

Towards an Integrated Environmental Policy in Algeria

نحو سياسة بيئية متكاملة في الجزائر

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Abstract:

This study aims to activate the role of environmental policy in Algeria. It employs both historical and descriptive-analytical methodologies. The historical approach traces the evolution of the environment and the Sustainable Development Goals (SDGs). Concurrently, the descriptive-analytical method examines relevant laws, legislative texts, and regulations to deduce key objectives and achievements in the environmental field, including Algeria's adoption of a National Charter for Environment and Sustainable Development within the Framework of an integrated environmental Policy.

Keywords: Environment; Charter; Constitution; environmental politics; Treaties; Environmental Legislation.

ملخص:

تهدف الدراسة إلى تفعيل دور السياسة البيئية في الجزائر، اعتمدت في ذلك على منهجين التاريخي والوصفي التحليلي، فتطرقت للمنهج التاريخي لمعرفة التطور الحادث في البيئة وكذا تطور أهداف التنمية المستدامة، إلى جانب ذلك اعتمدت المنهج الوصفي التحليلي لدراسة أهم القوانين والنصوص التشريعية والتنظيمية ذات الصلة بموضوع الدراسة، لاستخلاص أهم الأهداف والنتائج المتوصل إليها في مجال البيئة من بينها تبني الجزائر ميثاق وطني للبيئة والتنمية المستدامة في إطار سياسة بيئية متكاملة.

الكلمات المفتاحية: البيئة، الميثاق، الدستور، السياسة البيئية، معاهدات، التشريع البيئي.

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Introduction:

The global landscape is increasingly marred by severe environmental challenges, including air, water, and soil pollution, climate change, and the loss of biodiversity, issues that transcend the problem-solving capacities of individual nations. This predicament has galvanized the international community to develop comprehensive environmental agreements and legal frameworks since the 1972 United Nations Conference on the Human Environment.

Nations are now pledged to implement these agreements, embracing the ethos of sustainable development to safeguard the rights of future generations. Since its accession to the United Nations in 1962, Algeria has actively engaged in ratifying numerous international environmental accords, demonstrating a commitment to the principles of environmental sustainability through its policy and legislative endeavors.

This study seeks to dissect the overarching legal architecture governing environmental protection in Algeria, delving into the associated challenges, and shedding light on the essential principles of sustainable development and their national implementation. It will provide a thorough examination of the extensive and specific environmental challenges faced both in Algeria and on a global scale, evaluating Algeria's initiatives to forge a comprehensive legal infrastructure to support environmental policy and conservation efforts. Furthermore, the study will spotlight exemplary practices in environmental management, both nationally and internationally.

To fulfill the objectives of this research, it adopts both historical and analytical methodologies. The historical dimension facilitates an understanding of the evolution of environmental concerns, the genesis and progression of sustainable development concepts, and the evolution of environmental governance in Algeria. Concurrently, the descriptive-analytical method is employed to scrutinize the key laws, legislative texts, and regulations pertinent to the environmental sector, with the aim of extracting significant goals and insights. Establishing the framework of the study leads to the pivotal inquiry:

- Has Algeria, through its environmental policies and legal frameworks, effectively safeguarded its environment, adhering to both national and international standards for environmental preservation, and adequately addressed the associated environmental and developmental challenges?

Sub-questions under this problematic include:

- To what extent does political thought align with legal text regarding sustainable environmental development?
- What are the most important legal measures taken by the Algerian state to ensure the success of its environmental policy?
- What are the legal frameworks for addressing environmental challenges?
- How much has Algeria benefited from international experiences related to environmental sustainability?

1. Comprehensive Framework of Environmental Law:

The realm of environmental protection is unique because it is not confined to legislation that directly pertains to the environment. Instead, it encompasses a broad spectrum of legislative texts that incorporate environmental safeguards as a significant component. This integration has elevated environmental law beyond mere regulatory statutes, recognizing the right to a healthy environment as a constitutional entitlement and securing its place at the pinnacle of state priorities, as enshrined in the constitution.¹

The Algerian legal framework has evolved in response to global advancements in environmental protection laws, aiming to bridge the gaps in national environmental legislation and harmonize the objectives of environmental conservation with sustainable development goals.

This evolution has culminated in the constitutional acknowledgment of the right to a healthy environment, which takes precedence over economic and social statutes². My analysis covers the evolution of environmental law in Algeria, examining various legislative acts, constitutions, treaties, and agreements that Algeria has actively engaged in. The discussion extends to the reinforcement and fortification of environmental law and its adaptation to emerging challenges.

1.1 Strengthening and Consolidating Environmental Law:

The Algerian legislative response to environmental concerns, exacerbated by rapid industrial expansion and a lack of anticipatory and preventive research on its adverse effects³, has led to the integration of several new principles into environmental legislation⁴. These principles lay the foundation for environmental protection law, highlighting its significance and role in fostering sustainable development⁵ and managing the interplay between humans and the natural world. Key components of this legislative framework include:

- The Environmental Information Authority, tasked with the collection, analysis, and dissemination of environmental data from diverse sources.⁶
- An environmental information network providing practical, financial, statistical, and economic insights into the environmental landscape and its challenges.⁷
- Legislative-established environmental standards defining the quality and safety benchmarks for environmental elements and related activities.⁸

The constitutional backdrop, especially the principle of "environmental rights," underpins all legislative advancements in Algeria. These constitutional endeavors, reflective of the collective will due to Algeria's international environmental commitments, will be scrutinized in my study. I will explore the critical phases of Algerian environmental legislation⁹, tracing its journey through colonial times to post-independence, and examining the various constitutions and treaties to which Algeria has been a signatory.

First: Evolution of Environmental Protection Law During the Colonial Period:

During the French colonial era (1830-1962), environmental protection in Algeria was rudimentary and largely ineffective, governed by French legal frameworks that overlooked the unique environmental and societal needs of Algeria. This negligence led to substantial degradation of natural resources, evidenced by:

- **Forest destruction:** Colonizers extensively deforested land, cutting down and burning forests to quash resistance and clear space for agricultural, mining, and construction activities. As a result, forest cover plummeted from 6.5 million hectares in 1830 to merely 1.5 million hectares by 1962.¹⁰
- **Depletion of water resources:** Water systems were altered significantly as colonizers constructed dams and channels, redirecting water to support settlements, agricultural initiatives, and industrial endeavors, thereby disturbing the water balance and intensifying water scarcity in arid regions.
- **Soil and air pollution:** Reckless mining and drilling activities were undertaken to exploit mineral resources, including iron, phosphates, and mercury, leading to land degradation and soil contamination with industrial waste and chemicals. Additionally, the air was polluted with emissions from factories and vehicles.

- **Decline in biodiversity:** The relentless hunting and killing of wildlife for sport or commerce by colonizers led to the extinction or severe reduction of certain species.¹¹

Second: Evolution of Environmental Protection Law After Independence:

In the initial post-independence period, Algeria was primarily focused on national reconstruction and socio-economic development, with environmental considerations taking a backseat. The absence of an industrial base initially meant minimal environmental pollution, but legal and institutional gaps in various societal and economic sectors prevailed.¹² Under Law 62/157, the extension of French law was permitted, barring conflicts with national sovereignty¹³. Influenced by the French Fifth Republic's legal system established in 1958¹⁴, Algeria adopted the idea of a Constitutional Council, as prescribed in the 1963¹⁵ constitution. Gradually, the Algerian government recognized the critical need for environmental protection and resource conservation, leading to the enactment of environmental legislation and the establishment of an institutional framework dedicated to environmental governance.¹⁶

The evolution of Algerian environmental legislation post-independence can be segmented into three distinct phases:

A- First Stage: From Independence until 1983

Prominent legislation during this period includes:

- Law of 1967¹⁷
- Law of 1969¹⁸

In the early 1970s and following Algeria's entry into the industrialization phase. The environmental narrative in Algeria began to shift in 1974¹⁹ with the establishment of the National Environment Committee²⁰, the country's inaugural administrative entity dedicated to environmental oversight²¹. Yet, the committee's authority was ambiguously defined until a year post-establishment, and its operational tenure concluded in 1977, transitioning its responsibilities to the Ministry of Water Resources and Land Reclamation. This transition marked the beginning of a period characterized by the shifting of environmental stewardship among various entities and ministries, ultimately leading to the integration of environmental mandates into the constitutional framework.²²

B- Second Stage: From 1983 to 2001

Numerous environmental laws and regulations have been updated worldwide, marking a pivotal period in the legislative protection of the environment. This era was exemplified by the enactment of the 1983 law²³, which established the general principles for environmental protection across various sectors, representing the first comprehensive legislation in this field (now repealed) and explicitly dedicated to environmental protection. Furthermore, numerous entities tasked with environmental preservation were introduced.²⁴

- The 1985 law included a specific chapter on environmental protection measures.²⁵
- The 1987 law pertained to urban planning.²⁶
- The 1989 constitution enshrined environmental protection as a public interest, mandating the state to focus on public health and disease prevention²⁷. It also granted the parliament explicit legislative authority in environmental matters²⁸ for the first time, followed by the 1996 constitution²⁹, which provided general rules related to the environment, living conditions, and urban planning.³⁰

Since the early 1990s, Algerian legislation has seen significant development in the realm of environmental protection and sustainable development. Laws concerning municipal and provincial

governance were enacted³¹, granting extensive powers to the regional and local councils in terms of general development. The urban planning and land use law were introduced to regulate land utilization,³² balancing various human activities with environmental conservation.

Recognizing the importance of water resources, the legislator issued Order No. 96-13, establishing a comprehensive water management policy to meet the needs of various sectors and individuals.³³

- Law No. 01-19 addressed waste management, monitoring, and disposal.³⁴

Environmental protection is not confined to the local sphere but also impacts the international environment. Algeria has therefore established a sound environmental policy serving both local and international interests, participating in numerous environmental conferences and treaties, and ratifying key agreements, notably:

- The Vienna Convention for the Protection of the Ozone Layer on September 23, 1992.³⁵
- The Montreal Protocol on Substances that Deplete the Ozone Layer, concluded in 1987, with Algeria's ratification on September 23, 1992.
- The 1992 Framework Convention on Climate Change, implemented in 1994, ratified by Algeria on March 21, 1993.
- The Kyoto Protocol on Climate Change, adopted in 1997, ratified by Algeria on May 9, 2004, and entered into force in 2015.³⁶
- The Johannesburg Summit on Sustainable Development held in South Africa in 2002 significantly advanced international efforts, laying the groundwork for the emergence of fundamental environmental protection principles, leading to the establishment of new principles in international environmental law.³⁷

This arsenal of treaties, agreements, and protocols, whether bilateral, regional, or international, primarily aims to preserve the environment and maintain it in a clean, viable state for the continuation of human life. Merely joining or ratifying these conventions is not sufficient; a real commitment to implementing the necessary legislative, executive, and administrative measures is essential to ensure the application and adherence to these covenants at the local level.³⁸

C- Third Stage: From 1983 to 2001

This stage involved significant legislative progress in environmental protection in Algeria. Law No. 02-02 pertained to the protection and development of coastal areas, aiming to safeguard, valorize, and sustain the coastal region, integrating it within the national policy for territorial planning and sustainable development³⁹.

However, a notable legislative milestone in this realm was Law 03-10,⁴⁰ which derived its elements and provisions from various sources, primarily international conventions and treaties related to environmental issues, along with national legislation in force. The final declarations and statements from international summits and conferences on environmental matters also served as an additional source, contributing to the formulation of environmental law.

Among these, the 1972 Stockholm Declaration laid down the foundational frameworks and principles and established the concept of "collective commitment to environmental protection," thus marking the initial step towards the globalization and universalization of environmental issues. This declaration obligated all countries, including Algeria, to activate this principle through agreements and united efforts for environmental protection.⁴¹

Additionally, the 1992 Rio de Janeiro Declaration⁴² was a pivotal turning point in environmental policy at both international and national levels⁴³, containing a set of vital principles that guide the rational use of environmental resources and sustainable environmental management⁴⁴.

The participating countries at the Rio de Janeiro conference, Algeria included, concurred on the necessity of providing adequate protection for the environment, coinciding with the advent of the sustainable development concept. The most recent environmental legislation in Algeria establishes a set of new principles aimed at fostering an environmental renaissance in alignment with sustainable development principles adopted internationally,⁴⁵ specifying administrative, judicial, and punitive mechanisms to protect the environment from pollution and unlawful exploitation.⁴⁶

Law 10/03, comprising 176 articles across 11 chapters, aims to establish fundamental principles and rules for environmental protection and the maintenance of ecological balance within the framework of sustainable development⁴⁷. It also defines mechanisms and tools for implementing the sovereignty of environmental protection, such as delineating responsibilities and powers for public authorities, local bodies, civil society, and establishing independent bodies for monitoring, evaluation, and improvement.⁴⁸

Furthermore, it includes provisions for issuing environmental permits for polluting or material-consuming activities, imposing environmental fees on polluters or material consumers, and measures for protecting environmental elements like air, water, soil quality, noise control, establishing protected areas for biodiversity conservation, promoting the use of renewable energies and clean technologies, and waste recycling and disposal.⁴⁹

This reflects Algeria's commitment to addressing the environmental challenges posed by societal modernization,⁵⁰ as discussed in the following sections

1.2 Enhancing Environmental Law Amid Challenges:

Enhancing Environmental Law Amid Challenges: The environmental predicament in Algeria, characterized by water scarcity, recurrent massive wildfires during the summers of 2021, 2022, and 2023, and resulting in considerable loss of human and animal lives, as well as property and natural resources, cannot be overlooked. This situation is compounded by seasonal instability and other environmental disruptions.

On a global scale, escalating temperatures, prolonged droughts, and the transformation of fertile lands into deserts have negatively impacted agricultural output, leading to steep increases in the prices of vegetables and fruits. This, in turn, has eroded the purchasing power of Algerian citizens. The "Groundswell" report by the World Bank highlights the looming threat of significant environmental migration due to water scarcity and drought across North Africa, predicting increased strain on major coastal cities like those in Algeria by the early 2030s, with conditions deteriorating by 2050.⁵¹

Additionally, challenges such as pollution, overpopulation, natural resource exhaustion⁵², and the emergence of the COVID-19 pandemic in 2019, which quickly spread globally by 2020, have further stressed the environment, resulting in widespread mortality and necessitating global lockdowns.⁵³

Addressing these global environmental challenges mandates a unified international response, fostering extensive cooperation among nations to devise comprehensive solutions that promote interconnectedness and integration across diverse economies.⁵⁴

In response to these mounting challenges, Algeria has been proactive in refining its environmental legislation, promulgating laws and mechanisms that advocate for environmental preservation within the sustainable development paradigm.⁵⁵ Notable among these legislative

efforts is Law 10-03, designed to reconcile environmental protection with sustainable growth, delineating individual and collective responsibilities towards environmental stewardship⁵⁶. The legal framework also includes pivotal regulations, including:⁵⁷

- Waste Management, Oversight, and Disposal Law.⁵⁸
- Law No. 04-20.⁵⁹
- Law No. 07-06.⁶⁰
- Law No. 11-02.⁶¹
- Municipal-related law⁶² and Governorate-related law.⁶³

A series of executive decrees, including:

- Executive Decree No. 04-409.⁶⁴
- Executive Decree No. 06-104.⁶⁵
- Executive Decree No. 06-138.⁶⁶
- Executive Decree No. 06-141.⁶⁷
- Executive Decree No. 09-336.⁶⁸
- Executive Decree No. 13-110...etc.⁶⁹

These laws represent some of the most crucial phases in the evolution of the legislative framework for environmental protection in Algeria.

The inception of constitutional recognition of the right to a healthy environment and the state's obligation to protect it began with the constitutional amendment of 2016⁷⁰, articulated in its preamble in Article 68, and was reaffirmed in the 2020⁷¹ constitutional amendment, where the right to a healthy environment was enshrined in the preamble of Articles 21 and 64⁷², thereby elevating it to a constitutional principle. This has had a significant impact on environmental laws and regulations in Algeria.⁷³

In response to this development, Algeria has endeavored to enact and issue a series of legislations and laws aimed at environmental protection, in alignment with the requirements and pillars of sustainable development. The country also focuses on establishing various structures and administrative institutions specialized in the preservation and conservation of the environment.

These entities are responsible for implementing relevant laws and legislation and enshrining the right to the environment in the constitution.⁷⁴ However, the challenge lies in the extent of commitment to the implementation of these legislations and laws, which will be observed in the enforcement of environmental law.

2. Implementation of Environmental Law:

The confluence of legislative and institutional facets in environmental preservation is pivotal, with legislation sculpting the institutions, demarcating their roles, authorities, and the framework for their interaction and coordination.⁷⁵

The institutionalization of independent administrative bodies dedicated to environmental protection and development has been facilitated, empowering parliamentary entities to legislate in environmental conservation and fortify environmental rights⁷⁶. Following the constitutional acknowledgment of these rights, which have now acquired legal enforceability complete with punitive measures for breaches (termed as environmental crimes),⁷⁷ they are safeguarded through criminal and judicial avenues, establishing them as rights amenable to litigation.

The discourse will now pivot to the enhancement of sustainable development objectives and the realization of environmental aspirations.

2.1 Enhancing Sustainable Development Goals:

The Sustainable Development Goals (SDGs) represent a set of ambitious global objectives endorsed by all United Nations member states in 2015, aimed at obliterating poverty in all its forms, preserving the planet and its resources, and ensuring economic, social, and health prosperity for all citizens by 2030.⁷⁸

These goals encompass 17 interrelated targets, including eradicating poverty, achieving zero hunger, promoting good health and well-being, providing quality education, ensuring gender equality, securing clean water and sanitation, enabling affordable and clean energy, fostering decent work and economic growth, advancing industry, innovation, and infrastructure, reducing inequalities, building sustainable cities and communities, encouraging responsible consumption and production, taking climate action, protecting marine and terrestrial life, supporting peace, justice, and strong institutions, and enhancing global partnerships⁷⁹. These objectives are also pursued as part of the UN's agenda in Algeria.⁸⁰

Algeria is proactively engaging in the adoption of policies and economic and financial reforms aimed at diversifying its economic base, stimulating growth beyond the petroleum sector, and improving the living standards of its populace, all while incorporating environmental considerations to align with the ethos of comprehensive and sustainable development.⁸¹

To realize an environmentally, socially, and economically sustainable development paradigm, Algeria is committed to:

- Integrating and operationalizing global sustainable development goals within its national development strategies.
- Enhancing food security metrics and addressing the challenges therein.
- Elevating public awareness about global issues by educating citizens on these objectives and their significance in surmounting such challenges, utilizing various communicational and educational platforms.
- Fostering collaboration and synergy among all entities and institutions tasked with achieving sustainable development, converging their efforts towards attaining the envisioned objectives.⁸²

First: The Constitutional Oversight Mechanism

The constitutional oversight mechanism holds a pivotal role in safeguarding the right to a healthy environment, scrutinizing the constitutionality of laws, and furnishing legal channels for contestations, thus harmonizing this right with other liberties and improving the caliber of environmental legislation dedicated to its protection.⁸³

The 2020 constitutional revision bestowed an institutional dimension upon environmental safeguarding by associating it with the National Economic and Social Council, which provides governmental advisory on environmental issues.⁸⁴ This amendment specifically designated the Constitutional Court with the responsibility of interpreting constitutional provisions and broadened the ambit of challenges to constitutionality, introducing environmental protections that enable citizens to seek constitutional justice in defence of the environment.⁸⁵

Furthermore, the amendment empowered parliamentarians to notify the Constitutional Court and propose legislation, thereby enhancing their contribution to the refinement of environmental laws.⁸⁶ The organic law concerning elections facilitated civil society's access to the parliamentary process, thus augmenting its environmental advocacy.⁸⁷

The inception of the Algerian constitution was markedly influenced by the French model, particularly through prior amendments that amplified the French Constitutional Council's mandate

in safeguarding rights and freedoms.⁸⁸ The introduction of environmental rights into the Algerian constitution in 2016⁸⁹ drew inspiration from France's Environmental Charter of 2004.

This Charter, integrating environmental rights, was influenced by the Declaration of Human Rights and Citizens of 1789 and the 1946 Constitution, utilizing the constitutional significance of the preamble to broaden the constitutional ambit to encompass third-generation rights⁹⁰, as also mirrored in the preamble of the French Republic's Constitution of 1958.⁹¹

The French Environmental Charter of 2004 emerged as a standalone document containing ten articles that delineate the essential principles of environmental rights, encompassing both entitlements and obligations⁹². The French judiciary has played a crucial role in actualizing the constitutional right to the environment, endowing it with legal enforceability. The Constitutional Council underscored the universality of this right, recognizing it as a collective entitlement of humanity and nature.⁹³

In Algeria, the judiciary is constitutionally obligated to uphold human rights, including environmental rights recognized at both international and constitutional levels, and is committed to maintaining the established legal precedents in environmental jurisprudence⁹⁴. The Algerian constitutional framework was notably influenced by the French model,⁹⁵ particularly in embracing individual and collective liberties through the right to a salubrious environment.⁹⁶

This influence is evident in the Algerian adoption of principles seen in the French constitutional revision of 2008⁹⁷

The European Green Charter aspires to facilitate sustainable and eco-friendly development by endorsing renewable energy, recycling, and environmental conservation, steering society towards a green economy by 2030.⁹⁸

Despite Algeria's political resolve to safeguard its environment, evidenced by the creation of an environmental ministry and the promulgation of environmental statutes⁹⁹, there are gaps in the constitutional acknowledgment of environmental rights. These shortcomings manifest in the Algerian constitution's limitation to "citizens" rather than all of humanity and its use of tentative language like "the state works on," as opposed to a more definitive "the state commits to taking all necessary measures."¹⁰⁰

Moreover, the absence of explicit procedural norms renders the right to the environment as a declarative principle lacking in judicial enforceability.¹⁰¹ This lack of comprehensive constitutional integration of critical environmental tenets hampers their judicial application and enforcement, thereby undermining their practical efficacy.¹⁰²

Environmental legislation in Algeria is characterized by its obligatory and punitive nature, necessitating a synchronized effort among various governmental and relevant entities.¹⁰³ Both central and local authorities in Algeria are engaged in environmental conservation, with local administrations endowed with the authority to supervise environmental compliance and generate violation reports for legal action¹⁰⁴.

The Algerian legal framework categorizes all environmental infractions as misdemeanors, falling under the purview of misdemeanor courts. Local governments are tasked with executing environmental safeguards, and the legislation encompasses numerous penal clauses aimed at the protection and management of green spaces¹⁰⁵. The effective implementation of environmental policies in Algeria and the resolution of environmental litigations demand judges who are both proficient and trained in this intricate technical domain, alongside specialized environmental experts to navigate the complexities of environmental matters.¹⁰⁶

Second: The Role of the United Nations in Algeria

Since its accession to the United Nations in 1962, Algeria has been in collaborative endeavors with the United Nations in the realm of sustainable development. The UN framework in Algeria is composed of 17 agencies, funds, and programs, operating under a unified strategic partnership framework that outlines the cooperative priorities over five-year intervals.¹⁰⁷

A. Objectives of the Montevideo Program in Algeria:

Algeria has actively participated in fulfilling the environmental goals of the Montevideo Program through the establishment of environmental laws and policies, adherence to international treaties, formulation of national strategies to tackle environmental challenges, and fostering community involvement in environmental governance.

B. Some Important Results Achieved by the United Nations Environment Program in Algeria:

- Enhanced Algerian capabilities in planning, managing, monitoring, and evaluating environmental initiatives, alongside the development of a national environmental strategy and action plan.¹⁰⁸
- Facilitated the adoption of green economy principles across various sectors, including energy, transportation, tourism, and agriculture, advocating for clean technology and environmental innovation.¹⁰⁹
- Provided technical support and raised awareness among local governments, civil society, and the private sector in diverse environmental spheres, such as water resource management and the conservation of cultural and natural heritage.¹¹⁰
- Bolstered regional and international collaboration in biodiversity conservation, climate change mitigation, pollution reduction, waste management, and the enforcement of multilateral environmental treaties.¹¹¹

According to the United Nations 2020 report and in the context of the COVID-19 pandemic, Algeria led among Maghreb countries (including Tunisia, and Mauritania) yet trailed behind European nations such as Denmark, Sweden, Portugal, Italy, France, and Spain. Algeria demonstrated proficiency in sectors like health and well-being, quality education, economic growth and employment, technological infrastructure, fostering innovation, and developing smart cities and communities.¹¹²

These factors significantly influence sustainable development, juxtaposed with Algeria's lesser measures in addressing climate change. The nation encounters formidable hurdles in attaining the Sustainable Development Goals (SDGs) and their extensive indicators, in comparison to the more developed European counterparts, owing to its fragile political and economic framework, and insufficient investments in pivotal human development areas like education, health, and living standards, which are vital for enduring advancement in civilization and technology.¹¹³

While Algeria has progressed in reducing malnutrition rates, it still falls short of meeting the ambitious objectives set by the second goal of the Sustainable Development Goals 2030, which is the complete eradication of poverty and hunger, highlighting the need for intensified collective efforts in this direction.¹¹⁴

Therefore, promoting and activating sustainable development goals at the national level is among the most critical challenges facing Algeria and other nations, as it strives to fulfill the objectives of sustainable development¹¹⁵. This endeavor is manifested through the following actions:

2.2 Achieving Environmental Goals and Objectives:

Algeria places significant emphasis on attaining environmental and sustainable development goals, considering environmental policy as a key strategy for long-term sustainable development.¹¹⁶ Algeria aims to achieve sustainable development by balancing the fulfillment of individuals' livelihood needs with the conservation of the environment and its natural resources, within the Earth's capacity.¹¹⁷

The state plays a crucial role in environmental protection, through regulatory authority responsible for overseeing and monitoring all environmental matters¹¹⁸. This authority is endowed with specific mechanisms in environmental legislation, such as the Environmental Impact Assessment system,¹¹⁹ which necessitates conducting preliminary studies for development projects, structures, institutions, factories, artistic works, and construction programs to assess their negative or positive impact on the environment¹²⁰. Regulatory authority also includes the issuance of licenses or permits for classified establishments or protected areas that pose a risk or benefit to the environment.¹²¹

Furthermore, the state develops strategic environmental plans aligned with the principles of sustainable development, outlining the goals, programs, and priorities in the environmental sector for specified periods. These plans are based on the participation of all stakeholders in the environmental sector, whether governmental, private, or civil society.¹²²

This reflects Algeria's political will to enhance the environmental sector and solidify both national and global environmental goals present in the constitution or derived from international agreements and treaties, evidenced by the establishment of the Ministry of Environment and Renewable Energies in 2017,¹²³ shortly after the constitutional recognition of the right to a healthy environment in 2016.¹²⁴

Algeria has adopted environmental policy tools under the principle "the more you pollute, the more you pay," leading to the imposition of environmental taxes on the most polluting activities. However, not all revenues from the environmental fees imposed on polluting activities have been allocated to environmental protection and pollution control, thus diverting them from their intended objectives of funding activities aimed at environmental conservation.¹²⁵

Algeria proudly boasts the construction of its first eco-friendly city, Ksar Tafilalet, a model city built on a rocky peak in the M'zab region north of the desert. Twenty years ago, Ksar Tafilalet emerged, featuring architecture inherited from centuries past, adorned with desert hues, presenting an ancient historical legacy with modern amenities essential for human needs while preserving the environment.¹²⁶

As part of the United Nations Development System reform process, a cooperation framework between Algeria and the United Nations for the period from 2023 to 2027 has been established. This framework reflects the vision and strategic direction of this partnership, aiming to support vulnerable population groups.

It includes United Nations agencies, funds, and programs present in Algeria, as well as some United Nations entities not present, selected in coordination with the Algerian government, which will provide their expertise as needed in priority areas identified by the Algerian side.¹²⁷

Algeria has also funded environmental activities, including green clubs in educational institutions, landfill projects for waste disposal, and facilitated the work of many institutions operating in the environmental sector, whether in waste collection and recycling, afforestation, among others.¹²⁸

This framework was signed on November 6, 2022, in an official ceremony attended by officials from both sides and will be effective from 2023 to 2027. It will be implemented through a

joint annual work plan that specifies the activities, indicators, and financial resources. Regular evaluations will be conducted to ensure its effectiveness and alignment with national developments.¹²⁹

Conclusion:

Algeria has made significant efforts to develop a robust legislative system that aligns with the requirements of environmental protection and sustainable development. However, this is insufficient, especially considering the new amendments to the Algerian constitution in 2020, which have yet to cast their influence on the legislative framework concerning environmental matters in Algeria.

Through this study, several key findings have emerged:

- Although Algeria has made some progress in reducing malnutrition rates and hunger, these efforts remain below the level required to achieve the second goal of the Sustainable Development Goals for 2030, which aims to completely eradicate poverty and hunger in all its forms.
- Algeria faces considerable challenges in achieving sustainable development goals and indicators compared to advanced European countries, due to ongoing political and economic instability, as well as insufficient investment in human resource development in health, education, and living standards, severely hindering technological and developmental progress.
- Concurrently, the environmental situation in Algeria is steadily deteriorating due to ineffective and inadequate enforcement of environmental legislation, lax oversight, weak deterrent penalties and punishments, and conflicting policies and directions within public sectors related to environmental affairs, negatively impacting the adoption of stringent and effective decisions to protect the environment and the full allocation of environmental tax revenues towards pollution control.

The study also led to several recommendations, including:

- Enhancing environmental awareness by integrating advanced programs into educational curricula that include environmental education topics, ensuring societal environmental awareness that supports and complements administrative efforts in protection.
- The legal framework should be accompanied by societal awareness and an environmental culture that can be consolidated into a single document to achieve the desired sustainable development, namely a national environmental charter. All programs and projects of state sectors, civil society, and the private sector should align with its directives.
- Given that the environmental legislative system is dispersed across various texts, there is an urgent need to issue a unified law that consolidates all legal texts related to the environmental field across different sectors, to facilitate their efficient use by specialists and interested parties as needed. The existence of a standalone Ministry of Environment will make the issuance of a unified legal text concerning the environment feasible.
- The Algerian state should prioritize the application of sustainable development principles across all economic and social sectors. This necessitates the active participation of all citizens through extensive consultations, culminating in the adoption of a National Charter for Environment and Sustainable Development.
- Continuous communication and engagement around the charter should involve all stakeholders, unifying all societal forces within Algeria in networks to monitor its implementation.

- Learning from the experiences of leading countries in pollution control and attempting to model these experiences through regulatory and technological legal approaches.

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