

## **The Legal Mechanisms for the Consumption of Urban Property in Algerian City - The Case of the City of Ouargla**

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### **Abstract**

This study aims to understand the mechanisms of urban land loss in Algerian city. This is done by defining these mechanisms, explaining their rationale, identifying the stakeholders involved and their roles, and highlighting the impacts and consequences of their operation. Finally, it offers some solutions and recommendations that may lead to a review of their operating procedures or help curb their consumption of urban land. Through our study, we concluded that there is sometimes a lack of relationship and, at other times, a lack of coordination between the work of these mechanisms and urban planning schemes. This has led to the depletion of urban land and affected the city's urban expansion.

**Keywords:** *Legal Mechanisms, Wilaya Technical Committees (or Provincial Technical Committees), Urban Land, Ouargla City.*

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### **Introduction**

Real estate in Algeria is one of the most sensitive and complex dossiers, pulled between competing forces seeking to appropriate this rent-based resource, which underpins the economy. At the same time, objective actors endeavour to subject it to procedures that meet a minimum threshold of transparency and clarity. Although it is one of the most important elements of sustainable urban development, given that the expansion of cities depends on the land upon which they extend the legal nature of such land, in terms of its ownership and use, it may place the aspirations of its owners in a position of opposition to the objectives of planning and development instruments or render it an object of speculation. For this reason, legislation has had to provide mechanisms for its consumption, whether for public facilities, housing programmes, or investments (economic real estate), in a manner that serves the interests of the city, society, and development while ensuring guidance and control over urban growth. This is the subject to be addressed in the present study.

### **Legal Mechanisms (Lawful Consumption)**

#### **Provincial Technical Committees**

Land policy in Algerian city faces two significant challenges: the multiplicity of bodies, which sometimes leads to duplication, and, at other times, contradiction. This arises from administrative decisions issued by these entities without referring to other concerned bodies, from the absence of consultation with the private sector affected by such decisions, or from their unequal and unjust application. The result is the creation of ambiguity, apprehension, and, at times, reluctance, all of which negatively influence the land and urban policies adopted within development strategies.

To unify these bodies and stakeholders, strengthen coordination among them, and foster consultation with a view to reaching a unified decision, the Algerian legislature established legal

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mechanisms represented by decentralised provincial technical committees, the jurisdictions and effects of which are defined by the province's administrative boundaries. Some of these committees are created by executive decrees, such as Executive Decree No. 91--485 of 25 December 1991, which establishes the modalities for implementing the governor's powers to coordinate and supervise the public services and institutions located within the province. Ministerial decisions, interministerial instructions, or provincial decisions establish others.

These committees function much like the formation of ministerial portfolios within a government: the Prime Minister cannot perform all duties without appointing ministers, defining their tasks, and each minister subsequently appointing directors-general and the remainder of the administrative structure according to the needs and requirements of each ministry.

In this study, we address the legal mechanisms for the consumption of urban property, namely, provincial technical committees, to clarify their establishment, functions, operations, and relationship with the consumption of urban property and to identify the decision-making authority within them.

### **The Provincial Technical Committee for Planning and Urban Development (Land Allocated for Public Facilities)**

The dynamics of the urban sphere require coherent functional diversity whose organisation is tied to the existing urban structure. This can be achieved only through rigorous coordination among various public facilities. To provide the necessary land bases for these facilities, the legislature established a provincial committee composed of representatives from a range of real estate-related services to determine suitable plots and ensure their implementation. This is the Provincial Technical Committee for Planning and Urban Development.

#### **Establishment**

The committee was created by Ministerial Instruction No. 123 issued by the Ministry of Public Works on 14 April 1991 (see Annexe No. 01). It was known as the Land Selection Committee prior to the promulgation of the Planning and Urban Development Act on 1 December 1991. Owing to the insufficiency of urban plans in covering the urban territory, the shortcomings of some of these plans, and their declining effectiveness, this committee was established. Despite its provisional nature, it continues to play a role, 34 years after its establishment, in providing land for public facilities and various public development programmes in the field of planning and urban development.

This provincial committee has played a significant role in selecting all land plots in the Province of Ouargla, such as the selection of the site for the new city of Hassi Messaoud in the Oued el-Meraa area, which extends over 4,483 hectares; the selection of the industrial zone site in the city of Ouargla, in the Municipality of Hassi Ben Abdallah, covering 500 hectares on 17 June 2009; and the 400-bed university hospital, covering 55 hectares.

#### **Functions**

- ❖ Providing land bases for facilities and various development programs.
- ❖ The coherence and suitability of the project were examined with planning and development instruments.
- ❖ Verifying the compatibility and integration of the project with existing facilities and its impact on existing networks.
- ❖ Securing the right to construct on the land plot and ensuring its compatibility with the terrain.
- ❖ All national, regional, and local projects were examined.
- ❖ Providing its technical opinion on applications for subdivisions and requests related to construction and demolition.
- ❖ All forms of urbanisation should be proposed, and alternatives for development that are consistent with the province's urban planning and regional dynamics should be offered.
- ❖ Bringing to the attention of the State and local authorities, any forms of urbanisation that are unsuitable or noncompliant.
- ❖ Provide a technical opinion on the content of planning and development studies and their participation.

- ❖ Informing and sensitising the public by organising study days on projects of general interest.

### **Composition**

This committee is composed of the governor as chair, or a representative thereof; the director of urban planning and construction as a member; the directors of the technical services as members; the president of the concerned municipal assembly (the territorial authority); and the project owner. Despite the multiplicity of its functions, the committee's work is limited exclusively to the selection of real estate and land plots. In contrast, the remaining functions have been transferred to the Provincial Directorate of Urban Planning to issue its technical opinion on behalf of the committee. Furthermore, for the province to benefit from any project or facility, rather than being redirected to another province or cancelled, the required area and the desired location are granted.

### **Relationship between the Provincial Technical Committee for Planning and Urban Development and Planning Instruments**

When these selections are compared with planning and development instruments, the following was observed (Table No. 01):

**Table No. 01: Number Of Land Selections and Their Relationships with Planning and Development Instruments**

<b>Number</b>	<b>Land-Use Plans</b>	<b>Development Plans</b>	<b>Random Selections</b>
<b>205 plots</b>	76 plots	87 plots	42 plots

Source: Directorate of Urban Planning, Construction, and Architecture, 2024.

An examination of the table reveals that, with the exception of 76 land selections that conform to an approved planning and development instrument, 42 selections are random.

- ❖ Jumping towards sectors programmed for urbanisation, namely, properties designated for short- and medium-term development within a ten-year priority schedule.
- ❖ Providing the requested area without prior assessment, large land plots were allocated for facilities that do not require the entirety of the granted area (e.g., the police academy: 50 hectares, of which only 20% is utilised).
- ❖ Most of the properties have a legal status of state ownership.
- ❖ Most approved facilities are located in areas lacking networks such as water, electricity, wastewater, and roads or situated far from them.
- ❖ Most vacant pockets within the city have been exhausted.
- ❖ Fundamental principles of urban planning are generally not taken into account when allocating land for various functions and facilities. For example, the distance to primary schools is not adjusted to account for pupils' ages, whereas a longer distance may be acceptable for secondary school students. Similarly, the requirement to place infectious disease hospitals at relatively isolated sites is not observed, nor is the need to ensure that elderly care facilities and services are located as close as possible to residential areas.
- ❖ Police and security stations should be distributed evenly across the city's neighbourhoods while accounting for the need for concentrated security forces and services in areas experiencing problems and crime hotspots. This stands in stark contrast to the committee's actual practice, as we recorded ten security-related facilities within a single plan owing to the legal nature of the land in that area (state-owned property).
- ❖ The recreational function is absent. Since the inception of the Provincial Technical Committee for Planning and Urban Development, properties designated for leisure and recreation in the city (public squares, green spaces, children's playgrounds, etc.) have not been made available to their intended users, despite their presence in all plans. Instead, they are executed directly by one of the intervening bodies, whether the Directorate of Urban Planning and Construction, the Directorate of Housing, the municipal authorities, or the Office of Promotion and Real Estate Management. They are often diverted from their functional use or subjected to informal construction. This indicates that, in allocating land, the committee focuses solely on built properties, whereas other property categories are not addressed.

### The Regional Standing of the City as the Capital of the South East and Its Role in the Consumption of Its Urban Property

This is evident from the considerable number of regionally significant facilities (serving in the southeastern part of the country) located in the city. Since 2003, we have identified 22 land plots provided by the committee to directorate institutions of regional scope, totaling 10.23 hectares. These facilities have contributed to land consumption in the city, as shown in Table No. 2.

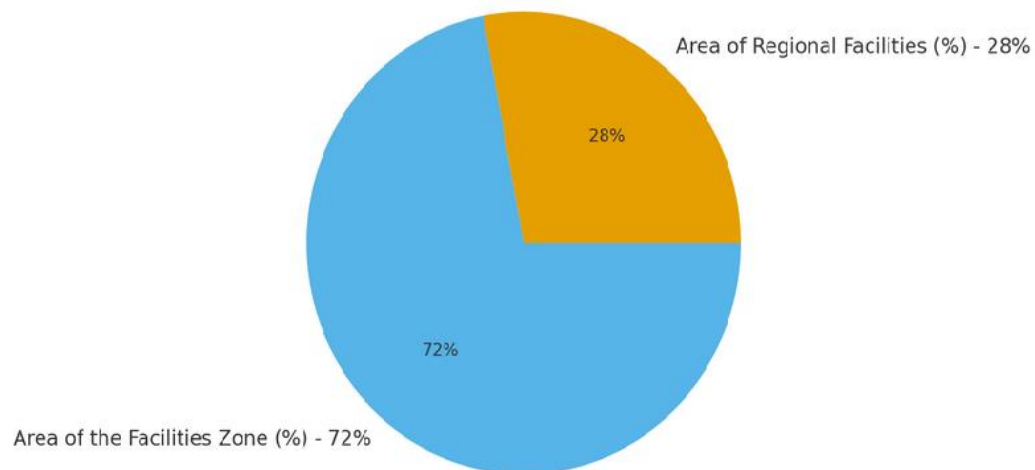
**Table No. 2: Properties Granted for Regionally Significant Facilities in the City of Ouargla**

Number of Facilities	Regional Facilities	Period of Allocation	Area (ha)
22	South-East Region	2003–2019	10.23

**Source:** Directorate of Urban Planning and Construction, Province of Ouargla, 2019.

The table clearly shows that Ouargla's status as the capital of the southeast has led to the establishment of several facilities and installations with a regional function. Conversely, this has intensified the consumption of urban property. The total area consumed by regional facilities amounts to 10.23 hectares out of a total of 36.21 hectares allocated to the city's facilities zone, representing 28.25 percent (Figure No. 01).

**Figure No. 01: Proportion of Regional Facilities Compared to the Facilities Zone**



### The Importance of Legal Status in the Consumption of Urban Property

Land ownership plays a decisive role in shaping a city's growth. This occurs when property owners refuse or oppose the sale or transfer of their land, particularly land programmed for urban development under planning and development instruments, while benefiting from the flexibility offered by the current land policy, beginning with Act No. 25--90 of 18 November 1990 on land orientation. As a result, the authorities shift their focus toward acquiring properties of state-owned legal status for the implementation of various programs and for sustaining the development process, thereby avoiding lengthy judicial procedures related to expropriation, an exceptional method of acquiring property or fundamental rights whose purpose is the achievement of public interest. This ultimately leads the city to adopt a specific pattern of growth, hindering the optimal implementation of urban development plans. This explains the city's current expansion towards the western side because the land's legal status is state owned (Figure No. 2).

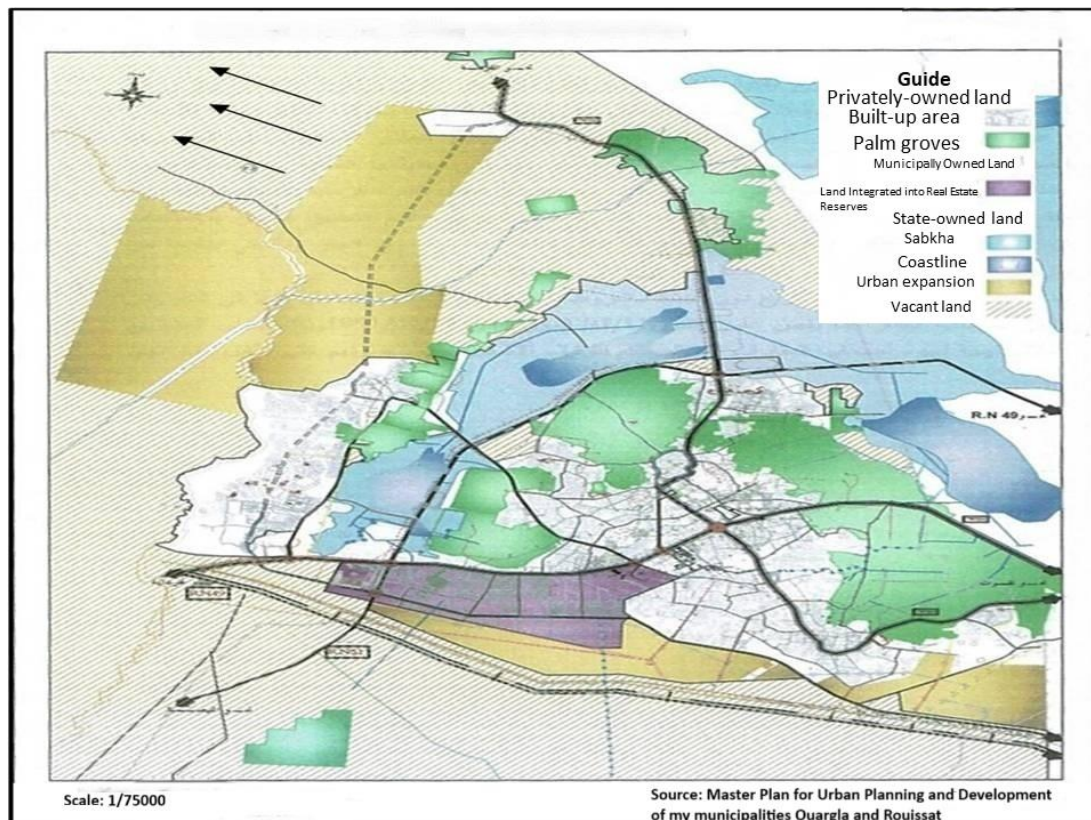
### Ease of Real Estate Transactions

One of the reasons that leads officials to favour state-owned urban property is the ease of carrying out all legal transactions related to such property, whether involving the right of ownership or one of its components (usufruct, use, exploitation, or concession), or involving accessory rights such as mortgages and privileges, as well as the ease of obtaining permits (construction or subdivision). Despite the multiplicity of intervening bodies, the shorter duration of procedures constitutes an important factor compared with dealing with the property of private ownership.

### **The Provincial Technical Committee for Housing (Land Allocated for Housing)**

Housing is one of the State's primary concerns and foremost priorities. It is a necessity and a continuous demand in every urban settlement, regardless of its size. Housing is based on two fundamental elements: land and financing. While financing has ceased to pose a significant problem in Algeria over the past decade, owing to the availability of the necessary financial resources (the programme of one million housing units for the period 2005–2009; one million housing units for 2010–2014; and 1.6 million housing units for 2015–2019), land has remained an obstacle for the State. In fact, several housing programmes were transferred from one municipality to another during the first five-year plan due to the absence of available land bases or their cancellation.

The system of real estate development (rent-to-own, free promotion, and assisted real estate promotion) is also among the most significant housing formulas that consume urban land plots for the implementation of their projects. In response, the legislature established the Provincial Technical Committee for Housing.



**Figure 2. City of Ouargla: The Legal Nature of Real Estate**

#### **Establishment**

The committee was established by Joint Ministerial Order dated 19 February 1992, which sets the conditions for the transfer of built or unbuilt state-owned properties designated for urban development or construction operations. The built or unbuilt properties eligible for purchase must satisfy the following conditions:

- They must belong to the state's private domain.
- They must not be designated, nor likely to be designated, for public service or public facility purposes.
- They must be located within urban or urbanisable sectors, as defined by the legislative texts related to urban planning.
- The built property must include buildings that require rehabilitation or recovery of their land footprint.

- They must meet the technical conditions defined in the specifications for the targeted housing group.

### Composition

The committee is composed of the Secretary-General of the province, representing the governor territorially, as chair; the Provincial Director of State Property; the director responsible for urban planning and construction; the director responsible for spatial planning and regional development; the Provincial Director of Agriculture; the Director of Regulation and General Affairs; the Director of Water Resources; the Director of Public Works; and the Director of Mines and Industry.

This committee was amended by the Ministerial Order dated 5 April 2003, following the creation of the Directorate of Housing and Public Facilities, which thereafter served as the secretariat of the committee rather than the Directorate of Urban Planning and Construction. A subsequent amendment to the committee was made on 14 May 2011 (Annexe 02).

### Functions

- Ensuring the publication of available state-owned private-domain land intended for accommodating real estate development projects.
- Deciding on each submitted application.
- Providing opinions on the type and structure of the proposed projects and assessing their suitability or alignment with the public interest.
- Examine their compatibility with the requested locations, with urban planning instruments (the Master Plan for Planning and Urban Development, the Land-Use Plan) or with the general rules of planning and development.

Upon examining the properties allocated to real estate developers, we observed the following (Table No. 03):

**Table No. (03): Work of the Provincial Committee for Housing in Providing Residential Land to Real Estate Developers**

Number of Developers	Number of Housing Units	Area (ha)	Housing Type
25	5,954	170.60	5,954 housing units

*Source: Directorate of Housing, Province of Ouargla, 2022.*

- The committee grants undeveloped land located far from the urban fabric because it falls within the state's private domain or because it meets developers' requests for their preferred housing typologies (individual, semicollective, or collective housing). Such land is usually located at a considerable distance from the existing urban fabric, resulting in a rupture of the urban structure, the depletion of state-owned urban land, and challenges in extending networks to new projects (water, sanitation, electricity, and roads). This also encourages real estate speculation (Figure No. 03).
- Instead of requiring developers to comply with the housing typologies prescribed by approved planning and development instruments, the committee accommodates these requests according to developers' preferences.
- Furthermore, the committee has not recovered any property from real estate developers who benefited from land allocations to implement their housing programmes, despite the expiration of the legal period for doing so.



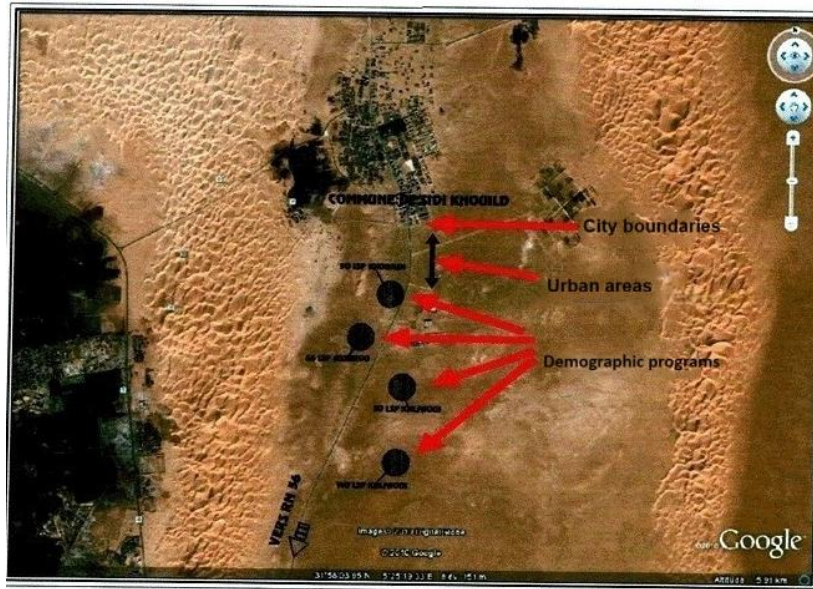


Figure 3. Illustrative Plan Showing the Distribution of Real Estate Development Projects During the Period 2015–2022

Source: Google Earth 2022

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### Residential Property and Urban Planning Instruments

Residential properties located within approved land-use plans and equipped with essential networks such as electricity, water, and sanitation are consumed rapidly by real estate developers through the Provincial Technical Committee for Housing. This rapid uptake is attributed to the State's support for residential property intended for real estate promotion: developers are exempted from 95 percent of the land price in the High Plains and the South.

Moreover, they benefit from reduced interest rates on bank loans for financing project works, as well as accelerated access to subsidies from the National Housing Fund.

Other properties, however, located within unapproved plans or outside the scope of urban planning, remain vulnerable to real estate speculation and experience price increases far exceeding their logical or fair value.

### **The Committee for Assisting in Locating and Promoting Investments and Regulating Property (Industrial Property)**

The mechanisms for exploiting investment-oriented property have varied with successive investment laws and the corresponding finance laws. Throughout these successive phases, the management mechanism for such properties also changed, shifting from the CALPI Committee to the CALPIREF Committee and later to the ANIREL Agency. Each change in mechanism coincided with a change in the legal nature of the contracts governing these properties: from transfer contracts (sales) to concession contracts with the possibility of transfer and subsequently to concession (usufruct) contracts.

We present an overview of the CALPIREF Committee, focusing on its activities in distributing properties designated for investment.

### **The Committee for Assistance in Locating and Promoting Investments and Regulating Property (CALPIREF)**

The Committee for Assistance in Locating and Promoting Investments and Regulating Property was established by Executive Decree No. 07-120 of 23 April 2007, which sets out its organisation, composition, and functioning.

The committee is chaired by the governor or a representative thereof and includes representatives from all relevant sectors. It was amended on 28 March 2010, whereby the Directorate of Industry and Mines became the secretariat of the committee rather than the general secretariat. It was amended once again following the enactment of Act No. 22--18 of 24 July 2022.

#### **Functions**

- A database on the available land supply at the provincial level was established.
- Assisting investors in identifying suitable land for establishing their investment projects.
- Contributing to the regulation of investment-oriented property and ensuring its rational use.
- Assessing the operating conditions of the local real estate market.
- The creation of new industrial zones or areas of economic activity should be proposed.
- Ensuring the monitoring, implementation, and evaluation of investment projects.

#### **Procedures for Obtaining a Plot of Land for Investment Purposes**

Every applicant wishing to benefit from a plot of land for investment must submit a request to the territorially competent governor, accompanied by a file of twenty-five copies, including in particular, a technical and economic study. The committee examines applications for land designation capable of hosting investment projects and issuing a decision within a maximum period of thirty (30) days.

Given the importance of this mechanism in the consumption of urban property owing to the vast areas allocated to investors for the establishment of their industrial units (the largest allocated area reaching 13.54 hectares) and despite the limited number of projects granted by this committee in the city of Ouargla, we examined its activity in the region adjacent to Ouargla, namely, the Oued Righ area (Touggourt, Temacine, and Megarine), the cities located along National Road No. 03.

Upon reviewing the committee's results from 1 January 2006 to 30 May 2010, it became clear that the committee approved 22 investment projects in the province out of 177 submitted applications, all of which are located along National Road No. 03 (Table No. 04).

These may be listed as follows:

- Thirteen brick-manufacturing units, all located along National Road No. 03.
- Two milk-production units along National Road No. 03.
- One couscous-production unit along National Road No. 03.
- One date-processing factory along National Road No. 03.
- One Toyota vehicle sales unit along National Road No. 03.
- One iron-pellet production plant (in the industrial zone).



- One classified restaurant along National Road No. 03.
- One brick factory (in the industrial zone).
- One fuel-storage complex.

The benefits that an investor may derive from a particular land location fall into two main categories:

The benefits an investor may obtain from a given land location depend, in some cases, on the site's proximity to or distance from the market or the source of raw materials. A favourable location is one in which transport costs are reduced. For land use within city limits, transport costs constitute the only significant factor from a spatial perspective.

Our analysis focused on brick factories because of their abundance and the region's availability of raw materials. It became clear that four essential factors lead investors to request land for their projects:

1. Frontage on national roads
2. Availability of raw materials
3. Price of land
4. Legal status of the land

When examining the locations of municipal activity zones, it became evident that they are situated along National Road No. 03, that they are owned by the Provincial Real Estate Agency for Urban Property Regulation and Management, and that they are unserved (absence of networks), while the price per square meter is 1,000 DZD/m<sup>2</sup>. Why, then, do investors avoid these zones and instead turn to frontages along National Road No. 03 to establish their projects?

To answer this question, we conducted direct interviews with all investors owning brick factories whose projects were approved by the committee, a total of thirteen investors, each interviewed individually, using a questionnaire designed specifically for this purpose.

#### Questionnaire for Investors (Brick Factory Owners)

*Does the choice of property for the implementation of investment projects depend on the following:*

- Legal status of the land (State-owned)
- Price per square meter
- Availability of raw materials
- Proximity to the national road
- Other factors?

The percentages of responses were as follows:

**Table No. (04): Percentage of Opinions on the Reasons for Choosing Property for Investment Projects**

Variable	Number of Responses	Percentage Relative to Total Responses (37)	Percentage of the Sample (13)
Legal status of land (State-owned)	13	35.13%	100%
Price per square metre	13	35.13%	100%
Proximity to the national road	7	53.84%	53.84%
Availability of raw materials (clay)	4	10.08%	30.76%

Table No. (03) shows that all investors (13), representing 100 percent, consider that the primary reasons for selecting land for investment are the legal status of the property and the price per square meter rather than proximity to the national road or availability of raw materials.

It is also observed that investors themselves take the initiative in choosing both the locations and the surface areas, knowing that the investor seeks to select a site where production costs are reduced (land price, availability of service, networks, etc.) on the one hand and where the potential for

maximising profit is most significant on the other hand. This occurs despite the existence of real estate reserves in the form of activity and industrial zones, most of whose land remains unoccupied.

Regarding the distribution of projects, almost all of them were allocated land along National Road No. 03 for the following reasons:

- The legal status of the land: State-owned (symbolic sale price).
- Frontage on National Road No. 03 (reducing transport costs).
- Availability of certain raw materials near the site for some activities (the presence of clay for brick factories).
- The presence of the railway network, for which the city of Touggourt constitutes the last point it reaches in the southeast.

The other conditions that generally determine the siting of projects are not met when such land is allocated:

- Proximity to the market.
- Government services (security, taxation, etc.).
- Availability of low-wage labour.

### **Administrative Conditions for the Use of Industrial Property**

The administrative conditions are essentially connected to the Master Plan for Planning and Urban Development and the Land-Use Plan, both of which regulate the use and location of industrial property. This regulation is based on the requirement to respect and achieve public interest. Accordingly, we address below the administrative conditions related to planning and development.

### **Investment areas without planning or management**

By providing land to investors, the Committee for Assistance in Locating and Promoting Investments and Regulating Property has created areas without designation that are neither industrial zones, activity zones, free zones, nor special zones. These areas are also devoid of management structures and bodies responsible for their planning and administration. Consequently, they lack development and networks. Investors individually undertake the task of cutting across National Road No. 03 at their own expense, particularly to connect to the gas network located on the opposite side of the road. This has resulted in numerous cuts along the road at short intervals, causing deterioration of the national road.

Furthermore, several land-use violations have arisen, mainly due to unregulated expansions and the failure to adhere to fundamental principles of urban planning.

From the spatial distribution of the approved projects mentioned above, the following conclusions may be drawn:

- The consumption of property is linear, depleting the land adjacent to National Road No. 03 (Figures No. 04 and 05), without regard for exploiting the gaps between project plots (Images No. 01 and 02). This has produced a fragmented built environment, which contradicts one of the committee's core duties, namely, contributing to the regulation of investment-oriented property and ensuring its rational use.
- There is no defined surface area for projects, especially those belonging to the same activity (e.g., expanding a brick factory on 10 hectares while establishing another factory on 4 hectares). This has led to the consumption of large land parcels that could otherwise have been used for additional projects.
- The total area of approved projects, amounting to 47.4 hectares, exceeds the area of the activity zone of the Municipality of Temacine (11 hectares) and that of the Municipality of Megarine (13.7 hectares), both adjacent to National Road No. 03. In addition, natural constraints affect specific projects (salt flats), according to the Directorate of State Property, as does the emergence of private individuals claiming ownership of some plots, which delays the launch of several projects. Had a new activity or industrial zone been appropriately established, regulated, and supported by a subdivision permit, in accordance with the committee's tasks

(Article 02 of Executive Decree No. 07--120), some of these projects would not have been delayed.

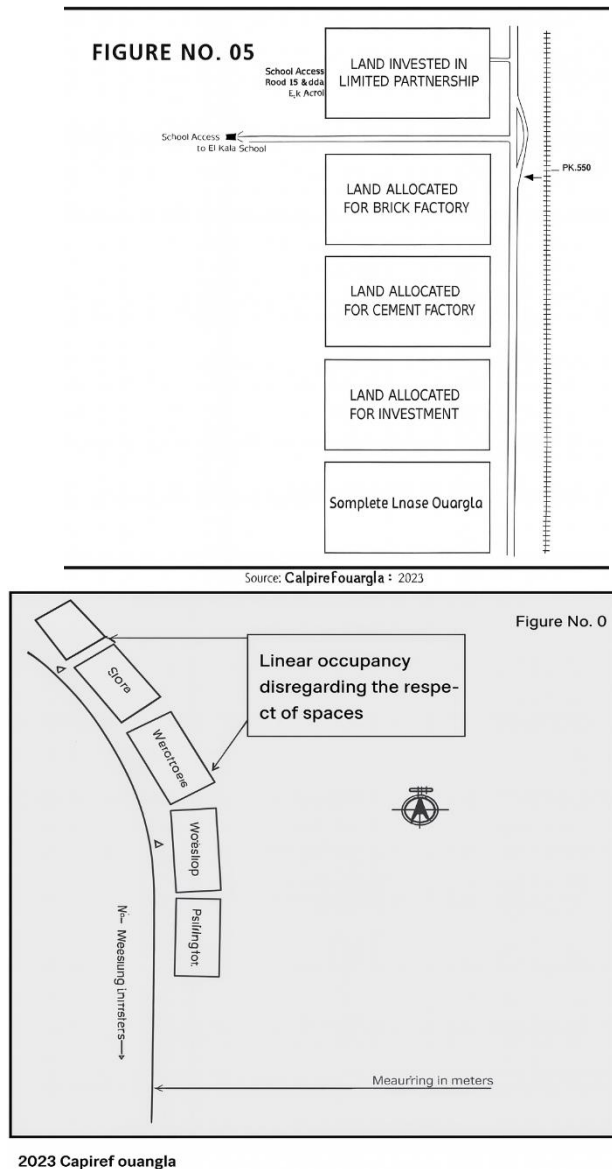


Image No. 01: Linear consumption that does not take into account the gaps between project plots



Image No. 02: Linear consumption that does not take into account the gaps between project plots



Source: Prepared by the student, 2024

- The positioning of these projects along National Road No. 03, on both sides of it, will constrain the future development of neighbouring municipalities (Touggourt, Nezla, Temacine, Blidet Amor, and Megarine), especially since their master plans for planning and urban development indicate that future urban expansion is directed towards this road.
- The economic criteria and urban planning regulations were not considered in the distribution of these properties.
- The absence of project monitoring and oversight led some investors to divert the properties granted to them for investment to purposes other than those for which they were allocated, even though the transfer contract includes a resolutive clause tied to the completion of the project in accordance with the approved investment programme, within its prescribed timeframe, and within the period specified in the authorisation request.
- The random distribution of project land led to the establishment of projects whose functions are incompatible with those of neighbouring projects (e.g., a flour mill located among brick factories).

### **Key Actors and the Decision-Maker in Provincial Technical Committees**

Although these committees are composed of several stakeholders, there are three principal actors:

- **Directorate of State Property:** generally, the owner of the land being requested.
- **Directorate of Urban Planning and Construction:** responsible for ensuring the application of planning and development instruments.
- **The governor or his representative (the Secretary-General):** as the ultimate local decision maker and holder of the budgetary authority, his opinion prevails within these committees. This greatly influences the application of specific plans and may, in effect, transform these committees from legal to nonlegal mechanisms.

### **Relationship between Local Authorities and Provincial Technical Committees**

From a technical standpoint, the contribution of local authorities is of limited effectiveness due to the absence of specialised expertise within them. This has led the legislature to restrict their role to that of consultation, limited to giving an opinion on the feasibility of the facility or programme when the project site lies within their property.

### **Legal mechanisms and public participation**

Matthew defines participation as an attempt to influence decision-makers within an organisation, institution, or undertaking. In general terms, it refers to the interaction between planners and citizens within the development process, through which planners gain insight into citizens' essential and urgent needs, while citizens, in turn, become acquainted with the technical aspects of plans, enabling them to understand better and engage with them.

### **The Importance of Public Participation in Development Planning**

The importance of public participation in development planning can be summarised as follows:

1. Public participation helps identify local problems and needs while ensuring precise priority setting.
2. It reinforces the concept of democracy, as members of society tend to accept decisions in which they have participated, supported, implemented, and defended them.
3. It increases individuals' awareness of the problems facing their communities and of the available means to address them.
4. It facilitates citizens' responsiveness to desired changes by preparing them psychologically to accept change and by reducing negative information and attitudes that hinder development processes and their success.
5. It strengthens the notion of public interest, the preservation of public funds, and the sense of responsibility.
6. It helps reduce social, economic, and spatial inequalities.

## **Priority of Planning Instruments and Properties in the Work of Provincial Technical Committees**

By examining the minutes of property allocated to various development projects (facilities, housing, investment) and comparing them with different planning and development instruments, it becomes evident that the localisation of projects is subject to the following criteria:

- The compatibility of the legal status of state-owned property with planning instruments is given priority in selection.
- The legal status of the property: State-owned property first, followed by municipal property.
- Finally, the compatibility of the planning instrument with private property is ensured by resorting to it only as a last option through expropriation procedures.

When this relationship is applied to the provincial technical committees, the following observations emerge:

### **1. The Provincial Technical Committee for Planning and Urban Development**

This committee selects land for the implementation of public projects in the absence of land-use plans. To avoid land disputes and the costs associated with purchasing private property, it turns to state-owned land. However, this choice often results in random selections that consume large, unplanned areas, hindering future sound urban planning.

### **2. The Provincial Technical Committee for Housing**

By studying the programmes allocated to real estate developers (public and private) and comparing them with planning and development instruments, we observe that all programmes are granted in accordance with land-use plans. This explains why developers insist on acquiring state-owned property, as the land-use plan allows them to identify property owners before any study is conducted, choose the desired housing typology (individual, collective, or semicollective), and benefit from existing servicing advantages.

### **3. The Committee for Assisting in Locating and Promoting Investments and Regulating Property**

Given the scale of projects and the large surface areas required for their implementation, the committee, through the investment units it allocates (brick factories, tile factories), considers only the municipal Master Plan for Planning and Urban Development. The Land-Use Plan is consulted only when the facility is local in nature or when the project is small scale (e.g., a public bath, bakery, or service station). This has led to the emergence of areas equivalent to regulated activity zones, in contrast with the Master Plan for Planning and Urban Development, which had already established industrial zones and activity zones, the majority of whose land remains vacant.

## **Summary of the Works of Legal Mechanisms**

The analysis has demonstrated that the provincial technical committees established by the Algerian legislature to control land consumption and coordinate among various actors have played a significant role in this field, as evidenced by results achieved across different levels of local development. However, the study has also identified numerous shortcomings and deficiencies arising from the role of these committees in the consumption of urban property. The most important of these are as follows:

- The absence of citizen and civil society participation in decision-making concerning the living environment and the future of the city.
- As a result of erroneous declarations made by certain technical services to provincial committees, some plots of land have been identified as privately owned when they are not, causing delays in decision-making, especially when private individuals resort to the courts, given the weakness of the administrative decision issued by these committees compared with approved planning and development instruments.
- The weakness of municipal popular assemblies vis-à-vis provincial technical committees, owing to their limited technical capacity and expertise, often leads them to rubber-stamp decisions, rendering their role largely symbolic despite the responsibilities and powers granted to municipalities by Algerian legislation.

- Acceleration of the consumption of state-owned urban land to ensure the implementation of public-interest projects results in violations of planning and development instruments that are designed to regulate the production of developable land.
- The absence of clear and defined criteria for allocating land parcels leads to random selections whose aim is merely to provide the required surface area and fulfil the activity sought by the investor.
- Failure of the committees to prioritise land located in old or neglected neighbourhoods for redevelopment instead focuses on newly created plots.
- Owing to weak oversight by these committees, specific properties have been diverted from their intended investment purposes to other uses not specified in the specifications, or the committees have failed to recover land from real-estate developers who did not complete the housing programmes they had committed to implementing.
- Municipalities have not exercised their preemption rights over private properties offered for transfer, despite the possibility of using these properties for public projects and facilities.

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