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The Environmental Dimension of Public Order in Algeria

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Abstract. Public order comprises public security, public health, public tranquility, and the aesthetic quality of cities, all of which are intrinsically linked to environmental preservation. Environmental pollution severely threatens human habitats, compromises public health through the spread of diseases via contaminated water and food, and disrupts tranquility with excessive noise pollution. Ensuring the physical and financial safety of individuals is impossible under such conditions. Responsibility for maintaining the environmental dimension of public order falls to public authorities, particularly administrative bodies such as the Ministry of Environment, municipalities, and provinces, which operate through various legal instruments provided by legislation.

Keywords :Public Order ;Environment ;Administrative Institutions ;Pollution ;Algeria.

Introduction:

Public order, as a legal construct characterized by its flexibility and relativity, varies depending on the legal framework in force within a state, and is shaped by temporal and spatial contexts. It encompasses several essential components, including public security (*securitas publica*), public health (*salus publica*), and public tranquility (*tranquillitas publica*), alongside the

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aesthetic integrity of urban environments. Embedded within this construct is an environmental dimension, whereby the preservation of a healthy and clean environment becomes integral to the realization of public order. Algeria, acknowledging this interdependence, has been actively addressing environmental concerns since the 1970s, particularly after the 1972 United Nations Conference on the Human Environment in Stockholm, which responded to growing global environmental degradation. This degradation, exacerbated by scientific and technological advancements, industrialization, population growth, and poverty, placed increasing pressure on environmental resources, leading to their depletion and the extinction of various species.

The environment, understood as the setting in which human life operates, comprises both biotic and abiotic elements, including air, water, soil, flora, fauna, and natural landscapes. It also includes anthropogenic constructs, such as buildings, historical monuments, and cultural heritage sites. Any form of pollution—whether marine, atmospheric, or terrestrial—directly or indirectly affects these elements. Pollution damages natural resources such as air, water, and soil, thereby undermining public health and compromising the safety of both collective and private property.

There exists an inseparable and reciprocal relationship between environmental protection and the preservation of public order. The physical and financial safety of individuals cannot be secured amidst significant environmental degradation, as pollution adversely impacts human habitats, spreading diseases and epidemics through contaminated water and unsafe food. Moreover, auditory pollution disrupts public tranquility by generating excessive noise.

The responsibility for upholding public order in its environmental aspect rests with the administrative authorities, which exercise their regulatory powers through various administrative bodies. These institutions employ legal instruments and procedures aimed at maintaining environmental balance, relying on national legislation pertaining to environmental protection and public administration. Accordingly, this research addresses the following central question: **What constitutes the environmental dimension of public order in Algeria, and to what extent is it upheld through administrative and legal mechanisms?**

To answer this question, the following sections will be examined:

1. The notion of public order and its environmental dimension.
2. Administrative bodies responsible for maintaining environmental public order in Algeria.
3. Legal Means for Preserving Environmental Public Order in Algeria

Section I: The Notion of Public Order and Its Environmental Dimension

Since the inception of environmental stewardship, the Algerian legislature has delegated the preservation and protection of the environment as an element of public order to various

administrative authorities. These responsibilities are operational both at the central and local levels, supplemented by the establishment of specialized environmental agencies.

A) Definition of Public Order: Public order, as defined by administrative law scholars, fundamentally concerned with the welfare of the general public, preempting chaos and disruption within society. It is the primary objective of administrative policing, dedicated to preserving public security, public health, and public tranquility through preventive measures designed to mitigate any risks threatening the system's integrity. Public order encapsulates a core set of rules and principles foundational to the legal framework of the state, aimed at prioritizing the public interest—including economic, social, and political dimensions—over individual interests¹. This concept is inherently flexible and relative, evolving continuously to encompass various societal dimensions.

Most legal theorists recognize three perennial elements of public order: public security, which safeguards citizens' personal and property safety against potential threats in public spaces and from physical assaults or the mentally disturbed; public health, achieved through maintaining public sanitation in communal areas, monitoring the safety of potable water and food, controlling the spread of infectious diseases and deadly epidemics, and enhancing the overall health conditions of the populace; and public tranquility, which administrative authorities maintain by ensuring quietude in public areas during all hours, protecting citizens from disturbances such as excessive noise from loudspeakers, industrial operations, and street vendors. Currently, auditory pollution is a significant concern, profoundly affecting individuals' psychological and neural health².

In addition to these traditional pillars, the scope of public order has broadened in contemporary societies to include public morals, reflecting the societal norms derived from enduring customs, traditions, and social mores, and the aesthetic quality of urban environments. This expansion allows administrative authorities to preserve the visual appeal of cities and neighborhoods, safeguard cultural heritage, and enforce specific urban planning and construction standards.

The maintenance of public order, through its classical and contemporary facets, is crucial for ensuring societal stability, security, and health, facilitating perpetual development across various sectors. However, these objectives hinge on environmental conservation, the fundamental habitat for human survival and flourishing. Without a sound environment, the comprehensive realization of public order is unattainable.

B) The Interrelation Between Environment and Public Order

Environmental protection stands as a paramount goal within the framework of public order, regardless of its varying interpretations. The defense against environmental pollution, including combating assaults on air, water, soil, and biotic components, serves the broader aim of

upholding public security. This encompasses a newly recognized domain—environmental security—which has become an essential facet of public order. This concept encapsulates the state's capability to regulate and optimize the safeguarding of natural resources, ensuring legal accountability for significant environmental damage through a suite of preventive and punitive measures. Initiatives to protect terrestrial, aerial, and marine environments include promoting clean energy transportation, prohibiting the discharge of chemical waste into oceans, and enforcing bans on deforestation of endangered plant species. These measures are driven by increasing concerns over environmental shifts such as water scarcity and air pollution, which threaten community and individual security, destabilizing the ecological order and posing extensive risks to public safety³.

Furthermore, environmental conservation is intrinsically linked to the maintenance of public health, which has been in decline due to escalated pollution from vehicle emissions and factory smoke. This pollution facilitates the spread of diseases and epidemics through contaminated food and communal spaces, magnified by the presence of stray animals and insects, which accelerate germ transmission, leading to public health crises. Moreover, environmental pollutants from untreated sewage and public smoking compound these health risks⁴. Thus, the symbiotic relationship between environmental quality and public health is underscored, as pollution exerts profound adverse effects on communal health standards.

Additionally, preserving public tranquility is crucial, particularly concerning the mitigation of noise pollution. Noise pollution detracts significantly from public tranquility, presenting as loud, discordant sounds that exceed normative levels, often a byproduct of industrial advancement. Sources such as aircraft engines, broadcast equipment, and industrial machinery create pervasive discomfort and anxiety, affecting individuals' quality of life, work efficiency, and mental well-being. This disturbance can lead to nervous and mood disorders and strain interpersonal, social, and professional relationships. Addressing noise pollution thus supports the state's role in securing peace and tranquility for its citizens, enhancing overall public welfare.

Environmental legislation comprises a collection of statutes unified by the objective of environmental preservation. These regulations often integrate with public health and sanitation laws, constituting a fundamental component of public order management. Administrative control covers various sectors, including hazardous industries, landscape and cultural heritage protection, forest fire prevention, hunting, and waterway management.

In conclusion, the maintenance of public order is intrinsically linked with environmental stewardship. Algeria, among other nations, has institutionalized this connection through the establishment of a Ministry of the Environment, tasked with protecting the environment and managing pertinent issues within its purview. This ministry actively addresses citizen complaints

related to environmental degradation and pollution, underscoring the integral role of environmental governance in the overarching schema of public order.

Section II: Administrative Bodies Responsible for Preserving Environmental Public Order in Algeria

The preservation of public order, particularly in its environmental dimension, necessitates the establishment of an effective environmental administration characterized by institutional capacity and scientific expertise. This framework should be supported by technically and environmentally qualified personnel capable of overseeing, implementing, and flexibly adjusting environmental plans and programs, especially in areas at risk of severe ecological degradation that may threaten public security, health, and tranquility⁵. In Algeria, this administrative structure comprises central and decentralized bodies, along with specialized environmental institutions.

A) Central Administrative Authorities

1.Phase One: Pre-Creation of an Environment Ministry

The establishment of specialized environmental authorities in Algeria has faced challenges, reflecting a lack of stability and continuity in environmental preservation since 1974. This instability arises from the nascent interest in environmental protection and the absence of a dedicated administrative body. The first National Environmental Committee was formed under the auspices of the Minister of State, primarily tasked with preparing a project aimed at safeguarding various environmental components and evaluating all projects potentially harmful to the environment, as mandated by Executive Decree 47-156, dated July 12, 1974⁶. Subsequently, Algeria enacted its first environmental law, Law 38-03, which established by article 136, inspectorates responsible for identifying pollution sources and assessing potential damages to public health, natural resources, and wildlife, in addition to addressing harm from industrial facilities⁷.

Following the dissolution of this committee, environmental affairs were transferred to the State Secretariat for Forests and Land Rehabilitation in 1988, which established a Directorate for the Preservation of Natural Heritage, Wildlife, and Biological Resources, as well as for natural reserves. From 1991 onward, the management of environmental services shifted among various departments, at times reassigned to the Ministry of Irrigation, then to the Ministry of Interior. In that same year, the National Agency for Nature Conservation was created to catalog livestock, flora, and protected natural areas, monitor activities to prevent pollution and extinction, and oversee environmental conditions. The High Council for the Environment was established in 1994 to monitor the state of the environment in Algeria, culminating in the establishment of a State Secretariat responsible for environmental issues in 1996⁸.

2.Phase Two: Establishment of the Ministry of Environment

The inaugural Ministry of Environment in Algeria was established in 2001, initially designated as the Ministry of Urban Planning and Environment, subsequently transitioning to the Ministry of Water Resources and Environment, and later to the Ministry of Environment and Renewable Energies. This evolution in nomenclature reflects the diverse and expanding environmental domains under its jurisdiction. Currently, it is simply referred to as the Ministry of Environment, which plays a pivotal role in safeguarding environmental public order. The minister responsible serves as the de facto exercise of public authority within the environmental sector, tasked with several critical responsibilities.

These responsibilities encompass the prevention of all forms of pollution and environmental degradation that could adversely affect public health and living conditions. Additionally, the minister initiates protective measures for natural and biological resources, contributes to the regulation of classified establishments and hazardous materials, conducts environmental impact assessments, and ensures compliance with pertinent legislation. The ministerial authority is articulated in Executive Decree No. 01-08, dated January 7, 2001⁹, particularly in Article 5, which delineates the preservation of sensitive areas such as coastlines, mountains, and plains, as well as the implementation of technical regulations related to spatial planning.

In addition to the ministerial office, various directorates operate within the ministry, including the Directorate for Environmental Studies Assessment, the Directorate for Biodiversity Conservation and Ecosystem Management, and the Directorate for Climate Change. These directorates encompass several subdivisions addressing critical issues such as municipal waste management, noise and visual pollution, air quality, and the regulation of classified establishments concerning industrial hazards and coastal marine preservation.

Moreover, the Minister of Environment is responsible for maintaining environmental public order in accordance with several legislative frameworks, notably Law 01-19 regarding the management, monitoring, and removal of waste, enacted on December 12, 2001¹⁰. Articles 21-27-28 of this law designate the minister as the national planner for waste management, mandating producers and holders of hazardous waste to disclose pertinent information regarding the nature, quantity, and characteristics of such waste. The minister possesses the authority to prohibit the illegal importation of waste into the national territory and ensures that any unlawfully introduced waste is returned to its origin.

Given the extensive scope of environmental issues, the responsibility for maintaining environmental public order is also shared by various other ministers, including those overseeing

water resources, fisheries, interior affairs, and culture, thus reflecting a comprehensive governmental approach to environmental governance.

B) Decentralized Administrative Authorities

Decentralized entities play a crucial role in the maintenance of public order, particularly in relation to environmental governance. This responsibility is primarily vested in the wilaya (province) and the municipality, as delineated by their respective legislative frameworks.

1. The Municipality

The municipality is entrusted with a multitude of responsibilities as articulated in Article 3 of Law 11-10¹¹, addressing diverse sectors as a decentralized territorial authority. It shares administrative functions and economic development objectives with the state while concurrently upholding public safety and environmental protection. The execution of these responsibilities is overseen by the municipal council and the mayor, in accordance with Article 15 of the aforementioned law.

Within its jurisdiction, the municipality, through the municipal council, is mandated to safeguard agricultural lands and green spaces when approving various developmental projects. Furthermore, the municipal council must consent to any initiative that poses a potential risk to environmental integrity or public health, with the exception of projects classified as "national interest", which are subject to environmental protection regulations. The municipality also engages in soil preservation, water resource management, and ensuring optimal use, along with continuous oversight to verify compliance of construction activities with public works and housing programs. The municipality is responsible for maintaining public health and environmental sanitation, which encompasses the provision of potable water, the treatment of wastewater, the collection and disposal of solid waste, and the mitigation of vectors for infectious diseases. Additionally, the municipality is tasked with ensuring food safety and the upkeep of public spaces, as prescribed by Articles 123 and 124 of the same law.

The mayor of the municipal council exercises administrative authority on behalf of the regional community in the domain of public order, particularly regarding environmental matters. The mayor is responsible for implementing preventive measures to ensure the safety of individuals in public spaces during emergencies or disasters. In the event of a natural disaster, the mayor is obligated to activate the municipal emergency response plan, pursuant to Article 90 of the Municipal Law. Moreover, the mayor is charged with preventing the proliferation of harmful and dangerous animals, enforcing compliance with environmental cleanliness standards for public infrastructure, and combating the spread of infectious diseases.

Additionally, the mayor wields the authority to uphold public order within the environmental context through various legal instruments, including Law 84-12¹², which governs

forestry management, specifically Article 24. This provision prohibits the disposal of waste and debris on national forest lands and mandates prior consultation with the forestry administration for any activities that could potentially induce fires. Furthermore, Law 01-19¹³, pertaining to waste management, assigns the mayor the duty of formulating a municipal waste management plan that encompasses the entire municipality.

In relation to Law 03-02¹⁴, which establishes the general regulations for the use and exploitation of beaches, the mayor is empowered to issue specific decrees that prohibit all forms of horseback riding on the beaches—whether individually or collectively—during peak tourist periods, as stipulated in Article 38.

2.The Wilaya

According to Law 12/07 concerning the wilaya, this decentralized territorial entity collaborates with the state in the administration, execution, and planning of various domains, including social and economic development, improvement of living conditions, and environmental protection. The wilaya consists of two bodies: the wilaya council and the governor (wali). The wilaya council exercises several powers related to the preservation of public order, environmental governance, and cultural heritage. It possesses regulatory authority in land-use planning, the conservation of both tangible and intangible cultural heritage, public health initiatives, and the implementation of measures aimed at protecting and promoting agricultural lands and equipment. The council also addresses disaster preparedness and mitigation, particularly concerning natural hazards such as floods and droughts, while ensuring the management of watercourses within its jurisdiction and protecting forest assets. This is conducted in alignment with Articles 84 and 87 of the relevant legislation, which also encompasses the contribution to the prevention and control of epidemics affecting animal and plant health.

The wilaya is also responsible for relocating industrial facilities that are deemed environmentally harmful to suitable sites, as stipulated in Article 4 of Law 02-02¹⁵ concerning coastal protection and enhancement. The governor, as the chief authority, oversees environmental public order, ensuring safety and tranquility in public spaces. He is endowed with powers under the wilaya law and related environmental statutes, such as Law 01-20 concerning spatial planning, particularly Article 45, which mandates the preparation of a regional development plan. Additionally, under Article 31 of Law 01-19¹⁶, the governor is responsible for approving the municipal waste management plan. Furthermore, the governor can issue directives for operators of classified installations to mitigate environmental damage by implementing necessary measures to avert further ecological risks, in accordance with Article 25 of Law 03-10¹⁷ regarding environmental protection within the framework of sustainable development.

At the level of each wilaya, there are environmental inspectors who operate as a division of the ministry responsible for the environment. They execute regional programs aimed at environmental protection, as established by Executive Decree 96-60, dated January 27, 1996¹⁸.

3.Environmental Administrative Institutions

To alleviate the burden on central and local authorities, Algerian legislators have established independent administrative institutions responsible for the conservation of various environmental components. Among the most significant of these is the National Observatory for the Environment and Sustainable Development, tasked with maintaining public order in its environmental dimension. This institution monitors national pollution levels and oversees the preservation of diverse natural habitats. The National Agency for Geology and Mining Control is responsible for protecting natural resources from excessive mining exploitation and ensuring compliance with health and safety regulations in mining activities, thereby fostering environmental conservation. Additionally, the National Waste Agency collaborates with local authorities to manage waste collection, treatment, and the promotion of waste sorting and recycling initiatives¹⁹.

Furthermore, the National Coastal Conservation Authority conducts inventories of coastal areas, including human settlements and natural spaces within coastal zones, and classifies sand dunes as threatened areas. It also establishes plans for the management and development of coastal regions to protect the shoreline. The National Environmental Training Authority specializes in environmental education and provides pedagogical methods for fostering awareness regarding environmental protection against potential threats²⁰. This authority also works to prevent the construction of infrastructure, roads, or parking lots in vulnerable coastal areas susceptible to erosion, in accordance with Articles 24 and 25 of Law 02-02²¹.

Section III: Legal Means for Preserving Environmental Public Order in Algeria

The environmental dimension of public order is a goal pursued by environmental administrative regulation through a series of preventive measures and actions undertaken by administrative bodies via decisions aimed at preventing environmental harm and safeguarding it from various forms of pollution and degradation. This regulation serves to constrain individual behaviors that adversely affect the environment²².

The preventive and punitive measures required to achieve public safety, public health, and general tranquility within society encompass two principal objectives: the prevention of actions that harm the environment and the mitigation of factors contributing to such harm, thereby restoring equilibrium within the ecological system.

These legal measures to protect the environment are manifested in both ex ante and ex post control mechanisms.

A) Ex Ante Control Mechanisms

Ex ante control mechanisms refer to legal instruments designed to preclude behaviors contrary to legislative intent that may damage the environment or its components. This represents a form of preventive oversight conferred upon administrative authorities to avert environmental infringements. Prevention is considered the most effective approach to addressing and confronting environmental issues, particularly as the principle of prevention is a primary aim of environmental law, aimed at averting harm that may be difficult to rectify once incurred. The secondary aim relates to achieving reasonable economic costs associated with addressing environmental pollution²³. The primary tools of ex ante control include:

1.Licensing

Licensing is the authorization issued by the competent administrative authority to engage in a specific activity that cannot be conducted without such permission. The administration grants licenses when the requisite conditions stipulated by law are met. Failure to obtain the necessary permission for the activity in question renders individuals liable to various forms of legal penalties, including criminal, administrative, and civil sanctions²⁴. Numerous examples of licensing exist within Algerian legislation, such as building permits and urban environmental protection licenses, which are administrative documents issued by the competent authority to authorize and license projects that adhere to planning and construction regulations. Thus, we conclude that a building permit is a prerequisite for any construction activity, serving as a form of prior technical oversight for land use²⁵.

The law governing planning and construction stipulates the necessity of obtaining a building permit for new constructions, regardless of their intended use, as well as for extending existing structures or modifying significant portions thereof, particularly facades facing public spaces, in accordance with Article 52 of Law No. 90-29 dated December 10, 1990²⁶, concerning planning and construction, amended by Law No. 04-05 dated August 14, 2004. The executive decree concerning the preparation and issuance of building permits underscores the need to balance permit issuance with environmental protection, particularly for industrial buildings, in accordance with Article 35 of Decree No. 91-176²⁷, which mandates that a building permit for such establishments be issued based on a memorandum accompanied by the relevant regulatory diagrams that outline:

- The types and quantities of liquid, solid, and gaseous materials that may adversely affect public health, agriculture, and the environment within the context of discharged wastewater and gas emissions, as well as their treatment, storage, and purification methods.
- The noise levels generated by industrial and commercial buildings, as well as establishments designated for public use.

Consequently, it is evident from the legal texts that obtaining a building permit for any type of project is not straightforward, especially since Algerian legislation does not explicitly define the types of constructions subject to the permitting regime. Thus, every building, irrespective of its intended use, must comply with the licensing system.

2.Prohibition

Prohibition constitutes a pivotal regulatory mechanism employed by administrative authorities to preemptively deter certain actions deemed hazardous due to their potential detrimental effects. This encompasses measures such as restricting vehicular traffic in specified directions or prohibiting parking in designated zones²⁸. A salient example within Algerian jurisprudence is Article 52 of Law 03/10²⁹, which pertains to environmental protection within the framework of sustainable development. This provision explicitly proscribes the discharge, dumping, or burial of substances that may compromise public health and marine ecosystems within waters subject to Algerian jurisdiction. Such actions can obstruct maritime activities—including navigation, aquaculture, and fisheries—while undermining water quality and degrading the recreational and aesthetic value of coastal areas, consequently impacting their tourism viability.

Additionally, Article 27 of the Forest Code stipulates that the establishment of any wood manufacturing workshop or timber storage facility is impermissible within national forest lands or within a radius of 500 meters from such properties, unless prior authorization is secured from the competent ministry. Similarly, Article 9 of the Coastal Protection Law mandates the preservation of the natural state of coastal environments, requiring their protection and utilization in accordance with their designated ecological functions.

3. Obligation (Positive Duty)

Complementary to prohibitory measures, administrative authorities may impose obligations requiring individuals to undertake specific actions, thereby reinforcing prohibitions against environmentally harmful practices³⁰. A notable example of such obligations in Algerian law is found in Article 46 of Law 03-10, which mandates that when air pollutant emissions pose a threat to individuals, the environment, and property, responsible entities must implement requisite measures to mitigate or eliminate such emissions. Specifically, industrial units are required to adopt all necessary precautions to curtail or discontinue the use of substances that contribute to the depletion of the ozone layer.

Moreover, Article 6 of Law 01-19³¹ on Waste Management imposes a duty on every waste producer or holder to adopt all necessary measures to minimize waste generation. This obligation entails the implementation of cleaner production technologies that reduce waste output, as well as the prohibition against marketing non-biodegradable waste materials. Additionally, Article 48 of the Law on Major Hazard Prevention and Disaster Management articulates that, to ensure

comprehensive protection for individuals and property against significant hazards, hazard prevention plans must systematically integrate provisions for exploiting the national insurance framework for insurable risks.

4.Environmental Impact Assessment (EIA)

The Environmental Impact Assessment (EIA) is a pivotal legal instrument employed to systematically evaluate the potential environmental, health, and socio-ecological impacts of investment projects, whether direct or indirect³². Originally institutionalized in 1969 in the United States, the EIA has since become integral to environmental governance globally. In Algeria, however, Executive Decree No. 07-145, which delineates the scope, content, and procedural requirements for EIA approval, refrains from providing a precise definition of the assessment itself. Instead, Article 2 specifies the objectives, which include determining the project's compatibility with its environmental context, assessing its direct and indirect impacts, and ensuring adherence to environmental protection mandates as stipulated by the project's legal framework.

The EIA functions as a regulatory mechanism in urban planning, ensuring that development aligns with both environmental conservation and urban expansion. It facilitates compliance with technical standards and statutory requirements, ensuring construction projects adhere to established norms while mitigating potential environmental harm. Furthermore, the EIA promotes urban integrity by preserving environmental quality, enhancing city planning aesthetics, and improving transportation infrastructure and residential zones³³.

Pursuant to Article 35 of Executive Decree No. 91-176³⁴, which governs the preparation of land-use certificates, subdivision permits, and building permits, an environmental impact assessment is mandatory for all building permit applications related to significant construction and infrastructure works. These projects, due to their scale and potential adverse effects, necessitate thorough scrutiny to prevent direct or indirect environmental degradation.

The legislative framework set forth in Article 15 of Law No. 03-10 mandates that development projects, infrastructure installations, industrial facilities, and all construction programs that may impact the environment must undergo an EIA or a summary environmental impact assessment, depending on the scope and intensity of the project's effects.

In accordance with this provision, Executive Decree No. 07-175 defines the scope and procedural approval of EIAs, applicable specifically to large-scale projects such as the construction of new cities with populations exceeding 100,000 inhabitants or the establishment of new industrial zones. While Algeria's legal framework restricts the EIA to development and infrastructure projects, more advanced jurisdictions, such as France, have extended its application to legislative and regulatory acts concerning environmental protection³⁵.

B) Post-Regulatory Control Measures

Post-regulatory control measures are vital in ensuring legal compliance following environmental violations. These tools are designed to rectify environmental damage and restore adherence to legal norms. Below are the primary mechanisms:

1.Notification

Notification is an official process through which violators are reminded of their legal obligations to address environmental violations and implement corrective actions. Article 25 of Law No. 03-10 stipulates that when the operation of an unclassified facility poses risks or harms the interests protected by Article 18, the governor (*wali*) issues a warning to the operator, setting a deadline for corrective measures to eliminate the hazards. Notification serves as a crucial deterrent, being the first step in addressing environmental infractions by emphasizing the severity of the risks posed by non-compliant activities.

2.Suspension of Activities

The suspension of activities is an immediate and proactive regulatory measure used when industrial operations present imminent risks to public health, safety, or the environment. This measure is swift, aiming to mitigate ongoing pollution and environmental damage. As Gharbi³⁶explains, suspension is effective in quickly halting environmentally harmful activities. For instance, Article 48 of Law No. 01-19 on waste management stipulates that when a waste processing facility poses serious risks to public health or the environment, the relevant authority must order the operator to take immediate remedial action. Should the operator fail to comply, the authority is empowered to enforce precautionary measures at the operator's expense and suspend all or part of the facility's operations.

3.License Revocation

License revocation is the most severe administrative sanction available to regulatory authorities. It is typically enforced when continued facility operations pose a grave and irreparable threat to public order, public health, or the environment. License revocation may also occur if a facility fails to meet regulatory standards, ceases operations for a legally specified period, or violates its operational conditions. Additionally, judicial rulings for permanent closure or facility demolition can result in revocation.

An illustrative example is found in Article 153 of the Algerian Mining Law, which mandates that mining license holders must commence operations within one year of issuance and maintain compliance with technical guidelines for exploration, development, and exploitation. Failure to adhere to these requirements results in license revocation³⁷.

In the case of classified installations, license revocation is enforced when a facility fails to comply with the regulatory or technical conditions outlined in its operational license. Article 23 of Decree No. 06-198 governing classified installations specifies that if corrective measures are not

implemented within six months of the notification, the facility's license may be revoked. This ensures stringent oversight of high-risk industrial activities and upholds environmental regulatory standards.

Conclusion:

This study reveals that the Algerian legislator has accorded significant weight to the notion of public order in its environmental dimension, recognizing the symbiotic relationship between public order and environmental preservation. It is evident that public order—whether in its traditional or modern components—cannot be achieved amidst environmental degradation. The legislator's efforts to mitigate environmental deterioration span various sectors, encompassing urban cleanliness, public tranquility, waste management, and the preservation of green spaces.

Environmental public order is safeguarded by a range of administrative institutions, both at the central and decentralized levels, as well as specialized agencies. These entities apply a comprehensive legal framework, employing preventive control measures such as permits, prohibitions, and environmental impact assessments, alongside post-event control measures, including notifications, activity suspensions, and license revocations. Consequently, this focus on environmental protection has culminated in the development of a distinct environmental public order.

In order to fully realize the environmental dimension of public order, greater emphasis must be placed on raising societal awareness regarding the importance of environmental preservation and pollution mitigation. This can be facilitated through the strategic use of media and public information campaigns. Additionally, administrative bodies charged with upholding public order should actively organize awareness and training programs for their personnel, as well as civil society actors, to educate and sensitize them to the environmental aspects of public order.

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