



***General Mobilization in Algeria According to Law N°.25-05
- A Comparative Reading in Light of Egyptian Experience -***

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Received: 23/11/2025

Accepted: 21/04/2026

Abstract:

This study examines the mechanisms of general mobilization in Algeria under Law N°.25-05 of 2025, comparing it with the Egyptian legal framework established by Law N°.87 of 1960 amended by Law N°.12 of 1999.

The analysis addresses constitutional provisions, legislative structures, key concepts, operational principles, authorized government bodies, and implementation methods.

Key findings indicate that Algerian legislation emphasizes clear regulations and defined responsibilities, bolstered by strong oversight mechanisms. In contrast, the Egyptian framework features centralized decision-making and swifter implementation but lacks institutional flexibility.

The research highlights that general mobilization functions as a unifying mechanism for national defense, incorporating protective measures through a tiered approach and specific exemptions to maintain essential services..

Keywords: *General mobilization; Constitutional provisions; Legislative framework; Implementation safeguards; Comparative legal analysis...*

I. Introduction:

General mobilization is a key part of how a state can effectively respond to crises and emergencies that pose a threat to national security. This includes everything from natural disasters to human-made incidents and armed conflicts. In Algeria, Law N°.25-05 of 2025 lays out a structured approach for organizing state resources—both human and material—to ensure that institutions can keep functioning during emergencies. It also aims to balance the power of the government with the essential rights of citizens.

The importance of this topic reaches into both academic and practical areas, focusing on how laws turn into real actions within institutions to manage national resources and maintain vital public services amid evolving challenges.

This research takes a comprehensive approach: it delves into Algeria's constitutional and legal framework for mobilization, breaks down the conceptual underpinnings and practical goals of mobilization, identifies the relevant government institutions, examines the procedures for activation and the legal safeguards in place, and compares these insights with the experiences of Egypt.

The central problematic inquiry guiding this investigation is: *How does Algeria's legal framework balance mobilization effectiveness with citizen rights protection relative to Egyptian practice?*

This question highlights the importance of assessing how well legal provisions align with their actual administrative implementation. It's especially crucial to examine the consistency between theoretical frameworks and their practical application. This alignment not only bolsters our national security efforts but also ensures that institutions can withstand various threats over time.

The research employs descriptive-analytical methodology, examining constitutional and statutory provisions, analyzing executive protocols and procedure accompanying mobilization, and conducting comparative assessment of legal and regulatory efficacy in Algeria relative to Egyptian implementation.

The study's organizational architecture comprises two principal chapters: the first establishes the foundational legal and conceptual framework for general mobilization; the second delineates implementation procedures and accompanying legal-institutional protections.

1. Foundational Framework for General Mobilization

Algeria's legal framework for general mobilization, as outlined in Law N°.25-05 of 2025, sets up crucial organizational structures to tackle serious threats and crises that impact national security.

This system aims to strike a balance between the powers of the state executive and the need to effectively manage human and material resources, ensuring that state institutions can function during emergencies.

In this chapter, we'll explore three key elements: the constitutional and legislative framework; the definitions and goals of mobilization; and the institutional authorities tasked with declaring and implementing these measures.

1.1 Constitutional and Legislative Infrastructure for General Mobilization

The legal framework that sets up general mobilization is crucial for allowing the government to respond to emergencies. It also helps balance executive power with the rights of citizens(Souaker, 2025, p.12).

This foundation is rooted in constitutional articles that outline the responsibilities of the state for protecting society and institutions. It also includes the authority of the head of state to initiate mobilization, along with Algerian Law No.25-05 regarding general mobilization(Law N°.25-05, 2025, p.3) and Egyptian Law N°.87 of 1960 (amended by Law N°.12 of 1999)(Law N°.12, 1999). These laws detail the protocols for implementation and clarify the obligations of both ministers and civil-military relations.

1.1.1 Constitutional Framework

Algeria's constitutional amendments of 2020 lay out, in Articles 30 and 31, the government's responsibility to protect society and national institutions, allowing for necessary actions to ensure national security(Algerian constitution, 2020, p.4). Meanwhile, Articles 66,

79, 80, and 99 give the head of state the power to declare mobilization and decide how extensive and how long it should last, which helps the government respond quickly to any threats (Algerian constitution, Ar.30-99).

Articles 91 and 99 outline the state's duty to safeguard vital institutions and uphold social order. Meanwhile, Articles 139-148 focus on the relationship between the executive and legislative branches, ensuring that essential government functions are preserved and that there is proper parliamentary oversight during extraordinary situations (Algerian constitution, Art.91-148).

This constitutional framework is crafted to ensure a smooth mobilization process, which involves calling up military reserves, safeguarding critical facilities, and maintaining essential services. It establishes systems for implementing urgent transportation, energy, and health protocols during emergencies, highlighting a seamless partnership between civilian and military efforts.

1.1.2 The Législative Framework

Law N°25-05 of 2025 outlines the scope of mobilization, covering both general and partial types (Articles 2-4). It sets up practical regulations for implementation and ensures that resources are used according to actual needs.

Articles 5-11 focus on coordinating efforts between ministries and collaborating with military authorities to make sure plans are executed efficiently. Additionally, Article 8 designates the Ministry of National Defense with the responsibility for creating and overseeing the implementation of these plans (Souaker, p.10).

This legislative framework allows for clear task assignments between government ministries and military authorities. It helps the state manage both human and material resources during mobilization, ensuring that procedures are carried out efficiently while respecting citizens' rights. It covers essential areas like transportation, energy, health, and the organization of basic services to maintain the vital functions of the state.

In the same vein, Egypt's 2019 constitutional amendments tackle general mobilization in Article 202. This article provides a constitutional basis for mobilization procedures and the organization of armed forces service, while leaving the specifics of implementation to statutory law.

Article 71 of this constitution generally stands against newspaper censorship and media suppression. However, it does allow for some restrictions during “wartime or general mobilization”, which means there can be limited media controls in those situations (Egyptian constitution, 2014, Art.71).

Egypt's law N°87 of 1960, later amended by Law N°12 in 1999, laid down the first legal framework for general mobilization. Its goal was to streamline how the state prepares for situations like war, disasters, or any crises that threaten security. The 1999 amendment brought the activation process into the modern age, allowing for control through presidential decrees and ensuring that mobilization could be ended once the crisis was resolved, all while aligning with current national security needs (Law N°12, Art.1).

A closer look shows that Egypt's 2019 constitutional amendment, unlike Algeria's constitutional framework, doesn't clearly state who has the authority to issue mobilization orders. Instead, it only makes a vague reference within the broader context of defense and armed forces, particularly in Article 202, which delegates regulatory power to statutory law.

Consequently, Law N°87 of 1960 (amended in 1999) serves as the legal basis that indicates a presidential decree is what triggers general mobilization, based on the president's role as the commander of the armed forces and overseer of national defense.

It's worth mentioning that Algeria established its legislative framework for general mobilization in 2025, while Egypt did so back in 1960. The first law that addressed general mobilization in Egypt was Law N°156 of 1957, which specifically focused on the Southern Region, but it was later repealed by the current law.

In both countries, the authority to mobilize is vested in the head of state, who acts as the guarantor of national security. However, the two systems differ in how they frame their procedures and structure their institutions.

Algeria incorporates mobilization authority into constitutional consultative processes and legislative requirements, which not only promotes transparency in decision-making but also limits the ability to exercise authority unilaterally.

Egypt vests direct executive character in mobilization declaration, enabling rapid response but lacking procedural organization and institutional consultation equivalent to Algeria's approach.

Algerian legislation demonstrates greater precision and organizational rigor in specifying mobilization declaration mechanisms, thereby reinforcing decision transparency and restricting unilateral power application.

1.2 Mobilization Conceptualization

Grasping the definition, goals, and core principles of mobilization is essential for understanding the legal and functional framework of general mobilization. This knowledge helps clarify the scope of intervention, manage resources effectively, and steer executive authorities in safeguarding national security and ensuring the continuity of the state during crises(Souaker, p.10).

This investigation also reflects international perspectives by comparing Egypt and Algeria, shedding light on both the shared definitions and goals, as well as the differences in mechanisms and implementation that highlight the unique aspects of each legal system.

1.2.1 General versus Partial Mobilization Definitions

Law N°. 25-05 of 2025 (Articles 2-4) defines general mobilization as a thorough organizational approach that brings together all state human and material resources to tackle national security threats(Souaker, p.10).

This is different from partial mobilization, which only activates certain resources based on actual needs, all while ensuring that the state can continue to perform its essential functions.

This distinction holds significant strategic importance for how we respond to threats. When faced with limited threats, we might only need to partially mobilize—like activating certain military reserve units or specific key industries—while still keeping everyday civilian and economic activities running smoothly(Kamel & Maazouz, 2021, p.235).

The Algerian legislator has clearly laid out the concept of general mobilization in Law N°.25-05. In contrast, the Egyptian legislator chose not to provide a specific definition in Law N°.87 of 1960 (amended in 1999), opting instead to focus on procedural guidelines and authority.

Consequently, Algeria offers a more straightforward legal framework regarding the elements of mobilization, while Egypt leans towards emphasizing procedural matters. This difference highlights Algeria's focus on definitions and entitlements, compared to Egypt's emphasis on how procedures are carried out.

1.2.2 Mobilization Objectives

General mobilization encompasses multifaceted objectives:

Legal Objective:

Article 3 of Algerian law highlights a key goal: to mobilize both human and material resources for national defense. This reflects the state's legal commitment to ensuring national security and maintaining essential institutional stability.

Functional Application:

Mobilization involves a wide range of state mechanisms, including military forces, reserve units, key industrial facilities, energy and transportation systems, as well as essential services like healthcare and public transit.

This strategy embodies the principle of comprehensiveness in national security, reaching beyond just military aspects to include civilian areas that impact national safety.

The Egyptian legislator may not have clearly stated their objectives, but they hinted at the idea of mobilization in Article 2. This suggests that mobilization includes both military and civilian forces, based on the top leadership's decisions(Law No.12, Art.2) about how to prioritize resource distribution.

Both countries see their main principal mobilization goal as preserving national security and ensuring the continuity of the state(Saadaoui, 2019, p.384). They use a tiered approach to mobilizing resources based on the level of threat, highlighting the importance of having clear and flexible legal frameworks.

There are some differences in how clearly these legal frameworks are defined: Algeria provides a detailed and comprehensive structure, while Egypt tends to use more implicit and adaptable legal texts that can change based on the situation.

1.2.3 Foundational Principles

General mobilization rests upon three fundamental principles:

Comprehensiveness:

Algerian Law N°.25-05 (Article 4) states that general mobilization should include all necessary national resources to address threats (Law No.25-05, Art.4). This means pulling together human, industrial, financial resources, and infrastructure to ensure a complete state mobilization, without leaving out any crucial components.

Continuity:

This principle emphasizes the importance of staying active and engaged throughout a crisis to ensure that essential institutions are protected and public services continue (Souaker, pp.5-6). It highlights the government's dedication to carrying out its plans without any interruptions, making adjustments as needed to keep resources working effectively.

Civil-Military Coordination:

This principle emphasizes how crucial it is to bring together military and civilian authorities to make sure resources are allocated effectively. By doing so, we can prevent unnecessary overlaps in procedures. It involves working together on planning, sharing vital information, and coordinating operations—each of which plays a key role in efficiently mobilizing resources to meet our national defense objectives.

The Egyptian legislator supports these principles, making sure that mobilization goes beyond just military operations. It aims to create an organizational framework that brings together resources for effective national defense across all key sectors, while also maintaining civil functions and ensuring coordination between the army and ministries. Interestingly, the Egyptian legislator chose not to clearly outline these principles; instead, they are woven into the fabric of the legislation in a more subtle way.

The Egyptian legislator, through Law N°.87 of 1960 and its amendments in 1999, introduced terms like “obligation, subjection, seizure”. These terms reflect a forceful approach that grants the state the power to acquire property—whether movable or immovable—during times of war or in response to emergencies that threaten national security.

The goal was to give the state temporary control over essential resources, ensuring that public services could continue and that national security could be maintained.

However, in Law N°.25-05, the Algerian legislator chose to use softer, more flexible terms like “placing at disposal, requisition, contribution...”. This choice shows a clear concern for upholding the principles of legality and protecting private property, all while allowing for the temporary use of state resources for the public good, but within well-defined frameworks.

Sectional Conclusions

The concept of mobilization, along with its goals and core principles, forms the theoretical and operational backbone of mobilization efforts in both Algeria and Egypt. This analysis highlights the importance of having a clear and balanced legal framework that not only enhances the state's ability to mobilize resources during crises but also respects fundamental rights and integrates military and civilian efforts effectively.

1.3 Institutional Authorities for Declaration and Mobilization Organization

This section represents mobilization's operational aspect, specifying authorized bodies, authority scope, and inter-sectorial coordination mechanisms.

Mobilization efficacy depends fundamentally upon transparent responsibility distribution among:

- The head of state (supreme declaration authority).
- Ministry of National Defense (mobilization planning and implementation headquarters).
- Civil ministries (vital infrastructure and service support).
- The institutional-administrative structure supervising implementation and legal oversight (Souaker, p.25).

This section additionally permits Algerian-Egyptian comparison, revealing intersecting executive decision centralization alongside civil monitoring and administrative oversight divergences reflecting individual system particularities.

1.3.1 Head of State Authority

Both Algerian and Egyptian systems invest mobilization declaration authority in the head of state, differing in procedural mechanisms and frameworks.

Algeria's 2020 constitutional amendment and Law N°.25-05 (Algerian constitution, Art.99) grant the head of state the power to declare general or partial mobilization through a presidential decree, but only after discussions with the cabinet and consultations with the Supreme Security Council and the heads of parliamentary chambers(Merzaka, 2022, p.368). This process establishes a participatory approach that ensures balanced decision-making and legitimacy.

Egypt's legal framework allows the president to declare a state of general mobilization through a direct decree, as outlined in Law No. 87 of 1960 (with amendments made in 1999). This authority can be delegated, showcasing a centralized decision-making process and a quick response to potential threats.

Both systems agree on giving mobilization authority to the head of state, who acts as the guarantor of national security. In Algeria, this authority is framed within constitutional consultative processes and legislative requirements. On the other hand, Egypt hasn't clearly defined the head-of-state's authority for declaring mobilization in its constitution(Ahmed, 2019, p.21).

Instead, it allows statutory law to take the lead, which gives it a direct executive nature for quick responses, but it lacks the procedural organization and institutional consultation that Algeria's approach provides.

Consequently, Algerian laws show a clear and well-structured approach to outlining the procedures for mobilization declarations. This not only enhances transparency in decision-making but also helps to curb the exercise of unilateral authority.

1.3.2 Ministry of National Defense Function

The Ministry of National Defense constitutes the principal implementation body for mobilization plan formulation and execution in Algeria under Article 8 of Law N°.25-05.

Ministerial responsibilities encompass:

- Assessing military reserve unit and material resource availability.
- Formulating implementation protocols for mobilizing diverse forces and units.
- Collaborating with civil ministries to guarantee infrastructure and vital service support.
- Supervising plan implementation and implementing necessary adjustments according to security situation developments

Egypt maintains a National Defense Council that plays a key role in shaping general mobilization policies and giving the green light to recommendations from various administrative bodies(Law N°.12, Art.3). Two main organizations in Egypt handle the mobilization tasks: the Central Agency for General Mobilization and Statistics(Décision 2915, 1964), which takes care of gathering, processing data, and preparing population censuses, and the Recruitment and Mobilization Administration of the Armed Forces, which organizes conscription for military service among eligible male populace(Law N°.127, 1980, Art.10).

The Defense Ministry plays a crucial role in bridging the gap between planning and execution, ensuring that mobilization is effective by directly overseeing both military and civilian resources. However, there are notable differences in how Algeria and Egypt approach the level of oversight in this area.

1.3.3 Ministerial Sector Coordination

Law N°.25-05 Articles 9-11 emphasize inter-ministerial coordination importance between the Ministry of Defense and additional ministries guaranteeing comprehensive and integrated mobilization(Law N°.25-05, Art.8-9). Coordination encompasses:

- Identifying sectorial requirements and necessary support resources.
- Integrating ministerial initiatives guaranteeing foundational service continuation during mobilization.
- Establishing permanent cooperation mechanisms averting responsibility conflicts and expediting decision-making.

Egypt orchestrates coordination through ministerial committees, maintaining adaptability in task distribution according to threat nature.

1.3.4 Institutional and Administrative Structure

The institutional and administrative framework comprises all mobilization implementation entities, specifying authorities and emergency responsibilities, encompassing:

- Military reserve formations maintaining readiness.

- Ministerial coordination committees guaranteeing essential sector cooperation.
- Oversight mechanisms and periodic reporting enabling implementation efficacy evaluation and corrective measure implementation(Souaker, pp.25-26).

Egypt's institutional structure encompasses military formations, ministerial committees, and strategic planning centers guaranteeing civil-military integration(Law N°.12, Art.3).

Comparative Conclusions

Competent authorities for mobilization declaration and organization depend upon:

- Head of state central authority guaranteeing swift threat response.
- Ministry of National Defense as principal planning and implementation center.
- Additional ministerial coordination guaranteeing efficient resource mobilization.
- Integrated institutional and administrative structure supervising implementation oversight and performance evaluation.

A comparison of Egyptian practices shows a consensus on centralizing executive decisions, but opinions differ when it comes to civil oversight, administrative organization, and how adaptable sector coordination is. This reflects the unique characteristics of each legal system in handling general mobilization.

Chapter One investigation yields fundamental conclusions:

- ✏️ The constitutional and legislative foundation for mobilization authority is clearly outlined in Algerian Law No.25-05 of 2025, which provides a precise framework for declaring general or partial mobilization and clarifies the roles between civil and military responsibilities. On the other hand, Egyptian Law No.87 of 1960 offers flexibility and quick decision-making, but it lacks the same level of clarity in its institutional and constitutional structure.
- 🚚 Mobilization definition, objectives, and principles: Algerian law clearly outlines what general and partial mobilization mean, detailing the goals and core principles that enhance effectiveness and improve coordination between civil and military sectors. On the other hand, Egyptian law focuses mainly on the procedures for implementation, using mandatory language that tends to blur the clarity and precision of legal concepts.
- 👥 Implementation approach and authority distribution: The Algerian system showcases a participatory approach that involves the president along with civil and military ministries, striking a balance between executive power and legal oversight. In contrast, the Egyptian system centralizes decision-making within the leadership of the president and the Defense Ministry. This allows for quick responses but falls short on providing detailed specifications for institutional oversight.
- 📋 Both systems' precision and efficacy evaluation: Algerian legislation shows a strong focus on clear regulations and a balanced relationship between executive power and legal oversight, providing well-defined concepts and authority. On the other hand, the Egyptian system is more flexible and quicker to adapt, but it tends to compromise on legal protections and the precision of its institutions.
- 🔗 Regulatory framework precision in Algerian legislation: Algerian law ensures that there's a solid partnership between civil and military institutions by promoting clear task distribution and effective implementation strategies. This approach boosts mobilization efforts and helps maintain essential services.
- ♀️ Centralized executive character in Egyptian system: Egyptian law grants significant power to executive institutions and the National Defense Council. While this speeds up decision-making, it also blurs the lines of authority and weakens institutional oversight, ultimately limiting legal transparency.
- 📁 Efficacy and legal safeguard equilibration: Algerian laws provide clear oversight mechanisms and a range of penalties, all organized in a way that balances the speed of implementation with the protection of rights. On the other hand, Egyptian laws highlight military and executive aspects but fall short in offering similar legal protections.

2. Implementation Mechanisms for General Mobilization and Legal Safeguards

This chapter represents mobilization's operational phase, concentrating on implementation mechanisms and accompanying legal-institutional guarantees.

While Chapter One laid out the constitutional and legal groundwork, along with the goals and principles, this chapter shifts gears to explore the procedures for implementation and the

institutional framework that ensures the application of Law No.25-05 of 2025. It also draws comparisons between the experiences of Algeria and Egypt.

It covers three main areas: how the implementation is organized along with the procedures that go with it; the responsibilities and penalties involved; and the guarantees for implementation and the institutions that ensure ongoing mobilization.

2.1 Implementation Organization and Accompanying Procedures

The way we organize and implement procedures during a general mobilization is key to putting Law N°25-05 of 2025 into action. It transforms legal concepts into practical steps that can be applied on the ground.

This section is all about making the national mobilization plan clearer, outlining the necessary procedures and measures, defining financial responsibilities, and distributing tasks among different ministries to ensure that resources are mobilized effectively and in a coordinated manner(Souaker, pp.16-17).

By comparing these aspects, we can better understand the differences in how Algeria and Egypt implement their organizational strategies and coordinate between agencies.

2.1.1 National Mobilization Plan Formulation

Articles 12-14 establish executive authority responsibility for comprehensive national mobilization plan formulation encompassing human and material resource mobilization during emergencies. These plans encompass:

- Accessible resource identification from military reserve formations, essential installations, and necessary economic resources.
- Transparent operational plan establishment for resource mobilization according to defined sequence guaranteeing velocity and effectiveness.
- Implementing entity specification and coordination mechanisms among them guaranteeing efficient plan implementation(Souaker, p.17).

The Egyptian legislator focused on the National Defense Council, which is responsible for shaping general policies and coordinating administrative bodies. This approach ensures that all critical sectors can maintain essential services even during crises(Law N°12, Art.3).

2.1.2 Procedures and Measures

Law N°25-05 Articles 15-17 encompass mobilization implementation procedures and measures, including several fundamental components:

Notification: Formally communicating mobilization requirements to included bodies and individuals guaranteeing comprehensive responsibility awareness.

Requisition: Mobilizing human and material resources according to pre-established protocols guaranteeing national defense necessity satisfaction.

Coordination: Establishing continuous ministerial and institutional cooperation mechanisms guaranteeing effort integration and implementation conflict avoidance.

Awareness and Sensitization: Distributing necessary information and directives guaranteeing citizen and institutional mobilization requirement commitment(Souaker, p.19)..

Law N°87 of 1960, which was amended in 1999, Article 2 lays out that a declaration of general mobilization leads to some significant actions. First off, it means moving the armed forces and other state sectors mentioned in the declaration from a state of peace to a state of war.

This includes several measures that the Defense Minister must take, such as: **1-** Calling back reserve officers. **2-** Recalling retired officers as necessary. **3-** Pausing the discharge of reserve forces. **4-** Activating reserves. However, the text doesn't go into detail about how resources should be mobilized, simply stating that it should be done "according to pre-established plans", which is something we can see reflected in Algerian practices.

To put it simply, clarifying the procedures that come with mobilization emphasizes the importance of having a well-organized process and ongoing coordination between agencies. This ensures that actions are taken quickly and effectively, even though countries may differ in how much they involve civil authorities.

2.1.3 Financial Responsibility

Law N°25-05 Articles 63-64 mandate allocating necessary financial resources supporting general mobilization, encompassing:

- Mobilization operational plans and military reserve financing.

- Essential sector support guaranteeing foundational service perpetuation.
- Partial and complete mobilization cost coverage per ministerial responsibility.

From a different angle, Law N° 87 of 1960 (which was updated in 1999) doesn't really tackle the financial responsibilities tied to general mobilization. It skips over important aspects like budget allocation and clear financing structures that are usually found in Algerian laws.

Instead, this law only focuses on declaring mobilization and outlining procedures, leaving out any discussion on financing or how to fairly distribute the financial burden. In contrast, Egypt has a system where the state budget can allocate emergency funds, allowing for a flexible reallocation of resources based on the situation at hand (El-Oun, 2020, p.808).

Thus, financial sponsorship is a crucial factor for successful mobilization. It ensures that implementation plans remain on track and that essential services continue without interruption. However, countries vary in their financing methods and oversight strategies.

2.1.4 Common and Particular Ministerial Functions

Law N°25-05 Articles 18-31 reference task distribution among different ministries guaranteeing civil-military effort integration, encompassing:

- Common work definition encompassing all ministries supporting mobilization, including logistic coordination and material resource provision.
- Individual ministry function specification according to competence, exemplified by Health Ministry guaranteeing health service continuation and Transportation Ministry guaranteeing efficient resource movement.

These mechanisms guarantee comprehensive and effective mobilization accomplishment with adequate adaptability for task distribution according to circumstantial development, reflecting institutional coordination importance at the implementation magnitude (CLAA, 2025, pp.14-25).

Requirement One Synthesis :

Implementation organization and mobilization-accompanying procedure analysis reveals mobilization success depends upon integrating multiple components:

- Comprehensive national plans specifying resources and responsible entities.
- Procedures and measures guaranteeing resource notification and requisition alongside continuous coordination and participating body sensitization.
- Financial responsibility supporting all planned and allocated mobilization resources.
- Ministerial task distribution guaranteeing implementation harmony and national defense objective achievement (Souaker, pp.22-24).

Egyptian Law N°87 of 1960, which was later amended by Law N°12 of 1999, unfortunately doesn't provide clear guidelines that lay out how work is distributed among the various ministries during times of general mobilization. This lack of transparency is something that stands in contrast to the situation in Algeria..

The Ministry of National Defense is in charge of creating and executing plans, working closely with civil ministries that handle both general and specific functions to ensure essential services keep running smoothly (Law N°25-05 Articles 5-11 and 18-31). The organizational framework includes local administrations and oversight committees that assess how well plans are being carried out and make adjustments as needed (Law N°25-05 Articles 10-11).

On the flip side, Egyptian Law N°87 of 1960, which was amended by Law N°12 in 1999, outlines that the National Defense Council is responsible for creating and executing plans in collaboration with various administrative bodies.

However, it doesn't clearly define the specific roles and responsibilities of each ministry or provide detailed oversight processes (Law N°12, Art.2, 6, 8). This approach allows for greater flexibility and quicker implementation, but it does come at the cost of reduced clarity within the institutions.

Thus, the Algerian system stands out for its impressive precision and organization, thanks to its clear definition of competent bodies, procedures, and institutional coordination. On the other hand, the Egyptian system shines in its ability to adapt and respond quickly, but it falls short when it comes to having detailed legal provisions that strengthen institutional oversight.

A comparison of Egyptian practices highlights the crucial need for effective organizational implementation. This involves integrating centralized decision-making, clear task distribution, and transparent oversight mechanisms. It's also important to consider the extent of

civil oversight and the continuity of foundational services, ensuring that mobilization is applied with maximum effectiveness and efficiency.

2.2 Obligations and Penalties

Section Two serves as the cornerstone of mobilization under Law N°25-05 of 2025, ensuring that mobilization is effective. The success of mobilization really hinges on clearly defining the legal responsibilities of individuals, institutions, and both public and private entities. It's also crucial to outline any legal barriers and the penalties for non-compliance, while allowing for some flexibility through exemptions or partial mobilization.

2.2.1 Body, Institution, and Citizen Obligations

Articles 42-43 talk about ensuring that everyone involved in the national mobilization in Algeria follows the rules. This includes working together with the right authorities, providing the necessary human and material resources, and making sure that all notifications are properly handled to keep everything running smoothly.

Citizens and residents are expected to carry out their assigned duties as per the instructions from the executive authority, ensuring that both civil and military efforts are well integrated and that essential institutional operations continue without a hitch.

The Egyptian system also sets clear military and civil law responsibilities for both government entities and private institutions. This includes providing support for the armed forces and encouraging citizen involvement in scheduled activities that contribute to national security (Law N°12, Art.7-12). It shows that all systems rely on transparent legal obligations for everyone involved, ensuring effective mobilization, even though they differ in how they oversee and distribute responsibilities.

2.2.2 Legal Impediments

Article 49 lays out certain legal barriers that prevent specific individuals or organizations from getting involved in mobilization or fulfilling certain duties. The goal here is to strike a balance between protecting national security and safeguarding individual rights.

In Algeria, these barriers include health or social conditions that make participation impossible, court rulings that exempt certain people from service, and exemptions for essential sectors to ensure that vital services continue without interruption.

Egypt is putting in place rules for excluded individuals under both military and civil law, taking into account exceptions for health or social reasons (Law No.12, 1999, Art.8). These system checks help clarify legal barriers, acting as a way to ensure compliance while also protecting rights. This approach aims to balance national security with individual immunity.

2.2.3 Criminal and Financial Penalties

Law N°25-05 of 2025 outlines the penalties for violations related to mobilization provisions. This includes issues like failing to comply with directives, hiding information, or misusing resources. Articles 50-62 detail the criminal penalties, which can involve fines and imprisonment, depending on the severity of the violation and the potential threat to national security.

Algerian law tends to use softer phrases such as “placing at disposal” and “temporary requisition”. This choice of language shows that lawmakers are trying to balance the need for national security with the rights of citizens, while also ensuring that there's proper oversight during mobilization efforts (Souaker, pp.30-31).

Egypt's Law N°87 of 1960, later amended by Law N°12 of 1999, introduced strict penalties for violations related to mobilization provisions (Order N° 16, 1968). These penalties include imprisonment, fines, and temporary hard labor, as outlined in Articles 34-42.

The law uses strong language—terms like “obligation,” “subjection,” and “seizure”—to describe resource management, which gives the state significant power to ensure quick and effective mobilization. However, this comes at the cost of reducing the legal protections available to individuals compared to the Algerian system.

A comparative evaluation shows that the Algerian system offers greater precision and organization when it comes to specifying and graduating penalties, all while considering legal protections and institutional oversight.

On the other hand, the Egyptian system stands out for its adaptability and quick execution, but it leans more towards an authoritarian approach with mandatory penalties,

resulting in less clarity around legal procedures and individual rights during general mobilization.

2.2.4 Exemptions and Partial Mobilization

Law N°.25-05, specifically Articles 65-67, allows for exemptions from certain obligations or the activation of partial mobilization based on the evaluation of executive authorities. This provides flexibility in implementation while ensuring that essential services remain intact.

In Algeria, individuals facing legal obstacles may qualify for exemptions, and organizations that provide essential services and cannot be interrupted may also be granted exemptions, activating partial mobilization when necessity warrants (Souaker, p.30).

Egypt takes a similar approach by using partial mobilization and exemptions to ensure that essential functions continue and national defense needs are met, all while balancing individual rights (Law No.12, 1999, Art.24). This shows how exemptions and partial mobilization are flexible tools that help align national responsibilities with the protection of individual rights (El-Djouhari, 2005, p.434), ultimately making general mobilization more effective.

A closer look at obligations and penalties shows that the success of general mobilization hinges on a few key factors: clearly defining obligations, managing legal hurdles, setting up effective penalties, and allowing for some flexibility through exemptions or partial mobilization.

When we analyze the experiences of Algeria and Egypt, we see that Algeria emphasizes the importance of clearly outlining legal responsibilities and ensuring that institutions and organizations are committed.

On the other hand, Egypt takes a different route, focusing on military implementation with active citizen involvement. This difference highlights that obligations and penalties aren't just legal formalities; they serve as essential tools to guarantee a strong state response, integrate national resources, and maintain services during emergencies. Ultimately, this approach bolsters national security and ensures that mobilization is carried out efficiently and effectively.

Section Two Synthesis:

The study on obligations and penalties shows that the success of general mobilization hinges on a few key factors: clear obligation definitions, managing legal hurdles, setting up effective penalties, and being flexible through exemptions or partial mobilization.

When we look at the experiences of Algeria and Egypt, we see that Algeria focuses on defining legal responsibilities and institutional obligations, while Egypt leans more on military action and citizen involvement.

This approach highlights that obligations and penalties are not just about legal restrictions; they serve as vital tools for ensuring a strong state response, integrating national resources, and maintaining emergency services, all of which are crucial for national security and effective mobilization.

2.3 Implementation Guarantees and Institutional Structure

Implementation guarantees and the institutional framework are crucial for ensuring the effectiveness of Law N°.25-05 of 2025. The success of mobilization isn't just about setting obligations and penalties; it also relies heavily on having clear oversight mechanisms, proper training for mobilization reserves, and a well-organized administrative and institutional structure.

By examining international experiences, especially practices from Egypt, we can gain valuable insights into how mobilization is organized, how responsibilities are shared, and how the civil-military relationship is integrated.

Legal and institutional guarantees can be broken down into three main components: oversight mechanisms, training and mobilization reserves, and regulatory provisions. Each of these elements plays a vital role in enhancing the effectiveness of implementation and preventing disruptions in the plan..

2.3.1 Oversight Mechanism

Article 10 of Algerian general mobilization law references continuous oversight mechanism necessity guaranteeing national plan implementation. The Ministry of National Defense in coordination with all concerned sectors assumes this responsibility, formulating periodic reports evaluating implementing institution and body readiness, encompassing human and material resource examination.

Oversight additionally encompasses formal instruction compliance observation and swift administrative procedure implementation oversight for averting plan implementation postponement(Souaker, p.17).

Egypt's oversight relies on specialized committees that include both military and administrative members. These groups keep an eye on how ready governmental and personal institutions are, as well as assessing how well citizens involved in mobilization are performing. They ensure that plans are implemented thoroughly and can be adjusted as needed based on the country's requirements(Law No.12, 1999, Art.3), showcasing a remarkable ability to adapt to regulations.

Analysis demonstrates transparent oversight mechanism existence amplifies efficiency and diminishes vulnerabilities, with countries diverging in implementation methodology.

Regular implementation oversight not exclusively guarantees plan compliance but facilitates performance examination and deficiency identification antecedent to crisis manifestation, ameliorating state threat response capability for contingent occurrences(El-Djinebi, 2015, p.25).

2.3.2 Training and Mobilization Reserves

Law N°25-05 of 2025 lays out a detailed framework for training and mobilizing reserves, with Articles 07-14 specifically focusing on how to call up reserve and retired military personnel(Law No.22-20, 2022, Art.22, p.5), as well as civil employees, when the need arises. This is all done according to established protocols that ensure we can mobilize both human and material resources effectively for national defense.

These articles also highlight the importance of training, which includes preparing personnel across various sectors and providing specialized task training. This ensures that essential services can continue during emergencies. Additionally, the Supreme Mobilization Council is given the authority to coordinate these efforts, overseeing the implementation and readiness of our mobilization strategies.

Identically, Law N°87 of 1960, amended by Law N°12 of 1999, deals with mobilization reserves in Egypt, specifically in Articles 2, 7, and 23. It outlines how reserve and retired officers can be called up for service and sets the age limits for those who are eligible, while also exempting key sectors that are crucial for maintaining essential services.

Articles 11-14 focus on the legal and financial treatment of conscripts and those called up, while Articles 15-23 discuss the granting of honorary military ranks and the appropriate compensation to ensure a smooth integration of civil and military reserves during times of general mobilization.

It's noted that the Algerian legislation stands out for its clear and precise regulations on reserve and mobilization training, thanks to its well-defined categories, tasks, and supervising bodies. This reflects a collaborative approach between civil and military authorities.

On the other hand, Egyptian legislation takes a more centralized route, granting significant powers to the National Defense Council and allowing for flexibility in administrative entities. This focus on discipline and punishment ensures a quick response when mobilization is needed.

In summary, the Algerian system showcases a high level of precision and planning in its legal and procedural frameworks, while the Egyptian system shines in its ability to adapt and implement mobilization swiftly.

2.3.3 Final and Regulatory Provisions

Final and regulatory provisions are a crucial part of Requirement Three, serving as a legal safeguard that outlines the structure of the institutions involved in mobilization.

In Algeria, Articles 65-67 emphasize the need for a clear administrative organization within each ministry and agency, detailing the specific functions and responsibilities of each entity to ensure a coordinated approach to plan implementation.

These provisions facilitate collaboration between civil and military authorities, helping to avoid administrative conflicts and ensuring smooth operations.

On the flip side, Egyptian Law N°87 of 1960, which was amended by Law N°12 in 1999, included similar final provisions in Articles 34-42. These articles laid out the rules for implementing general mobilization through decisions made by the head of state or their delegate(Egypt Presidential Decree N°465, 2019). They granted significant authority to the

National Defense Council and the Defense Minister to define the implementing bodies and oversee operations in the field.

Additionally, these articles addressed discipline and criminal penalties to ensure full compliance with instructions during mobilization. They also included guidelines for mobilization exercises and clarified administrative responsibilities (Law No.12, 1999, Art.34).

Consequently, both systems concur in establishing concluding regulatory structure aiming to mobilization governance and civil-military authority power specification guaranteeing unified command and coordination (Saadaoui, p.384).

Algerian Law N°25-05 excels regarding heightened regulatory precision through individual ministry and body task explicit specification through Articles 65-67, guaranteeing institutional responsibility clarity.

Whereas Egyptian Law N°87 of 1960 limited itself to mobilization implementation delegation to executive power decisions without precise administrative role particulars, furnishing heightened adaptability yet diminishing organizational clarity.

The Algerian structure demonstrates heightened precision and comprehensiveness from administrative and organizational perspective, whereas Egyptian structure emphasizes centralized executive character concentrating on decision velocity without administrative authority specificity magnitude adopted in Algeria.

Section Three Synthesis

Implementation guarantees and institutional structure analysis demonstrates mobilization success depends upon:

- Transparent oversight mechanisms guaranteeing implementation conformity and readiness evaluation.
- Mobilization reserve training and management guaranteeing personnel mobilization capacity when necessary.
- Explicit administrative organization and responsibility specification guaranteeing coordination smoothness and authority transparency.

IV. Conclusion:

This research provided a thorough examination of legal and academic mobilization in Algeria, covering everything from the constitutional and legislative framework to the underlying concepts, goals, and principles. It also looked at how these elements come together in implementation mechanisms and institutional guarantees, drawing insights from the Egyptian experience to enhance our understanding of mobilization organization and effectiveness.

The analysis shows that general mobilization acts as a cohesive strategic tool for the state, intertwining legal, security, and administrative aspects. The importance of legal texts is crucial for organizing resources and defining responsibilities among relevant bodies, ensuring that essential services continue to function even during crises.

This perspective permits reaching the subsequent conclusions:

- ✓ **Constitutional-legislative foundation and mobilization declaration authority specification:** Algerian Law N°25-05 of 2025 manifested heightened institutional clarity and legal precision through specifying the authority empowered for general or partial mobilization declaration and distributing civil-military responsibilities. Conversely, Egyptian Law N°87 of 1960 furnishes adaptability and decision velocity yet diminishes institutional and constitutional architecture clarity.
- ✓ **Mobilization definition, objectives, and principles:** Algerian law furnishes transparent definitions of general and partial mobilization, specifying objectives and foundational principles amplifying efficacy and civil-military sector coordination. Egyptian law restricts itself to implementation procedure regulation employing compulsory terminology, diminishing legal concept clarity and precision.
- ✓ **Implementation approach and authority distribution:** The Algerian system exemplifies participatory methodology among the president, civil and military ministries, equilibrating executive authority and legal oversight. The Egyptian system concentrates decision-making in presidential and Defense Ministry leadership, enabling swift response yet lacking detailed institutional oversight specification.
- ✓ **Both systems' precision and efficacy evaluation:** Algerian legislation manifests heightened regulatory precision and institutional equilibration between executive authority and legal oversight, furnishing transparent concept and authority definitions. Egyptian

system furnishes adaptability and velocity yet diminishes legal safeguard and institutional precision magnitude.

- ✓ **Regulatory structure precision in Algerian legislation:** Algerian law guarantees effective institutional civil-military coordination through transparent task distribution and implementation mechanisms, intensifying mobilization efficacy and foundational service continuation.
- ✓ **Centralized executive character in Egyptian system:** Egyptian law invests expansive authority in executive institutions and National Defense Council, intensifying decision velocity yet diminishing authority clarity and institutional oversight, limiting legal transparency.
- ✓ **Efficacy and legal safeguard equilibration:** Algerian legislation furnishes transparent oversight mechanisms and graduated penalties with explicit institutional organization, equilibrating implementation velocity and entitlements protection. Egyptian legislation underscores military and executive dimensions lacking comparable legal safeguard magnitude.
- ✓ **Principal Recommendations:** Enhance institutional architecture clarity in national legislation guaranteeing implementation velocity and legal oversight equilibration, establishing transparent oversight mechanisms for all mobilization participant bodies.
- ✓ Embrace comprehensive methodology integrating organizational efficacy and individual entitlements protection through transparent functional distribution and authority specification while furnishing partial mobilization implementation and exemption adaptability when necessity warrants.

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