



Legal regulation of real estate reclamation within the framework of concessions. Read the latest developments in Ministerial Circular No. 02 of 2025.

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Abstract:

Joint Ministerial Circular No. 02 dated June 1, 2025 represents a qualitative step in completing the path of agricultural real estate reform, by settling the old legal situations while granting powers to governors to drop the old usufruct right and amend it with concession contracts that can be declared real estate, and recover unused lands. Among the things it stipulates is the necessity of unifying contract models and facilitating their documentation with the competent authorities, in order to achieve legal security for agricultural investors, and establish actual exploitation rights In a way that enhances food security and national investment.

Keywords: agricultural, ministerial circular, investor, land reclamation, land reclamation specificity. law

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Introduction :

Real estate constitutes an important tool in achieving development at the economic or social level, given its broad connection to various aspects of daily life.

In Algeria, real estate enjoys a special status governed by religious customs and rules and economic and social developments.

With Algeria's recovery of its lands after independence, it encountered the reality that agricultural real estate was characterized by an unstructured financial situation whose organization was absent in most Algerian agricultural regions due to the dispersion of these real estate and the multiplicity of its owners.

Consequently, the large number of disputes among them created an obstacle to the reclamation of the systems for exploiting these lands.

Aware of the importance of the agricultural sector and its contribution to the development of the country's economy, the Algerian legislator has introduced a set of reform methods to advance this sector, such as improving the conditions of farmers by providing them with financial support and assistance in establishing rural housing.

All of this is part of the agrarian reform policy, in addition to introducing modern technologies into production and distributing land to farmers.

This is what prompted the Algerian state, within the framework of its reform policy for the agricultural sector, to take various methods to overcome these difficulties, as the legislator was guided by the idea of generalizing the reform of the legislative policy to agricultural real estate, which started from self-management and then the agricultural revolution.

These two systems were characterized by direct intervention from the state and excessive guidance, management and control of producers, whose role was reduced to mere workers in the agricultural sector, which led to the severance of the link between the farmer and the land¹

They were followed by the system of collective and individual agricultural investments, and finally the agricultural concession contract, leading to reclamation within the framework of the concession, all in order to exploit agricultural real estate.

The importance of agricultural land reclamation is highlighted in increasing production and improving the level of investors.

¹ Sama'in Shama, *The Algerian Legal System for Real Estate Guidance, a Descriptive and Analytical Study*, Dar Houma, Algeria, first edition, 2002, pp. 16, 18.



Agricultural land reclamation also contributes to improving the social conditions of investors, in addition to its contribution to creating a large number of jobs.

Given the specificity of land reclamation within the framework of real estate laws, and the participation of several parties in carrying out reclamation operations, factors lead to improving the yield of reclaimed agricultural lands, and achieving control over the real estate structure from both the material and legal aspects.

However, it is worth noting that despite the positive results achieved by agricultural land reclamation operations in various regions, in reality the application of the legal texts regulating them has encountered a number of obstacles and many problems. We have wondered about the extent to which the legislative texts framing them can be applied to the real estate reality in Algeria, especially in light of the multiplicity of real estate systems, and whether this process has actually been able to achieve its desired goal

Therefore, to what extent does it contribute to achieving the economic development envisaged without compromising the rights of owners?

This research relies on the analytical approach in presenting the problem and studying it through the legal texts related to it. To further understand these problems and delve into discussing them, we decided to divide the topic into two sections:

The first topic: Reclamation OF agricultural lands within the framework of concessions.

The first signs of legal regulation of the agricultural land reclamation process began with the development of an agricultural legal system, with the aim of keeping pace with and implementing the Green Algeria Plan.

Executive Decree 21-432² is considered a legal mechanism with developmental dimensions by all standards that stimulate agricultural development, which has become an important choice for our economic and social policy.

Considering agricultural real estate as the basis for developing the national economy, which prompted the Algerian government to follow a special policy for agricultural lands based on solidarity in order to activate the exploitation of structured agricultural real estate, which has witnessed a number of attacks and violations that justify the necessity of providing legal protection for it, which is reflected in the protection of agricultural production and agricultural lands of the state As well as protecting it from random (illegal) construction, which in Algeria has become one of the very difficult problems facing the reduction of agricultural lands. In an

² Executive Decree No. 21-432 dated Rabi' al-Awwal 28, 1443, corresponding to November 4, 2021, specifies the conditions and methods for granting lands belonging to the state's private property for reclamation within the framework of the concession, amended and supplemented



attempt to activate the value of agricultural real estate, the Algerian legislator has created a method of reclamation through concessions.

Accordingly, in (the first requirement) we address the conceptual framework, while in (the second requirement) we address the conditions for granting reclamation within the framework of concessions.

The first requirement: the conceptual framework

Agricultural land is an essential natural resource for the national economy if exploited properly.

Therefore, its neglect and fragmentation are serious obstacles to agricultural development, especially since land cultivation is the primary occupation of a large segment of the population.

There is no doubt that man is the primary creator of neglect and the victim at the same time.

Neglected land can be repaired and its fertility restored in another way, but this requires many costs and material efforts that have seen the intervention of the Algerian legislator to treat it in a specific legal system. Accordingly, in (the first section) we address the concept of agricultural land, while in (the second section) we address the concept of reclamation.

Section One: The concept of agricultural land

The agricultural sector has witnessed a significant decline in recent decades³, which has had a significant impact on the decline in agricultural production in the country.

Among the important factors behind the decline in the level of agricultural production are the difficulty of small farmers obtaining loans, the scarcity of seeds, fertilizers, pesticides and agricultural tools, in addition to their high prices and the high costs of agricultural services. It is also one of the important factors behind the decline in the level of agricultural production, which threatens not only the future of agriculture but also the future of economic – social development as a whole in Algeria.

Reclamation of agricultural land in Algeria can be a means of population expansion in uncultivated lands in Algeria, which amount to a total area currently left empty or almost empty of population, which works to reduce population density.

First: Definition of agricultural land

Jurists defined agricultural real estate in view of its importance, and among the definitions that viewed it as the original real right, it refers to agricultural real estate, and gives its owner the authority to use, exploit, and dispose of it.

³ Abdul Rahman Jumaa, *Regulating Arab Investment in Desert Lands in Islamic Jurisprudence and Jordanian Law and the Mechanism for Resolving Disputes Arising from Them*, Studies, Sharia and Legal Sciences, Volume 41, Supplement 1, 2014, pp. 487 et seq



The fact that agricultural real estate is what leads to describing ownership with this description⁴.

Agricultural lands are also known as those areas of land that can be exploited agriculturally by planting them with any type of crop.

It is sufficient to consider them suitable for agriculture, even if they are not actually exploited in this context. In the same context, Article 4 of Law No. 90-25 of November 18, 1990, relating to real estate guidance, as amended and supplemented, stipulates the definition of agricultural real estate as: "Every land produced, by human intervention, Annually or over several years, production consumed by humans or animals, or exploited industrially, whether consumption is direct or after conversion

However, this definition has been criticized, as it focused primarily on the technical and economic aspects of agricultural production.

Algerian legislators have overlooked the fundamental legal dimension of agricultural real estate, represented by the property system and its legal nature.

Although agricultural real estate is evaluated from the perspective of its economic function, its essence remains linked to the property and usufruct rights that govern it.

Second: Classification of agricultural real estate:

The legal system of land ownership and possession in Algeria was established on the basis of laws that established rights for individuals to the land they exploit, including the right to dispose of it.

Each type now has a known field whose effects still exist despite the many developments that have occurred throughout Algeria's modern history and up to the present time.

Article 23 of Law (90-25) stipulates that real estate properties are classified into three main categories: private properties, endowment properties, and national properties.

Agricultural lands are included among the national properties, which are considered state property and may only be disposed of in accordance with the stipulated legal controls.

Article 5 of the same law classified agricultural lands based on several scientific and technical criteria, including the nature of the soil, the degree of slope, the climate, and the availability of irrigation water.

They were divided into four main categories: highly fertile agricultural lands, fertile lands, medium-fertile lands, and low-fertility lands.

⁴ Moawad Abdel Tawab, *Agrarian Reform*, without edition number, Dar Al-Kitab Al-Hadith, 1993 AD, p. 9.



Despite this technical classification, the legislator granted the state broad powers regarding the management and exploitation of these lands. Given its strategic importance in achieving food security and economic and social development, by preventing its diversion from its agricultural function, except in specific cases regulated by the Development and Reconstruction Law⁵.

Section Two: The concept of reclamation.

Reclamation of agricultural land is one of the important issues emphasized by the Algerian legislator because of its great economic importance to the individual and society in general, as it contributes to the investment and economic advancement of the country.

Law 83-18 marked a good start to the agrarian reform process in Algeria. However, the years following the law's issuance witnessed a serious decline in the implementation of its provisions, or their frequent violations, giving investors the opportunity to circumvent the law and empty it of its content.

The implementation of Law No. 83-18 addressed the problems of productive farmers, such as outdated traditions and misconceptions, behavioral problems, weak capabilities and activity, poor organization, and a backward technological level. This necessitated the issuance of explanatory texts and others guaranteeing effective protection of agricultural lands, including Decree 21-432, which guarantees reclamation.

First: Definition of agricultural land reclamation before 2021.

The Algerian legislator defined land reclamation under Article 8 of Law No. 83-18⁶, saying, "Any act that makes arable land suitable for exploitation".

It is noteworthy that the Algerian legislator opened the way for all agricultural works and gave examples of them in the second paragraph of the same article, saying, "These works can be focused on water filling, preparation, land purification, preparation, irrigation, reduction, planting, and soil preservation for the purpose of fertilizing and planting it."

From the wording of the paragraph, we realize that the legislator tried to be cautious in enumerating the works that constitute the material pillar of reclamation, so he limited them to a word that could be these works, for example, but not limited to.

It is noted that these works must be carried out using modern scientific and technical methods, which makes them require huge sums of money that can be obtained through loans and agricultural support, in addition to the necessity of rehabilitating the farmer so that it is easy for

⁵ Zerrougui Laila, Omar Hamdi Pasha, Real Estate Disputes, Don R. Qom Edition, Dar Houma for Printing, Publishing and Distribution, Algeria, 2014, p. 196

⁶ Law No. 83-18 of August 13, 1983 relating to the possession of agricultural real estate property, No. 34 of 1983.



him to carry out these works in order to fully implement the reclamation program and double agricultural production⁷.

Second: Definition of agricultural land reclamation after 2021

Land reclamation means any work aimed at putting into production and valuing the capabilities of real estate properties with an agricultural destination to allow annual or multi-year production directed to human, animal or industrial consumption directly or after a transfer⁸.

The second requirement: Conditions for granting reclamation within the framework of the concession

The Algerian legislator intervened legislatively in an attempt to balance public and private interests in agricultural lands, according to a pattern that takes into account and responds to the requirements of the public interest without canceling the guarantees it provides to investors.

On the one hand, it sets limits to avoid the aforementioned conflict by regulating it, and on the other hand, legislative intervention carried a mechanism that establishes, in its entirety, a regulatory system for the agricultural field, in addition to achieving known and desired goals and objectives, and this is done under conditions.

Section One: Conditions related to the land being reclaimed within the framework of the concession.

Referring to the text of Article 05 of Executive Decree No. 21-432⁹, we find that it specifies for us the scope in which this decree is applied, as reclamation within the framework of the concession is installed on lands belonging to public ownership located in desert areas.

Under Article 18 of Real Estate Directive Law No. 90-25, the Algerian legislator defined desert lands as lands located in areas where the rainfall does not exceed 100 mm.

As for lands that bear the same characteristics as desert lands, we do not find any legal reference for this type of land.

Thus, the Algerian legislator left the field open in applying the article and gave discretionary authority to the administrative authorities in both the Agricultural Lands Office in addition to the Industrial Agriculture Development Office in desert lands.

The lands excluded from the scope of application include the following:

⁷ - Tawfiq Ayyad, Acquiring ownership of agricultural real estate through land reclamation, research submitted for a master's degree, Dr. Yahya Fares University, Medea, Faculty of Law, academic year: 2011/2012, p. 03.

⁸ Ahmed Dahha, Al-Saeed Kliwat, Granting agricultural lands for reclamation within the framework of the concession in accordance with Executive Decree 21-432 dated 11-04-2021, Journal of Legal Studies and Research, Volume 8, Issue: 2 2023, p. 03.

⁹ Article 05 Executive Decree No. 21-432 mentioned above



-Lands belonging to the forest sector, which are all lands covered by a forest in the form of plants with a density exceeding 300 trees per hectare, and covered by natural plants of diverse stature and density, according to Articles 13 and 14 of Law No. 90-25 containing the Real Estate Directive¹⁰. It is not permissible to expose forest land without prior permission from the Minister in charge of forests after taking the opinion of the relevant local groups and inspecting the condition of the places.

- Land located within the urban perimeter, which is any plot occupied by a group of buildings, green spaces, or gardens, as well as all plots of land designated for construction within specific deadlines, in accordance with Articles 20 and 11 of Law No. 90-25 containing the Real Estate Directive¹¹.

-Land located in protected areas such as parks and archaeological sites, in accordance with Article 22 of Law No. 90-25¹² containing the Real Estate Directive.

Privately owned and recognized land

Section Two: Conditions related to the investor

Article 04 of Executive Decree No. 21-432 specifies the persons eligible for land reclamation within the framework of the concession on the condition of Algerian nationality, whether they are natural or legal persons

Referring to Article 11 of Decree 21-432, which gives the investor a period of 6 months to begin the reclamation program, unless there is force majeure that prevented the completion of the project, he is also granted a concession for the land to be reclaimed in exchange for an annual royalty.

However, the investor loses the land reclamation in the event of a breach of his legal obligations included in the terms and conditions book after being excused by the National Office for Agricultural Lands by any means (by mail, email address or fax, which is considered to be received by the investor holding the concession within a period of three days from the date of its sending¹³ This is to ensure seriousness on the part of those who reform it.

The Algerian legislator regulated the reclamation of agricultural lands under Decree 21-432.

By reading these articles of this executive decree, we discover that they pose a number of problems, both at the legal and operational levels. This makes the implementation of these provisions on the ground pose a number of obstacles, which led to the amendment of the decree in 2024, followed by Ministerial Circular No. 02 of 2025

¹⁰ See the text of Articles 13 and 14 of Law No. 90/25.

¹¹ See the text of Articles 11 and 20 of Law No. 90/25.

¹² - See the text of Article 22 of Law No. 90/25.

¹³ Article 08 of the Appendix: annex to the terms and conditions that defines the rights and obligations of concessionaires investing in the framework of reclaiming lands belonging to the state's private property through concession, Official Gazette No. 85 dated 11/07/2021.



Section Two: Solving real estate reclamation problems in accordance with the Ministerial Circular of 2025.

Within the framework of restructuring the management of agricultural real estate, the Algerian legislator worked to monitor the exploitation of agricultural or arable real estate, and this monitoring was restricted by the requirement of an administrative license when the investor is an Algerian natural person or a legal person, and an absolute prohibition, when he is a foreigner, from investing in agricultural real estate¹⁴.

The strict monitoring is consistent with Algeria's tradition of reform policy, which carries within it caution against colonialism and at the same time seeks to keep pace with economic openness, which makes investment an engine for economic take-off and job creation.

In addition to the state's directives aimed at facilitating the exploitation of agricultural real estate, Executive Decree No. 21-432, amended and supplemented, enacted special provisions related to agricultural or arable real estate, and opened the way for it to be invested in, but under certain conditions.

The first requirement: addressing the legal problems associated with the agricultural reform sector.

The amendments to the agricultural real estate exploitation laws from independence until 2024 were to the conditions for benefiting from agricultural land in addition to the administrative procedures related to lifting restrictions and obligations on beneficiaries of lands distributed to investors. However, despite all these legislative interventions, the issue of inheritance and the conditions that must be met by the original beneficiary or following death, cancellation of the right or abandonment remained One of the problems that hinders administrative and legal settlement for investors.

Section One: Problems related to the implementation of the provisions of Executive Decree No. 20-265.

The Director General of the Bureau of Industrial Agricultural Development in Desert Lands must take a set of measures in the event that investors are unable to reclaim the entire area granted to them within the framework of the provisions of Executive Decree No. 20-265¹⁵, whether under a concession qualification certificate or after granting concession contracts.

The measures are shown below:

-Submitting the file office to the Expertise and Evaluation Committee in order to amend the qualification certificate and transfer the file to the State Property Services to prepare a concession contract according to the new area, after a negative inspection through which it was proven that the investor was unable to reclaim the entire plot granted to him under the

¹⁴ Article 04 of Decree No. 21-432

¹⁵ Executive Decree No. 20-265 of Safar 4, 1442, corresponding to September 22, 2020, establishing the Office for the Development of Industrial Agriculture in Desert Lands



Legal regulation of real estate reclamation within the framework of concessions. Read the latest developments in Ministerial Circular No. 02 of 2025.

qualification certificate for the concession in accordance with the conditions set out in the terms book and business plan after the concerned party submitted a review request to reduce the area¹⁶.

The Bureau must present the file to the Expertise and Technical Evaluation Committee in order to express its opinion before transferring the file to the interests of the state owners in order to cancel the first concession contract and expose it to a new contract under the reduced area, provided that the area actually exploited is not less than 250 hectares, and it resorts to terminating the contract completely if the area is less than 250 hectares, after a negative inspection through which it was proven that the investor is unable to fully reclaim it The piece granted under a concession contract¹⁷.

The ministerial circular does not envisage a new distribution of agricultural land from private state ownership.

Rather, it primarily aims to regularize the status of the remaining category of farmers who do not have a concession qualification certificate and prepare concession contracts. It also comes in the context of addressing the problems raised by some of the legal provisions contained in Executive Decree No. 20-265, which stand as a stumbling block to the final settlement of this file.

Therefore, this circular came in order to settle the administrative and legal status of investors benefiting from the agricultural plot, who were unable to settle their administrative and legal status despite the availability of legal conditions in them. However, by carefully reading the ministerial circular, we find that it worked to determine the scope of application of the requirements of Articles 12, 17, 18, 19 and 34 Executive Decree 20-265, and made it limited only to investors who had previously been granted by the Court.

As for the files that have not been decided upon by granting the qualification certificate for the concession and preparing concession contracts for them, despite the availability of the conditions for benefiting in advance according to the minutes of the Expertise and Technical Evaluation Committee, as a result of the failure to present the beneficial meaning before the interests of the Bureau for the Development of Industrial Agriculture in Desert Lands in order to complete the procedures.

In this case, the Bureau must cancel the benefit from the same committee, after the meaning does not come close within the period granted to it, whose name is on the list of beneficiaries on its digital platform.

Special deadlines have been set for preparing, signing, registering and depositing the concession contract with the real estate governorates within a period not exceeding fifteen (15) days starting from the date of receipt of the file.

¹⁶ Ministerial Circular No. 02 dated 06/01/2025 regarding the disinfection of agricultural property belonging to the state's private property within the framework of various grant and exploitation formulas

¹⁷ Ministerial Circular No. 02 dated 01/06/2025



Legal regulation of real estate reclamation within the framework of concessions. Read the latest developments in Ministerial Circular No. 02 of 2025.

The real estate governors must announce the concession contract within a period not exceeding eight (8) days starting from the date of its creation. This process applies to land plots located in the same state¹⁸.

However, the field inspection proved that there was non-compliance with the provisions of the joint ministerial decision regarding the preparation and publication of an investment contract by state property interests within the legal period, as there was a delay in preparing concession contracts for beneficiaries within the framework of Decree 20-265 The governors are called upon to supervise and urge the relevant departments to prepare concession contracts and announce them in the real estate registry within the legal period or to notify the rejection decision to the Industrial Agriculture Development Bureau in the desert lands within the same period, while explaining the reason for not taking the action¹⁹.

Section Two: Non-conformity of geographical coordinates with cadastral survey documents and their violation of the provisions of the ministerial decision.

The conformity of geographical coordinates with cadastral survey documents is one of the important pillars for ensuring the validity of real estate operations, protecting real rights, and achieving legal security in the field of real estate, but practical reality reveals the existence of a contradiction between the coordinates approved in the field and those contained in survey documents or extracted from official topographic databases.

Among the solutions provided by the 2025 Ministerial Resolution to resolve problems include:

First: Conducting technical studies

The competent authorities, especially the relevant technical and administrative services, must begin preparing and studying detailed technical reports aimed at identifying the objective and actual reasons for the existence of a mismatch between the data contained in the current survey plans and the joint ministerial decision dated 23 Ramadan 1442 AH corresponding to 5 May 2021, amended and supplemented, related to the transfer of the real estate portfolio to the benefit of the Bureau for the Development of Industrial Agriculture in Desert Lands This is based on field inspections and accurate topographic investigations²⁰.

Second: Amending survey plans

Based on the results of the technical studies referred to above, the competent administrative authorities must make the necessary amendments to the real estate survey plans for the lands concerned, ensuring that these plans are consistent in terms of area, boundaries, and geographical coordinates with the actual situation of the places in the field, in order to correct

¹⁸ Joint Ministerial Resolution dated Shawwal 13, 1442, corresponding to May 25, 2021, which specifies the practical methods for preparing consideration contracts and announcing them in the Real Estate Registry for plots of land owned in two or several states.

¹⁹ Ministerial Circular No. 02 of 2025.

²⁰ Ministerial Circular No. 02 of 2025.



any defect or discrepancy that occurs, and to ensure that real estate data is consistent with tangible reality.

Third: Amending the joint ministerial decision

The necessary legal measures will be taken to amend the amended and supplemented Joint Ministerial Resolution dated 23 Ramadan 1442 AH corresponding to 5 May 2021, which specifies the conditions and methods for transferring the real estate portfolio, ocean areas and boundaries, and the geographical coordinates related to them, with the aim of harmonizing it with the amendments approved on the corrected survey plans, and with the actual status of the lands subject to transfer, to ensure that the regulatory texts are consistent with the real estate reality²¹

Fourth: Unifying legal and technical references

Both the technical documents (survey plans) and the aforementioned joint ministerial decision shall be readjusted and updated in a consistent and integrated manner, in accordance with the geographical coordinates approved in the field, allowing for the elimination of any conflict or duplication between the technical and legal references, and ensuring the validity of the administrative procedures related to the process of transferring the real estate portfolio to the Bureau of Industrial Agriculture Development in Desert Lands, in accordance with the principles of transparency and legal and administrative accuracy²².

Second requirement: Problems related to the application of Executive Fees No. 21-432:

Algerian agricultural real estate faces several challenges regarding the implementation of Executive Decree No. 21-432. It is characterized by a fragile and unstable situation, and despite the efforts of the public authorities, who have paid special attention to agricultural land at the legislative level, the results have remained extremely limited.

Section One: The problem of qualification courses

A legal problem arises regarding the granting of concession qualification courses within the framework of previous reclamation systems, without the actual establishment of the agricultural oceans in question, as these courses were granted for the benefit of the beneficiaries in the absence of the actual establishment of the ocean, which prevented the completion of the procedures for concluding concession contracts in accordance with the applicable legal and regulatory framework.

The Ministerial Circular of 2025 obliges governors to take the necessary legal measures to issue decisions to establish agricultural oceans temporarily, within the limits of the areas granted within the framework of rehabilitation decisions, in preparation for completing the legal process for granting concessions.

²¹ Ministerial Circular No. 02 of 2025.

²² Ministerial Circular No. 02 of 2025.



This must be done within the framework of the provisions of Executive Decree No. 21-432.

Section Two: Implementing the provisions of the joint ministerial decision specifying the methods and deadlines for matching reclaimed lands

The scope of application for matching lands reclaimed without a document, as stipulated in Article 27 of Executive Decree No. 21-432, is:

-Lands that have not been the subject of legal designation, identification and grant procedures, i.e. they are not subject to any of the reclamation and exploitation programmes stipulated by law.

- Actual reclaimed lands that appear and are proven to be reclaimed with justifications before the publication of Executive Decree No. 21-432

Reclaimed lands that were not the subject of private disputes or disputes between exploiters

The ministerial circular obligated the governors to adhere to these conditions to accept and study the settlement files within the framework of Executive Decree No. 21-432, as well as the joint ministerial decision dated November 29, 2022, which specifies the methods and deadlines for matching the reclaimed lands, as amended, especially Article 2 thereof, and falls under the obstacle of the matching committee established pursuant to the joint ministerial decision dated November 29, 2022, mentioned above Deciding on all applications submitted to it and studying their files to make a decision regarding them by word or rejection, after conducting field inspections and investigations.

The committee also considers requesting every document it deems necessary to present confirmation and investigate the actual reclamation status by exploiting the plot of land and the origin and continuity of exploitation and reclamation In accordance with the provisions of the joint ministerial decision dated November 29, 2022, which was mentioned above, it is clarified that the intended dispute in this regard is any serious and justified dispute or judicial dispute

The committee must also record its decisions of acceptance or rejection in reasoned minutes signed by all its work.

The directorates of agricultural interests in the states must also record the committee's minutes containing the rejection in justified decisions signed by the committee chairman and the appointees informed, by all possible means, with notification of receipt, to take what they deem necessary regarding them.

In the event of a decision to grant a concession, the Director of the State Agricultural Services shall prepare the decision to grant the concession for review in accordance with the applicable form and present it to the Governor for his signature.



Conclusion

Through what was previously analyzed in this presentation, several problems were identified according to Executive Decree No. 21-432: the overlap of committees charged with the process of granting land reclamation contracts within the framework of the concession and the inability of local authorities to monitor the areas that have been reclaimed, which makes these areas a fertile field for the loss of ownership away from the control of the competent authorities.

Through what was previously analyzed in this presentation, several problems were identified according to Executive Decree No. 21-432: the overlap of committees charged with the process of granting land reclamation contracts within the framework of the concession and the inability of local authorities to monitor the areas that have been reclaimed, which makes these areas a fertile field for the loss of ownership away from the control of the competent authorities.

We can say that the ministerial circular comes within the framework of the approach envisaged by the Algerian state aimed at simplifying administrative procedures.

It is clear from the above that the Algerian legislator, within the framework of his policy to advance the agricultural sector, has enacted many legal texts aimed at protecting agricultural lands, most notably agricultural real estate reclamation legislation, with the aim of preserving agricultural lands, which positively reflects on their optimal exploitation, and protecting the agricultural real estate balance from extinction.

In conclusion, it is necessary to emphasize something fundamental and important, which is that the ministerial circular clarified the importance of simplifying the procedures for granting land reclamation contracts within the framework of the concession and generalizing them, which differ from those contained in Decree 21-432, which was unable to eliminate a set of procedural problems that prevented the acceleration of the implementation of reclamation projects within the framework of the concession.

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