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Legal Protection Aspects of Sustainable Water Resources in Algeria

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Abstract

Algeria, within the framework of sustainable development, has assigned legal and institutional protection to water resources in order to preserve them from all forms of violation, as well as to regulate their use to ensure their availability for future generations. The primary form of protection concerning water is legal protection, which in turn enshrines other related mechanisms, including administrative and judicial mechanisms. All of these mechanisms ensure water supply through mobilization and distribution in sufficient quantity and required quality, while protecting it from pollution risks, and through the exploration and monitoring of surface and groundwater resources. Ultimately, this enables the state to valorize all types of water resources and control all threats affecting them.

Keywords: water resources, Algeria, protection, sustainable development.

Introduction:

Starting from the year 2000, a specialized ministerial department was established, and water was made a national priority in the fields of legislation, regulation, and budgeting. The constitutional amendment marked the culmination of this process by defining water as property of the national community and obliging the State to preserve the public water domain. According to Executive Decree No. 2000-324 of 25 October 2000, which defines the powers of the Minister of Water Resources, the decree outlines the duties of continuous monitoring of water resources and the resolution of related problems. The ministry, headed by the minister, ensures the rational organization of water resource exploitation, in coordination with all directly and indirectly related actors.

This objective cannot be achieved without a strict legal framework aimed at preserving water resources and regulating their proper use. By virtue of Executive Decree No. 02-68 of 6 February 2002, laboratories for water quality analysis were established. The water sector currently includes more than 198 water analysis laboratories nationwide, affiliated with Algérienne des Eaux and the companies SEAAL, SEOR, and SEACO, in addition to the National Agency of Water Resources (ANRH). Furthermore, the methods for pricing water used in agriculture were defined under Executive Decree No. 05-14 of 19 January 2005. As for the pricing of public water supply and sanitation services and related tariffs, they were set out in Executive Decree No. 05-13 of 19 January 2005.

Regarding the rules governing the exploitation of natural mineral waters and spring waters, their protection provisions were defined by Executive Decree No. 04-196 of 15 July 2004. Law No. 05-12 of 4 August 2005 constitutes the most important legal instrument reflecting Algeria's strategy in managing its water resources, as water represents one of the key inputs of socio-economic development and an essential component of environmental sustainability. The international community has committed to adopting integrated water resources management principles to face increasing global water challenges towards 2030. Algeria has ratified the National Water Plan as a planning and forecasting tool extending to 2035, which includes a set of operations and mechanisms aimed at ensuring water availability while promoting sustainable use. In addition, Law 05-12 on water and its implementing regulations have established a legal and regulatory framework for the management and exploitation of water resources in Algeria.

Hence, the main question arises: to what extent has the Algerian legislator provided special legal protection for water resources?

First: Features of Integrated Water Resources Management in Algeria

At the international level, integrated water resources management is considered a means to achieve effective management of water resources and to overcome the increasing problems and challenges they face. Thus, it is a result rather than an end in itself. Integrated water resources management must aim to achieve three main strategic objectives:[1]

• Efficiency in the use of water resources to the greatest extent possible.

• Equity in the allocation of water among different social and economic sectors and all users.

• Environmental sustainability and the protection of water resources and associated ecosystems.

Accordingly, Algeria established Law No. 05-12 of 4 August 2005 on water as a legal framework aimed at defining the principles and rules governing the use, management, and sustainable development of water resources, considering them as property of the national community. Particular attention has been given to:

• Water supply through mobilization and distribution in sufficient quantity and required quality.

• Preservation of public hygiene and protection of water resources from pollution risks through the collection and treatment of domestic and industrial wastewater, as well as rainwater and runoff in urban areas.

• Exploration and assessment of surface and groundwater resources, as well as monitoring their condition.

• Valorization of non-conventional water resources to improve water reserves, as well as control of harmful floods and protection of persons and property in urban areas and other flood-prone regions.

1- National Strategy for Integrated Water Resources Management

The national strategy for integrated water resources management in Algeria includes the issue of ensuring water supply through three main axes: seawater desalination[2], wastewater treatment[3], and rationalization of consumption[4]. It highlights that seawater desalination will meet drinking water needs, while treated wastewater (2 billion cubic meters per year) will be allocated for irrigation, mainly for fruit trees. Surface water from dams will also be redirected towards agriculture, which allows for the preservation of groundwater resources.[5]

It is worth noting that the components of the public water domain in Algeria, according to Law 05-12, include: groundwater regardless of its nature; surface water consisting of rivers, lakes, ponds, sebkhas, and chotts; sediments and alluvium in watercourses; and non-conventional water resources, which include desalinated seawater, various saline waters, treated wastewater reused for public benefit, and all types of water integrated into water systems through artificial recharge techniques.[6]

Accordingly, Algeria has an estimated water potential of 18 billion m³, including 5 billion m³ of groundwater in the south, 2.5 billion m³ for groundwater mobilization in the north and high plateaus, and 10.5 billion m³ of surface water runoff, including 0.5 billion m³ in the south. In addition, there is an uneven distribution of water resources across the national territory, as well as climatic fluctuations that also have an impact, along with the continuous and rapid increase in water demand.

All these factors have led to the development and implementation of the national policy in the field of water resources.

The number of dams in Algeria reached 80 dams by 2018, with a total storage capacity of 8.6 billion m³. Among them, 36 dams were completed since 1999, which allowed an increase of 5.4 billion m³ in storage capacity, representing more than 25%. Currently, five dams are under construction, which will bring the national surface water storage capacity to approximately 9 billion m³. Since 2000, major water transfer systems have been completed over a total length of 2,550 km, including: the In Salah transfer in Tamanrasset, the Beni Haroun transfer in Mila, the Taksebt transfer, the Koudiet Acerdoune transfer, the Mostaganem–Arzew–Oran transfer, and the West Cheliff transfer.[7]

A- Master Plans for the Development of Water Resources

The Water Law No. 05-12, in its Fourth Chapter, stipulates that master plans for the development of water resources are institutional tools for the integrated management of water resources[8]. For each natural hydrographic unit[9], a master plan is established to define strategic choices for the mobilization, allocation, and use of water resources, including non-conventional water, in order to ensure the satisfaction of water needs for domestic, industrial, agricultural, as well as other economic and social uses. It also ensures both quantitative and qualitative protection of surface and groundwater resources, particularly prevention against risks associated with exceptional natural phenomena such as droughts and floods and their management.

This master plan determines, on the basis of water supply and demand in terms of quantity and quality, development objectives related to the mobilization, development, transfer between hydrographic units, and use of water resources, taking into account economic considerations.

It also sets objectives regarding the rational use, conservation, and sustainable valorization of water resources.

Furthermore, a national water plan is established, defining national priorities and objectives in terms of water mobilization, integrated management, transfer, and allocation. It also sets accompanying measures of economic, financial, organizational, and regulatory nature necessary for its implementation.

A- Institutional Framework for Integrated Water Resources Management

According to Water Law 05-12, a national advisory body is established under the name “National Consultative Council for Water Resources.” It is responsible for studying strategic options and implementation tools of the National Water Plan, as well as all water-related issues on which it is requested to provide an opinion. This Council is composed of representatives of public administrations, local authorities, relevant public institutions, professional associations and/or users.[10]

Integrated water resources management at the level of each natural hydrographic unit is carried out by the Hydrographic Basin Agency. Furthermore, regulatory functions of public water services may be exercised by an independent administrative regulatory authority, which is responsible for ensuring the proper functioning of public water services, while taking into account, in particular, the interests of users. It carries out the following tasks:

- Contributes to the implementation of the public water services management system and the preparation of related standards and regulations.
- Ensures compliance with the principles governing tariff systems and monitors the costs and pricing of public water services.
- Conducts all investigations, expertise, studies, and issues reports relating to the evaluation of service quality.

Thus, integrated water resources management is a process or mechanism that promotes the coordinated development and management of water, land, and related resources, in order to achieve economic and social welfare in an equitable manner, without compromising the sustainability of vital ecosystems. It is therefore considered a stage of sustainable development.

Given that the pillars of integrated water resources management are based on: providing an enabling environment, the effective use of available administrative and technical tools, and a comprehensive institutional framework[11], Algeria has begun with a legislative framework translating water policies and establishing a regulatory framework defining the various functions related to water resources, starting from the assessment of water resources and the development of integrated management plans. This reflects the State's concern for water resources.

2- The Legal Regime for the Use of Water Resources in Algeria

Any use of water in Algeria, regardless of its nature, is subject to a permit or concession issued by the competent administration, in accordance with the provisions of Law No. 05-12 on water and its implementing regulations.[12]

Law No. 05-12 also provides common provisions for both water use permits and concession regimes, from Articles 85 to 93. It further regulates related agreements from Articles 94 to 99. In addition, its Sixth Chapter, dedicated to public water supply and sanitation services, includes a section concerning the granting of public service concessions.

A- Legal Regime of the Permit for the Use of Water Resources

The permit for the use of water resources is considered a public law contract. It is granted to any natural or legal person, governed either by public law or private law, upon submission of an application in accordance with the applicable legal and regulatory provisions.[13]

The water use permit regime applies to operations involving, in particular:

- The construction of wells or boreholes for groundwater extraction.[14]
- The construction of exploratory facilities not intended for commercial exploitation.
- The construction of structures for diversion, pumping, or retention, excluding dams, for the extraction of surface water.
- The establishment of any other facilities or structures for the extraction of surface or groundwater.

The permit application is submitted to the provincial (wilaya) administration responsible for water resources, accompanied by an official document proving land occupancy for the site where the intended water extraction facilities will be established. Executive Decree No. 21-260 further provides that applicants for groundwater use permits on municipal lands or State-owned property may justify land occupancy through any document proving possession and use issued by the competent municipal or agricultural authorities.

This decree also states that the water use permit is granted by a decision of the Governor, based on the results of a technical assessment prepared by the wilaya administration responsible for water resources. This assessment involves consulting bodies responsible for evaluation and integrated water resources management, namely the National Agency of Water Resources, the National Agency for Integrated Water Resources Management, as well as the services of fisheries, agriculture, and the environment.

B- Legal Regime of the Concession for the Use of Water Resources

The concession is also a public law contract, granted to any natural or legal person, under public or private law, who submits an application for this purpose. The concession regime for the use of water resources applies, in particular, to operations involving the following:

The following operations fall under the concession regime:

- The execution of drilling works for water extraction in fossil groundwater systems or slow-renewing aquifers, for agricultural or industrial uses, particularly in desert areas.
- The establishment of groundwater or surface water extraction facilities through connection to water distribution systems, in order to ensure independent supply to regions or industrial units.
- The construction of seawater desalination facilities or desalination and demineralization of saline water for public utility purposes or to meet private needs.
- The implementation of projects aimed at using treated wastewater for individual or collective agricultural uses or for industrial purposes.
- The development of exploration activities for natural mineral waters, spring waters, or so-called "table waters" (groundwater of recognized quality) intended for commercial exploitation for consumption.

- The development of exploration or drilling activities for thermal spring waters that have been recognized for their therapeutic properties, for curative and rehabilitation purposes.
- The construction of structures and implementation of operations on surface water reservoirs and lakes for aquaculture development, inland fishing, or recreational and therapeutic activities.
- The construction of facilities downstream of dams, water points, and transfer structures for supplying hydroelectric plants.

Second: Legal and Institutional Mechanisms for the Protection of Water Resources in Algeria

The Algerian legislator has established legal mechanisms, including penal instruments, aimed at providing the highest possible level of protection for water resources. Most legal provisions are mandatory in nature, meaning they cannot be violated, and are accompanied by sanctions. In addition, specific administrative and institutional bodies are entrusted with monitoring and controlling any harmful activity affecting water resources in Algeria.

1. Judicial Protection of Water Resources in Algeria

Judicial protection of water resources in Algeria involves the intervention of the judiciary in examining various legal actions brought by victims or by the public prosecutor following crimes provided for under the legislation in force in the field of water resources. This protection includes both civil sanctions in the form of compensation and criminal sanctions involving imprisonment or fines.

A- Civil Liability for Damage to Water Resources in Algeria

When civil liability is established against the party causing damage, civil sanctions are applied in accordance with the rules of civil liability under civil law, particularly Article 124, which states that anyone who causes harm to others is obliged to compensate for it. Compensation is material and aims at repairing the damage resulting from an unintentional act.[15]

However, public utilities responsible for drinking water supply, sanitation, and irrigation have the right, in the event of damage to irrigation infrastructure or interference with public property under concession or license, to claim compensation from the person(s) responsible for the damage or the offender for the resulting costs and harm. In this case, they may act as a civil party before the competent judicial authority before which the case is brought.

It should be noted that protection against pollution provided by Law No. 05-12 on water also includes preventive provisions aimed at avoiding all forms of water pollution. However, if water pollution occurs and causes damage, a civil action may be brought to claim financial compensation. It is prohibited to discharge or dump wastewater into wells, boreholes, water junction areas, springs, or public drinking water points, etc. It is also prohibited to deposit or bury unhealthy substances that may contaminate groundwater, or to introduce any type of harmful material into water infrastructure used for water supply, as well as to dump and/or bury corpses in water environments.

In the case of an insurance contract covering civil liability for environmental damage related to water, insurance companies are responsible for compensating the victim according to the extent of the damage. However, if the damage is caused by the State, the State self-insures and there is no need for intervention by insurance companies.[16]

It should be noted that the risks of environmental pollution in general, and water pollution in particular, are often significant and severe, and their cost is higher than the insurance amount agreed upon in the insurance policy. This is due to the multiplicity of victims, the diversity of forms of damage, and the variation in the time of occurrence. Therefore, Water Law 05-12 provides preventive legal provisions aimed at avoiding the occurrence of such damages as much as possible, from Articles 43 to 52.

B- Criminal Liability for Any Harm to Water Resources in Algeria

Water Law 05-12, in Articles 166 to 179, establishes a set of offences and specifies their penalties, as follows:

- Any natural or legal person who intentionally or accidentally discovers groundwater and, being present at the time of discovery, fails to report it to the competent regional water administration, shall be punished by a fine ranging from 5,000 DZD to 10,000 DZD.
- Any new construction, planting, fencing, or any act that harms the maintenance of riverbeds and similar areas within riparian buffer zones or areas subject to easements of riparian protection shall be punished by a fine ranging from 50,000 DZD to 100,000 DZD, with the penalty doubled in case of recidivism.
- Anyone who extracts silt or sediments by any means, particularly through the establishment of sand quarries in riverbeds, shall be punished by imprisonment from one to five years and a fine ranging from 200,000 DZD to 2,000,000 DZD. The equipment used in such activities may also be confiscated.
- Any act that obstructs the free flow of surface water in riverbeds, affecting the stability of banks and public structures and harming the preservation of sediment layers, shall be punished by imprisonment from two months to six months and a fine ranging from 50,000 DZD to 100,000 DZD, or by one of these penalties only. The penalty is doubled in case of recidivism.
- Any construction of new wells or boreholes, or any modification of existing structures that would increase extracted water levels without authorization, shall be punished by imprisonment from six months to three years and a fine ranging from 50,000 DZD to 1,000,000 DZD. Equipment used for such purposes may be confiscated, and penalties

are doubled in case of recidivism

- Any person who discharges, releases, or deposits any type of substances that do not constitute a toxic hazard or damage to public water property without authorization shall be punished by a fine ranging from 10,000 DZD to 100,000 DZD, with the penalty doubled in case of recidivism.
- Any person who causes pollution as defined in Article 46 of the Water Law shall be punished by imprisonment from one to five years and a fine ranging from 50,000 DZD to 1,000,000 DZD, with the penalty doubled in case of recidivism.
- Any classified installation, particularly industrial units, that causes polluting discharges shall be punished by a fine ranging from 100,000 DZD to 1,000,000 DZD, with the penalty doubled in case of recidivism.
- Any operations subject to the permit regime for the use of water resources carried out without a permit shall be punished by imprisonment from six months to two years and a fine ranging from 100,000 DZD to 500,000 DZD. The equipment used in such activities may be confiscated.
- Any operations subject to the concession regime for the use of water resources carried out without a concession shall be punished by imprisonment from one to five years and a fine ranging from 100,000 DZD to 500,000 DZD. The equipment used in such activities may be confiscated.
- Any natural or legal person supplying water intended for human consumption who fails to ensure compliance of this water with drinking water and/or quality standards shall be punished by imprisonment from one to two years and a fine ranging from 200,000 DZD to 1,000,000 DZD, with the penalty doubled in case of recidivism.
- Any discharge into the public sanitation network or into a wastewater treatment plant of non-domestic wastewater without authorization from the administration responsible for water resources shall be punished by imprisonment from two months to six months and a fine ranging from 100,000 DZD to 500,000 DZD, or by one of these penalties only, with the penalty doubled in case of recidivism.
- Any introduction of solid, liquid, or gaseous substances into sanitation facilities and infrastructure that may harm the health of operating personnel or cause disruption to wastewater collection, drainage, and treatment systems shall be punished by imprisonment from six months to one year and a fine ranging from 100,000 DZD to 500,000 DZD, with the penalty doubled in case of recidivism.
- Any use of untreated wastewater for irrigation shall be punished by imprisonment from one to five years and a fine ranging from 500,000 DZD to 1,000,000 DZD, with the penalty doubled in case of recidivism.

2- Institutional Mechanisms for the Protection of Water Resources in Algeria

The Algerian legislator has entrusted several administrative bodies with ensuring the protection of the water sector in general, some of which are explicitly mentioned in Law No. 05-12 relating to water.

A- Institutional Bodies Provided for in the Water Law

Water Law No. 05-12 specifically provides, in its Title IX, for the “Water Police”, which consists of officers affiliated with the administration responsible for water resources. These officers exercise their powers in accordance with their legal statutes and the provisions of the Code of Criminal Procedure. Violations of this law are subject to investigation, inspection, and inquiry carried out by judicial police officers as well as water police agents. Offences are recorded in reports stating the facts and the statements of the persons concerned.

For the purpose of investigating and identifying violations, water police officers are entitled to enter installations and structures operated under the use of public water property. They may also require the owner or operator of such facilities to put them into operation in order to conduct the necessary investigations, and they may request access to any documents required for the performance of their duties.

Water police officers are empowered to bring any person caught in the act of infringing public water property before the Public Prosecutor or the competent judicial police officer, unless the offender’s resistance poses a serious danger to them. In such a case, the offender’s resistance must be recorded in the offence report.

During the exercise of their duties, water police officers may request the assistance of public force.

B- Other Institutional Bodies Responsible for the Protection of Water Resources in Algeria

These include, in particular:

- The Ministry of Water Resources and Water Security

It is the primary authority responsible for ensuring protection and enforcing control over the water sector in Algeria. It includes the Minister[17], the Chief of Staff, the Secretary-General, and the General Inspectorate[18], which comprises several specialized directorates, each including sub-directorates, namely:

* Directorate of Studies and Irrigation Development (DEAH)

* Directorate of Mobilization of Water Resources (DMRE)

* Directorate of Drinking Water Supply (DAEP)

* Directorate of Sanitation and Environmental Protection (DAPE)

* Directorate of Agricultural Irrigation (DHA)

* Directorate of Budget, Means and Organization (DBMR)

* Directorate of Human Resources, Training and Cooperation (DRHFC)

* Directorate of Planning and Economic Affairs[19]

- The Algerian Water Company

Pursuant to Executive Decree No. 01-101 of 21 April 2001, it is a national public industrial and commercial establishment (EPIC) with legal personality and financial autonomy. It operates under the supervision of the minister responsible for water resources.

This institution is responsible, within the framework of national development policy, for managing the production, transport, treatment, storage, transfer, distribution, and supply of drinking and industrial water, as well as the renewal and development of its related infrastructure. It replaces all national, regional, and local public institutions previously responsible for the public service of producing and distributing drinking water.

- National Sanitation Office (Office National de l'Assainissement)

Pursuant to Executive Decree No. 01-102 of 21 April 2001, the National Sanitation Office is a public industrial and commercial establishment with legal personality and financial autonomy. It operates under the supervision of the minister responsible for water resources and is entrusted, particularly within the framework of implementing the national development policy, with ensuring the preservation of the water environment throughout the national territory.

Accordingly, it is responsible, by delegation, for supervising the construction works, operation, and management of major sanitation infrastructure within its field of competence. Its functions include combating all sources of water pollution in the areas under its jurisdiction, as well as managing and operating all facilities dedicated to urban sanitation, particularly wastewater collection networks, pumping stations, wastewater treatment plants, and marine discharge systems in urban and municipal areas, as well as in tourism and industrial development zones.[20]

- Hydrographic Basin Agencies

There are five Hydrographic Basin Agencies in Algeria, covering the regions of the Sahara, Chéliff, Oran, Constantine, and Algiers. Their primary mission is to regulate water resources and maintain water balance within each hydrographic basin, in accordance with Law No. 83-17 of 16 July 1983.

To this end, they collect all statistical data and documentation relating to water resources, water abstraction, and water consumption. They also participate in the preparation of master plans for the development, mobilization, and allocation of water resources initiated by the competent authorities. In addition, they provide technical opinions on applications for permits concerning the use of water resources belonging to the public water domain. They are also responsible for preparing plans for the distribution of water resources mobilized through major hydraulic infrastructure among different users. One of their most important functions is participation in monitoring and controlling the level of pollution affecting water resources.[21]

- National Office for Irrigation and Drainage

The National Office for Irrigation and Drainage is a public administrative institution with legal personality and financial autonomy. Within the framework of the National Development Plan, it is entrusted with conducting studies relating to irrigation, watering, and drainage, as well as constructing and managing the related infrastructure.

It is also responsible for establishing standards for the initial installation of agricultural irrigation equipment and determining their costs, as well as preparing economic data systems used in setting the price of water utilized in agriculture. More generally, it is tasked with ensuring the quantitative and qualitative preservation of water resources in coordination with the relevant authorities and institutions.

- National Agency for Dams and Water Transfers

The National Agency for Dams and Water Transfers is a public industrial and commercial establishment with legal personality and financial autonomy. It operates under the supervision of the minister responsible for water resources. Its main mission is the production and supply of water to institutions and municipal agencies responsible for its distribution, as well as the management and maintenance of infrastructure used for the mobilization and transfer of surface water resources.

Accordingly, it supplies water distribution companies and municipal agencies pursuant to agreements concluded with water distribution institutions. It is also responsible for carrying out technical inspections and monitoring operations, and for ensuring the application of water tariffs to institutions responsible for the distribution of drinking, industrial, and agricultural water.

Conclusion

From the foregoing, the following conclusions may be drawn:

- Algeria suffers from water scarcity, limited water availability, and uneven distribution. To address this challenge, it adopted a national strategy aimed at developing the water resources sector in order to achieve the Millennium Development Goals

established by the United Nations concerning access to drinking water and sanitation by 2015.

- In Algeria, there is no fully effective control of floods or surface water flows that may expose people and property to risks, whether in urban or rural areas. Furthermore, the lack of an insurance culture among Algerian citizens aggravates these risks.
- Before 2015, the international community had already begun formulating a vision for the global sustainable development agenda beyond 2015, establishing Sustainable Development Goals extending to 2030.
- Algeria has broadened its attention to water resources, as reflected in the numerous laws, executive decrees, and ministerial decisions that are regularly amended and supplemented, as well as in the increasing number of administrative bodies entrusted with the protection of water resources.

Recommendations

The following measures should be undertaken:

- Modernizing the water sector in Algeria has become an urgent necessity in order to monitor problems and violations arising at the decentralized level, while strengthening central oversight mechanisms through the use of new technologies and electronic systems.
- Continuing the construction of large dams with significant water storage capacities, rehabilitating drinking water networks, establishing new water treatment plants at dam sites, upgrading existing facilities, and transferring water to water-scarce regions in southern Algeria.
- Ensuring regular maintenance of dams to improve drinking water supply and address the problem of recurrent water interruptions, as well as repairing water leakage problems across all provinces.
- Making greater use of water reservoirs and lifting the suspension of major water-related projects.
- Strengthening the role of institutional bodies responsible for the protection of water resources, particularly in their preventive capacity, in order to avoid various forms of pollution and, most importantly, behaviors contributing to water scarcity and drought.
- Intensifying the activities of the Water Police, as this would facilitate the detection of legal violations, the punishment of offenders, and consequently the reduction of offences affecting water resources.
- Promoting a stronger insurance culture regarding climate-related risks in order to improve risk management when such events occur and to mitigate the various resulting damages.

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Ordinance No. 75-58 of 26 September 1975 containing the Civil Code.

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Executive Decree No. 08-303 of 27 September 2008 determining the powers, organization, and operating rules of the Water Public Services Regulatory Authority.

Executive Decree No. 10-26 of 12 January 2010 determining the methods and chemical substances used in the treatment of water intended for human consumption, as well as the correction of its components.

Executive Decree No. 10-23 of 12 January 2010 determining the technical specifications of wastewater treatment systems.

Executive Decree No. 10-317 of 21 December 2010 determining the conditions under which groundwater and surface water resource samples are collected and analyzed.

Executive Decree No. 11-165 of 24 April 2011 supplementing Executive Decree No. 10-24 concerning the consultation framework for integrated water resources management.

Executive Decree No. 11-220 of 12 June 2011 determining the procedures for granting concessions for the use of water resources through the establishment of seawater desalination facilities or facilities for the removal of salts and minerals from saline water.

Executive Decree No. 16-90 of 1 March 2016 establishing the General Inspectorate of the Ministry of Water Resources and Environment and determining its organization and functioning.

Executive Decree No. 17-316 of 2 November 2017 amending and supplementing Executive Decree No. 16-88 determining the powers of the Minister of Water Resources and Environment.

Executive Decree No. 21-260 of 13 June 2021 amending and supplementing Decree No. 08-148 of 21 May 2008 determining the procedures for granting permits for the use of water resources.

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[2] See Executive Decree No. 11-220 of 12 June 2011 determining the procedures for granting concessions for the use of water resources through the establishment of seawater desalination facilities or facilities for the removal of salts and minerals from saline water.

[3] See Executive Decree No. 10-26 of 12 January 2010 determining the methods and chemical substances used in the treatment of water intended for human consumption and the correction of its components. See also Executive Decree No. 10-23 of 12 January 2010 determining the technical characteristics of wastewater treatment systems.

[4] See Executive Decree No. 08-303 of 27 September 2008 determining the powers, organization rules, and functioning of the Water Public Services Regulatory Authority

[5] https ://www.aps.dz

[6] Any natural or legal person who intentionally or accidentally discovers groundwater, or who is present at the time of such discovery, is required to notify the territorially competent water resources administration.

[7] http://www.majliselouma.dz

[8] See Executive Decree No. 11-165 of 24 April 2011 supplementing Executive Decree No. 10-24 concerning the consultation framework in the field of integrated water resources management.

[9] Hydrography generally refers to the scientific description and analysis of physical conditions and quantitative boundaries of water bodies; it is the science of water description. The hydrographic profile of Algeria reflects the distribution of watercourses throughout the country, including wadis and groundwater resources. See Executive Decree No. 08-309 of 30 September 2008 amending the Model Statute of the Hydrographic Basin Agency.

[10] See the Ministerial Decree of 23 December 2009 establishing the composition of the National Consultative Council for Water Resources.

[11] Guide for the Preparation of Water Strategies and Action Plans Integrating the Impacts of Climate Change, op. cit., p. 09.

[12] See Imene Beghdadi, “Licenses and Administrative Procedures Established for the Protection of Water Resources in Algerian Legislation,” Journal of Legal and Political Research, Vol. 4, No. 1, 2019.

[13] See Executive Decree No. 21-260 of 13 June 2021 amending and supplementing Decree No. 08-148 of 21 May 2008, which determines the procedures for granting permits for the use of water resources, Official Gazette No. 48 of 20 June 2021.

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[15] See Ordinance No. 75-58 of 26 September 1975 containing the Civil Code, Official Gazette No. 78 of 30 September 1975, as amended and supplemented.

[16] See Articles 58 and 59 of Ordinance No. 95-07 of 25 January 1995 relating to Insurance, Official Gazette No. 13 of 8 March 1995.

[17] See Executive Decree No. 17-316 of 2 November 2017, amending and supplementing Executive Decree No. 16-88, which determines the powers of the Minister of Water Resources and Environment.

[18] See Executive Decree No. 16-90 of 1 March 2016, establishing the General Inspectorate of the Ministry of Water Resources and Environment and determining its organization and functioning.

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