amer, previous reference, p. 393.
- (28) Article 15 of Law No. 260 of 2019 on Electronic Proceedings stipulates that remote hearings shall be conducted, without prejudice to the rules and provisions set forth in Article 49 of the regulations, among judges who have heard the pleadings gathered in secrecy. This is to be facilitated through a secure electronic platform provided by the court, with no access or entry permitted for others.
- (29) Sayed Ahmed Mahmoud, "Electronic Civil Justice," Law and Technology Conference, Faculty of Law, Ain Shams University, December 2017, Part One, p. 321.
- (30) Ali bin Saeed bin Hamoud Al-Badaei, *Remote Litigation*, Fifth Virtual Scientific Conference, College of Law, Sultan Qaboos University, System of Litigation and Updating Rules of Evidence, December 22, 2020 p.15 and next.
- (31) Sayed Ahmed Mahmoud, "Previous reference," p. 313.
- (32) Fatima Adel Said, "Litigation via Technology and Modern Communication," Paper presented at the Law and Technology Conference, Faculty of Law, Ain Shams University, December 2017, p. 359 and next.
- (33) Hisham Abdel-Sayed El-Safi Mohamed Badr El-Din, Electronic Administrative Judiciary Between Theory and Application, Arab Administrative Development Organization, League of Arab States, Egypt, 2020, p.147.
- (34) Tariq bin Abdullah, The Provisions of Electronic Litigation, PhD dissertation, Department of Comparative Jurisprudence, Higher Judicial Institute, Imam Muhammad ibn Saud Islamic University, Kingdom of Saudi Arabia, 2010/1431, p.138 and next.

References:

- 1) Ahmad Awad Hindi, Procedural Justice in Islamic Jurisprudence, a working paper presented at the Islamic Jurisprudence Conference on Humanitarianism and Interests, Development of Jurisprudential Sciences: Jurisprudence for the Vision of the World and Living in It, Sultanate of Oman, September 6-9, 2016.
- 2) Jihad Al-Otaibi, "Expedited Justice," published article available at the link <https://www.ammonnews.net/article/439594>
- 3) Hisham Abdel-Sayed El-Safi Mohamed Badr El-Din, Electronic Administrative Judiciary Between Theory and Application, Arab Administrative Development



- Organization, League of Arab States, Egypt, 2020.
- 4) Hossam Abdel Rahim, former Minister of Justice, "The Ministry of Justice Clarifies Reasons for Slow Litigation," published article available at: Minister of Justice: We seek to implement prompt justice and eliminate slow litigation Egyptian today / (almasryalyoum.com).
 - 5) Hussein Ibrahim Khalil and Youssef Sayed Awad, The Concept of Electronic Litigation, a research paper presented at the Faculty of Law, Assiut University Conference "The Digital Age," April 12-13, 2016.
 - 6) Tariq bin Abdullah, The Provisions of Electronic Litigation, PhD dissertation, Department of Comparative Jurisprudence, Higher Judicial Institute, Imam Muhammad ibn Saud Islamic University, Kingdom of Saudi Arabia, 2010/1431.
 - 7) Youssef Sayed Awad, The Specificity of Electronic Judiciary, PhD dissertation, Ain Shams University, 2012.
 - 8) Mazen Lilo Radi, Principles of Administrative Judiciary, Al-Wafa Legal Library, Alexandria, 2018.
 - 9) Mahmoud Mokhtar Abdul-Maguid, Using Information Technology to Facilitate Civil Litigation Procedures, Arab Renaissance Publishing House, 2013.
 - 10) Nabil Omran, The First Draft Proposal for Regulating Electronic Lawsuits Procedures before Judicial Authority Courts, final version dated July 20, 2020.
 - 11) Salem Nama Al-Taie, Conditions for Acceptance of a Lawsuit to Annul Administrative Decision, published research in Ahl Al-Bayt Journal, University of Ahl Al-Bayt, Karbala, Issue 8, 2015.
 - 12) Sayed Ahmed Mahmoud, Towards Electronic Civil Justice, Conference on Law and Technology, Faculty of Law, Ain Shams University, December 2017, Part One.
 - 13) Sayed Ahmed Mohamed, Electronic Civil Justice in the UAE, research paper presented at the Law and Technology Conference held from December 9-11, 2017, Faculty of Law, Ain Shams University.
 - 14) Saadia Al-Badawi, General Theory of Electronic Commercial Registers, PhD dissertation, Faculty of Law, Ain Shams University, 2012.
 - 15) Said Boutouil, the Project of Electronic Courts in Morocco*, Dar Al-Afaq Al-Maghribiya, 2021.
 - 16) Ali bin Saeed bin Hamoud Al-Badaei, *Remote Litigation*, Fifth Virtual Scientific Conference, College of Law, Sultan Qaboos University, System of Litigation and Updating Rules of Evidence, December 22, 2020.
 - 17) Ali Younis Al-Najari, the Role of the Administration in the Annulment Lawsuit and Full Jurisdiction: A Comparative Study, Master's Thesis, College of Law, University of Mosul, 2004.
 - 18) Ali Lotfi, "E-Government: Between Theory and Scientific Application," presented at the Sixth Electronic Government Conference on "The New Public Administration and E-Government," organized by the Arab Organization for Administrative Development, Arab League, Dubai, United Arab Emirates, December 9-12, 2007.



- 19) Abdalwafi Ikdad, "Digital Court and Information Systems for the Ministry of Justice," Local Office in Marrakech, Morocco, 2019.
- 20) Fatima Adel Said, "Litigation through Modern Technology and Communication Means," Paper presented at the Technology and Law Conference, Faculty of Law, Ain Shams University, December 2017.
- 21) Safaa Outani, "The Electronic Court: Concept and Application," Journal of Damascus University for Economic and Legal Sciences, Volume 28, Issue 1, 2012, p. 170.
- 22) Rabab Mahmoud Amer, "Litigation in the Electronic Court," Journal of the College of Education for Girls for Humanities, Issue 25, Year 13, 2019, pp. 406 and the next.
- 23) Shoukry El-Sayed, "Obstacles on the Path to Effective Justice," Article published in Al-Masry Al-Youm Newspaper on July 15, 2016. (almasryalyoum.com).
- 24) Ghazi Faisal Mahdi and Adnan Ajeel Obaid, "Administrative Judiciary," 4th Edition, Dar Al-Salam Legal Library, Najaf, Iraq, 2020.