



# DEVELOPMENT IN PARLIAMENTARY OVERSIGHT OF GOVERNMENT WORK IN LIGHT OF THE 2020 CONSTITUTIONAL AMENDMENT (ALGERIA)

Attar Nassima

*Doctor of Law, Professor lecturer A, University Center, Maghnia, Algeria*

---

## ARTICLE INFO

---

### *Article History:*

Received 02.08.2024  
Accepted 04.09.2024  
Published 30.09.2024

---

### *Keywords:*

Parliamentary oversight,  
Political responsibility,  
Public policy statement,  
Oversight petition,  
No-confidence, Questioning

---

## ABSTRACT

---

In most comparative law systems, the role of parliament is not limited to issuing various types of legislation and improving the legislative framework. It goes beyond its fundamental function of legislating to include another important role: oversight, specifically the restraining role over the actions of government members in certain cases defined by the Constitution. Parliament exercises this oversight role alongside its legislative function. It is also important in maintaining public interest and evaluating the government's work by questioning its members on the progress and execution of agreed-upon projects.

Referring to the Algerian system, we find that the Algerian Parliament, which consists of two chambers—the National People's Assembly (APN) and the Council of the Nation—exercises oversight over the government's actions. The first chamber, the APN, primarily does this. Consequently, this type of oversight may sometimes lead to political accountability, which can result in either the resignation of the Prime Minister or the dissolution of the first chamber of parliament. These mechanisms include the motion of censure and the interpellation process.

## INTRODUCTION

The function of the parliament is embodied in two main roles: legislating laws and parliamentary oversight of the government's actions. The latter, parliamentary oversight, has become a central concept in any democratic political system. Some even consider it more important than legislative work because it embodies the principle of the people's sovereignty and their right to oversee the actions and management of state institutions, thereby protecting individual rights and freedoms. This type of oversight has been constitutionally affirmed to ensure and entrench the legitimacy of the executive authority's practices.

Parliamentary oversight refers to the parliament's authority to investigate the actions of the executive authority to ensure the proper implementation of laws, identify errors, and hold those responsible accountable. It also refers to the legislative authority's power to investigate the actions of the executive apparatus in order to uncover any improper execution of general rules in the state, identify those responsible, and question them.

Referring to the Algerian Constitution of 2020,<sup>1</sup> we find that it acknowledges the parliament's authority to oversee the government's actions through various means and mechanisms. These include tools that do not result in political responsibility for the government, such as questions and investigative committees, and others that do result in political responsibility, such as the motion of censure and the interpellation. The latter is a new addition to the 2020 Constitution, as it was previously among the tools that did not entail political responsibility for the government.

The importance of parliamentary oversight lies in ensuring the proper implementation of the government's action plan, according to what was presented at the start of the government's work, to ensure that the government does not deviate from the proposed plan. Parliamentary oversight aims to rationalize the government's domestic and foreign policies and ensure they serve the public interest.<sup>2</sup>

1 Presidential Decree N°. 20-422. (2020). On the issuance of the constitutional amendment approved in the referendum of November 1, 2020. *Official Gazette*, 82.

2 Ahmad, Y. (2016). *The supervisory role of the Iraqi parliament after 2003*. Al-Sanhoury Library, Lebanon, 16.

Based on the above, we may ask about the effectiveness of the innovations introduced by the 2020 constitutional amendment in government oversight.

To address the abovementioned issue, we will rely on the descriptive method to outline the necessary definitions and the various mechanisms used in parliamentary oversight. Additionally, we will use both historical and comparative approaches concerning the successive Algerian constitutions and their amendments by highlighting the previously used method and how it has evolved under the 2020 Constitution.

To answer the posed issue, we will follow a dual approach by addressing the following:

– First Chapter: The role of the parliament in monitoring the government's plan and discussing the general policy statement.

– Second Chapter: The impact of the motion of censure and interpellation on establishing the government's responsibility.

## 1. THE ROLE OF THE PARLIAMENT IN MONITORING THE GOVERNMENT'S PLAN AND DISCUSSING THE GENERAL POLICY STATEMENT

The parliament plays an important role by exercising its parliamentary oversight over the government's actions, ensuring that they align well and consistently with what was previously declared in the government's action plan or program through its approval (First Requirement) and by discussing the general policy statement one year after the presentation of the government's action plan (Second Requirement).

### 1.1. Presenting the Government's Plan to the Parliament and the Impact of Its Discussion

The Algerian constitutional system mandates that the government's action plan or program, depending on the situation, must be presented to the parliament after being reviewed by the Council

of Ministers for approval (First Subsection). Consequently, when presented to the parliament, or more specifically to the members of the People's National Assembly, it will be subject to discussion, which may conclude with either its approval or rejection (Second Subsection).

### **1.1.1. The Government's Action Plan or Government Program**

After the President appoints the Prime Minister or Head of Government, depending on the case, and the members of the government,<sup>3</sup> the latter prepares its action plan or program, as appropriate. This plan is of significant importance because it represents the comprehensive strategic framework for all executive sectors, defining how they will operate and manage their activities.<sup>4</sup> Once prepared, the Prime Minister or Head of Government presents it to the Council of Ministers for approval, as stipulated in Article 105 of the 2020 Constitutional Amendment. This procedure constitutes the first official action undertaken by the government and represents the standard practice for initiating its activities. This mechanism is crucial because the action plan represents the general strategic framework that includes all sectors and outlines how they will operate and manage their activities, thus requiring parliamentary approval.

It is important to note that after the 2020 constitutional amendment, the government's action plan varies according to the parliamentary majority. If it pertains to the Prime Minister, the action plan aligns with the presidential program. Conversely, if it pertains to the Head of Government, the action plan aligns with the parliamentary majority's program.

After the Prime Minister or Head of Government presents the government's action plan to the Council of Ministers, it is then submitted to the People's National Assembly for approval, as stipulated in Article 47 of Organic Law No. 16-12 regulating the relationship between the People's National Assembly and the Council of the Nation.<sup>5</sup>The Prime Minis-

ter is required to present it within 45 days of their appointment. The People's National Assembly will conduct a general discussion to review the plan, and discussions can only begin after seven days from notifying the deputies about the plan. According to Article 49 of Law No. 16-12, the action plan must be voted on within ten days of its presentation. Once approved, it is submitted to the Council of the Nation for further approval, as Article 106 of the 2020 Constitutional Amendment outlines.

If the People's National Assembly rejects the plan, the Prime Minister or Head of Government must submit their resignation to the President, according to Article 107 of the 2020 Constitutional Amendment. The President will then appoint a new Prime Minister to prepare and present a new action plan as previously described. If this new plan is not approved by the People's National Assembly again, the Assembly will be dissolved automatically, as provided in Article 108 of the 2020 Constitutional Amendment. If the plan is approved, the Prime Minister must implement it, as Article 109 states: "The Prime Minister shall implement and coordinate the action plan approved by the People's National Assembly".

The same applies to the Head of Government if the legislative elections result in a parliamentary majority, as provided by Article 110 of the 2020 Constitutional Amendment, which states: "If the legislative elections result in a parliamentary majority different from the presidential majority, the President of the Republic shall appoint a Head of Government from the parliamentary majority and task them with forming a government and preparing the parliamentary majority's program. In all cases, the President of the Republic shall present their government program to the Council of Ministers and then submit it to the parliament according to the conditions specified in Articles 106 (paragraphs 1, 3, 4) and Articles 107 and 108".

### **1.1.2. Discussion of the General Policy Statement**

The general policy statement, presented by the Prime Minister or Head of Government, constitutes the second major action undertaken by the government. It demonstrates the government's commitment to implementing the action plan submit-

---

their relations with the government. *Official Gazette*, 5.

3 Constitution of 2020. Article 91, Paragraph 5.

4 Kersas, M., & Azzaz, H. (2021). Parliamentary oversight mechanisms on government actions and their activation in light of the 2020 constitutional amendment. *Legal and Social Sciences Journal*, vol (6) N° (4).

5 Law No. 16-12 (2016). Organizing the People's National Assembly and the Council of the Nation, and specifying

ted upon its appointment and serves to oversee the government's activities.

Thus, parliamentary oversight of the government's plan is not sufficient on its own; there must be subsequent oversight after a period of time following the plan's approval. This involves monitoring the actual performance of the executive work in light of the agreed-upon plan through the government's annual report to the parliament on its general policy.<sup>6</sup>

The general policy statement submitted to the parliament serves as a tool to inform it about the program's implementation from the previous year and what is currently underway. It highlights the challenges faced by the government, the goals it aims to achieve in the future, and potential obstacles that may arise.<sup>7</sup>

Consequently, the general policy statement allows the parliament to review the facts and difficulties facing the implementation of the government's action plan that was previously approved. It provides a means and a mechanism for the parliament to oversee the government's activities.

According to Article 111 of the 2020 Constitutional Amendment, the constitutional founder has mandated that the general policy statement be presented for discussion in the People's National Assembly within a specific period of one year, starting from the date of approval of the government's action plan by the Assembly. This period enables the Assembly to provide an annual evaluation of the government's work and assess the government's adherence to the action plan. This requirement was also established by the constitutional founder<sup>8</sup> in the 2016 Constitution<sup>9</sup> under Article 98: "The government must present an annual statement on its general policy to the People's National Assembly."

It was similarly outlined in the 2008 Constitutional Amendment and the 1996 Constitution.<sup>10</sup>

It is a sufficient period for the People's National Assembly to monitor the progress in implementing the plan. If the constitutional founder had not set this period, the presentation of the general statement would have depended solely on the government's will, making it difficult for the Assembly to track and evaluate the government's work.

Accordingly, the Prime Minister presents the general policy statement, which provides an outline of his government's achievements, leaving the finer details to the written statement handed over to the members of parliament. This is according to Article 111 of the 2020 constitutional amendment, which mandates this procedure before the first chamber of parliament while making it optional before the second chamber. The article states: "The Prime Minister or Head of Government, as the case may be, may present a statement on general policy to the Council of the Nation." However, presenting it before the second chamber has become customary, thereby establishing a constitutional norm that necessitates its presentation.

Thus, the obligation to present the general policy statement to the members of the first chamber is self-evident, while the freedom to present it to the second chamber members is granted. The obligatory and optional nature of the two chambers can be explained by the potential consequences of filing a censure motion. Therefore, it can only be used by the chamber that can be dissolved by the President of the Republic, which is the People's National Assembly, while the Council of the Nation, which cannot be dissolved, is deprived of this right.<sup>11</sup>

## 1.2. Following the Discussion of the General Policy Statement with a Motion

The importance of discussing the general statement lies in its consequences, whether represented by the issuance of a motion of support and ap-

6 Soadqia, H. (2020). The general policy statement as a mechanism for parliamentary oversight over government actions in light of the 2016 constitutional amendment. *Annals of the University of Algiers*, Vol (1), N°(34), 167.

7 Alem, Z. (2021). The limits of legislative power in light of the 2016 constitutional amendment and reform requirements. *Doctoral thesis*, University of Mohamed El Bachir El Ibrahimi, Bordj Bou Arreridj, Algeria, 207.

8 Bousalem, D. (2007). Parliamentary oversight of government actions under the Constitution of 1996. *Master's thesis*, University of Badji Mokhtar, Annaba, Algeria, 38.

9 Law N°. 16-01. (2016). Constitutional amendment of March 2016. *Official Gazette*, 14.

10 Presidential Decree N°. 96-438. (1996). Issuing the Algerian Constitution. *Official Gazette*, 76.

11 Drif, K. (2017). Parliamentary oversight of government actions through the motion of censure. *Journal of Legal and Political Research*, Vol (5) , 89.

proval from the People's National Assembly (First Section) or a motion expressing its dissatisfaction and disapproval (Second Section).

### **1.2.1. Issuance of a Motion of Support and Approval**

After the discussion on the general policy statement, the discussion may be accompanied by the proposal of one or several motions concerning the general policy statement. For these motions to be accepted, they must be signed by 20 deputies and submitted to the office of the People's National Assembly.

Article 51, paragraph 03, of Law No. 16-12 states, "The general policy statement shall result in a discussion on the government's work, which may be concluded with a motion".

The motion must be submitted by at least 20 deputies to the office of the People's National Assembly within 72 hours following the end of the deputies' interventions in the discussion.

### **1.2.2. Motion of Censure**

The motion issued by the People's National Assembly can also express their dissatisfaction with the general policy statement by including a range of criticisms, observations, and revealing contradictions. In this case, the motion does not have any legal effect and can be considered a warning to the government about its failure to adhere to what was presented during the outline of its plan. It also indicates the possibility of holding the government politically accountable if it is followed by another procedure, which is filing a motion of censure.

## **2. THE IMPACT OF A MOTION OF CENSURE AND INTERPELLATION ON DETERMINING GOVERNMENT RESPONSIBILITY**

The government's political responsibility is determined if the discussion of the general policy statement is followed by submitting a motion of censure, or as it is called in some Arab countries, a motion of no-confidence, according to the legal conditions for its determination (First Requirement). Additionally, the constitutional found-

er introduced the procedure of interpellation as another mechanism for establishing the political responsibility of the government (Second Requirement).

### **2.1. Motion of Censure**

After members of the People's National Assembly submit a motion expressing dissatisfaction with the proceedings of the discussion on the general policy statement, in cases of serious overreach and the government's failure to achieve what was planned in the government program submitted a year before the discussion of the general policy statement, the motion of no-confidence or dissatisfaction can be followed by the submission of a motion of censure (First Section), according to the conditions (Second Section) and procedures (Third Section) specified in the constitution, additionally, the Prime Minister may intervene and request a vote of confidence from the People's National Assembly after the submission of the motion of dissatisfaction (Fourth Section).

#### **2.1.1. Definition of a Motion of Censure**

A motion of censure is considered the second outcome or effect resulting from the discussion of the general policy statement, as a measure taken by the deputies to pressure the government and force it to resign.<sup>12</sup> It is the inevitable result of the People's National Assembly's dissatisfaction and disapproval of the government's work, holding it politically accountable.

The Algerian constitutional founder linked the activation of this mechanism to two main actions: the government's action plan and the annual general policy statement, through either disapproval of the government's action plan or voting on a motion of censure, or through disapproval of a request for a vote of confidence submitted by the government, known as a vote of no confidence.<sup>13</sup>

12 Abdellawi, Z. (2020). Parliamentary oversight of the government's general policy statement in light of the 2016 constitutional amendment. *Journal of Academic Research*, Vol (7), N°(1), 598.

13 Ben Hida, M. (2021). The scope of the motion of censure under the 2020 constitutional amendment. *Journal of International Law and Development*, Vol (9), N°(2), 122.

The Algerian constitutional founder established this mechanism under the 1989 Constitution and the 1996 Constitution with subsequent amendments, as outlined in Article 161 of the 2020 constitutional amendment: “The People’s National Assembly, during the discussion of the general policy statement or following an interpellation, may vote on a motion of censure targeting the government’s responsibility”.

It should be noted that throughout the past years of constitutional experience, there has been no reference to any parliamentary initiative to submit a motion of censure or to threaten the government with the necessity of requesting a vote of confidence. Many successive governments in Algeria have refrained from presenting the annual general policy statement. For instance, the President terminated the duties of Ahmed Ouyahia’s government on September 3, 2012, without the government presenting an annual general policy statement.<sup>14</sup>

The constitutional founder’s linkage of the submission of a motion of censure to the annual general policy statement is due to his desire to achieve a form of institutional stability and to avoid political crises resulting from frequent government changes. The constitutional founder believed that this stability could be achieved by granting the government an annual immunity, enabling it to act calmly and steadily without fear of the effects of a motion of censure being submitted on every occasion, triggering its political accountability. However, this situation somewhat changed in the 2020 Constitution, when the legislator expanded the chances of triggering the government’s political accountability by adding interpellation as another procedure that also triggers its political responsibility.

### ***2.1.2. Conditions for Submitting and Discussing a Motion of Censure***

Article 161 of the constitutional amendment states: “The People’s National Assembly may, during its discussion of the general policy statement or following an interpellation, vote on a mo-

tion of censure targeting the responsibility of the government.”

The motion of censure must be signed by at least one-seventh (1/7) of the total number of deputies in the People’s National Assembly, a quorum specified in the second paragraph of Article 161, which states: “This motion shall not be accepted unless it is signed by at least one-seventh (1/7) of the deputies.”

This same quorum is reiterated in Article 59 of Organic Law 16-12. Once the required legal number of signatures is obtained, the process of submitting, publishing, and distributing the motion of censure follows, as outlined in Article 60 of the Organic Law. A representative of the motion’s sponsors handles the submission, after which the text of the motion is published in the Official Journal of Parliamentary Debates and voted upon. This ensures that it complies with the relevant legislative texts. The motion must also be posted and distributed to all deputies to inform them in preparation for the discussion and vote.

The motion of censure is then discussed before being put to a vote. The Algerian legislature has specifically designated the parties involved in the discussion, namely the government’s representative (upon its request), a representative of the motion’s sponsors, any deputy who wishes to speak against the motion, and any deputy who wishes to support the motion. The discussion is limited to these parties because they are directly concerned with the oversight relationship initiated by the motion. Other deputies’ interventions may sway the outcome in favor of either the government or the motion’s sponsors, making the discussion a crucial arena for determining the result and impact of the vote on this mechanism.<sup>15</sup>

It is important to note that a deputy is not allowed to sign more than one motion of censure, a requirement clarified in Article 59 of Organic Law No. 16-12, although it does not specify whether this applies to the entire legislative term or just within a single year.

The quorum required for the censure motion is relatively easy to meet if the government’s statement fails to fulfill the promises and expectations outlined in its action plan. However, this percentage is higher compared to some other systems,

14 Amar, A. (2013). The general policy statement of the government between deterrent oversight and supporting resolutions. *Algerian Journal of Legal, Economic and Political Sciences, Vol (50), N° (3), 113.*

15 Ben Hida, M. (2021). *Previous reference*, 129.

such as in France, where the quorum required for a motion of censure is one-tenth (1/10) of the deputies.<sup>16</sup>

The constitutional founder set a deadline of three days before the vote, starting from the date of the motion's submission, according to Article 162, paragraph 2 of the 2020 constitutional amendment. This period is sufficient for the government and its supporters to conduct necessary communications within the parliamentary bloc to undermine the effectiveness of the motion of censure by persuading undecided deputies to support the government. It also facilitates consultation and coordination among deputies.

### *2.1.3. Procedures for Voting on a Motion of Censure*

After the discussion of the general policy statement and its follow-up with a motion of censure, provided that the legal conditions are met, such as having it signed by at least one-seventh of the deputies in the People's National Assembly, the vote on the motion cannot commence until after three days from the date the proposal was submitted to the Office of the People's National Assembly.

The constitutional founder required a two-thirds majority vote from the deputies to approve the censure motion, as stipulated in Article 162: "The motion of censure is approved by a two-thirds majority of the deputies," corresponding to Article 62 of Organic Law 16-12.

It is worth noting here that the requirement for a two-thirds majority is notably high. Given the parliamentary majority supporting the government on the one hand and the opposition on the other, practical reality has shown that it is difficult to present a censure motion. Even if the opposition gathers the necessary signatures to submit the motion, it may struggle to secure the majority needed to pass it.

Therefore, by requiring this high threshold, the constitutional founder has reduced the likelihood of the People's National Assembly holding the government accountable, thereby supporting its stability.

Furthermore, the success of a censure motion largely depends on the type of majority present in the People's National Assembly. If the government enjoys a clear majority, the chances of a motion of censure succeeding are very slim.

Finally, if the People's National Assembly approves the censure motion, the government must submit its resignation to the President of the Republic. In this situation, the President may either accept the resignation or reject it and decide to dissolve the People's National Assembly, according to Article 151 of the constitutional amendment.

## **2.2. Vote of Confidence**

To protect its political position from the consequences of a vote on a motion of censure, which could lead to the government's resignation or the dissolution of the People's National Assembly, the constitutional founder granted the Prime Minister or Head of Government the ability to resort to a measure that strengthens the government's position against the opposition. This is stipulated in Article 111, Paragraph 05, which states: "The Prime Minister or Head of Government, as the case may be, may request a vote of confidence from the People's National Assembly, and in the event of a lack of confidence, the Prime Minister or Head of Government shall submit the resignation of their government".

Following the discussion of the general policy statement, the Prime Minister can request a vote of confidence from the deputies of the People's National Assembly to confirm their support. If they vote in favor, it indicates continued support for the government; if they vote against, it indicates a withdrawal of confidence, leading to the resignation of the Prime Minister.

This mechanism serves as an alternative to a motion of censure, allowing the Prime Minister to gain the support of the deputies and avoid a motion of censure. If the government receives this support, it will continue implementing its action plan. If confidence is withdrawn, the Prime Minister submits their resignation to the President of the Republic, who can either accept it or reject it and dissolve the People's National Assembly, leading to early legislative elections.

16 Hamli, M. (2014). *The dominance of the executive over the legislature in the Algerian constitutional system: A comparative study of the Egyptian and French constitutional systems*. New University House, Egypt, 129.

Notably, the request for a vote of confidence serves as both a supervisory tool and a means of exerting pressure by the government against the parliament. If the People's National Assembly does not approve the request for a vote of confidence, the Prime Minister or Head of Government may be forced to resign. Conversely, the President of the Republic may counter this by dissolving the People's National Assembly instead of accepting the government's resignation. This could instil a sense of caution among deputies in deciding whether to reject the vote of confidence to preserve their positions in parliament.<sup>17</sup>

A simple majority passes the vote of confidence. If the vote of confidence is approved, it indicates that the People's National Assembly supports the government, promoting stability in executing the government's action plan.

A simple majority conducts the vote of confidence. If the vote passes, it signifies that the People's National Assembly supports the government and bolsters its stability in carrying out its action plan. However, if the assembly votes against granting confidence or withdraws it, the government is obliged to resign. In this case, the President of the Republic may intervene by dissolving the assembly instead of sacrificing the government.

Furthermore, the government may present a statement of general policy before the second chamber, the Council of the Nation, according to Article 111, Paragraph 08, which states that "The Prime Minister or Head of Government, as the case may be, may present a statement of general policy to the Council of the Nation." This is an optional measure and not mandatory for the government.

Naturally, resorting to this procedure is considered after the general policy statement has been passed without resulting in any legal effect that could impact the government's legal standing. The situations in which the statement might be presented to the Council of the Nation can be summarized as follows:

- If the presentation of the general policy statement before the first chamber did not

17 Khadidja, K (2020). The constant and variable in parliamentary oversight mechanisms in light of the 2016 Algerian constitutional amendment and the 2011 Moroccan constitution. *Journal of Legal and Political Sciences, Vol (11), N°(1), 231.*

lead to a request for a vote of confidence or the filing of a motion of censure.

- If the government requested a vote of confidence and received the confidence of the People's National Assembly.
- If the censure motion did not reach the required legal quorum of two-thirds of the deputies to be effective.

### 2.2.1. Interpellation

The constitutional founder, with the issuance of the 2020 Constitution, introduced another mechanism to hold the government politically accountable alongside the motion of censure. This mechanism is the interpellation, which was previously categorized among the procedures that did not entail political responsibility for the government (First Subsection). The conditions for activating this mechanism have also been outlined (Second Subsection).

### 2.2.2. Definition of Interpellation

Parliamentary interpellation is defined as an accusation directed by a member of the House of Representatives towards one of the ministers. It is also considered one of the most serious means of parliamentary oversight over government members, given the potential consequences it may entail, as we will see later.<sup>18</sup>

Through the 2020 constitutional amendment, the constitutional founder classified the effect of interpellation within the category of oversight mechanisms that can lead to the government's accountability. According to Article 160 of the Constitution: "Members of Parliament may interpellate the government on any issue of national importance, as well as on the state of implementation of laws, and the response must be provided within a maximum period of thirty days". This marks a significant shift from previous constitutions, where interpellation was merely a mechanism that did not entail political responsibility.<sup>19</sup>

18 Khalfa, N. & Louhani, H. (2018). Parliamentary oversight of government actions under the 2016 constitutional amendment. *Journal of Academic Research, Vol (12), 72.*

19 Oussif, S. (2016). The Algerian parliament under the Constitution of 28-11-1996, amended and supplemented. *Doctoral thesis, University of Algiers, 363.*



### *2.2.3. Conditions for Activating Interpellation as a Mechanism for Political Accountability*

An interpellation is a constitutional tool through which deputies can request clarifications on national issues or the implementation of laws. It carries implications of accusation and accountability and can be directed at the Prime Minister, the head of government, a specific minister, or the entire government. The process of interpellation begins with its written submission, signed by at least 30 deputies or 30 members of the Council of the Nation, and delivered to the Prime Minister through the President of the Council of the Nation or the President of the National People's Assembly, depending on the case.

The submission of the interpellation must occur within 48 hours following its acceptance. The Bureau of the National People's Assembly or the Bureau of the Council of the Nation, in consultation with the government, is granted the authority to set a session for the interpellation within a maximum of thirty days following the notification of the interpellation. The interpellation can also be withdrawn by its sponsors before it is presented during the session to hear the government's defenses, with the President of the relevant chamber notifying the government of the withdrawal.

After the session for hearing the government's defenses is set, the session may conclude with a vote of thanks and support for the government. Alternatively, it may end with either a lack of response to the interpellation or dissatisfaction with the response, which could result in a vote of no confidence, also known as a motion of censure, thus establishing the political accountability of the government. If the motion is approved by a seventh of the members of the National People's Assembly and meets its legal quorum, it could lead to the resignation of the government or the intervention of the President of the Republic to dissolve the National People's Assembly.

Thus, the acts that trigger the mechanism of the motion of censure, according to the 2020 constitutional amendment, include the general policy statement, addressing national issues, and the state of law implementation.

## CONCLUSION

Through issuing the 2020 Constitution, the Algerian legislator sought to expand the scope of political accountability by referencing both the motion of censure and interpellation. The constitutional founder had previously only tied political responsibility to filing a motion of censure, excluding interpellation, which was classified among mechanisms not tied to government responsibility alongside oral and written questions and investigative committees.

Accordingly, the implementation of both the motion of censure and interpellation, according to the conditions set out in the Constitution, could have significant effects, such as the dissolution of major constitutional institutions. After the vote on the motion of censure and interpellation, the Prime Minister or head of government must submit their resignation to the President of the Republic, who then has the option to either accept the resignation or take another countermeasure to protect and preserve the government, potentially by dissolving the National People's Assembly.

From the above, the following conclusions can be drawn:

- The 2020 constitutional amendment broadened the mechanisms for establishing government political responsibility by including interpellation.
- Political responsibility for government members is now determined more frequently than once a year through the activation of the motion of censure.

The key recommendations are:

- The need to reduce the quorum required for approving a motion of censure from the current one-seventh, which is a high threshold for parliamentary members. By requiring this proportion, the constitutional founder has diminished the National People's Assembly's ability to hold the government accountable, thus supporting its stability.

In conclusion, the constitutional founder succeeded in enhancing the parliamentary oversight role over government activities by expanding the range of mechanisms for political responsibility. However, these mechanisms are surrounded by conditions and voting thresholds that could be seen as restrictive or obstructive to their practical implementation.

---

## BIBLIOGRAPHY:

### Legal Texts:

1. Organic Law N°. 16-12 dated 22 Dhu al-Qi'dah 1437, corresponding to August 25, 2016, specifying the organization of the People's National Assembly and the Council of the Nation and their work, as well as the functional relationships between them and the government. *Official Gazette of the Algerian Republic*, No. 05, issued on August 28, 2016.
2. Law N°. 16-01 dated 26 Jumada al-Awwal 1437, corresponding to March 6, 2016, containing the constitutional amendment. *Official Gazette of the Algerian Republic*, No. 14, issued on March 7, 2016.
3. Presidential Decree N°. 20-422 dated 15 Jumada al-Awwal 1442, corresponding to December 30, 2020, concerning the issuance of the constitutional amendment approved in the November 1, 2020 referendum. *Official Gazette*, No. 82.
4. Presidential Decree N°. 96-438, dated December 7, 1996, containing the Algerian Constitution. *Official Gazette of the Algerian Republic*, N°. 76.

### Books:

1. Ahmad, Y. (2016). *The Oversight Role of the Iraqi Parliament After 2003*, Dar Al-Sanhouri Library, Beirut, Lebanon.
2. Mohamed, H. (2014). *The Dominance of the Executive Authority over the Legislative Authority in the Algerian Constitutional System: A Comparative Study with the Egyptian and French Constitutional Systems*, Dar Al-Jamea Al-Jadida, Egypt.

### Articles:

1. Khadidja, K. (2020). "The Constant and the Variable in Parliamentary Control Mechanisms under the Algerian Constitutional Amendment of 2016 and the Moroccan Constitution of 2011", *Journal of Legal and Political Sciences*, University of Khenchela, Vol. (11), N°(01).
2. Nadia, K. & Habiba, L. (2018). "Parliamentary Control over Government Actions under the Constitutional Amendment of 2016", *Researcher Journal for Academic Studies*, University of Haji Lakhdar Batna, N°(12).
3. Hani, S. (2020). "The General Policy Statement as a Mechanism for Parliamentary Control over Government Actions under the Constitutional Amendment of 2016", *Annals of the University of Algiers 1*, Vol. (34), N°(01).
4. Amar, A. (2013). "The Government's General Policy Statement between Repressive Control Measures and Support Resolutions", *Algerian Journal of Legal, Economic, and Political Sciences*, University of Youcef Ben Khadda, Algiers, Vol. (50), N°(03).
5. Drif, K. (2017). "Parliamentary Control over Government Actions through the Mechanism of a Motion of Censure", *Journal of Legal and Political Research*, University of Mohamed Sidik Ben Yahia, Jijel, N°(5).
6. Khalfa, N. & Louhani, H. (2018). Parliamentary oversight of government actions under the 2016 constitutional amendment. *Journal of Academic Researcher*, Vol (12).
7. Kersas, M., & Azzaz, H. (2021). Parliamentary oversight mechanisms on government actions and their activation in light of the 2020 constitutional amendment. *Legal and Social Sciences Journal*, Vol. 6, N°(4).
8. Ben Hida, M. (2021). The scope of the motion of censure under the 2020 constitutional amendment. *Journal of International Law and Development*, Vol, (9), N°(2).
9. Marwa, K. & Houda, A. (2021). "Parliamentary Control Mechanisms over Government Actions and Their Activation in Light of the 2020 Constitutional Amendments", *Journal of Legal and Social Sciences*, University of Zyane Achour Djelfa, Vol. 6, N°(4).
10. Soadqia, H. (2020). The general policy statement as a mechanism for parliamentary oversight over government actions in light of the 2016 constitutional amendment. *Annals of the University of Algiers*, Vol (1), N°(34).
11. Zineb, A. (2020). "Parliamentary Control over the Government's General Policy Statement in Light of the 2016 Constitutional Amendment", *Researcher Journal for Academic Studies*, University of Haji Lakhdar Batna, Vol. (07), N°(01).

### **Theses and Dissertations:**

1. Alem, Z. (2021). The limits of legislative power in light of the 2016 constitutional amendment and reform requirements. *Doctoral thesis*, University of Mohamed El Bachir El Ibrahimi, Bordj Bou Arreridj, Algeria..
2. Dounia, B. (2006-2007). "Parliamentary Control over Government Actions under the 1996 Constitution," *Master's Thesis*, Faculty of Law, University of Badji Mokhtar, Annaba, Algeria..
3. Oussif, S. (2016). The Algerian parliament under the Constitution of 28-11-1996, amended and supplemented. *Doctoral thesis*, University of Algiers
4. Zahra, A. (2020-2021). "The Limits of Legislative Power in Light of the 2016 Constitutional Amendment and Reform Requirements," *Doctoral Dissertation*, University of Mohamed El Bachir El Ibrahimi, Bordj Bou Arreridj, Algeria.