

Combating Environmental Corruption and Promoting Climate Action In Algeria... A Look at Opportunities and Challenges

مكافحة الفساد البيئي وتحفيز العمل المناخي في الجزائر... قراءة في الفرص والتحديات

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الملخص:

تهدف هذه الدراسة إلى توضيح أهم المبادئ التي انتهجتها الجزائر لمكافحة الفساد البيئي خصوصا بعد مؤتمر الأطراف السابع والعشرين (COP27) والذي انعقد بشرم الشيخ بمصر في 27 نوفمبر 2022، وقد قمنا فيها بتوضيح أهم الالتزامات التي قامت بها الجزائر سواء على الصعيد القانوني أو الإداري، وقد قمنا بتقسيم دراستنا هذه لجزئين تطرقنا في الجزء الأول إلى الالتزامات المؤسسية والإجراءات الاقتصادية والتكنولوجية بعد مؤتمر الدول الأطراف السابع والعشرين أين وضعنا فيه التوجهات السياسية للحكومة في المجال البيئي والإجراءات الاقتصادية والتكنولوجية، أما الجزء الثاني فقد تركناه لتوضيح الالتزامات التشريعية لمكافحة الفساد البيئي أين تطرقنا فيه لتشريعات مكافحة الفساد البيئي في الجزائر وكذا عراقيل مكافحة الفساد البيئي والتي شملت في مجملها عراقيل قانونية وإدارية وأخرى بشرية وفي الأخير ختمنا هذه الدراسة بخاتمة تضمنت أهم ما توصلنا إليه خلال بحثنا من نتائج وتوصيات.

الكلمات المفتاحية: الفساد، البيئي، مكافحة، التشريعات.

Abstract:

This study aims to clarify the key principles adopted by Algeria in combating environmental corruption, particularly following the 27th Conference of the Parties (COP27), held in Sharm El-Sheikh, Egypt, on November 27, 2022. In this context, we highlighted the main commitments undertaken by Algeria, both legally and administratively. The study is divided into two parts. In the first part, we addressed the institutional commitments, as well as the economic and technological measures implemented after the 27th Conference of the Parties. This section outlines the government's political orientations in the environmental sector and the economic and technological initiatives undertaken. The second part focuses on Algeria's legislative commitments to combat environmental corruption. It examines the legal frameworks established to counter environmental corruption and highlights the challenges faced in this endeavor, including legal, administrative, and human obstacles. Finally, the study concludes with a summary of the key findings and recommendations derived from our research.

KEY WORDS: corruption, Environmental, Combating, Legislation.

Introduction:

There is no doubt that the international community's interest in environmental issues is not a recent development. The United Nations emphasized, as early as 1948, the right of every individual to a clean and healthy environment. Article 25 of the Universal Declaration of Human Rights states that "Everyone has the right to a standard of living adequate for the health and well-being of himself and his family." This focus intensified over time, culminating in the first United Nations Conference on the Human Environment held in Stockholm, Sweden, in 1972. At this conference, the United Nations Environment Programme (UNEP) was established, recognizing the right to a balanced and healthy environment while affirming the duty to protect and improve it for both current and future generations.

However, in June 1992, the United Nations held its International Conference on Environment and Development, known as the "Earth Summit," in Rio de Janeiro, Brazil. This was prompted by the international community's observation that humanity was standing at a critical juncture in its history, facing the continued degradation of ecosystems. It became evident that global cooperation was essential to achieve a healthy and sustainable environment.

Thus, international attention to the environment began, yielding positive effects on developing countries that had previously paid little attention to environmental issues due to their internal challenges. This global focus also highlighted the exploitation by some developed nations, which sought to dispose of their hazardous waste in these countries. In response, the United Nations adopted the Basel Convention to regulate the transboundary movement of hazardous wastes and their disposal. Consequently, countries worldwide, including Algeria, began enacting laws to protect the environment, incorporating penalties for violating these regulations. Today, it is difficult to find a country that has not implemented legislation addressing environmental protection..

The Importance of the Topic:

Environmental protection is a critical issue for humanity, given that environmental challenges encompass practical, moral, economic, and ethical dimensions. Considering that air, water, and other natural elements, along with the biological environment, are essential components of the ecosystem, safeguarding and preserving them is a duty that rests upon each of us.

Research Problem:

To what extent is Algeria committed to combating environmental pollution and improving climate conditions? And how successful has it been in adhering to the international action plan for combating environmental pollution, particularly in relation to the 27th Conference of the Parties (COP27) held in 2022?

To address these research questions, the following structure was adopted:

Chapter One: Institutional Commitments and Economic and Technological Measures Post-COP27

- **Section One:** Institutional Commitments (Governmental Environmental Policies)
- **Section Two:** Economic and Technological Measures

Chapter Two: Legislative Commitments to Combat Environmental Corruption

- **Section One:** Environmental Corruption Legislation in Algeria
- **Section Two:** Challenges in Combating Environmental Corruption in Algeria

1- Institutional Commitments and Economic and Technological Measures

Institutional commitments refer to the actions undertaken by various high-level entities within the state to combat environmental corruption. This chapter is divided into two sections: the first addresses the political orientations of the government in the environmental sector, while the second focuses on economic and technological measures for environmental protection.

1.1- Institutional Commitments (Governmental Environmental Policies)

This section discusses the governmental support policies aimed at combating environmental corruption in the **first subsection**, followed by an examination of government spending in the field of environmental protection in the **second subsection**.

1.1.1 Government Support Policies for Combating Environmental Corruption

Within the framework of Algeria's climate policy and its commitment to the outcomes of the 27th Conference of the Parties (COP27), held in Sharm El-Sheikh in November 2022, the Algerian government has integrated key strategies and action plans into the core responsibilities of the Ministry of Environment and Renewable Energies. These include addressing comprehensive environmental issues such as climate change, biodiversity protection, ozone layer preservation, and preparation and coordination of climate change negotiations, granting the ministry execution powers in collaboration with relevant sectors.

The government has also established the Renewable Energy and Energy Efficiency Commission¹ under the Prime Minister's office to ensure inter-sectoral coordination for the development of renewable energy in Algeria, reflecting its efforts and commitment to addressing climate change.

Algeria is working on enhancing its legal framework by adapting its climate change-related legislation to current circumstances. This includes preparing to adopt a framework law on climate change as part of its environmental legislative arsenal.

One of the most notable examples of Algeria's commitment to environmental and climate issues is the revival of the Green Dam Project. The government aims to expand this initiative to cover 7.4 million hectares in the coming years².

Additionally, Algeria has taken significant steps to bolster its policies and approaches to combating climate change by formulating a dedicated strategy that led to the establishment of the National Climate Committee. This committee, comprising representatives from 18 ministerial sectors, is tasked with monitoring strategies to combat climate change and assess its impacts on development.

Among the Algerian government's efforts is the "Green Economy Revival Plan," which includes, among its objectives, recycling, supporting manufacturing industries, and encouraging investment in the waste sector to ensure control over environmental impacts, processing techniques, and providing tax exemptions for industrial companies that commit to reducing harmful gas emissions and chemical waste. Additionally, the government has adopted a national tree planting program through the "One Tree for Every Citizen" initiative, aiming to plant at least 43 million trees. Furthermore, the plan includes a program to convert a significant portion of the national vehicle fleet to liquefied petroleum gas (LPG) and the establishment of national structures to implement strategic projects for producing clean energy, such as green hydrogen..

1.1.2: Government Spending on Environmental Corruption Prevention

These are the resources allocated by the state for measures to combat pollution and protect natural resources. Under the new growth model program for the period 2016-2030, investments in environmental sectors amounted to nearly 35 billion Algerian dinars. The formulation and implementation of this program contributed to the development and provision of additional necessary infrastructure, with 1,015 projects related to the environment and urban planning being recorded³.

1.2 -Economic and Technological Measures:

These means have proven effective in environmental conservation, surpassing many other measures. They affect the cost of producing goods and services, and thus reflect on their prices in the market. These measures are a set of incentives primarily aimed at protecting the environment, including economic (Section 1) and technological (Section 2) aspects.

1.2.1- Economic Measures:

First – Environmental Taxation: It is one of the most important tools and policies available to environmental policymakers to reduce pollution and lower carbon dioxide emissions and other greenhouse gases. As one of the most effective economic tools, environmental taxation influences polluters' behavior through financial incentives that are highly flexible and cost-effective⁴. It involves mandatory monetary deductions imposed by the government on producers as a penalty for polluting the environment. These revenues are directed to the National Environmental Fund for Pollution Removal, municipal budgets, and public finances. In addition, other measures, such as environmental fees, are crucial deterrent tools in environmental protection, based on the "Polluter Pays" principle. Environmental taxes are the primary instrument for implementing this principle, and several types of fees have been introduced, including:

- **Supplementary Tax on Air Pollution** (Article 205 of the Finance Law of 2022).
- **Tax on Oils, Greases, and Preparation of Greases** (Article 61 of the Finance Law of 2006).

Second – Subsidy Reduction Policy: Since 2016, the Algerian government has implemented a series of measures to reduce subsidy levels, including increasing the value-added tax (VAT) on fuel from 7% to 17%. Although this type of tax is the most regressive and has a significant impact on lower-income social groups⁵, the government also established thresholds for electricity and gas consumption, beyond which the selling price of these utilities changes

(2500 thermal units of gas per quarter and 250 kWh of electricity per quarter). Additionally, the government increased the tax on petroleum products from 1 dinar to 2.91 dinars (a 191% increase). In 2021, the government banned the use of regular and premium gasoline, maintaining only one type of unleaded gasoline, which is less polluting but more expensive than regular gasoline, the most commonly used type. As a result of adopting unleaded gasoline, the price of gasoline was indirectly increased.

1.2.2–Technological Measures:

Advanced technologies are used to minimize harmful gas emissions or smoke in the air, as well as to eliminate water pollutants and protect the environment in general. Technology is a double-edged sword: it can be used to destroy the environment, as has been done in the past, but it can also be employed to mitigate the consequences through the development and use of new technologies. This requires the establishment of coordinated mechanisms to develop environmentally friendly technologies. Environmental protection technology involves preventing pollution and utilizing clean technologies⁶.

1.2.3- Combating Environmental Corruption Through the Blue Economy :

Environmental corruption remains a pressing issue that threatens sustainable development and environmental governance. Algeria, recognizing the potential of the blue economy in fostering sustainable resource management, has developed a national strategy aimed at leveraging marine and water-based economic activities to address ecological and governance challenges.

The blue economy provides several mechanisms to combat environmental corruption, including:

A- Enhancing Regulatory Oversight :

One of the main challenges in combating environmental corruption is weak enforcement of environmental laws. The blue economy strategy introduces stricter monitoring systems, including satellite tracking for fishing vessels and digitalized environmental permits, to reduce opportunities for illegal activities⁷.

B- Strengthening Institutional Capacity :

Environmental corruption often stems from inadequate institutional frameworks. Algeria's blue economy strategy includes capacity-building programs for regulatory agencies, ensuring that enforcement bodies have the necessary resources and expertise to combat illicit environmental practices⁸.

C- Promoting Public-Private Partnerships (PPPs) :

Collaboration between government agencies and private enterprises is crucial in ensuring transparency. Algeria has initiated several PPPs aimed at improving maritime governance and reducing corrupt practices in fisheries and coastal industries⁹.

D- Encouraging Community Participation and Whistleblower Protection :

A crucial aspect of combating environmental corruption is citizen engagement. Algeria's

strategy includes legal provisions that encourage community participation in marine conservation efforts and provide protection for whistleblowers reporting environmental crimes¹⁰.

2- Legislative Commitments to Combat Environmental Corruption

This chapter includes environmental corruption legislation in Algeria under the first section, and obstacles to combating environmental corruption under the second section.

2.1- Environmental Corruption Legislation in Algeria and the Sanctions Imposed
We will begin by examining the environmental corruption legislation in Algeria in the first subsection, followed by the sanctions imposed for environmental corruption in the second subsection.

2.1.1- Environmental Corruption Legislation in Algeria

The preamble to the constitutional amendment of 2020 states: "The people remain concerned about environmental degradation and the negative impacts of climate change, and are keen to ensure the protection of the natural environment, rational use of natural resources, and their preservation for future generations."

Environmental protection legislation in Algeria effectively began in 1983 with the adoption of Law 83-03, dated 05/02/1983, concerning environmental protection. This law aimed to implement a national policy for environmental protection through the safeguarding and regeneration of natural resources, preventing all forms of pollution and damage, combating it, and improving the living environment. This was followed by Law 01-19, which deals with waste management, monitoring, and disposal. The law emphasizes the need to reduce waste production and prevent it, encourage the recycling and reuse of waste, and raise awareness about the dangers posed by waste. Additionally, it established the principle of producer responsibility for the waste they generate¹¹.

The law 01-20 was then issued concerning land planning and sustainable development. The provisions of this law outline the guidelines and tools related to land planning, which aim to ensure a coherent and sustainable development of the national space.

Finally, Law 03-10, dated 19/07/2003, was enacted regarding environmental protection within the framework of sustainable development. Article 2 of this law stipulates:

- Defining the basic principles and rules for environmental management.
- Promoting sustainable national development by improving living conditions.
- Restoring damaged environments.
- Promoting the rational ecological use of available natural resources and employing cleaner technologies.
- Strengthening information, improvement, and public participation, alongside various stakeholders in environmental protection¹².

2.1.2- Penalties for Environmental Corruption

- This section will be divided into two parts: the first will address traditional penalties, while the second will discuss non-traditional penalties.

- **First - Traditional Penalties:**

- Most of the penalties prescribed for crimes against the environment are traditional penalties, typically involving imprisonment and fines, with variations in severity depending on the offense. In some cases, harsher penalties can be imposed, such as when toxic substances are discharged into water systems, with the possibility of supplementary penalties.
- It is believed that the challenge with traditional criminal penalties lies in their application to legal entities or their representatives. Furthermore, the same penalty may contradict its intended purpose if we consider that most offenders are white-collar criminals who do not require social rehabilitation. Nevertheless, we do not reject the idea of including traditional penalties for this category of offenders, as they could be effective in deterring future violations. Short-term penalties, such as simple imprisonment or suspended sentences, despite their many shortcomings, may be more effective for this type of offender due to their deterrent effect.
- The ineffectiveness of traditional criminal penalties (such as imprisonment) in deterring environmental offenses is evident, as they are often insufficient or unsuitable for the lifestyles of offenders. As a result, these penalties have been replaced by shorter sentences or other criminal sanctions and measures, though they have not been completely abolished.
- Indeed, criminal sanctions in the form of penalties are a form of harm and suffering for those upon whom they are imposed. This harm occurs when a right of the convicted individual is infringed upon. The severity of the penalty depends on the importance of the right affected and the extent of the violation. A penalty may affect one's life in the form of a death sentence, or it may impact one's freedom through life imprisonment, temporary imprisonment, or detention. It could also affect one's wealth through a fine. Below is a brief overview of the penalties imposed for environmental crimes or any of their components .

1- Death Penalty:

- A review of environmental systems in many countries reveals that they avoid the application of the death penalty for environmental crimes, which is a commendable approach. The death penalty is a form of irrevocable punishment, limited to the most severe crimes, particularly those committed intentionally. It is not wise from a legal perspective to overuse such an extreme form of punishment¹³.

2- Imprisonment:

- Imprisonment is one of the most significant and effective penalties in environmental protection. Environmental legislation resorts to imprisonment when an action results in the death of a person or causes permanent, irreversible harm. Anyone who intentionally commits an act violating environmental laws, or other laws that indirectly protect elements of the environment, is punished with imprisonment if their actions lead to causing someone permanent and incurable injuries¹⁴.

3- Fine Penalty¹⁵:

The fine is a commonly applied penalty within environmental protection laws. It requires the offender to pay a specified monetary amount, as determined by the court, to the state treasury. The fine may be imposed alone or in combination with imprisonment, with courts

often preferring to impose fines rather than imprisonment. From our perspective, a fine is a mild penalty and is insufficient for severe environmental crimes, as it fails to achieve deterrence. This is evident in practice, as offenders often compare the fines they are required to pay with the profits they earn from polluting or environmentally damaging activities. As long as the profits outweigh the fines, offenders may treat the fine as part of their production costs. Therefore, we believe that the penalty system should limit the application of fines to minor environmental crimes that do not reflect dangerous personalities requiring rehabilitation or strong deterrence. Consequently, the legislator has moved towards significantly increasing the fine amounts to make them a genuine deterrent for offenders in environmental pollution crimes. This is reflected in laws where high fines are imposed for violating certain provisions¹⁶. Additionally, penalties range from imprisonment and fines, or one of these two penalties, with fines being multiplied in cases of recidivism¹⁷. Furthermore, fines may be multiplied depending on the number of offenses committed¹⁸.

The legislator has also outlined another type of fine known as a "threatening fine," which is intended to compel the responsible party to take the necessary actions to prevent environmental pollution¹⁹.

However, the primary penalty is the criminal fine, which is relied upon by the law and is borne by either the natural or legal person. These fines are determined according to the severity of the violation, as fines are the most commonly applied penalty in practice. Often, the fine increases with the continued violation and the growing benefit derived from it. This system may involve a combination of fines and compensation. Such compensatory fines are particularly suitable for environmental crimes with multiple victims, where the victims cannot resume their activities until a long time has passed following judicial struggles. The high costs of litigation and the inefficiency between the parties make it difficult for many to reach the end of this path. In such cases, this system of compensatory fines offers quick compensation for their losses and damages²⁰.

4- Punitive Measures: In addition to traditional penalties and supplementary measures, the system of criminal measures extends to many more effective sanctions against crimes committed against the environment. These measures include:

A. Material Measures: These measures include confiscation, closure, financial and administrative supervision, and dissolution. Although such penalties may appear as secondary or supplementary to the primary penalty outlined in the law, they may also be imposed as precautionary measures, with the law granting administrative authorities the power to enforce them. Most legislations have provided for such penalties, particularly in the case of legal entities. For instance, laws authorize the confiscation of vessels that pollute the marine environment with oil and waste or harm fisheries, or violate the conditions set for licensing the activity.

The laws also allow the confiscation and destruction of spoiled foodstuffs to protect human health and prevent them from being reintroduced into circulation. Furthermore, administrative authorities may, through regulatory ordinances, close facilities that harm public health or pollute the environment with pollutants and waste, and revoke their licenses for non-compliance with operational purposes. Such penalties are believed to be more effective as security measures that protect public order, health, and the environment²¹.

B. Personal Measures: These personal measures include deprivation of certain privileges, such as temporarily or permanently banning the practice of a specific profession, or denial of tax exemptions. Other measures aim to compel the natural or legal person to fulfill their duties

related to environmental preservation. These sanctions are intended to impose a direct obligation on individuals or entities to adhere to environmental protection laws and regulations²².

Secondly - Non-traditional Penalties: Legal studies have introduced models of non-traditional sanctions designed to regulate both public and private behaviors, whether by natural or legal persons. These models serve as general rules governing conduct or activity in various situations, with those deviating from them subject to disdain or exclusion from joining various associations and groups.

Many legal frameworks grant certain administrative authorities the power to establish and oversee environmental protection, in addition to local authorities and municipalities. These laws provide these bodies with additional powers and responsibilities to ensure environmental protection, including the ability to impose certain sanctions with a quasi-criminal nature that carry a deterrent and punitive effect, without resorting to formal criminal prosecution.

Such sanctions may include warnings to the source of the violation as an initial step, followed by fines or even temporary or permanent closure of facilities causing pollution. Other measures might include placing entities under surveillance for a set period or prohibiting them from engaging in activities, investing in markets, or dealing with the public either temporarily or permanently²³. Some examples of these non-traditional sanctions are:

1. **Seizure:** In the realm of pollution penalties, for example, seizure appears in the form of the state taking possession of equipment or materials considered sources of environmental pollution. This includes the confiscation of radioactive devices, spoiled food shipments, and certain banned pesticides. Seizure plays a significant role in removing the pollution source and can be imposed as an additional penalty alongside the primary penalty, or it can serve as a complementary measure in addition to another punishment.
2. **Civil Penalty:** The civil penalty can take various forms, all of which aim to reinforce the rule of law and ensure compliance with its provisions²⁴. These forms include:
 - o **Nullification:** Deeming contracts or agreements invalid due to their environmental harm or illegal nature.
 - o **Removal:** The obligation to remove harmful installations, equipment, or waste that negatively impact the environment.
 - o **Compensation:** Providing compensation for damage caused by environmental violations, whether it's damage to public resources or harm to individuals or communities.
3. **A- Nullity:** The civil measure may take the form of nullity, whereby actions contrary to the provisions of the law are deemed void and have no legal effect. For example, a contract is invalid if its subject matter is contrary to public order and morals, such as a contract involving the importation of foreign animals without a permit, or the importation or exportation of hazardous waste, or its transportation in violation of the law²⁵.
4. **B- Removal:** The civil measure may take the form of removal, where the effect of the legal violation is eliminated and matters are restored to their original state, as long as

this is possible. For example, the demolition of buildings constructed on agricultural land in violation of laws protecting green spaces from urban expansion, or the removal of waste or solid debris dumped in unauthorized locations, either by the person responsible or at their expense²⁶.

C- Compensation: Finally, the civil penalty may take the form of compensation if it is impossible to erase the effect of the legal violation. Compensation is the available alternative for removing the effect of the violation if the harm caused cannot be undone. It is taken from the violator's assets to the extent necessary to repair the damage. For example, an employer who causes his workers to develop chronic or incurable diseases, such as asthma, due to air pollution in the workplace, is required to compensate them for the damages they suffered. Similarly, if someone dumps toxic pesticides into a stream from which their neighbor's livestock drink, causing the animals' death, compensation is required. As a general rule, anyone who causes harm to others through environmental pollution is civilly liable for the resulting damages and is obligated to repair and compensate for them²⁷.

From the provisions of the Environmental Protection Law, it can be understood that the party entitled to compensation for environmental damage is the one designated by law to protect the environment (the community), namely the state as a legal entity, even though it is a public legal person. Therefore, the right to compensation for harm to the primary vitality of the environment belongs to the environment itself. Thus, environmental damage, in its technical sense, refers to harm to the primary vitality of environmental elements, and it is not a personal damage. The right to compensation for environmental harm ultimately belongs to the environment itself, even though the environment is not a legal person in the technical sense.

Hence, it is important to distinguish between environmental damage in its technical sense and the "damage of environmental harm," which is mistakenly called (environmental harm), though it is, in fact, personal damage in the traditional sense. This distinction has consequences, such as the case of dumping toxic waste into the sea, which causes pollution not only in international waters but also in the country's territorial waters, disrupting normal fishing operations and damaging the territorial waters and coasts. This is environmental damage in the technical sense. On the other hand, "damage of environmental harm" may lead to serious consequences, such as reducing the value of properties on the seashore, driving tourists away, causing a loss of tax revenues collected by administrative authorities, and reducing fish harvests. In this case, the person responsible for the pollution is liable for all these damages and must repair the harm according to civil responsibility rules.

Thus, compensation for environmental damage in its precise technical meaning does not go to individuals because it is not compensation for personal harm, but rather compensation for the environment itself. In contrast, compensation for the "damage of environmental harm" goes to individuals because it is compensation for personal damage in the traditional sense²⁸.

2.2- Obstacles to Combating Environmental Corruption in Algeria:

This chapter discusses two types of obstacles: legal and administrative obstacles in (Section One), and human obstacles in (Section Two).

2.2.1- Legal and Administrative Obstacles :

Algeria has enacted a set of laws to protect the environment, but the responsible authorities still face difficulties in enforcing them due to a shortage of qualified national

personnel and the lack of specialized environmental courts and judges with sufficient expertise in the specific nature of environmental laws. One of the main issues with environmental legislation is that the concept of legal protection for the environment is broad and constantly evolving, as the areas of protection covered by these laws cannot be comprehensively addressed in advance, given that the world and the environment are in continuous change. Additionally, environmental laws suffer from redundancy in their provisions. Furthermore, the environmental protection law has a dual character, incorporating both administrative and penal provisions, which makes its enforcement more complex²⁹.

The relationship between the environment and administrative law is closely linked, especially regarding administrative control, which aims to protect public safety, health, and order. It is therefore not surprising that environmental protection is one of the essential goals for maintaining public order in its various meanings. Protecting the environment from pollution and combating it preserves public health. Similarly, combating violations of air, water, soil, and atmospheric components contributes to public security, and preserving mental and auditory health from the effects of noise pollution contributes to public peace. Thus, the elements of administrative control are achieved through environmental protection. However, upon analyzing the legal system for environmental protection, we notice the lack of a centralized and local environmental administration for three decades, and the continuous shifting of responsibility between several ministries has negatively impacted its preventive role. Although a dedicated ministry was recently established, it is still in its early stages and has yet to gain full authority³⁰.

2.2.2- Human Obstacles:

One of the key barriers preventing the implementation of environmental laws and international and regional environmental agreements in Algeria, and in Arab countries in general, is the noticeable shortage of trained national personnel in the field of environmental law enforcement at the national level. Despite the fact that most environmental legislations identify human resource development as one of Algeria's primary goals, a significant gap still exists between theoretical knowledge and practical application. This gap prevents the effective enforcement of existing environmental laws and regulations, despite their importance in addressing the negative impacts of rapid developmental plans on the environment and humanity during this critical stage of growth³¹.

2.2.3- the challenge of aligning national priorities with international legal frameworks:

One of the major international obstacles that Algeria faces in concluding environmental protection agreements is the challenge of aligning national priorities with international legal frameworks. Algeria, like many developing countries, encounters difficulties in meeting the stringent environmental standards set by global agreements due to economic constraints and the need for industrial development³². Additionally, the complexity of international negotiations, often dominated by developed nations, places Algeria in a position where it must navigate power imbalances that may not fully consider its specific environmental and socio-economic conditions³³. Furthermore, legal and institutional challenges, including the need for legislative harmonization and administrative capacity-building, hinder the effective implementation of international environmental commitments. These factors collectively

create barriers for Algeria in its efforts to engage in and implement international environmental agreements effectively.

Conclusion:

The growing focus on environmental issues is a result of the damage caused by production and consumption patterns that do not preserve the environment and its resources. Despite the efforts made by the Algerian government in protecting the environment, these measures have not reached the required level. The country continues to face several environmental challenges, such as pollution, the accumulation of urban and industrial waste, forest destruction, and the deterioration of water resources.

The national strategy for the blue economy represents a promising approach to addressing environmental corruption in Algeria. By integrating legal mechanisms, strengthening institutional frameworks, and fostering transparency, this strategy can significantly enhance environmental governance. However, sustained political commitment, improved regulatory enforcement, and increased stakeholder involvement are necessary to fully realize the strategy's potential. Further research is needed to assess its long-term impact and identify additional measures to enhance its effectiveness in combating environmental corruption, so Algeria's national strategy for the blue economy presents a viable mechanism for addressing environmental corruption. However, its success depends on sustained political commitment, efficient regulatory enforcement, and broader stakeholder participation. Further research is needed to assess its long-term impact and optimize its effectiveness in promoting sustainable environmental governance.

First: Results;

- There is a gap between the legal provisions and regulations related to environmental protection and their practical implementation.
- The main issue lies in the lack of financial resources and the financial deficits faced by many local authorities, combined with the lack of expertise and human capacity, which has weakened the effectiveness of the laws and hindered their impact on the ground.

Second: Recommendations;

- Integrating the environmental dimension into plans and policies, as well as in the administrative behavior and culture of various institutions.
- Ensuring the respect for environmental considerations in industrial and urban planning, while working on raising environmental awareness within society.
- Providing an active role for environmental media to help spread environmental awareness, environmental education, and develop an environmental culture.
- Encourage sustainable investment in the blue economy by promoting partnerships between the government, private sector, and international organizations.
- Develop corporate accountability mechanisms that require businesses operating in marine industries to adhere to environmental governance standards.
- Introduce incentive programs that reward companies for sustainable and transparent environmental practices.

- Strengthen regional collaboration with Mediterranean and African countries to share best practices and coordinate anti-corruption efforts in maritime governance.
- Engage with international organizations such as the United Nations Environment Programme (UNEP) and the World Bank to access technical and financial support.
- Adopt standardized carbon credit mechanisms to ensure compliance with global environmental commitments and prevent trade restrictions on Algerian exports.
- Develop educational programs to inform citizens, businesses, and policymakers about the importance of combating environmental corruption.
- Encourage community-based marine conservation initiatives that empower local populations to report and prevent illegal activities.
- Enhance whistleblower protection laws to ensure the safety of individuals who expose environmental corruption.
- Support scientific research on marine ecosystems to develop data-driven policies for the sustainable management of marine resources.
- Promote eco-friendly technologies in aquaculture, renewable marine energy, and waste management.
- Establish innovation hubs that bring together researchers, entrepreneurs, and policymakers to develop sustainable blue economy solutions.

Citations:

1- It is an authority that contributes to national and sectoral development of renewable energies and energy efficiency, responsible for evaluating the national policy in this field, the tools allocated for its implementation, its impact, and preparing related annual evaluation reports. It is a public institution with legal personality and financial independence, established by the Prime Minister under Executive Decree No. 19-280, dated 21 Safar 1441, corresponding to October 20, 2019, amended and supplemented by Executive Decree No. 21-95, dated 26 Rajab 1442, corresponding to March 10, 2021. It is managed by a Board of Directors composed of representatives from 12 ministerial sectors and public bodies, in addition to an Advisory Board composed of recognized national experts in this field, economic actors, and representatives from civil society, forming a space for consultation and a force for proposing the development of renewable energies and promoting energy efficiency measures.

Link to the preservation: <https://2u.pw/U0UWGg9>

2- It is an agricultural environmental project for afforestation of the Algerian steppes and combating desert encroachment. It is considered one of the most ambitious projects carried out by Algeria during the era of the late President Houari Boumediene. It aims to establish a plant belt of trees from east to west to stop the desert from advancing northward and halt the phenomenon of desertification. However, the project came to a halt after the death of its initiator. The Green Dam project was launched in 1971 to limit the advance of sand towards the fertile north, with a length of 1700 kilometers, sometimes exceeding 400 kilometers in depth. This dam played a role in the establishment of 400 new model villages and reduced desert encroachment on urban areas. The Ministry of Agriculture decided to allocate over 10 billion DZD in the first year of the Green Dam rehabilitation project, which officially started in December 2022, and will continue for seven years. This project will play an important role in reducing global warming. The state has also provided incentives and facilities for all young people wishing to undertake projects related to vegetation cover by approaching the various forest conservancies across the country's 58 provinces to receive information about the projects they want to implement.

3-Abba Farid, "Environmental Pollution Issues in Algeria and Protection Mechanisms", Humanities Journal, Mohamed Khider University of Biskra, Volume 2, Issue 2, 2022, p, 398.

4- op.cit, p,397.

5-Baaloul Noufel et al., "The Impact of Government Spending on Improving Environmental Indicators for Sustainable Development (Case Study of Algeria between 2000/2019)", Al-Aseel Journal for Economic and Administrative Research, Volume 6, Issue 1, April 2022, p,490.

6- Abba Frarid, op.cit, p, 399.

7 - World Bank, Harnessing the blue economy for sustainable development, World Bank Group, (2022), p 36. <https://www.worldbank.org/en/news/press-release/2022/11/16/world-bank-announces-new-blue-economy-financing-program-for-african-countries>

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- 9- Organisation for Economic Co-operation and Development (OECD). (2023). Public-private partnerships in environmental governance. OECD Publications.
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- 11-Dahia Abdellatif, "International Efforts to Protect the Environment", Al-Khima Publishing and Distribution, Djelfa, First Semester, First Edition, 2021, p,52.
- 12- Abba Frarid, op.cit, p,397.
- 13- "Protecting the Environment from Pollution in Some Arab Systems", International Information Network, Security Journal, Issue 16, p. 1.
- 14-See, for example, Articles 87 bis 1, 87 bis 2, and 87 bis 3 of Law 03-10 on Environmental Protection within the framework of Sustainable Development.
- 15- See Article 98 of the same law.
- 16- See Article 99 of the same law.
- 17- see Article 94 of the same law.
- 18- Article 109 of the same law.
- 19- Article 86 of the same law stipulates that "the court may order a threat fine of at least 1000 DZD for each day of delay."
- 20- See Article 90 of the previous law on Environmental Protection in Algeria, which stipulates imprisonment from 6 months to 2 years and a fine from 100,000 to 1,000,000 DZD, or one of these penalties. In case of recidivism, this penalty is doubled.
- 21- See Article 85 of the same law, which authorizes the court to prohibit the use of facilities or any property or movable property that causes pollution.
- 22- See Article 25, Paragraph 2 of the same law, which obliges the operator, in addition to closing the establishment, to pay the workers' dues...
- 23- See Article 139 of the same law on Coastal Protection, which allows the court to order the confiscation of the crime's proceeds in addition to the original penalty (imprisonment and fine). Also, see Articles 40 and 41 of the same law on Coastal Protection.
- 24- Teitgen Colley (C) and Delmas Marty (M), "Punishing Without Judging? From Administrative Repression to Administrative Criminal Law", Economica, Paris, 1991, p. 102.
- 25- See Article 82, Paragraph 2 of the same law on Environmental Protection.
- 26- See Article 43 of the same law on Waste Management, which stipulates the rehabilitation of the site at the operator's expense.

- 27- This is understood from Article 100 of the same law on Environmental Protection.
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