Protected Areas and Sites in Algerian Legislation

Doctor (Lecturer A) **ZITOUNI ZAKARIA**
Faculty of Law and Political Science, University of Blida 02,

Abstract :
Algeria is a country covering more than two million square kilometres, with a coastline stretching for over 1,200 kilometres, a vast desert, and a mountain range featuring landscapes and immense animal, plant, and forest wealth.
The natural environment began to receive considerable attention at the start of the twentieth century. This concern grew further in the early 1970s in most countries around the world, as governments and environmental associations developed greater awareness of environmental issues in response to the growing negative impact of diverse human activities on the elements of the natural environment. This led to the degradation and depletion of these resources and, consequently, to the disruption of ecological balance.
Given the importance of these areas, and with the aim of protecting and preserving them, the state has worked to designate, establish, and develop them in pursuit of shared objectives for all protected areas and sites. These objectives are primarily centred on sustainable development, achieved by pursuing the specific goals of each category while fulfilling its social, economic, cultural, tourism, and environmental functions.

Keywords : nature reserves, national parks, protected areas and sites
Recibido: 31/07/2026 · Aceptado: 20/09/2026 · Publicado: 30/10/2026

Áreas y espacios protegidos en la legislación argelina

Dr. Zitouni Zakaria
Profesor, categoría A
Facultad de Derecho y Ciencias Políticas, Universidad de Blida 2, Argelia

Resumen
Argelia cuenta con una superficie de más de dos millones de kilómetros cuadrados, un litoral de más de 1.200 kilómetros, un vasto desierto y un sistema montañoso que alberga paisajes y una extraordinaria riqueza faunística, vegetal y forestal.
El medio natural comenzó a recibir una atención considerable a principios del siglo XX. Este interés se intensificó a comienzos de la década de 1970 en gran parte del mundo, a medida que los gobiernos y las asociaciones ecologistas adquirieron una mayor conciencia de los problemas ambientales derivados del creciente impacto negativo de las diversas actividades humanas sobre los componentes del entorno natural. Estas presiones provocaron la degradación y el agotamiento de los recursos naturales y, en consecuencia, la alteración del equilibrio ecológico.
Dada la importancia de estas áreas y con el propósito de protegerlas y conservarlas, el Estado ha impulsado su declaración, creación y gestión conforme a objetivos comunes para el conjunto de las áreas y espacios protegidos. Estos objetivos se centran principalmente en el desarrollo sostenible, mediante la consecución de las metas específicas de cada categoría y el cumplimiento de sus funciones sociales, económicas, culturales, turísticas y ambientales.

Palabras clave: reservas naturales, parques nacionales, áreas y espacios protegidos.

Introduction:

At the beginning of independence, protected areas and sites were subject to French legislation, pursuant to Law No. 62-157 of 31 December 1962, which extended the application of French laws that did not conflict with national sovereignty. Accordingly, the colonial Forest Code of 21 February 1903 remained in force. Over time, however, it became incompatible with the new realities, and its application was suspended on 5 July 1975 pursuant to Ordinance No. 75-25.

Most protected areas and sites had been designated by the French administration, and French law remained in force until the enactment of the first Algerian law to provide a unified legal framework covering all protected areas: Ordinance No. 67-281 of 20 December 1967 on excavations and the protection of historic and natural sites and monuments. Issued on the basis of a report by the Minister of Education at the time, it referred to these areas as historic and natural sites and classified them into two categories:

Historic sites and monuments.

Natural sites and monuments.

This classification was subsequently reinforced by Ordinance No. 73-38 of 25 July 1973, ratifying the Convention concerning the Protection of the World Cultural and Natural Heritage, concluded in Paris in November 1972.

However, in 1983, Law No. 83-03 of 5 February 1983 on environmental protection brought about a change in the legal framework governing these areas. It provided separately for the regulation of natural sites and classified them according to the traditional classification derived from the African Convention on the Conservation of Nature and Natural Resources, signed in Algiers on 15 September 1968 and ratified by

Algeria under Decree No. 82-440 of 11 December 1982. Under this classification, they were divided into national parks and nature reserves.
This traditional classification also corresponds to the substantive classification established by the International Union for Conservation of Nature. Thus, Algerian legislation has kept pace with international developments in this field. Algeria has ratified a large number of relevant conventions and participates in international programmes with global organizations, with a view to technical and material cooperation and to strengthening national protection by providing these areas with international protection.
In this context, ten national parks and five protected areas were established, as follows:
The El Kala Park (El Tarf), Gouraya (Béjaïa), Taza (Jijel), Theniet El Had (Tissemsilt), Djurdjura (Bouira and Tizi Ouzou), Chréa (Blida, Médéa and Aïn Defla), Belezma (Batna), Tlemcen (Mansourah and Sidi Boumediene), Tassili (Illizi), Ahaggar (Tamanrasset), and Djebel Aïssa (Naâma).
The nature reserves are Macta (Mostaganem), Mergueb (M'Sila), Beni Salah (Guelma), Babors (Sétif), and the Habibas Islands (Oran).
Their management and conservation are entrusted to public administrations and institutions under the Ministry of Agriculture and the Ministry of Culture. Their establishment is based on a designation procedure.
On 15 July 1998, Law No. 98-04 on the protection of cultural heritage was enacted, repealing Ordinance No. 67-281 of 20 December 1967. The Algerian legislator considered that the latter was no longer sufficient to cover all historic sites for the purposes of their protection and preservation, and that the legal framework governing them had been overtaken by events and no longer kept pace with current realities and modern perspectives, particularly with regard to buildings, sites and historic centres. Of the 395 listed monuments, most were designated during the years 1887, 1900, 1948 and 1954. Moreover, designations made before independence regarded these as historic heritage monuments. It is worth noting that cultural parks are national parks established under the legal framework applicable to the establishment of national and natural parks, as well as nature reserves.
Different names and definitions are used for these areas across the various, dispersed legal texts governing them, particularly those that address them through specific provisions. They have been referred to as "protected areas and sites," as in Law No. 90-25 of 18 November 1990, containing the Land Use Orientation Law, as amended and supplemented.
The question that may be posed is:
What are the protected areas under Algerian legislation, and how are they regulated?
This is the central issue addressed in this research.
To answer this question, our study must follow a descriptive approach based on the texts applicable in this field, as well as an analytical approach, as required to examine these texts, understand their intended meaning and determine their legal implications.
It is also necessary here to use an inferential approach based on reality.
In light of these approaches, we will examine the regulation of protected areas under Algerian legislation as follows:
Chapter One addresses the nature of nature reserves.
Chapter Two addresses the nature of national parks.

Chapter One: The Nature of Nature Reserves

Like other foreign legislatures, the Algerian legislator has regulated nature reserves at numerous sites and assigned them definitions, concepts and characteristics of their own. These matters will be addressed in this chapter, which examines the concept of nature reserves in the first section and their characteristics in the second.

Section One: The Concept of Nature Reserves

Nature reserves are a sound means of protecting groups of living organisms from depletion, destruction and various forms of pollution. They serve as designated natural sites in which human activities that deplete, destroy or pollute their resources are prohibited.

First Requirement: Definition of Nature Reserves

A nature reserve is any geographically defined area of a specified size, usually under government supervision. Such areas may contain endangered plants or animals and must be protected from human encroachment and all forms of pollution.

Second Requirement: Historical Development of Nature Reserves

The idea of establishing nature reserves dates back to ancient times. In Europe, the idea began to emerge in the nineteenth century.

In the 1980s, certain international organizations became notably active, including the World Wildlife Fund and the International Union for Conservation of Nature and Natural Resources.

The International Union played a major role in encouraging coastal states to establish marine reserves and in providing them with technical assistance, which led to the designation of many marine reserves[1].

Third Requirement: The Importance of Nature Reserves

Nature reserves are important for many reasons, including:

- Preserving environmental stability.
- Ensuring production and maintaining ecological balance.
- Providing opportunities for scientific research.
- Facilitating recreation and relaxation.

The presence of any one of the required conditions and specifications qualifies an area to become a protected area.

Fourth Requirement: Characteristics of Nature Reserves

Nature reserves have several characteristics that distinguish them from other areas. They represent examples of biogeographical regions and carefully selected ecosystems, established on the basis of studied scientific criteria. They are sufficiently large to function as effective units for environmental conservation by providing opportunities for scientific research, training and environmental monitoring. They also constitute ecosystems capable of recovering their natural state if some areas become degraded or altered[2].

Section Two: Nature Reserves in Algeria

This section identifies the most important protected areas in Algeria and the reasons for their establishment. It also addresses the legal procedures for establishing such reserves, dividing the discussion according to one of the effects of their designation:

First Requirement: The Legal Nature of Nature Reserves

Like other countries, Algeria has attached considerable importance to nature reserves. This interest is reflected in the legal texts that have kept pace with developments affecting these areas.

This is evident in Law No. 84-12 of 23 June 1984, containing the General Forests Law, as amended and supplemented by Law No. 91-20 of 2 December 1991.[3]

Nature reserves may be regarded as an example of extending the concept of forests through legislation. The same applies to Law No. 98-04 of 15 June 1998 on the protection of cultural heritage[4], which repealed Ordinance No. 67-281 of 20 December 1967 concerning the protection of historic sites and monuments, after the legislator determined that the latter was no longer sufficient to cover all historic sites and ensure their protection.

---

[1] Fatiha Zamouche, Al-Khabar Weekly, Algeria, 2008, Issue 483, p 12

[2] Nasreddine Hannouni, Legal and Institutional Means for Protecting Forests in Algeria, Master's Thesis, University of Blida, Faculty of Law, 2000, p 73

[3] Law No. 84/12 dated 23 June 1984, establishing the General Forest Regime, as amended and supplemented.

[4] Law No. 98/04 dated 15 June 1998 on the Protection of Cultural Heritage, Official Gazette No. 44.

The terminology used for these areas varies across the different legal texts. Article 22 of Law No. 90-25 of 18 November 1990, containing the Land Orientation Law, refers to them as "protected areas and sites."[5]

Second Requirement: Reasons for Establishing Protected Areas

Those working in nature conservation seek to reduce the loss or depletion of living resources in order to preserve biodiversity, whose continued existence is essential to ensuring that we continue to benefit from wild species. Not all species, however, are equally beneficial to humans; some are more useful than others.

Moreover, humans may consider certain species to be of no present value, even though their importance may become apparent in the future. This makes it necessary to conserve biodiversity as a whole, while giving priority to threatened species.

Third Requirement: Procedure for Establishing Nature Reserves

Protected areas are established on the basis of their ecological characteristics, as determined by the classification study provided for in the law, as well as their assigned environmental objectives and the applicable standards and conditions. Accordingly, Article 4 of Law No. 11-02 of 17 February 2011 on protected areas within the framework of sustainable development classifies protected areas into seven categories[6]:

- National park.
- Natural park.
- Integral nature reserve.
- Nature reserve.
- Habitat and species management area.
- Natural site.
- Biological corridor.

Paragraph One: Application to Initiate Classification

Article 19 of Law No. 11-02 on protected areas provides that public administrations and local authorities must initiate the classification of a territory as a protected area by submitting an application to the National Commission for Protected Areas[7].

A legal person governed by private law may also initiate the classification of a protected area that it manages, in accordance with the principles and procedures set out in the law.

First Subsection: Declassification

Most legislation adopts the principle that declassification must follow procedures equivalent to those used for classification. Accordingly, declassification procedures mirror those for classification and are even more complex and difficult: they require lengthy timeframes and extensive investment, and provide for a public inquiry to help ensure that an appropriate decision is made[8].

Secend Subsection : The Right to Compensation as an Effect of Classification

The designation of an area as protected may cause harm to the owners or rights-holders of property located within it, or the property itself may be directly affected by the designation. Such harm gives rise to a right to compensation.

Law No. 83-03 on environmental protection addressed the right to compensation, specifying the circumstances in which it applies and the procedures for claiming it.

By contrast, Law No. 98-04 on the protection of cultural heritage is silent on the matter, unlike Ordinance No. 67-281. However, the implementing texts of Ordinance No. 67-281—particularly the two decrees

[5] Law No. 90/25 dated 18 November 1990, containing the Land Use Orientation Law – Official Gazette No. 49, 1990.

[6] Law No. 11/02 dated 17 March 2011 on Protected Areas, Official Gazette No. 13, 2011.

[7] Article 19 of Law No. 11/02 on Protected Areas.

[8] Hussein Hamida, The Protection Regime for Protected Areas and Sites in Algerian Legislation, Master's Thesis, University of Blida, Faculty of Law, 2001, p. 20.

governing the Tassili and Ahaggar parks—granted owners a right to compensation, thereby departing from the provisions of the Ordinance[9].

Section Three: Special Administrative Regulation of Nature Reserves

Special administrative regulation primarily aims to restrict individuals' freedoms and define their responsibilities with respect to activities carried out within protected areas and sites.

First Requirement: Management of Nature Reserves

thevEnvironmental Affairs Agency is responsible for managing and supervising nature reserves, pursuant to Article 5 of Egyptian Environmental Law No. 4 of 1994. The Nature Reserves Law No. 102 of 1972 stipulated that a specialized administrative body be entrusted with caring for and preserving nature reserves. That body was charged with implementing the provisions of the Nature Reserves Law and its implementing decisions, and was authorized by law to establish branches[10].

Third Requirement : Administrative Police Measures

To achieve its objectives of preserving public order, the administrative police authority may use various measures, including police regulations, individual decisions, and material force. The administration enjoys considerable discretion in choosing the subject matter of the measures it adopts to maintain public order. It also has broad discretionary authority to intervene or refrain from intervening, particularly with regard to police regulations.

Third Requirement: Administrative Police Authority

The exercise of administrative police powers requires a system for monitoring and identifying violations, as well as a system of deterrence.

The legal basis for deterrent measures lies in general criminal law. Criminal codes are often supplemented by special criminal provisions included in the laws or regulations governing these areas.

The applicable law results from a combination of criminal law and civil law. It is therefore clear that the acts and measures of the administrative police are subject to the supervision and review of the administrative authority's superior body, and are governed by the principles of hierarchical authority. By contrast, the acts of the judicial police are subject to the supervision of the Public Prosecutor's Office and the Prosecutor of the Republic[11].

Requirement Four: Algeria's Obligations in Return for International Cooperation

In return for the financial and material assistance that states receive to strengthen national protection, they assume obligations and duties set out in the agreements they ratify. These obligations may also take the form of a contract between the relevant international body and the beneficiary state, as conditions for implementing support programs and projects. This is provided for in Articles 25 and 26 of the Convention Concerning the Protection of the World Cultural and Natural Heritage.

In this context, the first obligation incumbent on the Algerian state as a party to the Convention is to protect and preserve the protected areas and sites within its territory[12].

Chapter Two: The Nature of National Parks

The natural environment received considerable attention from the beginning of the twentieth century, and this interest grew further in the early 1970s in most countries around the world, as governments concerned with this field developed greater environmental awareness.

Algeria is among the countries that have established governmental and community-based bodies concerned with the natural environment and working to protect its components from all causes of deterioration.

Section One: The Concept of National Parks

---

[9] Ibid, p 34

[10] Majid Ragheb Al-Helou, Environmental Protection Law in the Light of Sharia, Dar Al-Jami'a Al-Jadida for Publishing, Alexandria, Egypt, 2003, p. 120

[11] Ibid, p 126

[12] Hussein Hamida, op cit, p 149

This first section examines the concept of the national park. It begins with a definition of the park, then traces its history, and concludes with its principal objectives.

Requirement One: Definition of National Parks

A national park is an area placed under state supervision, the boundaries of which may not be altered by any party except a duly authorized legal authority.

More specifically, it is an area designated to protect, propagate, preserve, and manage various plant and animal species, as well as to protect sites, landscapes, and geological formations of scientific or aesthetic value, and to provide enjoyment for visitors.

Within a park, hunting or capturing animals, destroying or collecting plants is prohibited for scientific reasons or to meet management requirements, provided that such activities are carried out under the management and supervision of the competent authorities[13].

Requirement Two: The History of the Establishment of National Parks in Algeria

The idea of establishing national parks in Algeria first emerged in 1912, through the North African Natural History Institute. The subject was later revived during the proceedings of the General Congress on Tourism and Agriculture in North Africa in 1919. In January 1920, a proposal to establish 13 national parks was approved. Subsequently, a government decree dated 17 February 1927 provided for the establishment of ten national parks, as follows :

- Chréa National Park: Established under Decree No. 83-461 of 23 July 1983, covering an area of 26,587 hectares.
- Theniet El Had National Park: Established under Decree No. 83-459 of 23 July 1987, covering an area of 3,424 hectares.
- Gouraya National Park: Established under Decree No. 84-327 of 3 November 1984. It is located in the city of Béjaïa and covers an area of 2,080 hectares.
- El Kala National Park: Established in accordance with the provisions of Decree No. 83-458 of 23 July 1983. It covers an area of 80,000 hectares and is home to 964 plant species and 617 animal species[14].
- Taza National Park (Jijel): Established under Decree No. 84-328 of 3 November 1984. It is located in Jijel Province and covers an area of 3,807 hectares, with the highest proportion of forest cover in Algeria.
- Djurdjura National Park (Bouira and Tizi Ouzou): Established by Decree No. 83-460 of 23 July 1983 and covering an area of 18,850 hectares. Its highest peak reaches 2,308 metres: Lalla Khedidja.
- Belezma National Park (Batna): Established in Batna Province in accordance with the provisions of Decree No. 83-458 of 23 July 1983. It covers an area of 26,250 hectares and is home to 447 plant species and 309 animal species.
- Tlemcen National Park: Located in western Algeria, it was established under Decree No. 93-117 of 12 May 1993. It covers an area of 8,225 hectares and is home to 850 plant species and 147 animal species.
- Tassili National Park (Illizi): Located in southern Algeria, it was established pursuant to Decree No. 83-458 concerning the statute of national parks. It covers an area of 8 million hectares.
- Hoggar National Park (Tamanrasset): Established under Decree No. 87-231 of 3 November 1987. It covers an area of 45 million hectares and is home to a considerable variety of animal species.

Requirement Three: Objectives of National Parks

The objectives of national parks may be summarized as follows[15]:

---

[13] Sahnoun Mohamed, Moujeb Hamid, Natural Resources and Development Prospects in Chréa National Park, Graduation Thesis for the Degree of State Engineer, Specialization in Natural Environment Planning, Houari Boumediene University, Algeria, 2004, p. 06.

[14] Samira Belamri, Echorouk newspaper, Algeria, 2008, Issue 2294, p. 14.

[15] Sahnoun Mohamed, Moujeb Hamid, op cit, p 09

- Continuing to inventory and identify the park's resources.
- Dividing the park into sectors to bring its management closer to the field.
- Limiting the effects of deterioration resulting from the security situation.
- Encouraging local participation.
- Promoting scientific research.

Requirement Four: The Legal Nature of National Parks

The Algerian legislature has addressed national parks, as it has nature reserves, in several legal instruments. The Environmental Protection Law and certain provisions of the Forestry Law form part of the legal framework governing national parks. Law No. 84-12 of 23 June 1984, establishing the General Forestry Law, as amended and supplemented by Law No. 91-20 of 2 December 1991, considers national parks a means of extending the concept of the forest through legislation and a stringent instrument of protection[16].

Law No. 83-03 of 5 February 1985 concerning environmental protection also brought about a change in the legal framework governing these areas. It separately regulated natural areas and classified them according to the traditional classification derived from the African Convention on the Conservation of Nature, concluded in Algeria in 1968 and ratified by Algeria under Decree No. 82-440 of 11 December 1982. The classification distinguishes between national parks and nature reserves.

It is also worth noting that Law No. 98-04 of 15 June 1998 concerning the protection of cultural heritage repealed Ordinance No. 67-281 of 20 December 1967 concerning excavations and the protection of antiquities, historical sites, and natural sites. The legislature considered the earlier ordinance insufficient to cover and protect all historical sites[17].

We have observed a close similarity between the legal nature of national parks and that of nature reserves. This may be explained by the fact that, whenever a law or decree concerning protected areas is issued, it refers to both terms: "reserves" and "parks."

Section Two: The Relationship Between the Urban Planning Law and National Parks

Urban planning in Algeria has had a serious consumptive impact on natural areas and agricultural land, prompting the Algerian legislator to adopt numerous laws relating to urban planning in general.

First Requirement: Definition of the Law on Planning and Urban Development

It is a set of rules and institutions established to ensure the allocation of space and the surrounding environment for the purpose of planning public entities.

Another definition describes it as the body of laws that regulate construction in accordance with established rules, rather than leaving it to the whims of individuals. This ensures that buildings are fit from a technical and health perspective, and that they are structurally sound[18].

Second Requirement: Planning and Urban Development Instruments

Planning and urban development instruments determine, in particular, the conditions that allow for the rational use of land, the protection of agricultural activities, and the safeguarding of sensitive areas, sites, and landscapes. They also designate land for economic activities of public benefit, as well as buildings to meet present and future needs for collective facilities relating to services, activities, and housing. This is pursuant to Article 11 of Law No. 90-29 relating to planning and urban development, as amended and supplemented[19].

---

[16] Law No. 84-12 dated 23 June 1984, establishing the General Forest Regime.

[17] Decree No. 82-440 dated 11 December 1982, approving the African Convention on the Conservation of Nature and Natural Resources, signed on 15 September 1968 in Algiers – Official Gazette No. 51.

[18] Khaled Ramoul, Lectures on Land-Use Planning and Urban Planning Law, Real Estate Law Specialization, University of Continuing Education, Blida Center, 2008.

[19] Hussain Humaida, op cit, p 67

Both the Master Plan for Planning and Urban Development and the Land Use Plan are subject, in their content, to the requirements relating to construction, architecture, and urban planning set out in the legislative texts governing protected areas and sites.

Third Requirement: Protection, Planning, and Management Plans for Parks

Planning and management plans for protected areas and sites have regulatory value and are binding. They generally set out management guidelines and various protection regimes, and divide the areas into several zones. For each zone, they specify the measures to be taken by the competent authority, particularly by identifying or prohibiting certain activities according to the zone. These plans also rely on other planning documents, particularly the Land Use Plan and the Master Plan for Planning and Urban Development[20].

Fourth Requirement: Urban Planning Permits and Their Impact on Parks

To implement planning and urban development instruments, and as part of enforcing specific urban planning regulations in protected areas and sites, the legislator introduced urban planning permits as a means of ensuring the preventive protection of land and buildings of particular historical, cultural, or aesthetic value. These permits are used to regulate and monitor construction from the start of building work through to the building's removal and demolition[21].

First Subsection: Building Permit

A building permit is an instrument for implementing urban planning rules in practice. It has evolved along with the concept of urban planning and the development of new standards, which increasingly take into account the need to curb haphazard construction, ensure the rational use of space, and protect nature, as well as tourist and archaeological areas.

The legislator's interest in linking building permits to the environment in general began with the promulgation of Law No. 82-02 of 6 February 1982 on building permits and subdivision permits. This law marked a significant development by linking the issuance of a building permit to consideration of environmental protection standards during its preparation. It expressly provides that a building permit may be refused only where those standards are not met.

However, the relationship between building permits and the protection of protected areas and sites became clear following the promulgation of Law No. 90-29 of 31 December 1990, as amended and supplemented, and its implementing decrees. The legislator required projects located in these areas to obtain a building permit and made it mandatory to engage an architect, who must take account of the community's local and urban characteristics.

The legislator specified the cases in which a building permit is required, as provided for by Law No. 98-04, and also identified the cases in which it may be refused in order to preserve sites and their general appearance. A permit may nevertheless be granted in such cases, provided that it is subject to compliance with specific measures and provisions under the conditions set out in the legislation and regulations applicable to those areas.

When a building permit is prepared, due regard must be given to compliance with the legislative and regulatory provisions in force concerning environmental protection, as stipulated in Article 38 of Law No. 91-176 of 28 May 1991. This law sets out the procedures for preparing a planning certificate, a subdivision permit, a plot division certificate, a building permit, a certificate of conformity, and a demolition permit. The competent services responsible for historical sites and monuments, and tourist sites in particular, must be consulted when building projects are located in areas or sites classified under the legislation in force[22].

Second Subsection: Demolition Permit

The legislator provided for this permit in Article 60 of Law No. 90-29 of 31 December 1990 and in Executive Decree No. 91-176, as amended. It authorizes the partial or complete demolition of a building in natural and protected areas. If the demolition would affect the natural, cultural, or historical heritage, or pose a

[20] Ibid, p 70
[21] Ibid, p 72
[22] Ibid, p 74

danger, the permit may not be issued until the competent services in this field have been consulted and have given their approval, in accordance with the laws and regulations in force. Their opinion must be given within one month of receiving the request for approval, and any refusal must be legally reasoned.
A demolition permit is required only in two cases[23]:

- Where the building is located in a site classified, or in the process of being classified, on the list of historical, architectural, tourist, cultural, or natural properties.
- Where the building at risk of demolition supports adjoining buildings.

The legislator has recognized only one case in which a demolition permit cannot be refused: where demolition is the sole means of preventing the building from collapsing. The provisions concerning buildings at risk of collapse also address cases in which such buildings are located in natural areas and sites and are subject to the legislation protecting monuments and historical sites. The President of the People's Communal Assembly may order their restoration only in accordance with the conditions set out in the applicable legislation and regulations. This is provided for in Article 75 of Executive Decree No. 91-176 of 28 May 1991, which sets out the procedures for preparing and issuing a planning certificate, a subdivision permit, a plot division certificate, a building permit, and a certificate of conformity[24].

Third Section: Parks and Forestry Control Rules

Forests are exposed to many human-caused dangers. The best means of protection is prevention, which is the responsibility of the administration. The general rule is supervision through special administrative policing, alongside other exceptional rules

First Requirement: Protection of Parks Through Special Forestry Administrative Polic

According to the jurist Georges Vedel, the term administrative police has two meanings[25] :

- The first refers to policing activities whose objectives differ from those of general administrative police, but which are subject to a special legal regime. These activities fall entirely within the authority of the wali, and the president of the municipal council does not intervene
- The second, more specific meaning refers to policing directed at objectives that do not fall within the ordinary scope of general administrative police, such as hunting regulation. As for the authorities responsible for special administrative police, these include the wali and certain ministers, such as the Minister of Agriculture in the field of maritime fishing.

Second Requirement: Exceptional Rules Specific to the Protection of Park

First Subsection: Prevention of Risk

Professor René Chapus considers that the authority of special administrative police may coexist with that of general administrative police; the former does not exclude the latter

Public order may be at issue when preventing risks, whether they concern public hygiene, public safety, or public tranquillity. These matters are governed by both the Municipal Law and the Forestry Law[26].

Second Subsection: Requisitioning to Combat Forest Fires as a Compulsory Legal Measur

Requisitioning is carried out in the name of the State, not by an authority subordinate to local communities. It falls within the wali's jurisdiction, with the president of the People's Communal Assembly assisting in its implementation. Requisitioning is not confined to forests; accordingly, it is addressed both in the general rules of public law and in the specific provisions governing forests[27].

Third Requirement: Forestry Judicial Police and the Recording of Forestry Offence

In fact, forestry judicial police does not have an independent legal identity and therefore has no separate definition; it forms part of judicial police. Judicial police comprises the procedures undertaken by judicial police officers and their agents to investigate offences and their perpetrators, and to gather the information

[23] Ibid, p 75
[24] Real Estate Law and Urban Planning Law, Dar Berti Printing House, Dely Ibrahim, Algeria, 2004, p 826.
[25] Nasreddine Hannouni, OP cit, p 41
[26] Ibid, p 51
[27] Ibid, p 53

required for the investigation and proceedings to establish the charges against them, provided that a judicial investigation has not yet begun. Accordingly, the principal task of judicial police is to investigate offences and their perpetrators and to collect the necessary information and evidence before the investigation stage. More specifically, forestry judicial police may be described as the investigation of offences affecting forest property[28].

Fourth Requirement: The Forestry Penalty Regim

Like other offences, offences affecting forests are addressed by Ordinance No. 66-156 of 8 June 1966, containing the Penal Code, as amended and supplemented. It includes certain provisions concerning harm to forests in general, and classifies the offences as contraventions, misdemeanours, and felonies

First Subsection: Contravention

Article 444, paragraph 1, of the Penal Code provides that anyone who, knowing that a tree belongs to another person, uproots it, damages it, or cuts its bark with the intention of destroying it shall be punished by imprisonment for a period of ten days to a maximum of two months and a fine of between 100 and 1,000 dinars, or by either of these penalties

Second Subsection: Misdemeanour

Article 361, paragraphs 3 and 4, of the Algerian Penal Code provides for imprisonment for a period of 15 days to one year and a fine of between 500 and 1,000 dinars for the theft of timber from any place where it has been cut. If the theft is committed at night, by several persons, or with the use of vehicles or pack animals, the penalty is imprisonment for a period of six months to two years and a fine of between 500 and 1,000 dinars

Third Subsection: Felonie

Harm to forests may give rise to the application of severe penalties, up to and including the death penalty. This is also provided for in the French Penal Code. Article 434 prescribes the death penalty where arson causes the death of one or more persons. Article 396 bis also prescribes the death penalty where fire is deliberately set to forests belonging to the State. This reflects the legislator's particular concern to protect State forests[29].

Conclusion

In conclusion, we can say that parks are a concept closely related to that of other protected areas. If we define nature reserves as geographically delimited areas placed under government supervision, and consider parks to be protected spaces encompassing terrestrial or marine natural environments that are of concern to the public authorities, the close similarity between them becomes clear: both are areas protected at the national and international levels.

We have also concluded and inferred that, in terms of their underlying objectives, there are no differences between national parks and nature reserves. Both seek to continue cataloguing and identifying the potential of the reserve or park by conducting studies on the development of natural resources and research into environmental impacts. In addition, Article 17 of Law No. 83-03 on the protection of the environment, together with Decree No. 87-144, sets out the objectives of reserves and parks. These include the conservation of animal and plant species, particularly those threatened with extinction throughout the national territory or in part of it.

[28] Ibid, p 65
[29] Ibid, p 63

We now turn to the legal nature of national parks, which is grounded in the Environmental Protection Law and its implementing regulations, as well as certain provisions of the Forest Law. These form the legal framework for protected areas, namely nature reserves and parks. This is provided for in Law No. 84-12 of 23 June 1984, containing the general system of forests, as amended and supplemented by Law No. 91-20 of 2 December 1991. Under this law, parks are regarded as a means of extending the concept of the forest through legislation and as a powerful instrument of protection. The various legal texts governing these areas—often dispersed across different instruments, particularly those containing specific provisions—use a range of designations for them, including "parks."

The designation "protected areas and sites" was used in Law No. 90-25 of 18 November 1990, containing the Land Orientation Law.

In light of this brief overview of nature reserves and parks, which we have grouped under the designation "protected areas and sites," the State has undertaken to preserve and develop them by making all necessary human and material resources available. Among these measures is special administrative policing, whose primary purpose is to restrict individuals' freedoms and determine their responsibilities in relation to activities and works within protected areas and sites. The relevant police regulations apply generally and impersonally to all individuals, whether they are owners, occupants, or even visitors to these areas.

Administrative police measures may take various forms and involve different systems, with differing degrees of severity in restricting and limiting individuals' freedoms and rights. These include requirements to obtain prior permission or authorization, or to make a prior declaration, before exercising rights and freedoms. Nor should we overlook the State's deterrent policy, embodied in forestry penal law. This demonstrates the commitment of the relevant authorities to the proper functioning of these sites and, above all, their aim of preserving everything related to the environment. The forestry penal system, like other systems that punish offences, is complemented by Ordinance No. 66-156 of 8 June 1966, containing the Penal Code, as amended and supplemented. That Code includes provisions concerning damage to forests in general, with offences ranging from contraventions to misdemeanours and felonies. The system of penalties under the Forest Law also reflects the severe losses forests have suffered when the countries in which they are located have experienced exceptional periods, including wars and social and political unrest. Algerian forests have endured this both during the colonial period and during the difficult security situation the country experienced over the last decade.

Because forests cover vast areas and have few wardens, whatever their number, preventive measures must remain the priority, even if they are costly. The money spent protecting forests from hazards is better spent than money devoted to fighting fires—those serious scourges that threaten people, animals, and the environment. It would also be more appropriate for the administration to resort to alternative measures better suited to protection, such as the protected-forest system, a modern approach intended to safeguard forest quality.

Reference

A_ Books

1. Al-Helou Majid Ragheb, Environmental Protection Law in the Light of Sharia, Alexandria, Egypt: Dar Al-Jami'a Al-Jadida for Publishing, 2003.
2. Ramoul Khaled, Lectures on Land-Use Planning and Urban Planning Law, Real Estate Law Specialization, University of Continuing Education, Blida Center, 2008.

3. Real Estate Law and Urban Planning Law, Dely Ibrahim, Algeria: Dar Berti Printing House, 2004.

B_ Theses and Dissertations

1. Hamida Hussein, The Protection Regime for Protected Areas and Sites in Algerian Legislation, Master's Thesis, Faculty of Law, University of Blida, 2001.
2. Hannouni Nasreddine, Legal and Institutional Means for Protecting Forests in Algeria, Master's Thesis, Faculty of Law, University of Blida, 2000.
3. Mohamed Sahnoun, Moujeb Hamid, Natural Resources and Development Prospects in Chréa National Park, Graduation Thesis for State Engineer Degree, Specialization in Natural Environment Planning, Houari Boumediene University, Algeria, 2004.

C_ Articles and Periodicals

1. Belamri Samira, "Echorouk Newspaper", Algeria, 2008, Issue 2294, p 14.

Zamouche Fatiha, "Al-Khabar Weekly", Algeria, 2008, Issue 483, p 12.

D_ Legislation and Official Decrees

1. Law No. 84/12 dated 23 June 1984, establishing the General Forest Regime, as amended and supplemented.
2. Law No. 90/25 dated 18 November 1990, containing the Land Use Orientation Law, Official Gazette No. 49, 1990.
3. Law No. 98/04 dated 15 June 1998 on the Protection of Cultural Heritage, Official Gazette No. 44.
4. Law No. 11/02 dated 17 March 2011 on Protected Areas, Official Gazette No. 13, 2011.
5. Decree No. 82-440 dated 11 December 1982, approving the African Convention on the Conservation of Nature and Natural Resources, signed on 15 September 1968 in Algiers, Official Gazette No. 51.