

Recreational Forests in Algeria

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Abstract:

Algeria possesses considerable forest wealth that qualifies it to be a leading tourist hub, by allocating forest spaces for private investment in the field of ecotourism, recreation and leisure. Therefore, the present research aims to clarify the reality of recreational forests in Algeria, and assessing their contribution to improving the quality of urban life. The research also seeks to explain how these forests are established, the conditions for licensing their exploitation, and the resulting legal implications.

Several conclusions were reached, including that licensing the exploitation of recreational forests is a legal mechanism aimed at enhancing and preserving forest land. It represents a model for embodying sustainable development by reconciling the protection of forest wealth with its exploitation for recreational and tourism purposes. It can also be a source of support for ecotourism and the creation of job opportunities in the field of services related to recreational activities.

Keywords: Forests; recreation; ecotourism; exploitation license; sustainable development.

1. INTRODUCTION

Algeria boasts stunning natural and touristic potential, which could make it a leading tourist and recreational hub. Among its most important assets is its considerable forest wealth, spread across vast areas. A large portion of this forest consists of dense woodlands, each with unique characteristics that qualify it to become a premier leisure and recreation center. Forests are no longer viewed solely as areas of production or environmental protection, but have become multifunctional spaces that play integrated environmental, economic, and social roles. Within this framework, recreational forests have emerged as a modern approach to forest management. These forests are designed to provide a safe and sustainable recreational environment without disrupting the ecological balance. Therefore, the development of these recreational forests, according to sound planning and a clear strategy, can make them an engine for local and national

economic development.

Indeed, the state, in accordance with applicable laws related to forestry, is committed to protecting forest resources, including forests, forest-based lands, and other forest formations. It also works to develop and expand these resources, improving their management and exploitation mechanisms in a rational manner. Utilizing these forested areas for recreation will strengthen efforts to enhance the value of national forest assets and establish a framework for developing tourism services offered by the forest wealth, so that serving the national interest.

Exploitation licenses in the public forest domain are granted, under the article 109 of Law No. 23/21 relating to forests and forest resources¹, for various purposes aimed at achieving the public interest, including the development and use of forests or parts of forests for recreation, leisure and ecotourism purposes, regarding which the Algerian legislator issued Executive Decree No. 06/368, which regulates the process of licensing the exploitation of recreational forests, the conditions for granting them and the methods of carrying out the exploitation process and monitoring it² (Official Journal No. 67, 2006). Therefore, the present study attempts to answer the question regarding the importance of licensing the exploitation of recreational forests in enhancing and preserving the forest wealth in Algeria, in order to achieve the desired development in its economic and social dimensions?

The current research aims to clarify the reality of recreational forests in Algeria, by defining their concept, explaining their spatial characteristics and vital functions, and the extent of their contribution to improving the quality of urban life. The research also seeks to explain how they are established, the conditions for licensing their exploitation, and the resulting legal implications.

To address the raised research problem, an analytical approach to relevant legal texts, especially Executive Decree No. 06/368, mentioned above was opted. Certain aspects of the research also necessitate a descriptive approach, specifically regarding the definition of a recreational forest, its establishment, and the licensing requirements and procedures for its exploitation.

Based on the foregoing, the concept of recreational forests in Algeria will be examined through two main points. The first point will be dedicated to defining the concept of recreational forests and how they are established, while the second point will address the licensing of recreational forest exploitation and its legal implications.

¹ - Law No. 23/21, dated 23/12/2023, relating to forests and forest resources, **Official Journal** No. 83, dated 24/12/2023, Algeria, p 05.

² - Executive Decree No. 06/368, dated October 19, 2006, regulates the process of licensing the exploitation of recreational forests, as well as the conditions and procedures for granting them, **Official Journal** No. 67, dated 28/10/2006, Algeria, p 04.

2. The Concept of Recreational Forests and How to Establish Them

Forest real estate constitutes an essential part of national property. This implies preserving, working on its development, and improving the mechanisms for managing and exploiting it. Among the legal mechanisms approved by the Algerian legislator to achieve this endeavor is the integration of the concept of rest, recreation, and ecotourism within the development processes that affect it, through the establishment of recreational forests, a modern concept in environmental planning and natural resource management, and one that aligns with contemporary trends aimed at utilizing forest spaces as multifunctional areas combining environmental, social, and recreational dimensions. Forests are no longer viewed solely as a productive resource, but have become vital spaces that fulfill human psychological, health, and recreational needs while maintaining their ecological balance.

The following section explores the concept of a recreation forest and then the stages and procedures that pave the way for its creation.

2.1 Definition of Recreational Forests

According to Executive Decree No. 06/368, which regulates the process of licensing recreational forests' exploitation, recreational forests are spaces for rest, leisure, and recreation that provide natural places for families and citizens to spend enjoyable times, which leads to enhancing human psychological and physical comfort and promoting ecotourism. The ecosystem services provided by the national forest wealth contribute to improving the living conditions of the population and to sustainable national development. In this regard, it participates in the appreciation, protection, and development of forests. The legal definition of a recreational forest as well as identifying its characteristics are defined as follows:

Under the Article 2 of Law 23/21, relating to forests and forest resources, the Algerian legislator defines forest as "any land, regardless of its legal nature, covered with forest species in the form of a forest agglomeration with a density of no less than one hundred (100) trees per hectare in arid and semi-arid regions, and three hundred (300) trees per hectare in humid and semi-humid regions, consisting of one or more forest species, either naturally or through afforestation or reforestation, and extending over an area of ten (10) hectares or more in a single plot". This is the same legal definition found in Article 13 of Law No. 90/25, relating to land orientation law¹, as well as Article 4 of Executive Decree No. 2000/115, relating to the rules for preparing

¹ - Law No. 90/25 dated 18/11/1990, concerning land orientation law. **Official Journal** No. 49, dated 18/11/1990, as amended and supplemented by Ordinance No. 95/26, dated 25/09/1995, **Official Journal** No. 55, dated 27/09/1995, Algeria, p 11.

the national forest land survey¹.

Therefore, it is evident that the Algerian legislator relied on two main criteria in defining the concept of forest. The first criterion is the quantitative aspect, which determines the minimum number of trees per hectare, whether their presence is natural or due to afforestation or reforestation. The second is the geographical criterion, which relates to the area where these trees are found and characterized by specific climatic features, such as arid, semi-arid, humid, and sub-humid zones².

Referring to Article 2 of Executive Decree No. 06/368, mentioned above, it is found that the Algerian legislator has defined a recreational forest as any forest or part thereof or any forest formation, whether natural or afforested, and whether prepared or programmed for development, that is classified within the national forest estate and is dedicated to recreation, rest, leisure and ecotourism. Hence, recreational forests belong to the national forest system, just as is the case for the rest of the forests, which are one of the basic components of the national estate according to Article 20 of the Algerian Constitution³. However, what distinguishes them is their exclusive allocation for the purposes of rest, leisure, recreation and ecotourism.

Accordingly, recreational forests are characterized by the following features:

- Under the Article 12 of Law No. 23/21, relating to forests and forest resources, recreational forests are considered part of the national forest wealth and fall under the category of natural public property. This is also stipulated in Article 15 of Law No. 90/30, which includes the National Property Law⁴, clarifying that forest resources located in all terrestrial and marine areas of the national territory are considered part of natural public property. This includes every forest or part thereof, or any natural or planted forest formation, whether prepared or programmed for development, within the public forest domain. In the same vein, Article 37 of the aforementioned Law No. 90/30 explicitly stipulates the integration of forests within the national property⁵. As such, they are subject to the principles of non-disposal and non-seizability, and may not be

¹ - Executive Decree No. 2000/115, dated 24/05/2000, establishing the rules for preparing the national forest land survey, **Official Journal** No. 30, dated 28/05/2000, Algeria, p 11.

² - Omar Makhoulf, Administrative authorization as a preventive mechanism for the sustainable development of forest heritage in Algerian legislation, **Journal of Arts and Social Sciences**, University of Sétif 2, Algeria, Issue 01, 2019, p 106.

³ - Presidential Decree No.20/442, dated 30/12/2020, concerning the promulgation of the constitutional amendment, approved in the referendum of 1 November 2020, **Official Journal** No. 82, dated 30/12/2020, Algeria, p 03.

⁴ - Law No. 90/30, dated 02/12/1990, containing the National Property Law, **Official Journal** No. 52, dated 02/12/1990, p 1661, as amended and supplemented by Law No. 08/14, dated 03/08/2008, **Official Journal** No. 44, dated 03/08/2008, Algeria, p 10.

⁵ - Hanouni Nasreddin, The Evolution of the Forestry Ownership System in Algeria: A Search For a Legal Framework, **Journal of Administration**, National School of Administration, Algeria, Issue 01, 2001, p 40.

acquired by prescription¹.

• Recreational forests are classified as special-use forests, according to Article 31 of Law No. 23/21 on forests and forest wealth. Designated by the forestry administration, these areas are chosen based on potential, location, and socio-economic needs, in accordance with the orientations of the National Forest Development Plan, into protection forests that aim to preserve biodiversity, prevent erosion and desertification, adapt to the climate and protect residential areas and agricultural lands. In addition to its main function which is the production of wood and other forest products. While forests with special use include forests whose function is related to preserving the quality of landscapes to enhance citizens' quality of life, education, and scientific research. It also includes forests located in tourism expansion zones, as well as forests whose nature is defined by ecotourism, recreation, and leisure, known as recreational forests².

• Recreational forests are designated for purposes of rest, amusement, and ecotourism. It is legally established that public funds are allocated for public benefit and interest, which distinguishes them from private property. The public interest regarding recreational forests aims to achieve psychological and physical comfort for humans³, by practicing certain sports and helping to treat certain illnesses, especially diseases of the respiratory and nervous systems. They also allow for practicing forest ecotourism and enjoying the charming atmosphere and scenic views of the forest, which public parks and gardens in urban centers cannot possibly provide, making them an important element in improving the quality of life⁴. Furthermore, recreational forests serve as a vital space for fostering environmental awareness. By providing direct contact with natural elements in a structured and safe environment. This transforms environmental knowledge from abstract theoretical concepts into lived experience based on observation and experimentation through direct interaction with vegetation, biodiversity, and ecosystems. This contributes to developing a deeper understanding of the principles of ecological balance and sustainability⁵. The mindful recreational experience is not limited to mere entertainment; they integrate pleasure with knowledge, fostering a sense of belonging to nature and an awareness of the importance of protecting it for future

¹ - Interministerial Circular No. 156, dated 10/02/2015, concerns the implementation of the provisions of Executive Decree No. 06/368, Algeria, p 01.

² - Nakaa Ammar, Conditions of the forest right of usufruct in the Algerian legislation, *Al-Mieyar Journal*, Emir Abdelkader University of Islamic Science Constantine, Algeria, Issue 04, 2022, p 535.

³ - Muharir Zakaria, Ezzardi Abdelghani, The contribution of the reaction and hiking activities in the degradation of the urban forests in Morocco. A case study of the forests:Nfifekh and Maleh In Mohammedia, *Journal of Studies*, University of Constantine 2, Algeria, Issue 02, 2020, p 389.

⁴ - Hamza Daradka, *Ecotourism*, first edition, Arab Society for Publishing and Distribution Library, Amman, Jordan, 2014, P 71.

⁵ - Mohsen Al-Khodairi, *Ecotourism*, Arab Nile Group, Cairo, Egypt, 2005, P 61.

generations. Consequently, recreational forests serve as an effective educational tool in building a sustainable environmental culture within society.

2.2 How to Create Recreational Forests

The creation of recreational forests is an important environmental project that aims to balance the need to protect and value forest resources and meet human recreational needs. From this standpoint, research into how to create recreational forests is of particular importance, given the need for precise legal and regulatory framework, and sound technical and environmental planning that takes into account the principles of environmental protection and sustainable exploitation, while ensuring the safety of visitors and preserving biodiversity.

Recreational forests are established within state-owned public forests located near residential areas and road networks, especially those visited by the public from cities seeking relaxation and recreation in nature¹. The areas designated for recreational forest use are determined by a decree issued by the Minister in charge of Forests, based on a proposal from the territorially competent forest administration². This excludes -under the Article 24 of Executive Decree No. 06/368- forests located within tourist expansion zones. These zones encompass any area or extension of the territory characterized by natural, cultural, human, and creative features suitable for tourism, qualified for the establishment or development of tourism facilities, and can be utilized to develop one or more types of profitable tourism under the Article 02 of Law No. 03/03, relating to expansion zones and tourist sites³.

The file relating to the proposal to create a recreational forest, which must be sent to the General Directorate of Forests to prepare a decision to designate a recreational forest, must include a set of data and legal and technical documents as follows⁴:

- Providing the reasons and motivations for establishing the recreational forest.
- Documents proving ownership (title deed or decision to incorporate the forest into the national forest estate signed by the locally competent governor, land survey reference or forest perimeter plan and map, prepared by the Forestry Department and approved by the Land Survey Service).
- A descriptive sheet specifying the characteristics of the forest proposed for recreational exploitation (managed or unmanaged forests, area, plant species, current

¹ - Hanouni Nasreddin, Usage in Algerian Forestry Law: Which Legal System, **Nashrat al-Qudah [Judges' Bulletin]**, Directorate General for Judicial and Legal Affairs, Ministry of Justice, Algeria, Issue 67, 2004, p 128.

² - Interministerial Circular No. 156, Op.Cit, P 01.

³ - Law No. 03/03, dated 17/02/2003, relating to expansion zones and tourist sites, **Official Journal** No. 11, dated 19/02/2003, Algeria, p 14.

⁴ - Interministerial Circular No. 156, Op.Cit, P 02.

land use, topography, existing structures, etc.).

- A map of the site including geographical coordinates.

- A detailed plan defining the forest perimeter.

- The general development and guidance plan specifies the facilities to be established, outlining the type of activity, appropriate materials suitable for the recreational forest intended for use, and the allocated area. It is prepared by the technical services of the governorate or, if necessary, a specialized consulting firm, and must be approved by the provincial committee in charge of examining requests for recreational forest exploitation licenses.

- Special Specifications book for the concerned forest, prepared by the provincial committee in charge of examining requests for recreational forest exploitation licenses, and it includes all the obligations that fall on the beneficiary of that license.

After verifying the file submitted to the General Directorate of Forests, it presents the project decision to designate the recreational forest to the Minister in charge of Forests for signature. In addition to its subject, it should include the administrative location of the recreational forest, its name, its geographical coordinates and area, a map of the situation and a plan to define the perimeter of the forest. The recreational forest is then considered an establishment after the signature of the decision containing its designation. For this purpose, a numbered and initialed register shall be set, signed by the head of provincial committee in charge of examining requests for recreational forest exploitation licenses and its secretary. The secretariat of the committee, represented by the administration in charge of forests, will save and keep the register then the data of the designation decision and the characteristics of the perimeter allocated for the exploitation of the recreational forest will be recorded in this register¹.

3. The Authorization of Recreational Forests Exploitation and its Legal Implications

Recreational forests, as spaces with environmental, social, and touristic functions, are subject to a special legal regime that restricts their exploitation with strict regulations, given their ecological sensitivity and importance in achieving sustainable development.

From this perspective, licensing for the exploitation of these forests takes on a regulatory framework, aiming to control the conditions of exploitation, define the rights and obligations of the licensee, and ensure that ecological balances are not harmed or the right of individuals to regulated access to them is not infringed upon. This system also serves as a means of subjecting the granted exploitation license to the oversight of

¹ - Interministerial Circular No. 156, Op.Cit, P 02.

the competent authority, by specifying the procedures to be followed, the technical and environmental standards that must be respected, as well as the mechanisms for monitoring and revoking the license in case of non-compliance with the stipulated conditions. Therefore, addressing the licensing system for the exploitation of recreational forests requires clarifying its legal framework, the conditions for granting it, and its effects, thereby highlighting the regulatory role of the administration in achieving the rational and sustainable exploitation of this type of natural space.

3.1 Issuing Licenses for Recreational Forest Exploitation

Granting a license to exploit recreational forests represents a crucial stage in activating the public policy aimed at enhancing the value of the forest area with a recreational nature, within a framework that ensures a balance between the requirements of tourism investment and the protection of natural ecosystems. The decision to grant the license is based on a set of objective and procedural conditions that the applicant for exploitation must meet.

Once a recreational forest is established, the Forestry Department publishes a notice of interest, including the deadlines and location for getting specifications book, the file that must be submitted by persons wishing to exploit the recreational forest, and the specific date and time for submission and opening of bids¹.

Accordingly, bids relating to the license to exploit recreational forests are submitted by the concerned persons, whether natural or legal, in accordance with Article 16 of Executive Decree No. 06/368, to the Wilaya Forests Conservation against a receipt, and must include the following:

- Application for an operating license, specifying the location of the desired recreational forest.
- A specific development plan including a detailed description of the planned leisure and recreational activities.
- A financial evaluation of the planned investments.
- A special specification book initialed and approved by the applicant for the operating license, prepared in advance by the provincial committee in charge of examining requests for recreational forest exploitation licenses. In this context, it is worth noting that all signs directed to users of the recreational forest, whether related to access points, play areas, services, or security, must be shown in the development plan and determined in the Specifications Book.

In this vein, it is crucial to emphasize the necessity of integrating environmental impact studies as a prerequisite for granting licenses to exploit recreational forests.

¹ - Interministerial Circular No. 156, Op.Cit, P 02.

These studies embody the precautionary principle and the requirements of sustainable development, serving as a scientific and legal tool for assessing the potential impacts of projects on forest ecosystems, including biodiversity, vegetation cover, and overall ecological balance. Subjecting exploitation applications to a prior environmental assessment allows the relevant authorities to estimate the carrying capacity of the forest area, impose appropriate preventive or corrective measures, or even reject the project if it proves detrimental to the natural environment. This procedure also contributes to enhancing the transparency of administrative decisions and reinforcing the environmental responsibility of investors, thus ensuring rational exploitation that preserves the ecological function of recreational forests and safeguards them for future generations.

The Algerian legislator has entrusted the task of reviewing applications for recreational forest exploitation licenses to a special committee established for this purpose in each province, chaired by the governor. The secretariat of this committee is provided by the regionally competent forestry department, as stipulated in Article 17 of Executive Decree No. 06/368. This provincial committee, responsible for reviewing applications for recreational forest exploitation licenses, holds four regular sessions per year. It can also convene in an extraordinary session upon the call of its chairperson. The summons, accompanied by the agenda, are sent to the members of the provincial committee fifteen days before the scheduled date of the committee meeting. This period may be shortened for the extraordinary session, provided it is not less than eight days, and the deliberations of the provincial committee are only valid in the presence of a majority of its members.

If the quorum is not met, another committee meeting shall be held within a period not exceeding fifteen days, and in this case, the committee's deliberations shall be valid with its present members, as per Articles 3, 4, and 5 of the Interministerial decree dated in 03/07/2013 which defines the formation and the work of the Wilaya committee in charge of examining requests for recreational forest exploitation licenses¹.

The committee evaluates the offers submitted for the purpose of obtaining a license to exploit recreational forests, as well as the development plans that the applicant is obliged to submit, when it concerns a recreational forest that has not been previously developed by the state or regional authorities, in accordance with Article 18 of Executive Decree No. 06/368. The evaluation is based on five criteria related to the design of the proposed facility, the cost of investment, the nature of the materials used, job creation, and experience in the required activity².

¹ - Interministerial Decree, dated 03/07/2013, defines the formation and the work of the Wilaya Committee in charge of examining requests for recreational forest exploitation licenses. **Official Journal** No. 09, dated 20/02/2014, Algeria, p 29.

² - Interministerial Circular No. 156, Op.Cit, P 03.

After completing the evaluation of the offers, the committee approves the beneficiary, who must be notified of its decision within one month from the date of its meeting. The granting of the exploitation license is approved by a decision of the governor in his capacity as head of the committee, with the proposal of the department in charge of forests for the state, with the aim of preparing the exploitation license contract by the State Property Administration, in accordance with Articles 18 and 19 of Executive Decree No. 06/368, mentioned above, which was confirmed in note No. 4515, dated on 04/19/2016, issued by the General Directorate of National Property.

The beneficiary of a recreational forest exploitation license must be installed within a maximum period of one month from the date of notification of the license grant. This installation shall be established by an official installation report signed by the representative of the territorial forest administration and the beneficiary¹. In this context, it is noteworthy to mention that the legislator did not specify the authority to which appeals can be submitted in cases of abuse or legal violations by the provincial committee in charge of examining requests for recreational forest exploitation licenses².

It is worth noting, in the context of granting licenses for the exploitation of recreational forests, the necessity of adopting digitalization and electronic platforms as a strategic option that aligns with the requirements of modernizing public services and enhancing transparency and efficiency in the management of forest resources. Adopting digital platforms for publishing specifications book, submitting license applications, reviewing files, and enabling project owners to track the processing stages will reduce procedural complexities, minimize bureaucracy, and uphold the principle of equal opportunities for investors. Digitalization also allows for the creation of up-to-date databases that enable the administration to monitor compliance with contractual and environmental obligations stipulated in Executive Decree No. 06-368. Therefore, integrating digital technologies into the management of this sector represents a strategic step towards more efficient and sustainable management of the national forest domain.

3.2 The Effects of Forest Recreation Exploitation License

Forest recreation exploitation license entails several obligations for the beneficiary, which he must respect and adhere to under penalty of having the license withdrawn from him. On the other hand, it also guarantees for the beneficiary rights against the administration. Each of these obligations and rights is precisely defined in Executive Decree No. 06/368, and the general specifications book attached to it, as well as the Interministerial Circular No. 156, mentioned above.

The Algerian legislator has granted the forestry department the authority to monitor the exploitation of recreational forests and ensure compliance with the terms of

¹ - Interministerial Circular No. 156, Op.Cit, P 04.

² - Hanouni Nasreddin, Usage in Algerian Forestry Law: Which Legal System, Op.Cit, P 132.

the signed agreement. The beneficiary of a recreational forest exploitation license is required to adhere to the following obligations:

- Respecting the boundaries of the recreational forest: the beneficiary must adhere to the pre-defined boundaries determined in the special specifications book for the concerned forest. This document is accompanied by a site condition report issued at the time the permit is granted, providing a precise description of the premises, existing facilities, and plantations, in accordance with Articles 3 and 4 of the general specifications book annexed to Executive Decree No. 06-368.

- Protection of the natural environment: The beneficiary must ensure that forest exploitation harmonizes with the site's natural framework. Without any circumstances that may it cause damage, disease, or degradation to the environment. All structures must be lightweight, demountable, and portable, blending with the forest landscape. Solid material constructions are prohibited, except for sewage networks approved in the development plan submitted by the beneficiary and authorized by the specialized committee under the Article 4 of the general specifications book annexed to Executive Decree No. 06-368.

Therefore, according to Article 5 of the general specifications book annexed to Executive Decree No. 06-368, the beneficiary must maintain the recreation forest's environment by cleaning, removing waste, and notifying the regionally competent forest administration of any ecological degradation, such as diseases or parasites.

The beneficiary is also prohibited from cutting down trees or other plant species and may even be required, under the special specifications book, to undertake forest reforestation. According to Article 11 of the general specifications book annexed to Executive Decree No. 06-368, the beneficiary must also prevent users from damaging the forest. In this context, the legislator did not specify the mechanism or method by which the beneficiary should prevent recreation forest users from causing harm. This is because the contractor's right is limited to the exploitation of public property and does not extend to exercising administrative control authority, which are exclusively reserved for the administration.

- Payment of Exploitation fee: The granting of a recreational forest exploitation license entails the payment of a monthly fee by the beneficiary to the public treasury. This amount is assessed by the State Property Services and paid to the regionally competent Property Collector¹. This financial consideration represents one of the primary objectives the administration seeks to achieve through the licensing of public property investment and exploitation².

¹ - Interministerial Circular No. 156, Op.Cit, P 04.

² - Yahiaoui Omar, **The Theory of Public Finance**, Dar Houma for Printing, Publishing and Distribution, Algeria, 2005, p 82. See also: Hamza Daradka, Op.Cit, P 40.

Concerning the rights of the beneficiary of a recreation forest exploitation license, the primary rights are as follows:

- **Duration and Renewal of the Exploitation License:** The exploitation license is granted for a maximum period of 20 years, based on the designated recreation, leisure, and entertainment activities. It can be renewed upon the beneficiary's request, in accordance with Article 6 of Executive Decree No. 06-368 and Article 8 of the attached general specifications book. The renewal request must be submitted to the Secretariat of the Provincial Committee at least six months before the expiration of the current valid license¹.

In the case of the beneficiary's death before the expiration of the license term, their heirs or rightful claimants may request to maintain the activity for the remaining period, under the Article 8 of Executive Decree No. 06-368.

- **Obtaining compensation in case of license withdrawal for public utility:** The operation license may not be withdrawn from the beneficiary before the expiration of the term unless it is required by public utility, according to Article 22 of Executive Decree No. 06-368. In this case, the beneficiary is entitled to compensation determined by the State Property Administration based on authorized, self-funded, and documented improvements within the special specification book, in accordance with Article 23 of the same decree.

As for the authority of the administration to monitor the exploitation license, the Algerian legislator has granted qualified agents belonging to the administration in charge of forests the authority of regular monitoring to examine any possible violation by the beneficiary of the legal and regulatory texts related to the authorization to exploit recreational forests². If a violation is detected, the beneficiary is issued a formal notice specifying a deadline to comply with the required instructions and directions to end the violation, after consulting the provincial committee in charge of examining requests for recreational forest exploitation licenses³. If the violation persists after the deadline expires, the forest administration suggests the suspension of the beneficiary's activity to the relevant committee. This suspension is implemented by a decision from the governor in his capacity as the committee chairperson. The beneficiary of the exploitation license can request the regionally competent forest administration to cancel the suspension decision and resume his activity once the reservations that led to the

¹ - Interministerial Circular No. 156, Op.Cit, P 05.

² - Meriem Ben Foughal, Hosni Boukerzara, Urbain forests of the wilaya of Constantine, towards enhancing their role as a space of leisure, **Journal of Human Sciences**, University of Constantine, Issue 03, 2021, p 410.

³ - Omar FakiKi, Adapting and Activating National Forestry Legislation in Accordance with Economic Transformations and Current Challenges, **Journal of Law and Political Science**, University Center of Naama, Issue 02, 2018, p 741.

suspension are removed¹.

In all cases, if the beneficiary fails to bring his recreational forest exploitation activity into compliance with the legal provisions controlling the exploitation license within six months of the suspension of activity, the State Property Administration declares the withdrawal of the exploitation license. Unless there is a reason required by the public benefit, then it may be withdrawn before the expiration of this period, under the Articles 21 and 22 of Executive Decree No. 06-368.

4- Conclusion

Recreational forests considers an essential component of the national forest estate, and the licensing for its exploitation falls within the efforts exerted by the state to achieve a balance between the need to protect and enhance forest resources and to meet human recreational needs related to nature and ecotourism. Based on our research of the legal texts regulating the licensing of recreational forest exploitation included in Executive Decree No. 06/368, its annexed general specifications book, and Interministerial Circular No. 156 concerning the implementation of the provisions of Executive Decree 06/368, we have reached several results and recommendations as follows:

Results of the Study

- Recreational forests are subject to a special legal framework based primarily on the provisions of Law No. 23/21 relating to forests and forest resources, and Executive Decree No. 06-368, which specifies the conditions and procedures for granting a license to exploit recreational forests. This confirms the regulated nature of this activity and reflects the Algerian legislator's endeavor to value forest property allocated for recreation and leisure as an essential component of national assets, enabling the optimal exploitation of this natural resource and contributing to ensuring economic and social development.

- The Algerian legislator's attention to protect and preserve recreational forests is evident through subjecting them to a special legal framework that balances the requirements of protection and the requirements of organized exploitation. The legislator has enshrined the principle of prior authorization and subjected exploitation to precise specifications book, while enabling the forestry administration to have the authority to monitor and withdraw the license in case of breach of obligations, reflecting a clear legislative will to preserve the national forest estate and ensure its sustainability for successive generations.

¹ - Interministerial Circular No. 156, Op.Cit, P 04.

- Recreational forests represent a model for embodying the principle of sustainable development by reconciling the protection of forest resources with their exploitation for recreational and tourism purposes.

- The license to exploit recreational forests constitutes one of the promising investment areas that young investors can enter, especially those who benefit from state subsidies through various support and employment agencies. This also allows for the provision of new job opportunities in the field of services related to ecotourism and recreational activities.

Recommendations of the Study

- The need to digitize the procedures for granting licenses to exploit recreational forests and monitoring their implementation, in order to ensure transparency and reduce processing deadlines, as well as enabling the administration to monitor the extent to which contractual and environmental obligations stipulated in the relevant legal texts are respected.

- The need to integrate environmental impact studies as a basic condition before granting a license to exploit recreational forests, as they are a practical embodiment of the precautionary principle and the requirements of sustainable development. They represent a scientific and legal tool for assessing the potential impacts of projects on forest ecosystems, thus ensuring the rational exploitation of recreational forests and preserving them for future generations.

- The necessity to promote environmental awareness of the importance of forest resources as a fundamental pillar to ensure the rational exploitation of recreational forests and their protection from degradation and depletion. The legal framework alone is not sufficient to achieve effective protection unless it is supported by a societal culture based on respect for ecosystems and an understanding of their ecological, economic and social value. Therefore, establishing responsible environmental behavior among visitors and investors, through continuous awareness and educational programs, contributes to enshrining the principle of sustainability and enhances the sense of collective responsibility towards protecting the national forest estate, thus ensuring the continuity of these spaces for present and future generations.

- Guiding young people towards investing in ecotourism and exploitation of recreational forests is crucial, as it represents a promising sector that combines economic viability with sustainable environmental practices. This allows for the integration of youth into a development dynamic based on the sustainable use of natural resources. Therefore, supporting young entrepreneurs in this field through financing, training, and technical assistance will strengthen the green economy and foster a responsible investment culture grounded in environmental respect and the achievement of sustainable development.

In conclusion, it is worth noting that the future prospects for research in recreational forests are promising and multidimensional, based on reconciling development and environmental conservation, especially in light of climate change, with the use of modern technology and the promotion of community participation in preserving forest resources. The state's orientation towards the green economy and sustainable tourism makes this field fertile ground for both academic studies and applied projects.

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