

## The Algerian Water Company: A Guarantee for Water Security

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### Abstract

The Algerian Water Company is deemed one of the most important institutional mechanisms for achieving water security in Algeria, given the powers and tasks assigned to it. This is particularly in light of the management challenges it faces due to the vast geographic area and the increasing demand for this vital resource. Additionally, the state's initiative to establish seawater desalination plants serves as a strong guarantee that will facilitate the company's work in diversifying its sources and ensuring the production of drinking water in sufficient quantities and at necessary times.

### key word

Water security, the right to water, groundwater, Dams, Water Resources.

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## Introduction

It is evident that water will be the next weapon for nations, as it is an indispensable natural resource that must be preserved and optimally utilized in light of the significant climate changes facing humanity. In fact, international agreements have been formulated to protect this resource during times of armed conflict<sup>1</sup>.

The management of the water sector in Algeria, particularly drinking water, has undergone various phases. Currently, the country is working on developing its water strategy by moving towards the establishment of seawater desalination plants and the reuse of treated water. This aims to diversify supply sources and enhance storage capacities, directing resources towards various activities, including agricultural, industrial, energy, and consumer needs of the citizens.

The water resources sector features various bodies and institutions dedicated to the effective management of this large and vital sector. The Algerian Water Company stands as one of its key pillars, ensuring the development and improvement of public drinking water services through its various units. It produces and distributes 5.5 million cubic meters of drinking water daily to supply over 28.5 million residents across the country.

Algeria's water sources vary, comprising three main types: groundwater (45%), surface water (39%), and desalinated water (16%). The country is divided into fifteen regions, which include forty-four units, responsible for the direct management of drinking water supply to 1,010 municipalities out of a total of 1,541 in the country<sup>2</sup>.

Indeed, water is a vital element in human life, and access to it is a constitutional obligation<sup>3</sup>. Therefore, establishing legal mechanisms for its management, ensuring its quality, and combating pollution in

<sup>1</sup> Houda Azaz. **International Protection of Water Resources**. Dar Al-Huda, Algeria, 2012, p. 84.

<sup>2</sup> See the Company's Official Website. <https://www.ade.dz/>. Retrieved 02 April 2025.

<sup>3</sup> Article 63 of the Algerian Constitution, issued under Presidential Decree No. 20-442 dated December 30, 2020, regarding the issuance of the constitutional amendment. Official Journal No. 82, published on December 30, 2020.

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all its forms are top priorities<sup>1</sup>. Illegal practices, such as unlicensed well drilling, tampering with distribution channels, excessive consumption, and wastefulness, must be addressed and eradicated to achieve sustainable development.

Accordingly, the following question is raised: What is the legal framework of the Algerian Public Water Company and how it may contribute to achieving water security.

To address this question, we will adopt an analytical approach as the most appropriate for this study by analyzing various legal texts related to the topic. To do so, we have divided the study into two sections:

Section One: Powers of the Company and Regulations Governing Its Services

Section Two: The Regulatory Framework of the Company

### **Section I: Powers of the Company and Regulations Governing its Services**

The legislator has granted the Algerian Public Water Company numerous powers and responsibilities, particularly in managing and improving the public drinking water service (Section One). Additionally, it has established rules and regulations governing the utilization of its services (Section Two).

#### **A) Powers of the Company**

The Algerian Public Water Company is a national public institution of an industrial and commercial type<sup>2</sup>, operating under the supervision of the minister responsible for water resources<sup>3</sup>.

According to Article 3, its headquarters is located in Algiers, and it can be relocated to any other place within the national territory by

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<sup>1</sup> For further readings about the reality of water pollution in Algeria See: *The Strategy for Protecting Water Resources in Algeria Between Pollution Constraints and Development Requirements*. Dar Al-Bahith, 2023, p. 28.

<sup>2</sup> See Article 01 of Executive Decree No. 01-101 dated April 21, 2001, which establishes the Algerian Public Water Authority. Official Journal No. 24, published on April 22, 2001.

<sup>3</sup> See Article 02 of the same decree.

virtue of a decree, based on the proposal of the supervising minister. It enjoys legal personality and financial independence according to Article 4. It is considered a trader in its relations with others, as stated in Article 5. However, in its relations with the state, it is governed by administrative rules.

It is tasked, within the framework of the national development policy, with ensuring the implementation of the national drinking water policy across the entire national territory. This includes managing activities related to the production, transportation, treatment, storage, and distribution of drinking and industrial water, as well as renewing and developing its infrastructure<sup>1</sup>. It carries out many tasks through delegation:

- Public service for drinking water aimed at ensuring water availability for citizens under globally acceptable conditions and striving to meet the maximum demand of public water network users. This mission is implemented in consultation with local authorities.
- Management and maintenance of systems and facilities responsible for the production, treatment, transfer, storage, and distribution of potable and industrial water.
- Standardization and quality control of the distributed water.
- Engagement of sworn water police officers with the approval of the relevant governor, to protect water resources in accordance with water law.
- Management and operation of facilities on its own behalf and/or by delegation from the state and/or local communities, within the framework of developing, renewing, and modernizing the national network for drinking and industrial water, with the operation of facilities delegated on behalf of the state and/or local communities for a fee from the project owner<sup>2</sup>.

The legislator has granted it the freedom to initiate any action aimed at water conservation, particularly by improving the efficiency

<sup>1</sup> See Article 02 of the same decree.

<sup>2</sup> Ibid

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of transfer and distribution networks and introducing technologies for its preservation. It also focuses on combating waste through the development of awareness, training, and education programs directed at users.

Programs can be envisioned in collaboration with public educational institutions to promote a culture of water conservation or to study any measures related to water pricing policies, proposing these to the supervising authority. Additionally, there is potential to develop unconventional water sources when necessary.

It organizes the management of the public water service concession granted to public or private entities on behalf of the state and/or local communities, according to a public service delegation agreement established based on general terms of reference, in accordance with applicable regulations. It will function in this area as the regulatory body for delegated management.

It is authorized to undertake any other actions aimed at fulfilling its activities.

Upon examining Article 07, we note that its assigned tasks are extensive, allowing it to engage in all commercial, real estate, industrial, and financial operations related to its objectives that promote its development, including:

- Undertaking any borrowing.
- Taking shares in any company, establishing branches, and entering into partnerships.
- Managing its own financial assets and those acquired through usufruct.
- Planning and implementing annual and multi-year investment programs.

The company benefits from the right to usufruct on public properties allocated to it. It also manages the means of acquisition and management necessary for its operations, including those established by Law No. 91-11 dated April 27, 1991<sup>1</sup>.

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<sup>1</sup> Ibid.

It is also tasked, due to the nature of the services it provides, with<sup>1</sup>:

- Establishing any organization or structure related to its objectives throughout the national territory.
- Managing public service participants for distribution.
- Utilizing the necessary means to ensure the operation, maintenance, and management of the facilities under its responsibility.
- Preparing a survey for the water distribution plan and ensuring its daily accuracy.
- Developing master plans for the infrastructure related to water production and distribution within its area of activity.
- Formulating and implementing the commercial policy in accordance with the general terms of reference.

Moreover, it directly conducts all technical, technological, and economic studies related to its objectives. It acquires, utilizes, and deposits any patents, models, or manufacturing methods associated with its aims, and it constructs, establishes, or prepares all necessary means for its activities. It carries out all works related to its facilities, either on its own behalf or for others, in accordance with its goals and develops various forms of customer assistance and advice. It may also delegate the implementation of some of its programs through subcontracting, concessions, management, or any other form of partnership.

This ensures the consequences of the public service in accordance with the provisions of the general terms of reference approved by a joint decision between the Minister in charge of water resources, the Minister of Finance, and the Minister in charge of local communities, in accordance with Article 10<sup>2</sup>.

It is noted that the company relies on desalination for 16% of its water supply<sup>3</sup>, and thus its operations require legal reorganization,

<sup>1</sup> See Articles 08 and 09 of the Executive Decree No. 01-101.

<sup>2</sup> See Article 10 of the Executive Decree No. 01-101.

<sup>3</sup> See the website <https://www.ade.dz/presentation> . Retrieved on April 2, 2025, at 10:00 AM.

especially after the establishment of the National Agency for Desalination<sup>1</sup>, which has been granted extensive powers by the legislator.

Based on the aforementioned, we may note that this is in the context of the general objectives set forth in Water Law No. 05-12, amended and supplemented<sup>2</sup>, in its second article, which aims to supply water by mobilizing and distributing it in sufficient quantities and the required quality. This is intended to meet the needs of the population, provide for livestock, and cover the demands of agriculture, industry, and other economic and social activities that utilize water.

Furthermore, it aims to maintain public cleanliness and protect water resources and aquatic environments from pollution risks by collecting and treating domestic and industrial wastewater, as well as rainwater and runoff in urban areas. It involves exploring and assessing both surface and groundwater resources, monitoring their quantitative and qualitative status, and enhancing unconventional water sources to improve water reserves. Furthermore, it seeks to manage floods through regulating surface water flow to mitigate the harmful effects of flooding and protect people and property in urban areas and other flood-prone regions.

### **B) Regulations for organizing the Company's Services**

Firstly, it should be noted that the company carries out the public service mission of producing and distributing potable water, replacing all national, regional, and local public institutions and bodies, namely:

- The National Agency for Drinking Water, Industrial Water, and Sanitation.
- National public institutions responsible for managing drinking water at the regional level.

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<sup>1</sup> This is in accordance with the Executive Decree No. 23-103 dated March 7, 2023, Official Gazette No. 16, issued on March 15, 2023.

<sup>2</sup> Law No. 05-12 dated August 4, 2005, on water. Official Gazette No. 60, issued on September 4, 2005, amended and supplemented."

- Institutions for distributing domestic and industrial water and sanitation in the province.
- Municipal agencies and departments managing and distributing water<sup>1</sup>.

Article 18 indicates that the company is divided into five (5) regional agencies for managing drinking water. Each regional agency operates independently within the framework of its annual budget and general management procedures, thus its organization and operation are decentralized.

The operation of this vital public service at the level of the province or municipality must involve consultation with local communities. This consultation is organized through activation and monitoring councils established according to the regional components of each hydrographic basin. Their organization and functioning are determined by a decision between the minister responsible for water resources and the minister responsible for local communities, in accordance with Article 19. As for the types of subscription contracts that public service water supply users can enter into, they are: regular subscription, temporary subscription, and special subscription<sup>2</sup>.

The first subscription is granted to any natural or legal person occupying either an individual or collective residential unit, or premises for industrial, craft, or service activities, whether it is an administrative office or for collective services, provided they possess a document proving the lawful occupation of the premises. It is valid for a period of one year and is subject to implicit renewal through leasing<sup>3</sup>.

The temporary subscription is granted for a specified duration, provided that no fundamental obstacle affects water distribution. It is granted to:

- Contractors and individuals for the needs of legally authorized workshops.
- Organizers of licensed exhibitions and various events.
- Operators or owners of legally authorized mobile facilities.

<sup>1</sup> See Article 29 of the Executive Decree No. 01-101 dated 2001.

<sup>2</sup> See Article 02 of the Executive Decree No. 08-54 dated February 9, 2008, which includes the approval of the model specifications for the management by concession of the public water supply service and the related service system. Official Gazette No. 08, issued on February 13, 2008.

<sup>3</sup> See Article 03 of the previously mentioned Executive Decree

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- Those working on the clearance of road networks<sup>1</sup>.

Completion of temporary subscription connections may require a security deposit specified for each case. According to Article 05, this can lead to the establishment of special agreements and the subject of a special subscription in the case of subscriptions corresponding to municipal consumption, which can be granted to areas responsible for managing their own water distribution system.

According to Article 07, the connection includes linking the internal facilities of users to the distribution network, starting from the public water distribution pipes, following the nearest route:

- Intake ring.
- Vertical intake tap with a key opening.
- Pressure reducer, if necessary.
- Connection pipe.
- Shut-off tap before the meter.

Article 06 outlines the procedures for canceling a subscription. This is done upon a request sent by the subscriber to the concessionaire via a registered letter. The subscriber bears the costs of disconnecting the service, which will be billed based on the water volume recorded by the meter or estimated on the day the service ends, as assessed by the concessionaire. If the individual requests reconnection, the concessionaire has the right to charge for reconnection costs according to the conditions specified in Article 24 of the same decree. Additionally, the subscription can be transferred to the new owner in the event of the property's disconnection, and the heirs may benefit in the case of the subscriber's death.

Article 21 mandates that the concessionaire must inform users of these tariffs when signing the subscription contract or when any amendments occur. They are also responsible for billing and collecting amounts due from the subscriber.

The invoice, which must be approved by the granting authority, should include three distinct items:

- Water consumption.
- Sanitation.
- Applicable fees and charges.

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<sup>1</sup> Article 04 of Executive Decree No. 08-54.

The subscription fee covers the rental and maintenance of the meter as well as the commercial management of users. Water supply for special and temporary subscriptions is billed according to specific tariffs.

Subscribers can pay their water bill amounts using any legal means at any location designated by the concessionaire. The payment deadline is set at 15 days from the date of receiving the water bill.

In case of non-payment within the specified period, the subscriber receives a notice to settle their bill within a maximum of 8 days. After this period, their connection will be shut off until the outstanding amounts are paid, including intervention costs as stated in Article 24, without prejudice to any collection costs that may be incurred. If bills remain unpaid for a year, the concessionaire may automatically terminate the subscription without prior notice. Any remaining debts on the subscriber will be pursued by the concessionaire using any legal means<sup>1</sup>.

The produced water is subject to strict monitoring by 920 specialists across 131 analysis laboratories operated by the Algerian Water Company. This oversight spans from the collection phase, through treatment and storage in reservoirs, all the way to the consumer taps in every province of the country.

The Algerian Water Company operates 86 operational laboratories in water treatment plants to ensure quality monitoring at every stage of treatment. Additionally, there are 44 laboratories for physical, chemical, and bacterial analysis to monitor the standards<sup>2</sup> that ensure the quality of distributed water. These facilities also assist in the disinfection of hydraulic installations and distribution networks. Furthermore, a national central laboratory is dedicated to monitoring specific standards and conducting on-site analyses in case of any compliance issues.

Water quality is processed and monitored at all levels within the production and distribution networks managed by the Algerian Water Company, including at the consumer level. A total of 255,770

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<sup>1</sup> See Article 22 of Executive Decree No. 08-54.

<sup>2</sup> The legislator has defined the standards and methods for sampling. See Articles 02 f. in the Executive Decree No. 09-414, dated December 15, 2009, which specifies the nature, frequency, and methods for analyzing water intended for human consumption. Official Gazette No. 75, published on December 20, 2009.

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bacteriological analyses, 343,764 physical and chemical analyses, and 3,748,756 chlorine tests have been conducted<sup>1</sup>.

One of the main reasons is the direct discharge of wastewater and industrial effluents into water sources, or the contamination of drinking water supply networks with used water, the aging of drinking water and sanitation networks, or the cleanliness of water reservoirs and private tanks.

Therefore, the company cleans and disinfects all irrigation and storage facilities twice a year and strengthens water quality monitoring by doubling the frequency of analyses, especially at sensitive points in the network. It also ensures the continuous supply of reagents, calibration materials, and disinfectants.

Conducting these analyses is essential to combat waterborne diseases, which can lead to human losses and pose a real threat to public health, especially during high temperatures. This compels all stakeholders to intervene to maintain the safety and security of citizens.

### **Section II: The Regulatory Framework of the Company**

The Algerian Water Company relies on two main bodies for its operations. The first is a council for guidance and oversight (first requirement), while the second is the general director (second requirement).

#### **A) The Council for Guidance and Oversight**

It is composed of representatives from the following ministries<sup>2</sup>:

- Water Resources (Chair)
- Local Communities
- Finance
- Contribution and Coordination of Reforms
- Trade
- Housing
- Industry

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<sup>1</sup> See the company's website : <https://www.ade.dz/>, accessed on April 2, 2025, at 10:00 AM.

<sup>2</sup> See Article 12 of the Executive Decree 01-101.

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- Agriculture
- Health
- Urban Planning and Environment
- Fisheries

It is required that these representatives hold at least the rank of director in the central administration. Furthermore, the council includes:

- The general director of the company.
- The director of the National Sanitation Office
- A representative of consumers appointed by the minister in charge of water resources based on a proposal from an association that works in the field of drinking water for a duration of three (3) years.

The company's services will provide secretarial support to the council. The council may consult any individual who can assist in matters on the agenda, given their expertise.

Members are appointed for a period of three (3) years by a decision of the minister in charge of water resources, based on a proposal from the ministries to which they belong<sup>1</sup>.

According to Article 13, the council's discussions include:

- Implementation program for drinking water policy
- Projects for the company's development plan in the short, medium, and long term
- Delegated management policy, particularly concessions, leases, and management contracts
- Agreements between the company and the state and/or local communities for public service responsibilities
- Annual activity program and related budget
- Loans related to investments
- Contributions, establishment of branches, and partnership contracts

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<sup>1</sup> Council members receive compensation in accordance with the provisions outlined in the applicable regulations.

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- General rules for using financial resources and employing financial reserves
- Acceptance of donations and bequests
- General rules and conditions for contract agreements
- Pricing policy: tariffs for the sale and purchase of water from the company, where applicable
- Collective agreements affecting the company's employees
- Financial statements and proposed allocations
- Reports from auditors
- Raising or reducing prices
- Any other matter presented by the general director that may improve the company's operation and encourage the achievement of its objectives.

The council meets in regular sessions, upon a call by its president, twice (2) a year, and in extraordinary sessions whenever required by the company's interests or at the request of the minister in charge of water resources. Invitations to council meetings are sent out via mail fifteen (15) days before the meeting takes place. If the quorum is not met, the council will legally convene eight (8) days after the previously scheduled meeting date.

Decisions are made by a simple majority of those present, and in the event of a tie, the president's vote is decisive. The council establishes its internal regulations and approves them. Its proceedings are recorded in minutes, signed by the chair of the guidance council, and recorded in a special numbered and indexed register.

The minutes of the meetings are sent within fifteen (15) days to the members of the guidance and monitoring council. The general organization of the company, as mentioned, is approved by a decision from the minister in charge of water resources after consulting the council<sup>1</sup>.

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<sup>1</sup> See Article 14 of the same Executive Decree.

## Conclusion

The management of the water system in Algeria has seen significant development through the nature of the bodies overseeing it, as well as the equipment and machines that have been provided to its various facilities. The establishment of the Algerian Public Water Company represents an important milestone in ensuring the optimal utilization of this resource and better controlling the rights of future generations by implementing regulatory frameworks and legal standards to prevent the waste of groundwater and surface water, thus achieving water security. The study manifested the following findings:

- The Algerian Water Company is the primary authority that is granted full powers for managing and improving the public drinking water service.
- Despite its establishment in 2001, it does not ensure complete coverage of the country's provinces, as evidenced by official statistics published on its website. Additionally, some areas suffer from outdated drinking water supply and sanitation networks.
- The existence of certain water theft crimes or illegal diversion of usage, resulting in significant financial losses for the authority.
- Coastal provinces do not all rely on desalination for their water supply.
- A shortage of water sources varies from one province to another.

Based on the aforementioned, we recommend the following:

- The necessity to complete coverage of all municipalities to ensure optimal utilization of water resources, which would also provide economic benefits to the company itself.
- Increasing the volume of human and material investments to enable the company to continue delivering its services effectively.
- Increasing the number of water reservoirs in all provinces, especially in the southern regions, to ensure the continuity of service.
- Diversifying and boosting water sources in provinces with a high number of subscribers.
- Renewing aging water networks.

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- Utilizing modern technologies and smart machinery to manage networks and detect various thefts and illegal connections.
- Collaborating with the National Water Desalination Agency to establish a joint sustainable strategy for preserving this resource.
- Signing profitable partnership agreements that encourage and motivate startups to innovate more efficient and cost-effective management mechanisms in line with digitization.
- Constructing the maximum number of dams to enhance storage capacity.
- Promoting scientific research to find innovative solutions to the increasing challenges in water resource management and the use of environmentally friendly materials.
- Strengthening water use efficiency in all sectors and utilizing solar energy as an alternative energy source.

### **Bibliography**

- Algerian Constitution issued under the Presidential Decree No. 20-442 dated December 30, 2020, which includes the constitutional amendment. Official Gazette No. 82, published on December 30, 2020.
- Law No. 05-12 dated August 4, 2005, on water. Official Gazette No. 60, published on September 4, 2005, amended and supplemented.
- Order 66-156 dated June 8, 1966, on the Penal Code. Official Gazette No. 49, published on June 11, 1966, amended and supplemented.
- Executive Decree No. 01-101 dated April 21, 2001, on the establishment of the Algerian Water Company. Official Gazette No. 24, published on April 22, 2001.
- Executive Decree No. 08-54 dated February 9, 2008, on the approval of the model specifications for the management by delegation of the public service for drinking water supply and its related service system. Official Gazette No. 08, published on February 13, 2008.
- Executive Decree No. 09-414 dated December 15, 2009, specifying the nature, frequency, and methods of analyzing water intended for human consumption. Official Gazette No. 75, published on December 20, 2009.
- Executive Decree No. 23-103 dated March 7, 2023, on the establishment, organization, and operation of the National Water

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Desalination Agency. Official Gazette No. 16, published on March 15, 2023.

### **Books**

Houda Azaz. **International Protection of Water Resources**. Dar Al-Huda, Algeria, 2012.

Mouna Tawahiria. **Water Resource Protection Strategy in Algeria: Between Pollution Constraints and Development Requirements**. Dar Al-Bahith, Algeria, 2023.

### **Websites**

The official website of the Algerian Water Company: <https://www.ade.dz> accessed on April 2, 2025, at 10:00 AM.