

Local governance and citizen participation in public affairs between legal texts and obstacles

الحكومة المحلية ومشاركة المواطن في تدبير الشأن العام بين النصوص القانونية والعراقيل

BEZGHICHE Boubekur *

University Abderrahmane Mira , Bejaia Alegria
rbbto79@yahoo.fr

Date of send:01/05/2024

Date of acceptance:22/05/2024

Date of publication :30/06/2024

Abstract:

Regional governance is based on a set of principles that are considered to be the basis for the realization of an effective local governance, namely the principle of accountability, the principle of transparency and, last but not least, the principle of participation.

The mechanisms for citizen participation in the management of public affairs take the form of formal mechanisms detailed in various legal texts, such as popular representation and the consultation mechanism during public enquiries, and informal mechanisms generated by field practice, such as the seats of the reasonable , such as councils of wise men and neighborhoods committees, as well as the media, which play an effective role in establishing the principle of participation. However, there are several obstacles that stand in the way of activating the citizen participation in the management of local public affairs process . There are obstacles at the level of the legal texts and obstacles at the practical level that are reflected in the weakness of the the means of citizen participation in local governance, in addition to the impact of the crisis of administrative supervision.

Keywords:

Participation; Citizens; Governance; Local Affairs; Mechanisms; Obstacles

Introduction

Citizen participation in the management of local affairs now goes beyond the periodic contribution that takes place at election time, to become a real and modern contribution that is characterized by permanence, since it is based on supporting elected local councils by providing opinions and experience that guide local officials in drawing up the various development projects. The Algerian legislator has devoted an entire section of the Communal Code to ‘Citizen participation in the management of communal affairs’, setting out a number of mechanisms for participation, including consultation with the various stakeholders, public enquiries, the right to information, participation in meetings and access to the activities of the municipal People's Council. This is the most important legal means of involving citizens in the management of the municipal affairs .

The aim of the debate on this topic is to look at the embodiment and limits of this recognized citizen participation in the laws governing local authorities, and to assess the degree of its effectiveness in order to say that there is a willingness on the part of the public authorities to move towards a participatory approach with standards and rules that grant effective citizen participation, after it was recently stipulated in the 2020 amendment to the constitution.

With this in mind, we will attempt to address the issue of the effectiveness of the contribution of the new participation mechanism to the management of local public affairs.

We will address this issue by looking at the rules governing citizen participation in the management of public affairs (The first axis) and then highlighting the various constraints that limit its effectiveness (The first axis).

Firstly: the Rules governing the participation of citizens in public affairs management

Algeria is committed to establishing regional governance through the contribution of civil society, which is intended to be as the closest to reality through the participation of citizens in the management of their own affairs. We will therefore attempt to define what is meant by participation and to set out the various mechanisms involved.

1. A sense of participation in the management of public affairs

Regional governance is based on a set of principles that are the cornerstone of an effective local governance, namely the principle of accountability, the principle of transparency, and finally and most importantly the principle of participation. Therefore, we will address the legal dedication to this principal , and then try to provide a full definition of this principle.

1.1 the legal consecration of the principle of participation in the management of public affairs

The legal consecration of the principle of participation in local governance is reflected in the various legal texts that make up the legal system, starting with the constitution, and then the legal texts governing regional authorities.

A- constitutional consecration Second subtitle

The Constitution is the first legal text to formalize and legitimize the right of citizens to participate in the management of their local affairs, and the constitutional founder has enshrined this right in the various constitutions that have passed through Algeria up to the latest amendment published on 30 December 2020, ⁽¹⁾ where Article 16 explicitly affirms that the State encourages participatory democracy at local authority level, particularly through civil society.

Article 19 also affirms that the elected council represents the basis for decentralization and the place of citizen participation in the management of public affairs.

B- Legislative consecration

The Algerian legislature in the laws of the municipality and the state, has provided for the need to focus on participatory democracy and decentralized management, taking into account all the details of municipal reform as an essential area of local governance and development, the state is considered as an integral part of the municipality in the area of the provision of local public services.

The legislative framework for citizen participation in the municipality is to be found exclusively in Title III of Section I of the municipal Code, and the Algerian legislator, in law No. 11-10 ⁽²⁾, referred in Article 11 to consultation of the municipal People's Council with citizens on all matters relating to development and planning projects of any kind, and obliged it to take all measures to involve citizens in the conduct of public enquiries³.

By contrast, the state law no. 12-07 ⁽⁴⁾ only emphasizes the right to information and access to the activities of the local administration and the principle of the public nature of the sessions of the state people's council, and article 32 stipulates the right of access to the deliberations of the state people's council.

The municipality law devotes an important aspect to the participation of citizens in the management of local affairs, unlike the law relating to state, which does not address this aspect of citizen participation, but only emphasizes the option of the elected council as a mechanism through which the local population can participate in the democratic process,

1.2- Participation Definition

The American thinker Henry Brady defines participation as follows: 'the habitual act of a citizen to influence a political outcome.'⁽⁵⁾

It is also defined by some researchers in the Maghreb as:

"an institutionalized offer of participation addressed to citizens, aimed at involving them indirectly in the discussion of collective choices, with the aim of ensuring effective citizen control and safeguarding their participation in decision-making in areas that concern them and affect their daily lives"⁽⁶⁾.

Through these definitions, we understand that participation is the contribution of citizens, to one degree or another, to the design and supervision of the

implementation of local development policy, whether through their own efforts or in cooperation with central and local public administrations. ⁽⁷⁾

The principle of participation is to enable people to contribute to the decision-making process in all areas by creating the appropriate tools and methods for them to carry out various activities, individually or collectively, in an organized manner.

Mr Boudiaf presented the participation indicator as the creation of appropriate means and mechanisms enabling local citizens, as individuals and groups, to participate in the decision-making process, either directly or through elected councils. ⁽⁸⁾

2- Mechanisms for citizen participation in the management of public affairs

The mechanisms for citizen participation in the management of public affairs can be divided into formal mechanisms detailed in various legal texts and informal mechanisms generated by practice on the ground and various established customs.

2-1 Formal mechanisms for citizen participation in public affairs

There are several mechanisms that enable citizens to contribute to the conduct of their local affairs, including popular representation and consultation during public enquiries.

A- Popular representation

The process of electing representatives by citizens is the traditional way of contributing to the management of public affairs, with elected councils on the one hand and civil society on the other.

A.1- Electoral councils

Article 02 of the law on the municipality stipulates that the municipality is the regional basis for decentralization and a place where citizenship is exercised, and is the framework for citizen participation in the management of public affairs, so that the election of the commune council is considered to be the most important means of representing citizens in a number of areas and of planning the territory of their municipality and developing it economically, socially and culturally.

The state people's council is the main representative of citizens in the state territory, and the members of the people's council defend the interests of citizens.

The municipal people's council also takes all measures to inform citizens about their affairs and consult them on options and priorities for economic, social and cultural development, and may make a presentation to citizens on its annual activities. The people's council exercises its powers through ordinary and extraordinary sessions and sets the agenda for each session, while council deliberations take place in the seats allocated to the councils. ⁽⁹⁾

Citizens therefore participate indirectly through the elected councils in the management of public affairs, but this representation has several shortcomings, in particular the absence of any means for citizens to control their representatives during their term of office, and they can only intervene after the end of the term of office and

the renewal of the councils, and the president of the municipal people's council is chosen by the members of the councils and not by the citizens themselves.

A.2-the commissions

The laws of the municipality and the state authorise the formation of standing committees for matters relating to their specialisation, in particular those relating to the economy, finance, environmental protection etc. The number of standing committees is determined by the number of inhabitants of the municipality or state , and the people's or state councils may set up special committees to study a specific subject.⁽¹⁰⁾

Article 36 of the municipality Law also stipulates that these committees may consult any local personality or expert and/or any representative of an approved local association. However, the disadvantage of these committees is that they are only made up of elected representatives and do not include members of civil society in general.⁽¹¹⁾

A.3 Civil society

Given the shortcomings in the representation of citizens by electoral councils and committees, civil society is emerging as a genuine representative of the will of the people in the management of public affairs⁽¹²⁾ , because civil society is distant from and independent of the State, whether organically or objectively, through the multiplicity of its forms and objectives, so that it cannot be limited, but can include associations with different objectives, whether they be associations for the protection of the environment or the protection of cultural heritage. These associations do not seek to make a profit, but contribute to society on the basis of voluntary work and involvement to improve the living conditions of citizens.

Associations, for example, represent the desire of different segments of society to be independent of administrative and political bodies, and the desire of citizens to take charge of their own affairs in the face of the inability of administrative bodies to meet certain needs. According to Article 17 of the 2012 Associations law⁽¹³⁾ , associations may carry out any activity in partnership with the public authorities that is related to its objective, and the members of the association share their knowledge and resources on a voluntary and non-profit basis to promote activities, particularly in the professional, social, cultural, environmental,...

B- Public consultation during public enquiries

Citizens are consulted during public enquiries carried out by the public administration in various fields, the most important of which are town planning and environmental protection.

B.1- Public consultation during the elaboration of development and urban plans.

Public consultation is a procedure that affects several areas, including the expropriation procedure, where a public enquiry is opened to consult the public on the land to be expropriated and the project to be carried out in the public interest.

Article 15 of the Urban Planning and Development Act provides for consultation with local associations, chambers of commerce and professional organisations during the preparation of urban development plans.

Article 10 of Executive Decree 91-177 defining the procedures for drawing up the master development and town planning plan confirms that the latter is subject to a 45-day public enquiry, specifying the place of consultation for the draft plan, and the same is confirmed in Article 10 of Executive Decree 91/178 defining the procedures for drawing up the land use plan, which confirms that the latter is subject to a 60-day public enquiry. In both cases, a special register is opened in which all the opinions, suggestions and observations of the citizens of the municipality affected by the plan are recorded⁽¹⁴⁾.

B.2-Public consultation during environmental impact assessments

An environmental impact assessment is required for all major projects and classified facilities, so this assessment is included in the authorisation file for the establishment of these facilities, and the environmental impact assessment is subject to public enquiry and public enquiry, so this is fertile ground for involving citizens in major projects by expressing their opinions, observations and objections⁽¹⁵⁾.

2.2- Informal mechanisms for citizen participation in public affairs

There are several ways in which citizens can establish themselves as key players in society. These include councils of elders and neighborhood committees, as well as the media, which play an effective role in enshrining the principle of participation.

A-Councils of the Wise

With the declining role of associations in various fields due to the restrictions and censorship imposed by the new laws on associations, it is necessary to return to consultative councils, including Councils of the Wise, as a realistic means of enshrining political freedoms. Groups of wise men, as they are also called, are among the actors and stakeholders in the management of public affairs through their meetings with the aim of consulting and negotiating on the various social and cultural aspects that concern the citizens of a given region.

B-Neighborhood committees

To give concrete expression to the principle of grassroots democracy, neighborhood committees may be set up in towns that exceed a certain population density. The composition of these committees varies from one to the next, and their scope of action varies from one committee to the next. They may have a headquarters where they meet to consult on matters of interest to the district, drawing up proposals on all the issues facing the district or the city. These committees are also required to inform the residents of the district and encourage their participation in the daily life of the district, as we note that communes in particular take the opinion of the district chiefs before deliberating on their own affairs, as stated in article 13 of law no. 11-10, which confirms that the president of the municipal People's Council may call on any local personality or expert in an advisory capacity.

C-Information as a means of involving citizens in the management of public affairs

Articles 11 and 12 of the municipality Law stipulate that the municipal People's Council shall take all measures to inform citizens about their affairs and consult them on the options and priorities for development and economic development, and may in particular use the media and means available, so that citizens may participate in the management of public affairs through radio and television by presenting their opinions and problems to council representatives, who are invited to appear on radio or television programmers in a particular area of life.

Article 10 of decree no. 88-131, which governs relations between the administration and citizens¹⁶, also affirms the right of citizens to access administrative documents and information. The conditions for receiving citizens in municipal services and the procedures for providing them with information were subsequently defined by the Order of 04 December 1988¹⁷.

Citizens have a duty to have access to the results of the deliberations of the People's Councils and to municipal decisions, insofar as municipality law allows them to do so, in order to find out about developments and shortcomings in the municipalities, and to use all modern technological means to express their opinions and observations.

Secondly :Obstacles limiting the effectiveness of citizen participation in public affairs

Practical experience has shown that citizen participation in the management of local public affairs still faces major challenges in achieving its effective role, due to a number of obstacles that prevent it from realizing the participatory approach of community organizations and citizens as social actors who need their contribution to overcome all the crises and obstacles that stand in the way of local development in all areas . From there, we try to identify the most important obstacles that stand in the way of activating citizen participation in the management of local public affairs in order to find immediate and future solutions to overcome the problems of local democracy. There are obstacles at the level of legal texts and obstacles at the practical level.

1- Shortcomings in legal texts

Although the law is the main source of inspiration for the participation mechanism, the inadequacies and gaps in the legal text make it the main obstacle to activating this mechanism. There are a number of gaps in the law on local authorities and in the restrictions imposed by the law on associations.

1.1- Shortcomings of the law on local authorities

The law on the state and the law on the municipality suffer from a number of shortcomings which have made it difficult to introduce participatory democracy, seen as a modern means of promoting and advancing nations by giving all citizens the opportunity to put forward opinions they consider appropriate for the progress of the State:

-The absence of a basic procedure, namely the administrative referendum, which gives citizens the opportunity to participate in power, considering the people as the primary source of authority⁽¹⁸⁾.

-The inability of the central authorities to intensify control over local authorities, which leads to the loss of their financial autonomy and morality.

- The inability of the Algerian legislature to regulate relations between the central and decentralized administrations.

-The ineffectiveness of any committees, because they are dealt with in very few articles and their importance and role in establishing participatory democracy are not highlighted.- The fact that municipal committees submit reports on all their work to the mayor, who is not responsible for their creation, contradicts the establishment of participatory democracy in the municipality.

Although the right of access to information is enshrined in the laws governing local and regional authorities and in other laws such as the law on preventing and combating corruption, the legislator has not specified in these laws the procedures for obtaining this information on the one hand, and we note that the argument of administrative secrecy used by the administration to refuse the request to obtain the information in its possession is considered to be the most important obstacle.

1.2- imposing new restrictions on the creation of associations in the Associations law.

Civil society represents a type of social, political and cultural organization that is slightly or largely outside the authority of the State. These organizations represent society's means of expression and opposition to any existing authority. It is the set of structures, organizations and institutions that represent the basis of social, political and economic symbolic life that is not directly subject to the hegemony of authority.

The Law on Associations⁽¹⁹⁾ instead of giving more freedom and independence to associations after the political reforms embodied in a set of laws, has enshrined government interference in the work of associations by tightening the conditions and procedures for setting up associations, in addition to the wide powers that allow the government to dissolve them and freeze their activities, as well as allowing the government to intervene to prevent many forms of cooperation between national and international associations, as stipulated in Article 18 of the Law on Associations.

Article 18 of the Law on Associations also stipulates that associations must regularly provide the competent administrative authorities with all information relating to the number of members, sources of funding and financial situation, in the manner specified by the law, as these obligations make associations directly dependent on the public authorities.

Article 21 also prevents local associations from joining international organizations in their sector of activity, unlike national associations, for which this article requires prior authorization from the public authorities, and there are other administrative restrictions on the operation of associations, in addition to the fact that associations are not free to receive donations and aid from abroad, and that they

remain subject to numerous customs procedures and taxes when they receive aid or donations from abroad, which adversely affects the smooth running of their work and their financial situation.

2- Practical obstacles

The practical obstacles are linked to the lack of means for citizens to participate in local governance, and to the impact of the crisis in administrative supervision.

2.1-Weak means of participation

Participatory democracy sees the citizen as a decision-making partner in the process of formulating decisions and public policies at local and national level. The citizen has the right to control and monitor the work of the administration and to call to account those responsible for the management process, which requires the administration to provide all the necessary conditions and means to enable the citizen to do so, which implies the need to train administrators and teach them methods of communicating with citizens.

The poverty and bankruptcy of some communes and the lack of funding mean that participatory democracy is only consultative in nature. The technical services of local authorities are limited to guiding citizens and rejecting their opinions on the pretext of their lack of experience and competence, although the mechanisms of participatory democracy allow citizens to participate, engage in dialogue and express opinions and suggestions, but they do not influence the final decisions of the administration⁽²⁰⁾.

Some believe that participatory democracy is more a democratic value than a means of economic development. It is the satisfaction of society's desire to participate in the management of its affairs without having to respond effectively to its needs, whereas the proper management of the public interest and the achievement of greater efficiency in social and economic development depend on the decentralized interests of the State. The proof in Algeria is that the application of the participatory democracy mechanism at central level is very limited and that the structure of the elected councils does not allow decisions to be taken that include all the social actors⁽²¹⁾.

2.2-The impact of the trusteeship crisis

Although elected councils enjoy autonomy, they are subject to the supervision exercised by the State over local authorities, with the aim of preserving the unity of the State and reinforcing the principle of legitimacy by enforcing the law, whether it be the supervision of local elected representatives or the work of elected local councils, as stipulated in article 43 of the municipality Law . Article 10 stipulates that the governor may temporarily suspend an elected representative who is prosecuted for a crime or offence relating to public funds or honor, or who is subject to legal measures preventing him or her from continuing in office. The same procedure is set out in article 45 no. 12-07 concerning the suspension of a member of the state people's council by the Minister of the Interior⁽²²⁾.

The work of local councils is supervised either by the possibility of invalidating their deliberations, or by the force of law if they affect the personal interests of the president of the people's council or certain of its members, in accordance with article 60 of the municipality law, or by substitution, where the governor may take any special measures to maintain public order.

Conclusion:

There is no doubt that the enshrinement of participatory democracy in Algeria is coming up against many difficulties that are hindering its effective implementation and preventing the achievement of its desired objectives, which is why it is still suffering from regression and weakness in Algeria, whether from a legal, political or other point of view. Although legal texts recognise the right of citizens to participate in the management of their affairs through the use of legal means, they remain vague and incomplete when it comes to implementing this right. This is why it can be said that most of the legal texts providing for the introduction of participatory democracy are still no more than ink on paper, due to the existence of major shortcomings in achieving this consecration, particularly at local level.

Indeed, it seems that the success of this advanced and sophisticated form of democracy embodied by participatory democracy depends on the existence of a strong, active, informed and enthusiastic civil society and of citizens who are aware of the meaning of democracy, first and foremost the middle class and the educated class. In general, the latter have long withdrawn from politics, which has allowed a group of mostly incompetent larkers to take over the management of public affairs.

Finally, we conclude that the ultimate aim of involving citizens in the management of local affairs is to promote efficient local administration by encouraging citizens to protect their interests, either by cooperating with the administration or by criticizing and opposing it, and by strengthening the relationship between the administration and the citizen, ensuring transparency and eradicating bureaucracy.

Margins :

¹ Constitution of Algeria for the year 1996, published pursuant to Presidential Decree No. 96-438, dated December 7, 1996, O.J No. 76, issued on December 8, 1996, amended and supplemented by Law No. 02-03, dated April 10, 2002, containing the constitutional amendment, O.J No. 25, issued on April 14, 2002, amended and supplemented by Law No. 08-19, dated November 15, 2008, containing the constitutional amendment, O.J No. 63, issued on November 16, 2008, amended by Law No. 16-01, dated March 6, 2016, containing the constitutional amendment, O.J No. 14, issued on March 7, 2016, amended by the constitutional amendment approved in the referendum of November 1, 2020, in the O.J of the People's Democratic Republic of Algeria, published pursuant to Presidential Decree No. 20-442, dated December 30, 2020, O.J No. 82, issued on December 30, 2020.

OLSON M., *La Logique de l'action collective*, PUF, Paris, 1978, p. 153.

² Law n° 11-10 of 22 June 2011, relating to the Municipality ,O.J, n° 37 of 03 July 2011, (amended and completed).

³ Articles 08 and 10 of executive decree no. 91-178 of 28 May 1991 defining the procedures for drawing up and approving the soil occupancy plan and the content of the related documents, JR no. 26 of 1991 (amended and completed).

⁴ Article 33 of law no. 12-07 of 21 February 2012 on the state, O.J. no. 12 of 29 February 2012.

⁵ الشامي الأشهب يونس، " تدبير الإصلاح الدستوري لصور ممارسة الديمقراطية -التكييف القانوني، الفقهي للديمقراطية التشاركية"، مجلة أنفاس الحقوقية، امستين للطباعة، العدد 04 ، الرباط، المغرب، 2012 ، ص ص 99-120.

Al-Shami Al-Ashhab Younis, "Managing Constitutional Reform of Forms of Democratic Practice – Legal and Jurisprudential Adaptation of Participatory Democracy," *Anfas Legal Journal*, Amsteen Printing, Issue 04, Rabat, Morocco, 2012, pp. 99-120.

⁶ -سويقات الأمين ، بن شيخ عصام ، " إدماج مقاربة الديمقراطية التشاركية في تدبير الشأن المحلي - نماذج وتوصيات"، مجلة أنفاس حقوقية، امستين للطباعة، العدد 04 ، الرباط، المغرب، 2012، ص 90 .

Suwaikat Al-Amin, Bin Sheikh Issam, "Integrating the Participatory Democracy Approach in the Management of Local Affairs – Models and Recommendations," *Anfas Legal Journal*, Amsteen Printing, Issue 04, Rabat, Morocco, 2012, p. 90.

⁷ عقوبي مولود، "الديمقراطية التشاركية في المجالس المنتخبة المحلية،" مجلة القانون، العدد 06، جوان 2016، ص ص 202-205.

Aqoubi Mouloud, "Participatory Democracy in Local Elected Councils," *Journal of Law*, Issue 06, June 2016, pp. 202-205.

⁸ عمار بوضياف، شرح قانون البلدية، جسور للنشر والتوزيع، الجزائر، 2012، ص 145.

Ammar Boudiaf, *Explanation of the Municipal Law*, Jusoor Publishing and Distribution, Algeria, 2012, p. 145.

⁹ لمزيد من التفاصيل راجع: طوبال فهيمة، " حوكمة لامركزية المجالس الشعبية المحلية في الجزائر من خلال القانون 11-10 و القانون 07-12، مجلة المعيار، المجلد عدد 49، العدد 24، 2020، ص ص 667-688.

For more details, see: Toubal Fahima, "Decentralized Governance of Local Popular Councils in Algeria through Law 11-10 and Law 07-12," *Al-Ma'idah Magazine*, Volume No. 49, Issue 24, 2020, pp. 667-688.

¹⁰ مزيد من التفاصيل أنظر: دبوشة فريد، " اللجان البلدية كآلية لمساهمة المواطنين في تسيير الشؤون العمومية"، المجلة الجزائرية للعلوم القانونية والاقتصادية والسياسية، المجلد 54، العدد 04 ، 2017 ص ص 83-116.

For more details, see: Dabousha Farid, "Municipal Committees as a Mechanism for Citizens' Contribution to the Management of Public Affairs," *Algerian Journal of Legal, Economic and Political Sciences*, Volume 54, Issue 04, 2017, pp. 83-116.

¹¹ بلقرع خيرة، الديمقراطية التشاركية كآلية لتحقيق التنمية المحلية في الجزائر بين النصوص القانونية والواقع، مذكرة لنيل شهادة الماستر في العلوم السياسية ، تخصص السياسات العامة والتنمية، كلية الحقوق والعلوم السياسية، جامعة سعيدة، 2015-2016، ص 74.

Belqara Khaira, Participatory democracy as a mechanism for achieving local development in Algeria that builds legal texts and reality, a thesis for obtaining a master's degree in political science, specializing in public policy and development, Faculty of Law and Political Science, Saida University, 2015–2016, p. 74.

¹² AMMOR Samira, " Communication participative et gouvernance: Enjeux et limites d'une relation ", Revue Marocaine de recherche en management et marketing, N°18, 2018, p 293.

¹³ Law no. 12-06 of 12 January 2012 on associations, o.j no. 02 of 2012.

¹⁴ BEN AKZOUH Chabane, « De la loi d'orientation foncière au Droit de l'urbanisme » Revue *Idara* , N°22, Alger, 2011 , P.05.

¹⁵ لمزيد من التفاصيل راجع : وناس يحي، الآليات القانونية لحماية البيئة في الجزائر، أطروحة لنيل شهادة دكتوراه الدولة في القانون العام، جامعة أبو بكر بلقايد، تلمسان، 2007، ص49 وما يليها.

For more details, see: Ounas Yahya, Legal Mechanisms for Environmental Protection in Algeria, a thesis to obtain a state doctorate in public law, Abu Bakr Belkaid University, Tlemcen, 2007, pp. 49

¹⁶ Decree no. 88-131 of 4 July 1988 governing relations between citizens and the administration, o.j. no. 27 of 1988.

¹⁷ Decree of 4 December 1988, defining the conditions for receiving, guiding and informing citizens in the services of the state and municipality, o.j. no. 39 of 1988.

¹⁸ زياد لילה، مشاركة المواطنين في حماية البيئة، مذكرة لنيل شهادة الماجستير في القانون، فرع: القانون الدولي لحقوق الانسان، كلية الحقوق والعلوم السياسية، جامعة مولود معمري، تيزي وزو، 2010، ص86.

Ziad Laila, Citizen Participation in Environmental Protection, a dissertation for obtaining a master's degree in law, branch: International Human Rights Law, Faculty of Law and Political Sciences, Mouloud Mammeri University, Tizi Ouzou, 2010, p. 86.

- Law no. 12-06 , Previous Reference. ¹⁹

²⁰ غزلان سليمة، علاقة الإدارة بالمواطن في القانون الجزائري، أطروحة دكتوراه في الحقوق، فرع القانون العام، كلية الحقوق بن عكنون، الجزائر، 2010، ص

Ghizlane Salima, The relationship between the administration and the citizen in Algerian law, PhD thesis in law, Public Law Branch, Ben Aknoun Faculty of Law, Algeria, 2010, p.

²¹ تسمبال رمضان، إستقلالية الجماعات المحلية في الجزائر: وهم أم حقيقة؟، مذكرة لنيل شهادة الماجستير في القانون، كلية الحقوق والعلوم السياسية، جامعة تيزي وزو، 2009، ص91 .

Tsimbal Ramadan, The autonomy of local communities in Algeria: Illusion or reality?, Thesis for obtaining a master's degree in law, Faculty of Law and Political Sciences, University of Tizi Ouzou, 2009, p. 91.

²² law no. 12-07 of 21 February 2012 , Previous Reference.