

POWERS OF THE PRESIDENT OF THE REPUBLIC IN THE DIPLOMATIC SPHERE IN THE ALGERIAN POLITICAL SYSTEM

Dr. Naziha Benzaghoul¹, Pr .Gueribiz Mourad²

¹Lecturer (A), Faculty of Law, University of Algiers 1 (Algeria).

²Professor, Faculty of Law, University of Aghouat (Algeria).

n.benzaghoul@univ-alger.dz¹

Mo.gueribiz@lagh-univ.dz²

Corresponding author email: n.benzaghoul@univ-alger.dz

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Abstract:

The President of the Republic in the Algerian political system is the Head of State and the symbol of its unity, and he enjoys broad powers in various fields, most notably in the diplomatic field and foreign relations. These powers confirm his role in representing the state in international forums and protecting its foreign interests, and express the will of the people before the international community, in accordance with the provisions of the Algerian Constitution. This study gains its importance from the fact that the office of the President of the Republic is among the most significant positions in the state, as it expresses the will of the state in its foreign relations.

The Head of State has numerous prerogatives in the foreign, i.e. diplomatic, domain. He defines the country's foreign policy, concludes international treaties, and appoints and accredits ambassadors and diplomatic representatives. These matters will be examined in this research paper.

Keywords: foreign policy, treaty-making, President of the Republic, diplomatic sphere.

Introduction:

The Algerian political system is based on the principle of separation of powers – the executive, the legislative, and the judicial. The executive power is represented by the President of the Republic and the government. As the primary holder of executive power, the President of the Republic possesses broad powers in the executive, military, political, legislative, and external domains.¹ The reason the Algerian constitutions grant these powers to the President is that he occupies a leading and distinguished position among the constitutional institutions.

We will focus on the President's powers in the external domain, i.e. the diplomatic field, which are varied and numerous. Looking at the Algerian political system, we find that all constitutions establish the President of the Republic as Head of State, embodiment of the unity of the nation, and the voice of the people's will, personifying the state both inside and outside the country, and he is the guardian of the continuity of institutions and the constitutional order, and of safeguarding the integrity of the national territory, the unity of the people and the nation, and the protection of rights and freedoms. Therefore, this study aims to identify the competencies of the

¹ - Hussein al-Fatlawi, *Diplomacy Between Theory and Practice*, Dar Al-Thaqafa for Publishing and Distribution, Jordan, 1st ed., 2006, p. 90.

Ahmed Salem Muhammad Ba'mar, *Diplomacy Between Islamic Jurisprudence and International Law ... A Comparative Study*, Dar Al-Nafa'is, Jordan, 1st ed., 2001, pp. 65–66.

Saleh bin al-Qubi, *Algerian Diplomacy Between Yesterday and Today and Other Lectures*, Algeria, 2002, pp. 24–27.

President of the Republic in the diplomatic field under normal and extraordinary circumstances (i.e., exceptional circumstances). Accordingly, the problem that can be raised in this study is as follows:

To what extent do the constitutional powers granted to the President of the Republic enable him to effectively control the foreign policy of the country?

To answer this question, we have divided the study into three main sections: the first section covers the formulation and direction of foreign policy; the second section covers the conduct of foreign policy; and the third section covers the conduct of foreign policy under exceptional circumstances.

Section One: Formulation and Direction of the Country's Foreign Policy.

Foreign policy is the approach a state follows in its relations with other states. Accordingly, we will address the concept of foreign policy as well as the constitutional requirements of this policy. The executive power, encompassing the most important decision-makers such as the President or the Prime Minister, plays a prominent role in shaping and implementing foreign policy, given that it has excellent channels of communication at its disposal. The state's political, military, and economic representatives abroad submit direct reports to their superiors in the executive power.²

First: The Concept of Foreign Policy.

Foreign policy refers to all purposeful political behaviors resulting from the interactive process related to making external decisions of an international entity. The foreign political behavior of any international entity is an event or concrete action that this entity intentionally undertakes to express its orientations in the external environment.

As for diplomacy, it does not set the foundations of foreign policy; rather, it seeks to provide the means necessary to implement it and achieve its goals. Foreign policy is usually formulated by internal and external institutions. The internal institutions are exemplified by the Presidency, which typically enjoys important constitutional prerogatives (signing treaties, accrediting and sending ambassadors, overseeing foreign negotiations, and representing the state externally), as well as the Ministry of Foreign Affairs, being the executive apparatus in charge of the state's foreign affairs and their follow-up with various international actors. Its competencies include protecting the interests of the state and its citizens abroad, representing the state in international forums, and fostering cooperation with various countries and international organizations.

External institutions are represented by diplomatic missions, which are regulated by the Vienna Convention signed on April 18, 1961, and consular missions defined by the Vienna Convention signed on April 24, 1963. If foreign policy is the approach a state follows in its relations with other countries, then diplomacy is merely a tool or means among other means to achieve the goals of foreign policy. The distinction between approach and tool does not negate the constant interaction between them.³

Second: The Constitutional Requirements of Foreign Policy

Returning to the constitutional texts that organized the field of foreign policy, we find that Article 48 of the 1963 Constitution stipulated: "The President of the Republic undertakes to

² - Nayef Ali 'Ubayd, *The Foreign Policy of the United Arab Emirates Between*, The University Institution for Studies, Publishing and Distribution, UAE, 1st ed., 2004, p. 25.

³ - *Encyclopedia of Political Science*, Kuwait University, 1999, p. 1090.

define and direct the government's policy and to manage and coordinate the country's internal and foreign policy in accordance with the will of the people as embodied by the Party and expressed by the National Assembly.”

Thus, under the single-party system, the President of the Republic oversaw the coordination of foreign policy according to the will of the people embodied by the National Liberation Front, the sole party in the Algerian political system at that time.

As for the 1976 Constitution, the constitutional framer devoted an entire chapter to the principles of Algeria's foreign policy, organizing them in Articles 86 to 93 eight full articles outlining the principles of Algeria's foreign policy. They consisted of the principles and objectives contained in the charters of the United Nations, the Organization of African Unity, and the Arab League. Algeria also commits, whenever appropriate circumstances are present, to the establishment of a union of Arab peoples based on the liberation of the masses by adopting forms of unity.

Likewise, within its foreign policy, Algeria works to achieve the goals of the Organization of African Unity and to encourage unity among the continent's peoples. Algeria also refrains from resorting to war with the aim of undermining the legitimate sovereignty and freedom of other peoples.

It also does everything in its power to resolve international disputes and conflicts by peaceful means and methods, and it strives for peace, peaceful coexistence, and non-interference in internal affairs, in application of the principles and objectives of Non-Alignment.

Returning to the 1976 National Charter, its fifth chapter considered that Algeria's foreign policy is a mirror of its internal policy. The choice by Algerian society of socialism based on national independence, social justice, equality among citizens, human advancement, and the fight against underdevelopment is what defines the conception of this foreign policy.

And Algeria, as a Third World country, stands in solidarity with all peoples in Asia, Africa, and Latin America for their political liberation, and in support of their independence and economic and social development. As an African country, it places its foreign policy within the scope of African solidarity, and the complete liberation of Africa is part of the Algerian people's struggle for its own independence and dignity.

Algeria also aspires to peace and to establish relations of friendship with all countries of the world and non-interference in the internal affairs of other states. As for Europe, cooperation with it is necessary, and establishing a framework of solidarity with the progressive currents in Western Europe.

Under the 1989 Constitution, the constitutional framer abandoned the socialist system and adopted a liberal system. Consequently, the goals and principles of Algeria's foreign policy changed with the shift from socialism to liberalism and the adoption of a market economy. In the context of globalization, the scope and concept of foreign policy changed as well.

In this constitution, the framer retreated from detailing these objectives as was done in the 1976 Constitution, and instead merely stipulated in Article 74 (paragraph 3) that: “The President of the Republic determines and guides the nation's foreign policy,” which was also enshrined in Article 77(3) of the 1989 Constitution. The President of the Republic personifies the state inside and outside the country,⁴ and this was reaffirmed in Article 70 of the 1996 Constitution.

⁴ - Article 67 of the 1989 Constitution provides: “The President of the Republic, Head of State, embodies the unity of the nation, and he is the guardian of the Constitution. He embodies the state inside and outside the country; he may address the Nation directly.”

However, it should be noted that the period Algeria experienced starting from 1992 when the electoral process was halted, President Chadli Bendjedid resigned as President of the Republic, and the National People's Assembly was dissolved led Algeria into dreadful, bloody years marked by the phenomenon of "terrorism." During that time, state institutions and citizens were in constant danger. Consequently, Algeria's relations with the outside world underwent many changes and transformations, and much of its reputation at the international level changed and was lost, especially in the West, leaving a negative image of successive Algerian regimes.

Algerian diplomacy strove to explain that the Algerian authorities did not stop the democratic process, but rather acted to save democracy, because if the Islamic Salvation Front had come to power, it would have meant the end of the democratic transition and thus the elimination of all forms of freedoms in Algeria.

It can be said that the foreign policy pursued in recent years has put an end to Algeria's isolation, and that Algeria today is present internationally. This was also confirmed in an interview with the President of the Republic, Mr. Abdelaziz Bouteflika, in the newspaper *Le Jeune Indépendant* on July 4, 2003 and April 30, 2003.⁵

The late President Abdelaziz Bouteflika made every effort to reassert Algeria's esteemed standing and respectable reputation, as well as that of the Algerian people. For example, in Switzerland on June 27, 1999, the President stated: "The numerous contacts and exchanges we have conducted recently with friendly and brotherly countries have allowed all visitors to know firsthand that the image conveyed by some foreign and even national media about the situation in our country does not correspond to reality at all....".

Section Two: The Conduct of Foreign Policy.

The conduct of foreign policy is the set of objectives, strategies, and procedures that a state follows in its relations with other states and other actors in the international system with the aim of protecting its interests and values and enhancing its global stature. These practices include taking decisions and official actions that affect and respond to the external environment, and are subject to the influence of internal factors such as political and economic considerations, and external factors such as other states' policies. Accordingly, we will address the conduct of foreign policy through the conclusion of international treaties and their ratification, and through the appointment of diplomatic representatives and ambassadors.

First: Concluding International Treaties and Ratifying Them.

A treaty is an agreement concluded between subjects of international law, such as states and international organizations, aimed at regulating an international legal relationship. There are various names for treaties they may be called agreements, memoranda of understanding, protocols, etc. They can also be categorized by the number of states involved into bilateral treaties and multilateral treaties, and some have classified them by subject matter into political, social, or economic treaties.

A treaty passes through several stages before its conclusion,⁶ which are as follows:

1. Negotiation stage.

Before a treaty reaches the conclusion stage, it goes through a phase of preparing a draft by the relevant ministry proposing these negotiations and sending it to the Ministry of Foreign Affairs.

⁵ - The interview conducted with His Excellency President Abdelaziz Bouteflika with *Le Jeune Indépendant* ... "matters are proceeding normally in all fields; the features of the horizon call for optimism."

⁶ - Abdullah al-Ashal, *Contemporary International Law: Theoretical and Applied Issues*, 1st ed., Cairo, 1996, p. 69.

As for political agreements, their drafting is handled by the political department of the Ministry of Foreign Affairs.

The specialized departments of the Ministry of Foreign Affairs are responsible for reviewing the drafting of the document, determining its nature, and examining its provisions. This Ministry also informs the relevant ministries of the progress of the talks and the exchange of drafts related to the international treaty, which is done through diplomatic channels before the convening of joint committees and the exchange of visits for the final agreement on the draft treaty. At the level of these committees, the issues to be included in the treaty are identified, negotiated, and agreed upon.

Regarding the format of drafting the treaty, there is no general rule. Usually it has a preamble that mentions the names of the parties and the importance of cooperation between the two countries. In the body of the treaty, the articles pertaining to the subject of the agreement are addressed, followed by the final provisions which indicate how it will come into force. Maghreb countries strive to make Arabic an original official text in all treaties, especially bilateral ones.

2. Signing stage.

Referring to the Vienna Convention on the Law of Treaties, it considered the initialing or signing of a treaty as one form of expression of consent and thus commitment to it. There is a difference between a full signature and initialing, and signing may be preceded by initialing in the following cases:

- The case where the authorization of the representatives of the states does not explicitly include the power to sign.
- The case where the negotiators have some doubt about the final stance of their governments regarding the final wording of the treaty, and therefore initialing can be done to allow further verification before the official signing.
- The case where initialing from the outset is meant to highlight the special nature and importance of the treaty.⁷

Regarding those who have the right to sign treaties, they can be divided into two categories:

The first category: Persons who have the legal right to sign treaties without the need for authorization, namely the President of the Republic, the Head of Government, and the Minister of Foreign Affairs.

The second category: Persons who are required by law to obtain authorization to sign the treaty, and these are the other members of the government and anyone who can represent them.

Practically, the letter of authorization for signing the treaty is prepared by the Ministry of Foreign Affairs. In this context, the legal services of the Ministry, upon request from the relevant political departments, draft the authorization document for the signatory. This document includes the name of the person authorized to sign, the subject of the treaty, and the date and place of signing. This stage is not sufficient for the treaty's entry into force; another stage is necessary, which is ratification.

3. Ratification stage.

⁷ - Hatem Ben Salem, "The Conclusion of International Treaties in Tunisian Law," *Proceedings of the Second Study Day, Wednesday 25/5/2005*, Parliamentary Studies Series, No. 02, Tunisia, May 2005, p. 81.

The importance of resorting to ratification for the entry into force of international treaties does not make its implementation mandatory for states, for the law of treaties itself is based on the principle of consent and the will of the states parties.⁽⁸⁾

Ratification of international treaties is the procedure by which states or international organizations agree and consent to be finally bound by the provisions of a treaty in accordance with the constitutional procedures of each country, in order to confer binding force on it. This was expressed by the 1969 Vienna Convention on the Law of Treaties, which defined ratification in its Article 14 as the expression of the state's consent to be bound by the treaty, and in 1986 this Convention also defined it in Article 11 paragraph 2.

It has been stipulated that the President of the Republic is the authority competent to ratify treaties.⁽⁹⁾ Thus, the matter of ratifying international treaties is left to the executive branch, as is the case in most countries of the world, where this important role in the international realm is entrusted to the Head of State.⁸

From our examination of Algeria's constitutions, we observed that when treaties are important, the President of the Republic does not unilaterally ratify them; rather, the legislative power shares in this process, as parliamentary approval is required. This was adopted by the French constitutional framer as well. All the constitutions that Algeria has had affirm that international treaties or agreements ratified in accordance with the provisions of the Constitution become part of national law and are binding on all authorities in the state.

The first Constitution of Algeria regulated this matter in its Article 42, and Article 159 of the 1976 Constitution provided: "International treaties ratified by the President of the Republic in accordance with the provisions of the Constitution acquire the force of law." Likewise, Article 123 of the 1989 Constitution stated: "Treaties ratified by the President of the Republic under the conditions stipulated in the Constitution have supremacy over the law," which was also enshrined under the 1996 Constitution in its Article 132.

Professor Ahmed Laraba believes that placing the power of ratification in the hands of the President of the Republic is intended to set clear boundaries between him and the government in treaty law.⁹ Most of the treaties concluded by Algeria have been subject to ratification.¹⁰

However, the power of the President of the Republic is not absolute; parliamentary approval is necessary, and sometimes the opinion of the Constitutional Council is required for certain treaties.¹¹ Among the effects of ratification are the incorporation of the treaty into national law and the requirement that it be applied by Algerian national courts. If the treaty is silent on its effective date, its entry into force is the day it is ratified, as confirmed by international jurisprudence.¹²

4. Publication stage.

⁸ - Ahmad Sarhal, *Law of International Relations*, The University Institution for Studies, Publishing and Distribution, Lebanon, 1st ed., 1990, p. 73.

⁹ - Article 42 of the 1963 Constitution; Article 159 of the 1976 Constitution; Article 123 of the 1989 Constitution; Article 132 of the 1996 Constitution.

¹⁰ - Laraba Ahmed, "Chronique de Droit Constitutionnel Algérien, 1989–1994," *Revue Idara*, No. 1, 1994, pp. 69–86.

¹¹ - Muhammad Tahir Ourahmoun, *Guide to Algerian Official Treaties and Agreements Published in the Official Gazette (1963–1998)*, Al-Qasaba Publishing, Algeria, 2000.

¹² - Article 42 of the 1963 Constitution; Article 159 of the 1976 Constitution; Article 123 of the 1989 Constitution; Article 132 of the 1996 Constitution.

The Vienna Convention on Treaties stipulated in Article 70 that the publication of treaties is required under international law. However, we do not find any provision in the Constitution requiring this, and accordingly the President of the Republic may consider their publication non-mandatory as long as it is not explicitly provided for in the Constitution.

However, logically, according to the well-known legal principle that “ignorance of the law excuses no one,” one cannot be aware of an agreement without its publication in the Official Gazette for concerned parties to review it. It would have been better if the Algerian constitutional framer had stipulated this, as the French constitutional legislator did in Article 55 of the 1958 Constitution.

There is a decision of the Constitutional Council on August 20, 1989 which held that international treaties do not produce their legal effects unless they have been ratified and published in the Official Gazette, and Algerian jurisprudence has not taken a clear stance on this issue.

Returning to the decree dated November 10, 1990 defining the powers of the Algerian Minister of Foreign Affairs, Article 10 thereof states that the Minister of Foreign Affairs “seeks to have agreements ratified ... and also seeks to have them published.” Thus, the phrase “seeks to have them published” is not mandatory for the minister. We suggest that the constitutional framer make the publication mechanism mandatory for treaties given their importance.¹³

Second: Appointment of Diplomatic Representatives and Accreditation of Ambassadors.

The power to appoint and accredit ambassadors and diplomatic representatives is a power vested in the Head of State, and states have agreed among themselves on this power entrusted to the Head of State in the diplomatic realm.¹⁴

The recognition of a state's independence grants it the right to send envoys abroad and to receive foreign envoys on its territory, provided there is mutual desire between the parties concerned. This is affirmed by Article 2 of the 1961 Vienna Convention, which stipulates: “Diplomatic relations are established and permanent diplomatic missions are set up by mutual consent.” Constitutions, whether the system of government is presidential or parliamentary, have affirmed this.

The diplomatic envoy is considered the official representative who conveys the orientations and positions of the state he represents to the state to which he is sent. He is thus regarded as the official source of information and positions of his state vis-à-vis the state he is accredited to, and as the instrument of official communication between his state and the receiving state.¹⁵

Under the 1963 Constitution, Article 41 provided: “Ambassadors and envoys extraordinary are accredited to him, and he undertakes the appointment of ambassadors and envoys extraordinary after they have been proposed to him by the Minister of Foreign Affairs.” Thus, the President of the Republic had the power to appoint these individuals (ambassadors and envoys extraordinary), but only after a proposal by the Minister of Foreign Affairs. The latter therefore had a say, and the President had to consult him even if that opinion was not binding on the President, who

¹³ -Bekhechi M., *Cours de Droit International Public avec références à la pratique Algérienne*, OPU, 1986, p. 90.

¹⁴ - Sa'id bin Salman al-‘Abri, *Diplomatic Relations Between Theory and Practice*, Dar al-Nahda al-‘Arabiyya, Cairo, 1996, p. 34.

¹⁵ - Ali Majid al-‘Akili, “The Role of the Head of State in Foreign Relations,” *Academic Journal of Legal and Political Research*, No. 1, Vol. 8, 2024, p. 781.

retained the final word and decision in this field as the sole authority determining the country's foreign policy.

Under the 1976 Constitution, this was stipulated in Article 11/16 as follows: “He appoints the Republic’s ambassadors and envoys extraordinary abroad and terminates their missions, and receives the letters of credence of foreign diplomatic representatives and their letters of recall.”

We note here that the constitutional framer no longer provided that ambassadors and envoys extraordinary be proposed by the Minister of Foreign Affairs, and thus it became a domain reserved solely to the President of the Republic, exercised by him alone. In the 1989 Constitution, we find that Article 74 paragraph 10 stipulates: “The President of the Republic appoints the Republic’s ambassadors and envoys extraordinary abroad and terminates their duties, and receives the letters of credence of foreign diplomatic representatives and their letters of recall.”

Under the 1996 Constitution, the same provision is found in Article 78 (final paragraph) of that constitution. Thus, the appointment of ambassadors and envoys extraordinary abroad is a prerogative of the Head of State; he has full authority to choose the head of mission with the rank of ambassador and likewise to dismiss him if grounds for dismissal exist, such as retirement, transfer, withdrawal of confidence, or a deterioration in relations between the two states, etc., and this is done by presidential decree. Here, the power of the Head of State is absolute, as he is not constrained as in a presidential system where parliamentary approval of such appointments is constitutionally required.

The appointment is effected by a “letter of credence” which is drafted in the same style used in correspondence between Heads of State. The head of mission delivers it personally to the Head of State to whom he is accredited, after delivering a copy to the Minister of Foreign Affairs upon his arrival in the receiving state.

He also accredits foreign ambassadors and diplomatic representatives accredited in Algeria, as he receives the “letter of credence” from the head of mission after a copy has been delivered to the Minister of Foreign Affairs upon the envoy’s arrival. If the envoy exceeds the bounds of his mandate, the President of the Republic terminates his mission. This is also confirmed by paragraph 9 of Article 43 of the 1961 Vienna Convention, which provides that the receiving state has the full right to terminate his mission and ask him to leave the country.

Section Three: The Conduct of Foreign Policy under Exceptional Circumstances.

Exceptional circumstances, also known as unusual circumstances, are situations that lead to a total paralysis of institutions, or situations imposed by an imminent and real threat to the independence of the country and the integrity of the national territory. The Constitution grants broad powers to the President of the Republic to take the necessary measures to confront them, through the declaration of a state of war or general mobilization.

First: The powers granted to the President of the Republic in case of war.

The state of war is regulated in Articles 100 and 101 of the 2020 constitutional amendment. Article 101 provides: “If an actual aggression is committed against the country or is about to be committed, as stipulated by the appropriate provisions of the United Nations Charter, the President of the Republic declares war, ...”. War is defined as an armed conflict or struggle that arises between two or more states as a result of disputes or conflicts between them, driven by one party’s desire to seize the wealth of another or to impose its intellectual and ideological orientations in service of its own interests.

It is a defensive war in which the state confronts aggression with whatever it deems appropriate to deter it in order to preserve its security, its people, and its sovereignty. The President of the Republic may declare a state of war in accordance with the provisions of Article 100 of the Constitution.

It should be noted that the President of the Republic possesses only the right to declare defensive war, not offensive war, because Algeria's foreign policy is based on the principle of non-interference in internal affairs and the other principles and objectives set forth in the UN Charter.¹⁶

The Constitution has required the fulfillment of certain formal and substantive conditions for declaring a state of war. According to Article 100 of the 2020 constitutional amendment, these conditions include: convening the Council of Ministers; convening the High Security Council (as it is the body qualified to provide security, military, and war-related advice to the President of the Republic as the Commander-in-Chief of the Armed Forces in dangerous circumstances faced by the state and its constitutional institutions); the President's commitment to protecting individuals' rights and freedoms; consultation with the President of the National People's Assembly as a body representing the people (i.e., a representative and oversight body); the mandatory convening of Parliament (Parliament meets throughout the war as it is directly concerned with the exceptional circumstances that led to the declaration of war); and finally, delivering an address to the nation informing it of the measure taken by him, with the aim of notifying it of the declaration of war and the resulting restrictions on freedoms and rights. All powers are assumed and exercised by the military authorities.¹⁷

As for the substantive conditions, there must be an aggression against the country or an imminent threat thereof, which can be discerned from material circumstances such as an attack on the country, or it has become inevitable as evidenced by military preparations and the massing of troops at the borders and the carrying out of subversive acts. Aggression involves the use of armed force by a state against the sovereignty, territorial integrity or political independence of another state. There is also the failure of ordinary legal means to confront the aggression, as the President of the Republic resorts to a peaceful solution such as mediation, negotiations, and arbitration, as stipulated in Article 33 of the UN Charter.

The subsequent measures after the declaration of war consist of the suspension of the Constitution and the assumption of all powers by the President of the Republic.

Second: The powers granted to the President of the Republic in case of general mobilization.

General mobilization is defined as: "Placing all public and private facilities and everything that concerns the war effort including individuals, equipment, and funds at the disposal of the government. Thus, many movable and immovable properties can be nationalized or confiscated under the banner of participation in the war effort, and many industries can be converted to military specialization."¹⁸

¹⁶ - Article 31 of the 2020 constitutional amendment provides: "It refrains ... [from] interference in internal affairs and adopts the principles and objectives of the Charter of the United Nations ...".

¹⁷ - Bekdi 'Alaa al-Din; Sefsifi al-'Id, *The Powers of the President of the Republic under the 2020 Constitutional Amendment*, Master's dissertation, Faculty of Law and Political Science, University of Saida, academic year 2021–2022, p. 36.

¹⁸ - Ousseddek Fawzi, *Al-Wafi in Explaining the Algerian Constitution: The Three Authorities*, Part II, 2nd ed., University Publications Office, Algeria, 2008, p. 138.

By reviewing the official website of the Ministry of National Defense, we find an overview as follows: “The reserve represents the military status of Algerian citizens subject to military obligations outside the period of active service or national service, and it aims primarily to reinforce the active army in times of war or in case of aggression or threat or disasters, in order to carry out the missions of national defense.

When the homeland goes through a serious crisis that may result in a threat to national sovereignty or territorial unity, all available means (human or material) are used to restore stability. Reservists can be called up again in the following cases: in the framework of general or partial mobilization, in case of war, case of aggression or threat of aggression or disturbances or natural or man-made disasters. Citizens placed on reserve can be called up with the aim of strengthening and reinforcing the combat formations of the People's National Army.¹⁹

The method of declaring general mobilization differs from the method of declaring the state of emergency or state of war, as the state of general mobilization is decided in the Council of Ministers after hearing the High Security Council and consulting both chambers of Parliament. The Council of Ministers serves as the framework in which views are exchanged and consultation occurs regarding the issue of declaring a state of general mobilization by the President of the Republic.

Conclusion:

The President of the Republic represents the cornerstone of Algeria’s foreign policy, by virtue of possessing constitutional powers that enable him to lead the state's diplomatic efforts and to determine its stances on international issues. The exercise of these powers remains subject to considerations of national sovereignty and to the principles of Algeria’s foreign policy, which are based on non-interference, respect for sovereignty, and the defense of just causes.

- The President of the Republic controls the major orientations of foreign policy through his powers of appointment, treaty signing, and representing the state internationally.
- Parliament plays a limited role in foreign policy, restricted to the ratification of agreements without involvement in shaping policy orientations.
- The effectiveness of Algerian diplomacy largely depends on the President's orientations and personal vision of international relations.

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