

The People's Democratic Republic of Algeria



**Scientific Research for Participation in the 14th Competition of the Arab
Organization of Supreme Audit Institutions
On the Topic of Evaluating Public Programs and Policies
** Best Experiences and Practices ****

**The Experience of the Algerian Court of
Accounts in Evaluating the National Policy for
Coastal Protection and Valorization
(For the Period from 2019 to 2023)**

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Study Summary:

The evaluation of public policies holds great significance for various actors involved in public policy formulation. It serves as a tool to measure the success of these policies in fostering citizens' satisfaction with the government in general and the public services provided in particular.

Thus, public policy evaluation constitutes an effective mechanism for enhancing governmental performance indicators in addressing societal issues.

This study aims to delve deeper into the reality of the implementation and evaluation processes of public policies in Algeria, considering these as integral stages of public policy formulation. The implementation process transforms public policies from their announced state into practical application, embodying the planned objectives.

As for the evaluation process, it serves as a means to verify the validity of the procedures followed and how they can be used as a foundation for future decision-making.

To address this topic, the study adopts a descriptive-analytical method to enumerate and describe all the concepts related to the research elements, facilitating the clarification and simplification of the subject's parameters.

Additionally, the study employs a statistical approach to collect and analyze statistical data to provide suitable interpretations of the obtained results.

The study also highlights the contributions of the Algerian Court of Accounts in evaluating the national policy for coastal protection and valorization by demonstrating the mechanisms and steps adopted by the Court during its evaluation process. This approach aligns with both international and national standards, aiming to formulate constructive recommendations that significantly contribute to solving marine environment issues, thereby achieving sustainable development goals.

Accordingly, the evaluation of the national policy for coastal protection yielded the following findings:

- A lack of a unified strategic vision among various sectors involved in implementing the national policy for coastal protection.
- Weak role and position of the National Coastal Authority in executing the national coastal protection policy, despite being the main tool for coastal management.
- Insufficient coordination among stakeholders in implementing the national coastal protection policy, particularly with local communities and civil society, regarded as strategic partners in this endeavor.
- Inadequate funding sources for projects related to coastal protection, especially following the closure of the special allocation account.
- The current coastal protection law's inability to keep pace with recent developments.
- Ineffectiveness of preventive and deterrent mechanisms to ensure adequate protection for the Algerian coastline.
- Absence of a national geographic information system for the coast.

Keywords: Public Policy Evaluation, National Coastal Protection Policy, Court of Accounts, Marine Environment, Sustainable Development Goals.

Introduction:

Public policies are a tool of the political system to address societal issues, reflecting its ability to design and implement policies in various economic, social, political, and environmental fields, both domestically and internationally. These policies embody the ruling elite's perception of societal problems and their proposed solutions. Among such policies is environmental policy, specifically the national policy for coastal protection and valorization.

The Algerian coastline is a vital natural asset that can be sustainably exploited to achieve local development in coastal areas. This importance is evident as most of Algeria's trade exchanges occur through ports on the Mediterranean Sea. Furthermore, the coast hosts the country's largest urban centers.

Additionally, these areas boast beaches and breathtaking landscapes, making them prime tourist destinations that enable the state to diversify its foreign currency revenues as an alternative to oil rents. The coast also harbors fishery resources, contributing significantly to food security and providing a vital source of national and individual income.

However, this critical area faces numerous current and future challenges, such as pollution, overexploitation of natural coastal resources, encroachments on coastal properties, and climate change.

In response to these challenges, Algeria has adopted a new vision centered on the principle of sustainable development in line with its international commitments. The first integrated coastal management strategy was developed in 2015 and updated in 2020, outlining ten strategic axes.

This strategy contributes to reorganizing and adapting state interventions to protect the coastal environment, ensuring the comprehensive and consistent implementation of legal texts and sectorial policies related to coastal areas.

To this end, the Algerian Court of Accounts, within the framework of a bilateral cooperation program with the Netherlands Court of Audit, registered a 2023 audit mission to evaluate the national policy for coastal protection and valorization.

The mission aims to address various issues facing coastal protection and evaluate the mechanisms employed to ensure their effectiveness in achieving sustainable development for coastal areas and the state as a whole. This aligns with the environmental protection requirements outlined in the Sustainable Development Goals, particularly Goal 14: **Conserve and sustainably use the oceans, seas, and marine resources for sustainable development.**

First : Problem Statement

Based on the above introduction, the main problem can be formulated as follows: **How effective and efficient is Algeria's national policy for coastal protection in achieving sustainable development goals?**

This central problem encompasses several sub-questions:

- ✓ What is the general framework of the national policy for coastal protection, and what are its implementation tools?
- ✓ What are the obstacles to implementing the national policy for coastal protection?
- ✓ What is the legal framework of the Court of Accounts as a constitutional mechanism for evaluating public policies?
- ✓ What are the best practices adopted by the Court of Accounts in evaluating the national policy for coastal protection?

Second: Hypotheses of the Study

The study is based on the following hypotheses:

- ✓ The more effective the role of the Court of Accounts, the more accurate its evaluation of the national policy for coastal protection.
- ✓ The success of the national policy for coastal protection in achieving its desired goals depends on the proper evaluation by the Court of Accounts.

- ✓ The Court of Accounts influences the formulation and implementation of the national policy for coastal protection.

Third: Importance of the Study

The evaluation of public policies is one of the most critical subjects underpinning decision-making. It is a fundamental mechanism for rationalizing public policies. This study sheds light on the effectiveness of the Court of Accounts in fulfilling its mandated roles and its contribution to evaluating public interventions (policies and programs) while adhering to its core principles, including independence, confidentiality, teamwork, and adversarial procedures.

Fourth: Reasons for Choosing the Topic

The reasons for choosing this topic are divided into subjective and objective factors.

- **Subjective Reasons:**

A personal desire to delve deeply into this topic and understand the contributions of the Court of Accounts in evaluating public policies, as it is one of the most significant constitutional mechanisms aimed at achieving national interest goals. Additionally, there is an aspiration to establish a scientific and methodological foundation for the subject.

- **Objective Reasons :**

The topic raises significant questions about the role of the Court of Accounts in evaluating public policies, especially the national policy for coastal protection and valorization, which has garnered increasing attention in recent years to achieve sustainable development goals.

Fifth: The Methodological Framework of the Study

The methodological framework of the study relies on two primary methods: the descriptive–analytical method and the historical method. Additionally, the study focuses on the legal and institutional approaches, as outlined below:

❖ Methodologies:

1/ Descriptive and Analytical Method: Based on the nature of the subject, and to address the research problem and grasp the various surrounding aspects, the study adopted the descriptive and analytical method. This approach facilitates the enumeration and description of all concepts related to the research elements, aiding in clarifying and simplifying the determinants of the topic.

2/ Historical Method: This method was employed due to its relevance to the research. It provides insight into the historical stages of the development of the Court of Accounts and examines the various political, economic, and social events that Algeria has undergone. It also seeks to analyze these developments and highlight their role in shaping the Court of Accounts.

3/ Statistical Method: The statistical method assists in collecting and analyzing statistical data to develop appropriate interpretations of the results obtained.

❖ Approaches :

- 1. Legal Approach:** Involves referencing legislative and regulatory texts relevant to the study.
- 2. Institutional Approach:** Focuses on understanding the organization and structure of the Court of Accounts to determine its effectiveness in evaluating public policies.

Sixth: Objectives of the Study

Every scientific study aims to define a set of objectives, which in this case include the following:

- Enriching the academic and practical understanding of public policy evaluation in general and the National Policy for Coastal Protection in particular.
- Highlighting the pivotal role of the Court of Accounts in evaluating public policies and revealing the relationship between this constitutional body and the policymakers of the National Coastal Protection Policy, as well as its influence on guiding such policies.
- Shedding light on the current challenges facing Algeria's coastline.
- Providing recommendations to achieve the objectives of the National Coastal Protection Policy.

Seventh: Literature Review

No study can be completed without relying on and referencing prior studies in the same field. This study is based on several references relevant to the topic, including:

1. **Master's Thesis titled "The Court of Accounts: Its System and Role in Monitoring Administrative Institutions"** by student Amjoug Nawar: This thesis addressed the legal framework of the Court of Accounts, highlighting its developmental stages, organization, and the types of oversight it conducts over public institutions and entities.
2. **Master's Thesis titled "The Anti-Corruption Institution in Algeria between 1999–2012"** by student Badis Bousaid: This thesis explored the severity of corruption and its devastating effects on nations and societies, emphasizing the importance of the Anti-Corruption Institution in Algeria in promoting transparency and integrity.

3. **Master's Dissertation titled "The Court of Accounts' Competence in Monitoring the State's General Budget"** by student Zineb Hedidan: This dissertation delved into the organization and management of the Court of Accounts and its competence in monitoring the execution of the state's general budget.
4. **Master's Dissertation titled "Coastal Protection in Algerian Legislation"** by students Ben Si Ahmed Mourad and Othman Abu Bakr: This dissertation examined the effectiveness of the legal system in ensuring adequate protection for the coastline.

Eighth: Study Structure

This study necessitated dividing the research into a theoretical part, comprising one chapter, and a practical part, comprising two chapters, as detailed below:

1. Theoretical Part:

Chapter One: This chapter addressed the theoretical foundation of the study through the first section, which includes the general concept of public policy, and the second section, which focuses on the general framework for evaluating public policies.

2. Practical Part:

Chapter Two: This chapter reviewed the contributions of the Court of Accounts to the evaluation of public policies, highlighting the best practices of the Court that align with international and national standards related to evaluation.

Chapter Three: This chapter, through its four sections, examined the reality and challenges of the Algerian coastline, evaluating the tools used for implementing the national policy for coastal protection and enhancement during the period from 2019 to 2023. These tools primarily include management and intervention tools, in addition to preventive and corrective mechanisms aimed at protecting the marine environment.

1– The Theoretical Aspect

Chapter One: Theoretical and Conceptual Foundation of Public Policy

The process of evaluating public policies is a fundamental activity for enlightening public policy makers and implementers. It provides analytical elements that include diagnosing and measuring the results and impacts of a policy to identify the objectives achieved and its effects on individuals and society.

Accordingly, the evaluation of public policies holds great importance as a tool for assessing the success of any public policy. It serves as an effective mechanism to improve governmental performance indicators and find solutions to societal problems.

Section One: The General Concept of Public Policy

This section is dedicated to providing a brief overview of public policy by addressing its four subsections: its definition, types, the actors involved in its formulation, and the various stages it undergoes.

Subsection One: Definition of Public Policy

Public policy is characterized by a variety of definitions, reflecting the differing perspectives of researchers influenced by factors such as their environment, intellectual and scientific foundations, and the lens through which they view public policy. Some of these definitions include :

1. Definition from the Government Perspective

Some theorists define public policy as an inherent function of government.

For instance, Jared Rose described it as a series of governmental

activities, loosely or closely linked, whose outcomes affect those concerned in the future, rather than isolated decisions.¹

Thomas Dye, on the other hand, defines public policy as the relationship between a governmental unit and its environment, describing it as an expression of everything the government does, or a governmental decision or choice to act or not act.

2. Definition from the Power Perspective

Among the researchers who adopted this perspective is **Harold Lasswell**, who defined public policy as "who gets what, when, and how." It pertains to activities related to the distribution of resources, benefits, values, and both material and moral advantages, as well as the sharing of functions and social status through the exercise of power, influence, and authority by those who control power sources.²

3. Definition from the Systems Analysis Perspective

David Easton defines public policy in this context as the authoritative distribution of values (both material and moral needs in society) through binding decisions and activities that distribute these values. This occurs within an interactive process involving inputs, outputs, and feedback.³

Despite the diversity of definitions of public policy, they tend to focus on either the actors authorized to exercise public authority, the societal problems that need to be addressed, or the measures taken by the state.

From these definitions, a comprehensive definition can be derived:

¹ James Anderson, *Public Policy Making*, translated by Amer Al-Kubaisi, 1st ed., Amman: Dar Al-Maysara, 1999, p. 15.

² Fahmi Khalifa Al-Fahdawi, *Public Policy: A Holistic Perspective in Structure and Analysis*, Amman: Dar Al-Maysara, 2000, p. 40.

³ Fahmi Khalifa Al-Fahdawi, *Op. Cit.*, p. 34.

Public policy is a purposeful governmental activity linked to the authoritative distribution of various resources, benefits, values, and advantages through an interactive process involving inputs, outputs, and feedback.

Subsection Two: Types of Public Policy

Public policies can be divided into four (4) main types:

1. Extractive Public Policy:⁴

This type of public policy focuses on extracting various available resources, such as taxes, which are the most widespread form of extraction in modern countries.

2. Distributive and Redistributive Public Policy:⁵

This involves the distribution of wealth among the members of society, such as goods, money, and services. Redistribution is often linked to redistributing income to vulnerable segments of society to achieve social justice.

3. Regulatory Public Policy:⁶

This refers to the political system's exercise of control and supervision over various activities and behaviors for the public good, ensuring that laws are applied and society is organized.

⁴ Fahmi Khalifa Al-Fahdawi, *Op. Cit.*, p. 79.

⁵ Hisham Abdullah, *Translation of Comparative Politics in Our Time*, Amman: Al-Dar Al-Ahliya, 1997, p. 99.

⁶ James Anderson, *Op. Cit.*, p. 164.

4. Symbolic Policies:

These policies aim to mobilize the masses and increase their national enthusiasm through speeches by political leaders about the nation's glory, heroic deeds, democratic values, and future promises.⁷

Subsection Three: The Key Actors in Shaping Public Policy

The formulation of public policy is the responsibility of a group of actors derived from the state's political system, as determined by the constitution. These actors vary from country to country depending on the nature of their formation and philosophy.

Based on this, actors can be divided into two main categories:

1. Official Actors:

The key official actors responsible for shaping public policy⁸ include the following:

First: Legislative Authority:

The legislative authority is responsible for three main functions:

- Legislative function through the enactment of laws,
- Financial function involving the approval of the state's budget,
- Oversight function, where the legislative authority monitors and follows up on the government's performance. This authority is not limited to legislation and oversight but also includes creating the original public policy, which the government executes. Many developing countries lack this function, where parliaments often play only a supervisory role rather than being policy makers due to the executive branch's dominance in this role.

⁷ Hisham Abdullah, *Op. Cit.*, p. 199.

⁸ James Anderson, *Op. Cit.*, pp. 56-60.

Second: Executive Authority:

The executive authority is tasked with implementing the laws issued by the legislative authority and taking the necessary measures to ensure security and manage state institutions.

This authority varies in structure and composition from one country to another, depending on the adopted political system. In the presidential system, the executive power is centered in the hands of the president, who directly exercises the actual authority. Meanwhile, in the parliamentary and semi-presidential systems, executive power is based on a dual structure, consisting of both the head of state and the prime minister. In countries with a parliamentary assembly system, executive power lies in a body composed of several individuals elected by the assembly and fully accountable to it.

Third: The Judicial Authority:

The judicial authority is embodied in courts and judicial councils, and its primary role is to interpret legal texts and ensure the compliance of laws, regulations, and decrees with the constitution of the country in effect. In addition, it resolves disputes and issues judgments on all violations committed. Thus, the judiciary plays an influential role in the formulation of public policy, albeit to varying degrees depending on the political system in place.

Fourth: The Administrative Body:

The administrative body differs in terms of size, complexity, and autonomy from one country to another, which impacts its contribution to the formulation of public policy in two ways: direct and indirect. The direct method involves making proposals regarding certain policies or draft laws to the legislature or calling for the modification or change of a policy. The indirect method is reflected in guiding public policy during the preparation and implementation processes, as this body serves as the primary source of much of the information related to public policy.

2– Informal Actors:

The process of public policy formulation is not limited to official actors; it extends to include other actors who do not belong to the three branches of state authority⁹, such as:

First: Political Parties:

A political party is an organized group of people united by common principles and objectives, working through democratic political means to achieve specific programs related to the political, social, and economic affairs of the state. It is also defined as a political organization through which individuals engage in activities with the goal of gaining power and implementing its principles and objectives. The roles and relationships of political parties with public policies vary from one country to another, depending on the type of party system in place and the party's position in terms of being in power or in opposition.

Second: Interest Groups or Pressure Groups:

An interest group refers to a group or class with common interests or orientations, often sharing a common occupation or profession, that seeks to influence public policies in order to safeguard its interests or emphasize its directions. These groups do not seek to bear direct responsibility in governance.

Third: Public Opinion:

Public opinion is defined as the attitudes and positions of people regarding an issue that concerns them, provided that the people involved share a similar social level.

⁹ Khaled Attallah, *The Role of Planning in Shaping Public Policy for Economic Development, Case Study: Algeria (1999-2012)*, Master's Thesis in Political Science, Specialization: Comparative Policies, Faculty of Political Science, University of Constantine 3, 2013-2014, pp. 35-38.

Public opinion can influence the formulation of public policies through two methods:

First method: Imposing constraints on government activities and operations in formulating and implementing public policies.

Second method: The hesitation of some policymakers and implementers to make decisions or adopt positions that do not gain public support or approval.

Fourth: Media

Media plays a crucial role in public policy formulation by focusing on citizens' demands and conveying them to the authorities. Media has the capacity to set public priorities, shape public opinion, and unify its discourse to form a pressure group on public policymakers.

Fifth: Research and Study Centers

Research and study centers are research organizations primarily aimed at providing studies and research related to public issues and policies of the state or society. These centers strive to be active participants in discussions on public issues and influential in shaping public policies.

Sixth: Civil Society Organizations

Civil society organizations are often referred to as the third sector or the third force after governments and political powers, as classified by the United Nations. These organizations serve as a link between the state and individuals by proposing initiatives and suggestions to shape public policies. Moreover, civil society has the capacity to fill government gaps in several policies, most notably in health, education, social, and environmental areas.

Seventh: External Conditions and Circumstances

Global developments associated with globalization have altered the concept of sovereignty, making it impossible for states to remain isolated from external conditions and circumstances. International relations have become interdependent, allowing major powers and international organizations to influence a state's public policy formulation.

Subsection Four: Stages of Public Policy Formulation

The process of public policy formulation includes several interconnected and harmonious steps and stages. These can be summarized as follows:¹⁰

1. Identifying and Understanding the Problem

A state or political system may face a problem of any nature—political, economic, or social—requiring resolution through understanding its dimensions and subjecting the situation to analysis, testing, and evaluation in light of both internal and external factors.

2. Including Public Policy in the Government Agenda

Governments often craft specific policies to address societal problems and propose solutions. The success of crafting such policies depends on their inclusion in the government's agenda, reflecting its commitment to addressing the issue.

3. Gathering Information and Data on Public Policy Issues

The availability of sufficient and relevant information enables a better understanding of the causes of problems and the identification of weaknesses and deficiencies in any political system. Collecting and

¹⁰ Halima Rahmani, "The Formulation of Local Public Policy in Algeria," Master's Thesis in Political Science, Specialization: Local Administration, Dr. Tahar Moulay University, Saida, 2018-2019, pp. 13-14.

analyzing information contributes to shaping the perceptions and directions of policymakers, providing alternatives for solving existing problems.

4. Proposing Alternatives and Selecting the Best Option

This stage represents an effective approach to solving the proposed problem by developing initial solutions and suggestions based on the information gathered in the previous stage.

Accordingly, this stage requires a deep analysis and study of the various available alternatives to select the best among them based on objective and scientific criteria. The primary role in this regard lies with the competence and expertise of the public policy analyst.

5– Formulating and Implementing Public Policy:

Formulating public policy involves developing preliminary proposals for the necessary programs to address societal issues by taking all required actions to achieve the desired objectives. Subsequently, these proposals are implemented based on the results and conclusions reached. However, this stage may not always result in a proposed law or an order to execute a specific project. Sometimes, policymakers insist on inaction regarding certain issues. In other words, the mere presence of a problem on the governmental agenda does not necessarily imply that a public policy will be established to address it.

Section Two: The General Framework for Public Policy Evaluation

This section addresses the theoretical and conceptual foundation of public policy evaluation through its four components: the concept of public policy evaluation, types of public policy evaluation, principles of public policy evaluation, and the challenges encountered in this process.

Subsection One: The Concept of Public Policy Evaluation

Exploring the concept of public policy evaluation involves defining this process and highlighting its importance in improving performance to achieve the desired objectives.

Subpoint One: Definition of Public Policy Evaluation:

According to the *Dictionary of Basic Terms*, public policy evaluation is defined as the systematic and objective assessment of a project, program, or policy (ongoing or completed) to determine the appropriateness of its objectives and their achievement.

Khairy Abdel-Qawy defined it as the application of scientific methods aimed at determining whether government policies and their implementing programs achieve the desired objectives with the required level of effectiveness, efficiency, and economy.

Additionally, public policy evaluation is described as an organized activity based on a scientific methodology that aims to understand the nature of processes related to public policies, their impacts, and the actual programs associated with their implementation. A precise and scientific understanding of the negative and positive repercussions of public policy formulation, implementation, outputs, and outcomes is essential, as well as its efficiency and effectiveness in achieving set objectives.

The International Organization of Supreme Audit Institutions (INTOSAI)¹¹ defined it as a study conducted to assess the value of a policy in terms of its objectives, implementation methods, results, and economic and social impacts, as well as to measure performance levels. This is all aimed at evaluating the appropriateness of the policy.

¹¹ INTOSAI Guide 9020, 2019, p. 8.

Thus, public policy evaluation can be regarded as **an effective tool for assessing public interventions based on their results, impacts, and the needs they aim to address. This evaluation is carried out using several criteria, including coherence, effectiveness, efficiency, relevance, impact, and sustainability of impact, to enhance performance indicators.**

2. The Importance of Public Policy Evaluation:

The importance of public policy evaluation lies in its role as a scientific and practical method to measure the degree of impacts and results arising from the implementation of public policy and to ensure that the set objectives are realized on the ground.

Achieving the best results depends on accurately defining the objectives of the evaluation process, which are divided into political, bureaucratic, and substantive goals.

Political objectives focus on measuring the policy's success in achieving goals such as equitable wealth distribution. Bureaucratic objectives involve using evaluation as a tool by the implementation apparatus to assess whether the execution of public policy has increased or decreased public and governmental support for their efforts. Substantive objectives focus on the core of public policy, assessing its success in achieving pre-established goals and resolving societal problems.

Subsection Two: Types of Public Policy Evaluation

The process of evaluating public policies encompasses three (3) types, categorized as follows:¹²

¹² Abderrahmane Tassabet, "Evaluation of Public Policies in Algeria," Doctoral Thesis, Faculty of Economic Sciences, University of Mustapha Stambouli, Mascara, 2015-2016, p. 76.

1. Ex-ante Evaluation (Pre-Implementation Evaluation) :

This is a preliminary evaluation conducted at the beginning of public policy implementation. The entity responsible for the evaluation initiates a prospective study to predict potential impacts during implementation, taking into account all internal and external influencing factors.

Accordingly, this evaluation is based on conducting a feasibility study of the public policies themselves before their implementation to ensure their efficiency and coherence.

2. Concurrent or Ongoing Evaluation:

This type of evaluation accompanies the implementation of public policies and is not confined to any particular stage of policy formulation or execution. Political theorist James Anderson emphasized this point, stating: *"Policy evaluation can and should occur throughout the processes of formulation, crafting, and implementation, rather than as a subsequent or final stage."*

3. Ex-post Evaluation (Post-Implementation Evaluation) :

The objective of this evaluation is to verify the success of implemented policies by assessing whether their predetermined objectives have been achieved. It allows the supervising entity to examine and study the various effects and outcomes of public policy implementation over the medium and long term.

One advantage of this type of evaluation is that it provides the evaluating entity with a comprehensive and clear picture of how public policies were executed.

Subsection Three: Criteria for Public Policy Evaluation

Evaluation criteria represent the tools used to ascertain whether public policies have achieved their objectives. These criteria play a significant role in the evaluation process by measuring performance indicators. While some criteria overlap with performance auditing, others are distinct. The main criteria include:¹³

- **Effectiveness:** Measuring the extent to which objectives have been achieved by comparing the goals set during policy design with the outcomes achieved after implementation.
- **Efficiency:** Optimal use of available resources (maximizing the relationship between means and results).
- **Economy:** Minimizing costs (aligning objectives with available resources).
- **Relevance:** Aligning public policy objectives with the needs that motivated their adoption.
- **Feasibility:** The proximity between the policy's impact and the needs it aims to address.
- **Consistency:** Examining the coherence of policy objectives internally (within the policy itself) and externally (in relation to other public interventions).
- **Sustainability:** Evaluating the long-term and medium-term continuity of results and impacts.

¹³ GUID 9020, INTOSAI, 2019, p. 9.

Subsection Four: Challenges in Public Policy Evaluation

Despite the significant importance of public policy evaluation in improving public service performance to meet the needs of individuals and society, this process faces several challenges, including:

- ✓ Inability to clearly define public policy objectives, particularly when they are ambiguous, scattered, or overly complex, as is often the case.
- ✓ Dispersed impacts of public policies, where policies may affect individuals or groups not originally targeted, complicating the measurement of those impacts.
- ✓ Ineffectiveness of evaluations when they lack accuracy and comprehensiveness or when their results are ignored.
- ✓ Governmental reluctance to change the status quo by avoiding any attempt to evaluate performance.
- ✓ Avoiding the financial costs of evaluation under the pretext that these funds are better allocated to high-priority sectors.

2 – Applied Aspect :

Chapter Two: Contributions of the Court of Accounts to Public Policy Evaluation

The Court of Accounts is a relatively modern constitutional institution in Algeria. It was established under Article 190 of the 1976 Constitution and later reaffirmed in Article 160 of the 1989 Constitution and Article 170 of the 1996 Constitution. The Court is tasked with post-audit oversight of public funds.

The 2016 Constitution, in Article 192, and the new 2020 Constitution, in Article 199, cemented the institution's independence and enhanced its role in overseeing public funds. It was also granted the mission of contributing to the development of good governance of public finances and promoting transparency in public management.

Section One: The Legal Evolution of the Court of Accounts

Post-independence Algeria experienced two major phases where political orientations dictated a legal reality requiring adaptations to the surrounding circumstances. Based on this, some legal scholars divide the evolution of the Court of Accounts into three main stages, according to the period of application of each legal framework. Professor **Massoud Chihoub**, however, proposed a different categorization, focusing on the law issued in 1995. He divided the Court of Accounts' stages into the period preceding the enactment of the 1995 law and the subsequent phase governed by its provisions, which remain in force to this day.

The constitutional bodies, including the Court of Auditors, underwent two distinct phases in terms of their legal system. The first phase (Subsection 1) was characterized by a single-party system and a socialist regime. The second phase (Subsection 2) saw the opening up of powers across various areas, following the adoption of the 1989 Constitution, which allowed constitutional institutions to move away from a closed system and restrict their powers in favor of socialist orientations towards democracy and comprehensive oversight.

Subsection One: The Court of Auditors under the Single-Party System

Constitutional law scholars in Algeria agree on defining the single-party phase as the period before the 1989 Constitution was adopted. This period covered

the application of the provisions of two major constitutions: the 1963 Constitution and the 1976 Constitution. As for the 1963 Constitution, it did not provide for the establishment of a Court of Auditors to oversee post-expenditure financial control. However, this idea was included in some regulatory texts issued during that period, although it was never actually implemented. The 1976 Constitution, on the other hand, explicitly called for the creation of this body in Article 190, "influenced by France despite the socialist orientation," but it did not materialize until about four years later, with the adoption of Law No. 80-05 as previously mentioned.¹⁴

1. The Court of Auditors under the 1963 Constitution:

The first legal text referring to the Court of Auditors was Decree No. 63-127 dated April 19, 1963, which organized the Ministry of Finance. It provided for the establishment of the Court of Auditors as a member of the Ministry. The financial oversight system in Algeria before independence was a continuation of the French system, where various public bodies were subject to the financial control of the French Court of Auditors. After independence, no body was immediately established to replace the French Court of Auditors. Similarly, the 1963 Constitution only included two articles related to the oversight function exercised by the legislative authority. Article 28 granted the National Assembly the authority to oversee government activities, while Article 38 outlined the means available to this body to exercise its role, including the right to summon ministers and ask written or oral questions.

As for the function of financial oversight, there was no mention in this Constitution regarding its practice or implementation. The absence of reference indicates that

¹⁴ Masoud Chihoub, *General Principles of Administrative Disputes, Part One*, University Publications House, 2005, p. 23

the legislator left the matter of organizing and exercising financial oversight to the executive branch. Regarding organization, Decree 127–63 of April 19, 1963, concerning the organization of the Ministry of Finance, specified in Article 03 the creation of several bodies directly under the Minister of Finance, tasked with financial oversight. These included the Court of Auditors, the General Inspectorate of Finance, the Treasury Legal Agency, the Public Expenditure Monitoring Body, and the Public Economic Enterprises Oversight Committee.¹⁵

However, the idea of creating a Court of Auditors mentioned in this text remained unrealized and was later abandoned when Decree No. 71–259 was issued on October 19, 1971. This decree repealed the previous decree and reorganized the central services of the Ministry of Finance. It placed the Treasury Legal Agency, the Public Expenditure Monitoring Body, and the General Inspectorate of Finance under the Ministry of Finance and did not address the situation of the Court of Auditors or the Public Economic Enterprises Oversight Committee.

In practice, during this period, the first signs of post–expenditure financial oversight appeared in the form of the oversight exercised by the National Economic and Social Council between 1968 and 1976 on the accounts of national companies.¹⁶

2. The Court of Auditors under the 1976 Constitution:

Based on the principles established in the National Charter¹⁷, which considered oversight an essential function for building a socialist state and ensuring the proper and harmonious functioning of its institutions, the 1976 Constitution placed great importance on the oversight function. A full chapter was dedicated

¹⁵ Official Gazette, Issue 23, Year 1963, p. 53

¹⁶ Official Gazette, Issue 90, Year 1971

¹⁷ National Charter of 1976

to defining how it should be organized. As for financial oversight, several articles reflected the vision of the constitutional framers regarding its practice. Article 187 required the government to submit its accounts to the National People's Assembly at the end of each fiscal year to explain how the state budget was implemented, through the adoption of the Budget Control Law.¹⁸

In this context, Article 190 of the same Constitution called for the creation of a Court of Auditors to monitor the public expenditures of the state, the political party, local authorities, and socialist institutions of all kinds. However, this body did not come into existence until a long time later, after the adoption of Law No. 80-05 dated March 1, 1980. Under this law, the Court of Auditors exercised financial oversight over all entities using public funds, regardless of the type of activity they engaged in. It had both judicial and administrative powers, and in terms of its organization and management, the Court of Auditors was considered a judicial body.

In line with the political system created by the 1976 Constitution, which was based on the principle of power consolidation, the Court of Auditors, under Law No. 80-05, operated under the authority of the President of the Republic¹⁹. However, Article 11 of the same law emphasized the Court's independence in terms of management, as required by the nature of its responsibilities. Its internal organization was established by a decree based on a proposal from the President of the Court of Auditors.²⁰ The scope of its oversight was extensive, covering the state's, the party's, local authorities' funds, as well as socialist institutions.

¹⁸ Ahmed Mahyou, *Administrative Disputes*, Translated by Faiz Anjag and Khaleed Biyouid, 6th Edition, University Publications House, Algiers, 2005, p. 59

¹⁹ Mahmoud Abbas Mahrazi, *Economics of Public Finance*, 5th Edition, University Publications House, Algiers, 2012, p. 280

²⁰ Ali Zghoud, *Public Finance*, University Publications House, Algiers, 2006, p. 164

The Court's oversight also extended to anybody receiving state funds, local government funds, or any public institution in the form of financial aid, capital contributions, advances, loans, or financial guarantees²¹. The legislator granted the Court of Auditors significant judicial powers, as outlined in Article 39 of the aforementioned law, which included:

- Reviewing the administrative accounts submitted by expenditure officers and certifying their accuracy.
- Settling accounts of public accountants and those responsible for socialist institution accounts, determining financial responsibility for questionable management.
- Declaring the actual management of funds.
- Imposing fines on offenders.
- Making final decisions on appeals against decisions issued by it and against ministerial decisions concerning the settlement of remaining accounts or against decisions certifying accounts that have been cleared by administrative bodies.

Subsection Two: The Court of Auditors under Party Pluralism

After the events that the political and social reality in Algeria went through, leading to the adoption of an open policy in accordance with the new global direction and the abandonment of socialist principles, the 1989 Constitution emerged within these circumstantial factors. This constitution addressed the Court of Auditors as an independent body that exercises subsequent financial control over public funds.

²¹ Mansouri Alhadi, The Court of Accounts in Algerian Legislation, Master's Thesis in Law, Specialization: Administrative Law, Faculty of Law and Political Science, Mohamed Kheidar University, Biskra, 2014-2015, pp. 6-7

This same concept was later confirmed in the 1996 Constitution, albeit with some differences in the wording included in the third paragraph of Article 170. The 2016 Constitution expanded the mechanism for submitting the annual report to the legislative authority, and then the new 2020 Constitution limited the submission of the annual report to the President of the Republic only, in addition to specifying the term of the President of the Court of Auditors to two terms only. From a legislative perspective, this period witnessed the issuance of two main laws relating to the organization and management of the Court of Auditors, differing in the political circumstances under which each was issued. This difference reflected a divergence in the approach adopted by the legislator in defining the legal nature of the Court of Auditors and in organizing the financial control function entrusted to this body by the constitution. Under Law No. 90–32, the legislator's view was narrow in defining the legal nature of the Court of Auditors and the nature of the control entrusted to it, stripping its members of judicial status and limiting their oversight powers. However, in 1995, the powers of the Court of Auditors were expanded in the field of financial control, and the judicial status of its members was reinstated.

1. The Court of Auditors under Law No. 90–32:

Under Law No. 90–32, the Court of Auditors retained only a narrow scope of control, which covered only entities subject to public accounting rules in their financial management. The general task of the Court of Auditors was to carry out subsequent control over the finances of the state, local communities, public facilities, and any entity subject to administrative law and public accounting rules, as stated in Article 4 of Law No. 90–32. This article also explicitly and clearly states that operations involving funds traded in accordance with civil law,

commercial law, and public economic institutions are not under the jurisdiction of the Court of Auditors.

First: Restricting the scope of the Court of Auditors' control and stripping it of its judicial powers:

This restriction in the area of control was accompanied by a similar limitation in the Court's powers. It no longer had the authority to impose penalties by itself and could only file a petition before criminal courts after issuing warnings to the concerned parties or notifying the Minister of Finance.

Second: Affirming the administrative nature of the organization and composition of the Court of Auditors:

Under the 1990 law, the Court of Auditors became an administrative body in terms of its organization and composition. It was organized into departments and sectors, not chambers, and its members no longer enjoyed judicial status.²²

They were subject to a special statute rather than the judicial statute. Even the oath taken by the members of the Court of Auditors differed from the one taken by judges. It was worded as follows: "I swear by Almighty God to carry out my duties with honesty and integrity, maintain professional secrecy, respect all duties imposed on me, and behave in an honorable manner." It is noteworthy that the phrase "to behave as an honest judge" from the oath taken by judges was removed and replaced with "to behave in an honorable manner" only, omitting the word "judge," a status the legislator did not wish to assign to the members of the Court of Auditors. This perspective is clearly confirmed in Article 71 of the aforementioned law, which states: "Members of the Court of Auditors who enjoy the status of judges in the judicial system at the

²² Mohamed Messaï, Public Accounting, Dar Al-Huda for Printing and Publishing, Algeria, 2003, p. 150

time of the issuance of this law may choose, within the next three months, between returning to their original position by law or maintaining their status as members of the Court of Auditors."

Compared to the previous law, it can be said that the legislator adopted divergent stances, moving from one extreme to the other. In the 1980 law, the legislator aimed to implement a model of financial control based on a liberal environment within a single-party system, whereas in Law No. 90-32, the legislator sought to establish administrative financial control in a pluralistic political system based on the principle of separation of powers, where the judiciary had become an independent authority.²³

2. The Court of Auditors under Ordinance No. 95-20

With the issuance of Ordinance No. 95-20 dated July 17, 1995, the legislator aimed to organize the Court of Auditors in a way that emphasizes its judicial nature. Under this ordinance, the Court gained comprehensive judicial competencies and adopted a broader perspective on how financial oversight is exercised. This expanded beyond compliance audits to include the evaluation of the financial management quality of public entities based on economic criteria. Additionally, this law introduced a new distribution of the Court's competencies through the establishment of regional chambers alongside national chambers, tasked with auditing the finances of local authorities and their affiliated entities.²⁴

²³ Articles 57 to 65 of Law No. 90-32 dated December 4, 1990, related to the Court of Auditors

²⁴ Rachid Khelloufi, *Administrative Disputes Law*, University Press Office, Algeria, 2004, p. 233.

First: Restoring the Court of Auditors' Judicial Powers and Expanding its Competencies

The most notable feature of the Court of Auditors under Ordinance No. 95–20 is its recovery of judicial powers concerning the review of public accountants' accounts and the financial oversight of authorizing officers. The Court was granted the authority to impose penalties directly, without resorting to judicial authorities, as was the case under the previous law. It now possesses both administrative and judicial authority in performing its assigned tasks, while enjoying the necessary independence to ensure objectivity and impartiality.

Moreover, the legislator, under this ordinance, adopted a broad concept of financial oversight by the Court of Auditors. This expanded beyond the compliance audits emphasized by the previous law to include performance and management audits, which assess the quality of public fund management based on key criteria inspired by the financial management model of economic units: effectiveness, efficiency, and economy.

This transformation reflects the legislator's desire for financial oversight to align with the political and economic developments the state is experiencing. These developments required the creation of a modern public administration capable of adapting to new circumstances, ensuring transparency in managing societal affairs, and optimizing the use of public resources.

Second: Establishment of Regional Chambers to Audit Local Authorities' Finances

The second development in the financial oversight system under Ordinance No. 95–20 involved a new distribution of the Court of Auditors' competencies. This distribution distinguishes between state funds and local authority funds. Each

national chamber is responsible for overseeing one or more public sectors, national entities, ministries, and their affiliated departments. Meanwhile, the regional chambers are tasked with auditing the finances of local authorities (municipalities and wilayas) and local public entities, utilities, and institutions within their regional jurisdiction. This distribution of competencies is somewhat aligned with the financial oversight system implemented in France, where the function of ex-post financial oversight of local authorities and their affiliated institutions is assigned to the regional chambers of the Court of Auditors.²⁵

Section Two: General Organization of the Court of Auditors

The organization of the Court of Auditors was defined by Presidential Decree No. 95-377 dated November 20, 1995. This decree outlined the methods of operation and organization of the Court, specifying its administrative structures, branches, and chambers, as well as the bodies operating within it. This will be explained through the following three subsections.

Subsection One: Chambers and Formations of the Court of Auditors

The Court of Auditors consists of eight (08) chambers with national jurisdiction and nine (09) chambers with regional jurisdiction. It deliberates on cases presented to it in various formations.

1) Chambers of the Court of Auditors:

According to Article 9 of the Court of Auditors' internal regulations, the Court consists of eight (08) chambers with national jurisdiction and nine (09) chambers with regional jurisdiction.

²⁵ Rachid Khelloufi, previously cited reference, p. 234.

Article 12 of the internal regulations specifies that each chamber is divided into four branches. However, the decision dated January 16, 1996, issued by the President of the Court of Auditors and defining the competencies of the chambers, limited each chamber to only two branches.

A. National Chambers:

The Court of Accounts consists of eight chambers, each tasked with monitoring a ministry or a group of ministries with closely related functions. Article 10 of the Court of Accounts' internal regulations defines the main fields on which the jurisdiction of these chambers is distributed, as follows:²⁶

- Finance.
- Authorities and public bodies.
- Health, social, and cultural affairs.
- Education and training.
- Agriculture and irrigation.
- Infrastructure and transportation.
- Trade, banking, and insurance.
- Industry and communications.

Accordingly, the decision regarding the areas of intervention of the aforementioned chambers of the Court of Accounts has determined their jurisdiction and branches as follows:²⁷

- **National Chamber of Finance:**

- Its two branches oversee the monitoring of the Ministry of Finance.

- **National Chamber of Public Authorities and National Bodies:**

- The first branch monitors the Presidency of the Republic, the Office of the Prime Minister, the Ministry of National Defense, the Ministry of Interior

²⁶ Presidential Decree No. 95-377 dated November 20, 1995, establishing the internal regulations of the Court of Accounts

²⁷ Articles 1 and 2 of the decree dated January 16, 1996, specifying the areas of intervention of the Court of Accounts' chambers and detailing their division into branches, as published in Official Gazette No. 6, dated January 24, 1996, amended and supplemented.

and Local Authorities, and national bodies. And the second branch monitors the Ministry of Justice and the Ministry of Foreign Affairs.

- **National Chamber of Health, Social, and Cultural Affairs:**

The first branch monitors the Ministry of Health and Population, the Ministry of Labor and Social Affairs, the Ministry of Vocational Training, and the Ministry of Veterans Affairs. And the second branch monitors the Ministry of Communication, the Ministry of Culture, and the Ministry of Youth and Sports.

• **National Chamber of Education and Training:**

The first branch monitors the Ministry of Education and the Ministry of Religious Affairs. And the second branch monitors the Ministry of Higher Education and Scientific Research.

• **National Chamber of Agriculture and Irrigation:**

The first branch monitors the Ministry of Agriculture and Forests. and the second branch monitors the Ministry of Water Resources and Fisheries.

• **National Chamber of Infrastructure and Transportation:**

The first branch monitors the Ministry of Public Works and the Ministry of Construction, Urbanism, and Urban Development. And the second branch monitors the Ministry of Transport.

• **National Chamber of Trade, Banking, and Insurance:**

The first branch monitors the Ministry of Trade. and the second branch monitors banks, insurance companies, and joint-stock companies.

• **National Chamber of Industry and Communications:**

The first branch monitors the Ministry of Industry, the Ministry of Small and Medium Enterprises, and the Ministry of Tourism and Handicrafts. the second branch monitors the Ministry of Energy and the Ministry of Post and Communications.

B. Regional Chambers:

In addition to the national chambers, the Court of Accounts also includes nine regional chambers responsible for the financial oversight of local authorities, such as provinces and municipalities, within their respective jurisdictions. These chambers may also oversee the accounts and management of public bodies receiving subsidies from local authorities.

The headquarters of these chambers are located in the capitals of the provinces. The regional jurisdiction of each chamber has been defined by the provisions of the decision establishing the jurisdictions of the Court of Accounts' chambers as follows:²⁸

- **Regional Chamber of Algiers:** Composed of two branches:

The first branch monitors the province of Algiers. And the second branch monitors the province of Tipaza.

- **Regional Chamber of Oran:** Composed of two branches:

The first branch monitors the provinces of Oran and Mostaganem. and the second branch monitors the provinces of Relizane, Mascara, and Saïda.

- **Regional Chamber of Constantine:** Composed of two branches:

The first branch monitors the provinces of Constantine, Mila, and Jijel. and the second branch monitors the provinces of Batna, Biskra, Setif, and Khenchela.

- **Regional Chamber of Annaba:** Composed of two branches:

The first branch monitors the provinces of Annaba, Skikda, and El Tarf. And the second branch monitors the provinces of Guelma, Souk Ahras, Oum El Bouaghi, and Tébessa.

- **Regional Chamber of Tizi Ouzou:**

The first branch monitors the provinces of Tizi Ouzou, Bejaia, and Boumerdes. And the second branch monitors the provinces of M'sila, Bordj Bou Arreridj, and Bouira.

²⁸ The aforementioned decree dated January 16, 1996.

- **Regional Chamber of Tlemcen:**

The first branch monitors the provinces of Tlemcen and Sidi Bel Abbes. And the second branch monitors the provinces of Ain Temouchent, Tiaret, and Naama.

- **Regional Chamber of Blida :**

The first branch monitors the provinces of Blida, Ain Defla, and Medea. And the second branch monitors the provinces of Chlef, Djelfa, and Tissemsilt.

- **Regional Chamber of Ouargla :**

The first branch monitors the provinces of Ouargla, Ghardaia, and Laghouat. And the second branch monitors the provinces of Illizi, El Oued, and Tamanrasset.

- **Regional Chamber of Béchar:**

The first branch monitors the provinces of Béchar and Tindouf. And the second branch monitors the provinces of Adrar and El Bayadh.

Second: The Composition of the Court of Auditors:

The Court of Auditors holds its sessions in different compositions, which depend on the nature of the case presented before it. This is outlined in Article 47 of Order No. 95-20, which specifies four types of compositions: "All chambers together, chaired by the President of the Court of Auditors; chambers with their branches; the disciplinary chamber for budget and financial management; and the program and report committee."²⁹

1. **Composition of All Chambers Together:** This composition is considered the highest judicial composition in the Court of Auditors, where it is presided over by the President of the Court of Auditors, with the presence of his deputy, the heads of the chambers, and one judge from each chamber selected from the branch heads and chamber advisers. The formation of this composition is renewed annually by order of the President

²⁹ Order No. 95-20, concerning the Court of Auditors, as mentioned above.

of the Court of Auditors, and its members are appointed from among the branch heads and advisers qualified to participate in this composition, with their selection being proposed by the heads of the chambers in which they work. The rapporteurs for this composition are appointed by order of the President of the Court, and the General Prosecutor attends the sessions of the combined chambers, having the right to participate and discuss various issues raised before this composition. However, he cannot participate in deliberations or matters of judicial jurisdiction. Furthermore, deliberations of this composition are only valid if at least half of its members are present.

2. **Composition of the Chambers and Their Branches:** Based on the provisions of Article 50 of Order No. 95–20 and Article 35 of Presidential Decree No. 95–377, "The combined chamber in a deliberative composition consists at least of the chamber president, the president of the relevant branch, and the reviewing rapporteur." The combined branch in a deliberative composition consists at least of the branch president, and depending on the case, the reviewing rapporteur and one or two judges from the branch if the reviewing rapporteur is absent. The reviewing rapporteur participates in the sessions without the right to vote. The deliberative compositions are formed by order of the chamber president, and the number of judges invited to participate in the session cannot exceed seven. This composition decides on the final results of audits and investigations concerning matters within its jurisdiction.
3. **Disciplinary Chamber for Budget and Financial Management:** The Disciplinary Chamber for Budget and Financial Management consists of the chamber president and at least six advisers, appointed by the President of the Court of Auditors for a renewable two–year term through an order. This chamber's composition is chosen from judges ranked outside the scale or those ranked in the first grade. Deliberations of this

chamber are only valid with the presence of at least four judges, in addition to the chamber president.³⁰

This chamber specializes in cases related to financial operations that violate the rules of discipline in budget and financial management as defined in Articles 88 and 91 of Order No. 95-20.

4. **Program and Report Committee:** In addition to the judicial compositions mentioned above, the Court also includes the Program and Report Committee, chaired by the President of the Court of Auditors and composed of the Vice President, the General Prosecutor, and the heads of the chambers. The Court's Secretary-General has the right to attend the committee sessions but does not have the right to participate in deliberations. If necessary, the committee may expand to include senior rapporteurs ranked outside the scale and heads of technical departments within the Court. This composition is responsible for preparing and approving the following:

- ✓ The annual report submitted to the President of the Republic,
- ✓ The evaluative report for the preliminary draft of the budgetary control law,
- ✓ The annual program of the Court of Auditors' activities.³¹

Subsection Two: The General Prosecutor and the Court Secretariat

In addition to the above-mentioned chambers, the Court of Auditors has a General Prosecutor's Office that handles the responsibilities of the public prosecution, and a Court Secretariat, which we will discuss in the following sections:

³⁰ Articles 48 to 52 of Order No. 95-20, as mentioned above.

³¹ Articles 53 and 54 of Order No. 95-20, as mentioned above.

1. The General Prosecutor's Office:

The legislator did not include a provision for the General Prosecutor's Office in the 1980 law but introduced the position of General Prosecutor, who is assisted by deputy prosecutors. In the 1990 law, a new title "General Supervisor" was created, and the same responsibilities as those outlined in Article 19 of the previous law were assigned to this position. Under Order No. 95-20 and Presidential Decree No. 95-377, the term "General Prosecutor's Office" is used, and this office oversees the responsibilities of the public prosecution within the Court of Auditors.³²

2. The Court Secretariat:

The Court of Auditors includes a Court Secretariat headed by a Chief Clerk, who prepares the sessions of all chambers combined and handles the material preparation for these sessions. The Chief Clerk also manages registers, books, and files and records the decisions made during the sessions. He is assisted by several clerks assigned to other chambers with similar duties. The clerks working in the Court of Auditors do not have their own specific legal status; instead, they are governed by the same regulations applicable to the common staff of public bodies and administrations, as outlined in Article 34 of Presidential Decree No. 95-377, which establishes the internal regulations of the Court of Auditors.

Subsection three: Support Structures for the Court of Auditors

In addition to the previously mentioned judicial bodies, the Court of Auditors also includes various support structures that provide the necessary conditions for the work of its judges and facilitate the performance of their tasks. These structures are primarily represented by the following departments :

³² Article 33 of Order No. 95-20, as mentioned above.

1. **The General Secretariat:** The General Secretariat is headed by a Secretary–General, who is the main budgetary authority, with an office for general organization and another for translation. The General Secretariat takes all necessary measures to provide the means and services required by all the structures and bodies of the institution to carry out their work in the best possible manner. It also ensures the implementation of appropriate measures to safeguard the institution's property and personnel. Additionally, it ensures the efficient use of the resources available to the Court of Auditors. Apart from these duties, the General Secretariat of the Court of Auditors ensures that the technical departments contribute effectively to the Court's tasks and improve its performance.³³
2. **Technical Departments:** The Court of Auditors also includes technical departments and administrative services operating under the authority of the Court's Secretary–General, including:

A. Department of Analytical Techniques and Control: Its role is to provide technical assistance to the Court's judges for conducting audits and investigations, providing examination guides, methodological tools, and establishing necessary benchmarks and indicators for carrying out control tasks. This department also prepares training programs for judges and Court staff to improve their skills and periodically assesses their performance in coordination with the Secretary–General.

B. Department of Studies and Information Processing: This department prepares studies in economic, financial, and legal fields relevant to the Court's activities. It manages a database on the institutions and bodies under its control, organizes and manages the document

³³ El Hadi Mansouri, *The Court of Auditors in Algerian Legislation*, Master's Thesis in Law, Specialization: Administrative Law, Faculty of Law and Political Science, Mohamed Khider University, Biskra, 2014-2015, p. 24.

archive required by the Court, and prepares and distributes the Court's publications and judicial decisions.

C. Directorate of Administration and Resources: This directorate is divided into four sub-directorates, responsible for managing the staff affairs, the financial affairs of the Court, resources, public affairs, and IT services.

In addition to the above, the President of the Court of Auditors has an office under the supervision of the Head of the Office, which includes study directors responsible for overseeing the Court's relationships with central public bodies, as well as with various international and regional financial audit institutions and organizations that the Court is a member of. The President of the Court also oversees the Office of General Rapporteurs for the Program and Report Committee.

Section Three: The Court of Auditors' Mechanisms for Evaluating Public Policies

The primary goal of the public policy evaluation process is to enlighten decision-makers by providing analytical elements concerning economic and social development. In this regard, the Court of Auditors has the necessary legal powers to conduct evaluations of public policies and programs, particularly under the provisions of Article 72 of Order No. 95-20, as mentioned above. This process is carried out through the implementation of a set of mechanisms.

Subsection One: Determining the Prerequisites for Evaluation Tasks

The prerequisites for conducting an evaluation by the Court of Auditors are legal, organizational, and normative in nature, and they also concern human resources and the scheduling of audit operations.³⁴

³⁴ *Methodological Guide for Public Policy Evaluation, Court of Auditors, pp. 5-6, without publication year.*

1. Legal and Normative Basis:

Public policy evaluation is one of the Court's activities under the legislative and regulatory texts applicable to it. This activity falls within its administrative responsibilities, subject to:

- General provisions and common rules that apply to all types of audits,
- Professional standards adopted by the Court in 2014,
- Specific rules regarding the scope of evaluation, particularly guidelines from INTOSAI.

2. Human Resources:

Conducting an evaluation requires the availability of human resources that must be both competent in evaluation methods and knowledgeable about the subject matter under review.

3. Scheduling of Audit Operations:

Evaluation tasks are included in the annual programs according to the procedure followed by the Court, ensuring that the following considerations are met:

- The allocation of adequate time and budget for evaluation tasks,
- Clear definition of the objectives to be achieved by the evaluation process.

Subsection Two: The Limits of the Court of Auditors' Intervention

The Court of Auditors does not intervene in shaping public policy, and thus does not conduct prior evaluations of policies. Its intervention occurs only after the policies have been formulated and implemented, with the aim of providing necessary recommendations to improve performance indicators.

Subsection Three: Involving Stakeholders in the Evaluation Process

Unlike other forms of audits that are exclusively carried out by the Court, particularly judicial tasks, public policy evaluation involves the participation of various stakeholders such as experts and civil society actors. Their involvement is essential for analyzing the policy in terms of relevance and effectiveness, in addition to determining the hierarchy of objectives, priorities, and results that need to be achieved.

Subsection Four: The Evaluation Process

The evaluation process consists of several rules, divided into two main sections:

1) Common Rules:

The evaluation must be carried out according to the standards of audit application and report preparation in an adequate and effective manner, with particular attention given to the following principles:

- Conducting the evaluation in a neutral and independent manner, both in preparing analyses and formulating recommendations,
- Ensuring that the evaluation team members possess the necessary competencies and skills to perform the evaluation, including the ability to formulate questions, gather information, analyze results, and provide recommendations,
- Clearly explaining the approach in the initial stages to stakeholders, including presenting objectives, preparing the timeline, defining the methodology, and outlining the process stages,
- The evaluation must be based on transparency and objectivity,
- Documenting the evaluation process,
- Ensuring quality control of the evaluation process,
- Giving the evaluation a reference dimension by formulating recommendations that contribute to improving performance indicators.

2) **Specific Rules:**

In addition to the aforementioned common rules, there are some specific rules governing the evaluation process, as outlined below:

✓ **Preparation of a Feasibility Study Memo:**

The preparation of a feasibility study memo is one of the unique aspects of the evaluation process compared to the council's other functions. It is a mandatory stage for any activity related to evaluation. It is particularly important to initially assess whether the impacts of a public policy can be identified, measured, and classified, or at least whether it is feasible. Based on this, the feasibility study memo should allow for:

- Defining the objectives, stakes, and scope of the evaluation;
 - Determining a set of evaluation questions;
 - Estimating the difficulties and proposing solutions to overcome them (skills required by the rapporteurs, involvement of experts);
 - Preparing the evaluation methodology;
 - Identifying sources of available and missing documents and data necessary for the evaluation;
 - Tracking the chain of objectives (logic model or impact pathway) of the public activity to be evaluated;
 - Identifying stakeholders in the public policy under evaluation and determining the level of consultation and participation in the evaluation;
 - Planning the various stages of the evaluation;
 - Estimating the resources required to successfully carry out the evaluation.
- Thus, the feasibility study memo should allow for an assessment of whether the evaluation of the public policy is feasible or not.

✓ **Appointment of an Accompanying Committee:**

Evaluation is characterized by a partnership approach with stakeholders in the public policies being evaluated, as it serves as a tool for dialogue aimed at establishing a joint assessment of the policy and engaging in consultative thinking on future reform pathways, taking into account the realities of each involved party.

For this purpose, a special advisory committee is established, consisting of the evaluation team and the president of the chamber or branch. It also includes representatives from key entities with an interest in the public policy (political decision-makers, public policy officials, civil society representatives, experts, etc.). The committee should be limited to a reasonable number of members (around 15 at most), allowing for rich dialogue during meetings to exchange essential information.

Chapter Three: Evaluation of Tools for Implementing the National Policy for Coastal Protection and Enhancement

The Algerian coast holds significant importance, possessing capabilities and potential to drive sustainable development. However, it is subjected to a variety of pressures and challenges, including demographic growth, pollution, and uncontrolled urbanization, among others.

In order to preserve this natural wealth, and within the framework of implementing the national coastal protection policy, a set of tools has been put in place in accordance with the provisions of Law No. 02-02, dated February 5, 2002, concerning coastal protection. The success of implementing this policy depends on the adequacy of the mechanisms established to ensure leadership, coordination, and monitoring. These mechanisms are divided into two categories: management tools and intervention tools.

Section One: Reality and Challenges of the Algerian Coast

This section provides an understanding of the concept of the coast and its legal nature, along with a review of key indicators related to it, offering the reader a comprehensive view of the risks threatening its future.

Subsection One: Definition of the Algerian Coast

According to Law No. 02-02, dated February 5, 2002, the coast is defined as follows:

It includes a specific area subject to protection and enhancement measures, called the coastal area, which consists of:

- The natural beach, all islands and islets;
- Internal marine waters, the surface and subsoil of the territorial sea.

It also includes a strip of land with a minimum width of 800 meters along the sea, including:

- The slopes of hills and visible mountains from the sea, not separated from the beach by coastal plains;
- Coastal plains less than 3 km deep starting from the highest point reached by the sea;
- All forested areas, land with agricultural purposes;
- All wetland areas, and their beaches, part of which is in the coastal region;
- Sites containing natural landscapes with cultural or historical significance.

Subsection Two: Legal Nature of the Algerian Coast

The Algerian coast is an integral part of the national public maritime property, which falls under the natural public properties, consisting of several elements, including marine elements governed by international law, and land elements subject to national legislation.

However, the Algerian legislator did not explicitly mention the coast in the Law on National Public Property but only referred to the beach as a component of the coast.

Subsection Three: The Algerian Coast as a Natural Capital Presenting Both Opportunities and Challenges

The Algerian coast is characterized as the country's gateway to the Mediterranean, offering numerous resources, such as its long coastline, biodiversity, and picturesque landscapes, all of which contribute to sustainable development. However, it also faces numerous challenges, as follows :

1. Population Concentration Along the Coastline:

The population of coastal provinces is estimated to be around 17 million, accounting for 37.77% of the total population of Algeria, which is about 45 million, according to the National Statistics Office. This indicates an ongoing imbalance in the distribution of the population across the country, placing pressure on the coast's biodiversity. The Algerian coast spans 14 provinces, from El Tarf in the east to Tlemcen in the west, covering a total length of 2148 km. Three of the country's four major cities are located on the coast: Algiers (the capital), Oran to the west, and Annaba to the east, where the highest population densities are recorded. The coastal provinces account for 42,700 km², or 1.78% of Algeria's total area of 2,381,741 km². Yet, one-third of the country's population resides in these coastal provinces.

Population Density Table for Coastal Provinces

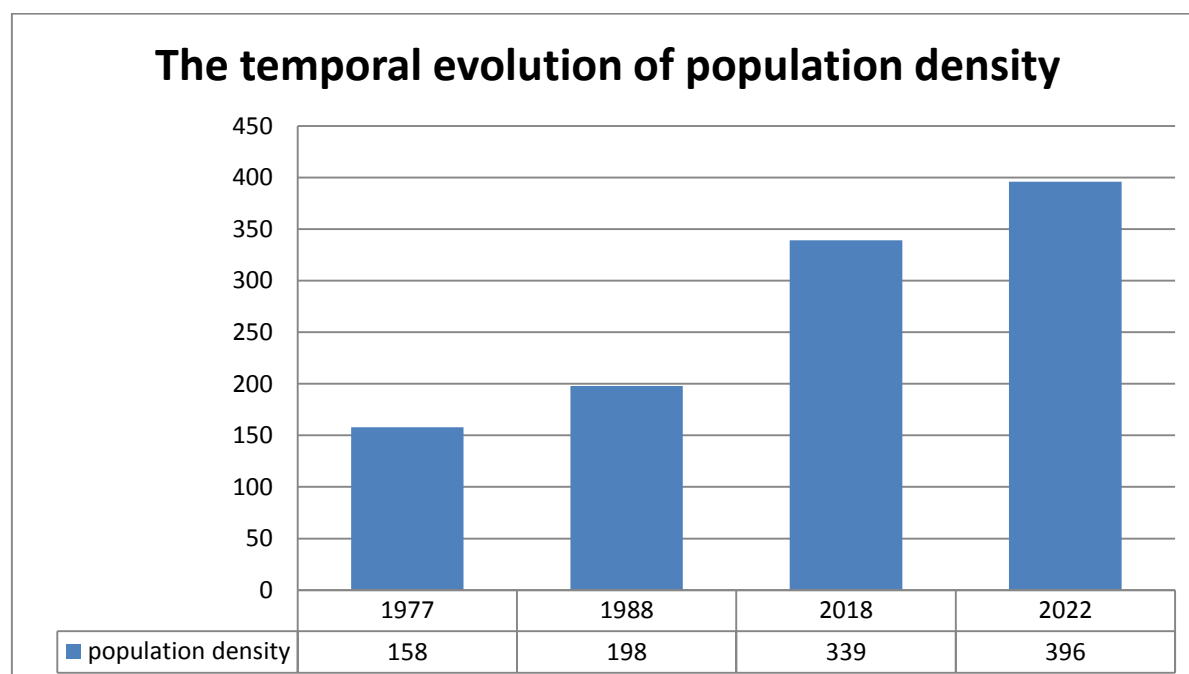
Rank	Governorate	Area (km ²)	Percentage of Algeria's Area (%)	Population	Population Density (per km ²)
01	Tlemcen	9061	0.38	1,157,753	128
02	Chlef	4791	0.20	1,380,847	288
03	Skikda	4026	0.17	1,153,260	286
04	El Tarf	3339	0.14	503,325	151
05	Bejaia	3268	0.14	1,046,013	320

06	Tizi Ouzou	2958	0.12	1,270,633	429
07	Jijel	2577	0.11	903,378	350
08	Ain Témouchent	2379	0.11	542,964	228
09	Mostaganem	2175	0.09	948,114	436
10	Tipaza	2166	0.09	781,424	361
11	Oran	2121	0.09	1,867,928	881
12	Boumerdes	1591	0.07	1,076,876	677
13	Annaba	1439	0.06	703,151	489
14	Algiers	809	0.03	3,597,558	4447
	Total	42700	1.78	16,933,224	396

Source: Prepared by the Court of Accounts based on data from the National Statistics Office, 2022.

This indicates the continued rapid growth of coastal population density compared to the national density. This is attributed to the limited coastal area available for population settlement due to urban expansion, as evidenced by the increased population density along the coast, as shown in the following graph:

Unit: (persons / per square kilometer)

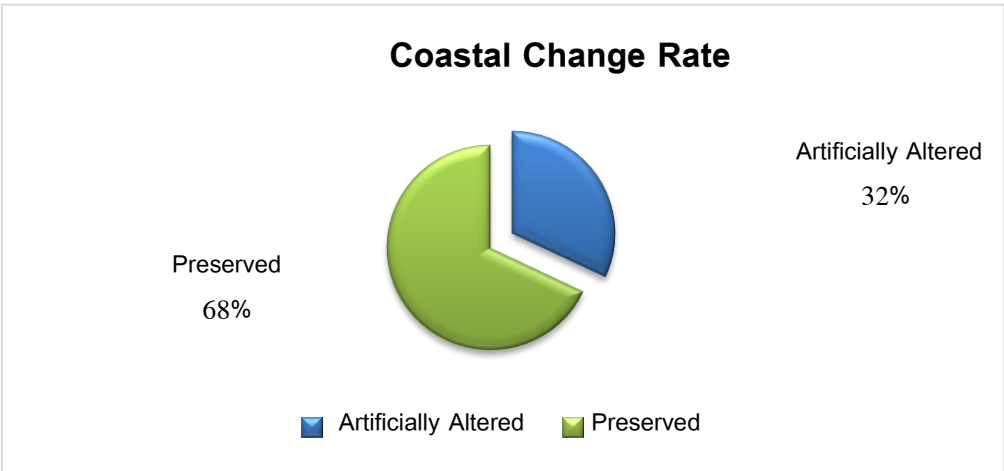


Source: Prepared by the Court of Accounts based on data from the National Statistical Office for 2022.

The rapid population growth in coastal areas presents a challenge to all sectors, especially in providing various services, with particular attention to maintaining the environmental balance of these coastal zones.

2. Urban Expansion:

The coastal area is estimated to cover approximately 400,000 hectares of the total coastal municipalities, according to the Coastal Geographic Information System. About 32% of the coastal length has been artificially modified, stretching over approximately 687 kilometers. The highest rates of change are recorded in the Algiers and Oran regions, with 70% and 50%, respectively. This includes urban expansion, such as population settlements and the addition of infrastructure such as roads, ports, and airports. However, about 68% of the coastal line remains preserved.



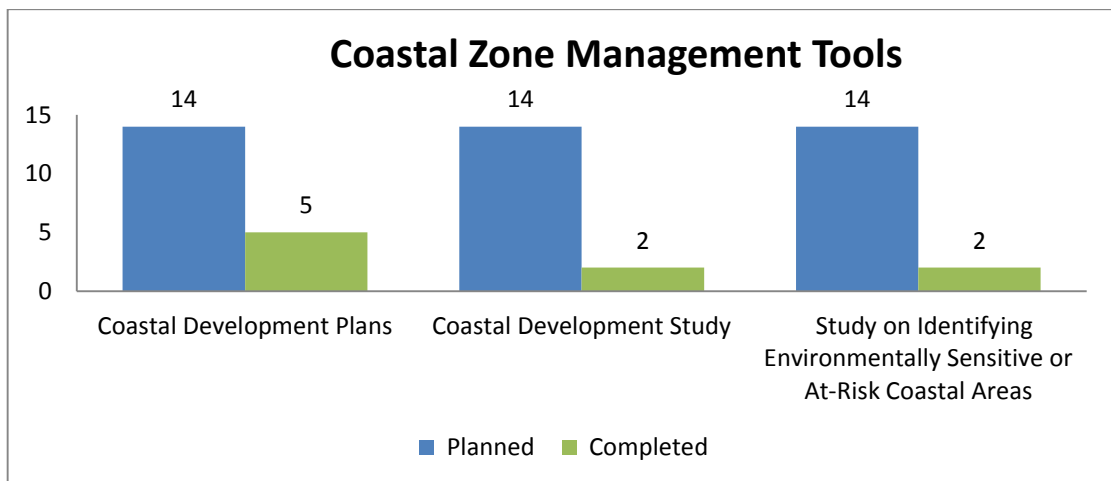
Urban expansion is controlled through coastal zone management tools established by law, which are as follows:

- Coastal Development Plans, as specified by Executive Decree No. 114-09 dated April 7, 2009, which defines the conditions for preparing the coastal development plan, its content, and the conditions for its implementation.
- Coastal Development Study, as specified by Executive Decree No. 206-07 dated June 30, 2007, which defines the conditions and methods for

construction and land occupation along the coastal strip and the occupation of natural areas adjacent to the beaches, as well as the expansion of areas where construction is prohibited.

- Study to identify sensitive coastal areas or areas exposed to environmental risks, as stated in Executive Decree No. 424-06 dated November 22, 2006, which defines the formation and operation of the coastal coordination council.

The Court of Accounts noted the delay in preparing the various plans and studies, as only five coastal development plans and two coastal development studies were completed. As for the study to identify sensitive coastal areas or areas exposed to environmental risks, only two studies were completed, as shown in the following chart:



Source: Ministry of Environment and Renewable Energies

The delay in completing the various plans results in a lack of control over urban expansion, which leads to non-compliance with the standards, conditions, and areas designated for the construction of buildings and investment projects.

3. Coastal Erosion and Marine Submersion

Marine submersion is the advance of the sea over the land in areas where they meet, which will lead to significant losses in the coastal area, particularly in low-lying regions if no protective measures are taken. Marine submersion has caused losses to the sand dunes in Zemmouri, Boumerdes, Algiers, and Boudouaou,

Tipaza. Over the past three decades, the Algerian coast has experienced the phenomenon of coastal erosion, which is attributed to various factors, whether human activities or climate changes, including:

- Legal extraction of sand from beaches and valleys for use in various projects.
- Widespread illegal sand mining and theft.
- Ineffectiveness of planning tools for the coastal area.
- Severe weather disturbances.
- Rising sea levels.
- Construction of coastal protection structures and barriers that are not effective.

East of Algiers Bay



Regarding the most affected areas from coastal erosion in Algeria, the beaches on the east of Algiers have suffered noticeable damage, with an estimated area loss of about 10 hectares between 1959 and 2017, especially the Green Coast, the wrecked ship, and Istanbul Beach.

In Jijel, the shoreline retreat reached approximately 30 meters locally between 1973 and 1988, in areas such as Wadi Zhour, Ras El-Mu'azzan, and Ras Um Chech.

4. Flooding

Algerian coastal areas are among the most vulnerable to flooding risks, particularly in densely populated areas due to urban expansion, leading to substantial human and material damages. Notable events include the floods in Bab El-Oued, Algiers in November 2001, and in Fouka, Tipaza in June 2023. In 2014, a study was conducted on the national strategy for flood prevention, aimed at developing an action plan to mitigate flooding risks, ensure citizens' safety, and minimize its impact on infrastructure and damages. Vulnerable areas were identified and assessed.

As part of the EU Water II program, a study was conducted on flood-prone areas, identifying 690 flood-prone regions, about one-third of which are located in coastal areas.

In this regard, Law No. 20-04, dated December 25, 2004, related to the prevention of major hazards and disaster management within sustainable development, defines major hazards as any potential threat to humans and the environment caused by exceptional natural emergencies or human activities. Among these hazards are floods. This law was presented before the Parliament for amendments to align it with international agreements and incorporate new hazards, especially those related to climate change.

5. Expansion of Tourist Areas

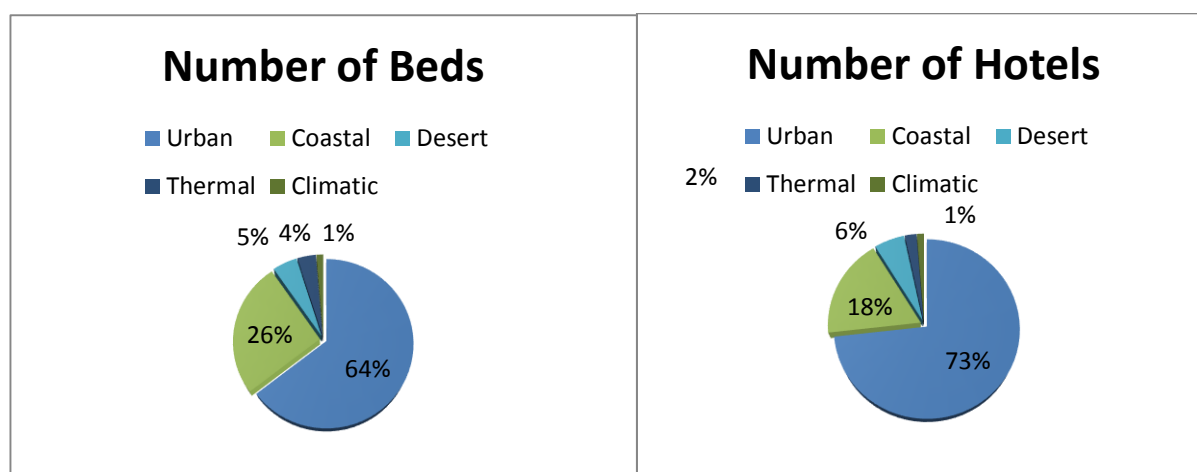
Coastal tourism is an essential part of Algeria's tourism activity due to its significant economic and social impact. The Mediterranean coast is a major tourist attraction, offering resorts and natural landscapes. In 2022, there were 283 coastal hotels with a total capacity of 37,586 beds.³⁵

³⁵ Statistics of the Ministry of Tourism and Handicrafts for the Years 2023, 2022, 2021, 2020, 2019, 2018.

Evolution of the Coastal Accommodation Capacity between 2019 and 2022

Year	Total Number of Hotels in Algeria	Number of Coastal Hotels	Number of Coastal Beds
2022	1576	283	37,586
2021	1502	258	33,588
2020	1449	253	32,971
2019	1417	252	32,926

The number of urban hotels, in addition to coastal ones, represents the majority of the total number of beds at the national level, approximately 91% of the national accommodation capacity, as shown in the following graphs



Source: Statistics from the Ministry of Tourism and Traditional Industries

Approximately half of the accommodation capacity of tourism establishments in Algeria is concentrated in coastal provinces, including both urban and coastal hotels. One-third of this capacity is located in Algiers and Oran provinces, while coastal tourism accounts for about 50% of the total number of overnight stays at the national level

The total number of tourism expansion zones in Algeria amounts to 249 zones, with a combined area of approximately 57,872.20 hectares as of 2022. These

zones are predominantly located in coastal provinces, as shown in the table above.

No.	Regions	Number	Percentage (%)	Area (hectares)	Percentage (%)
01	Coastal	165	66.26	38,510.90	66.54
02	Highlands	55	22.08	8,983.08	15.52
03	Southern	29	11.64	10,378.21	17.93
Total	–	249	100	57,872.20	100

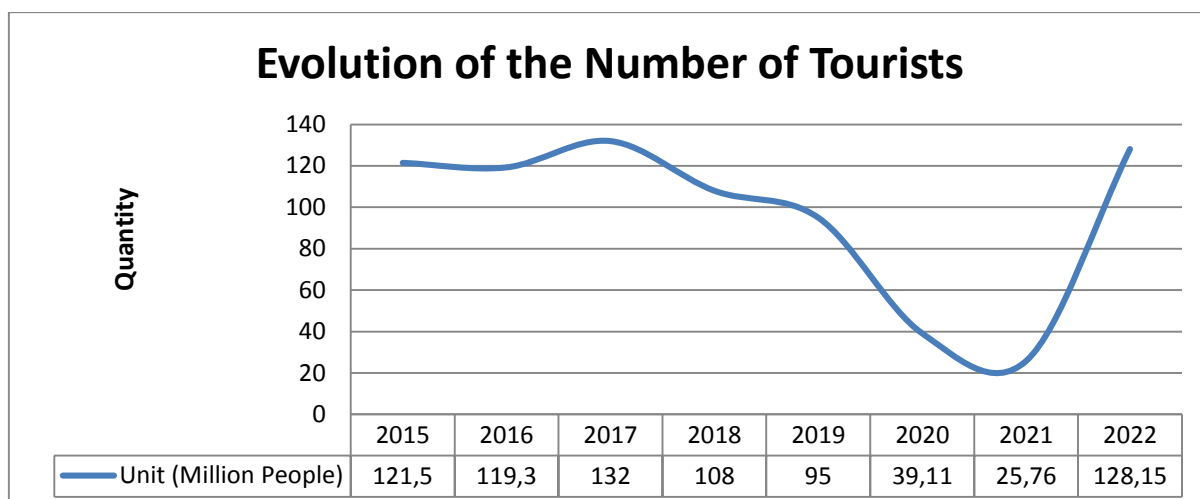
Coastal tourism expansion zones number 165, representing about two-thirds (2/3) of the total zones nationwide, covering an area of approximately 38,510.90 hectares. Provinces such as Jijel, Mostaganem, El Tarf, and Boumerdes account for roughly 50% of this area. This creates significant pressure on the coastal strip due to the high influx of tourists, both domestic and international.

Satellite Image of the Tamanart Tourism Expansion Zone – Skikda Province



Source : Algerian Space Agency

Statistics on tourist visits to beaches highlight the pressure exerted on the coast during the summer season. According to data from the Ministry of Tourism and Handicrafts, the number of beachgoers reached 128,154,865 in 2022, marking a 500% increase compared to 2021. This sharp rise is attributed to the easing of restrictions following the COVID-19 pandemic.



The total number of beaches along the Algerian coast reached 602 beaches in 2022, with the number of beaches open for swimming increasing to 432 beaches, as illustrated in the following chart:

Year	2015	2016	2017	2018	2019	2020	2021	2022
Total Beaches	579	590	608	611	581	588	585	602
Open for Swimming	382	382	398	404	426	362	409	432

Tourism along the Algerian coast holds significant importance due to its alignment with sustainable development goals, encompassing economic, social, and environmental dimensions. However, it also exerts direct negative impacts on the environment, such as the removal of vegetation, trees, and sand dunes to establish infrastructure for tourism reception, including hotels, resorts, restaurants, and various foundational facilities such as roads and ports.

This pressure on the coastal region increases waste generation from tourists, including solid household waste and wastewater, stemming from higher consumption levels along the coast. Such activities result in pollution that adversely affects the coastal ecological environment and wildlife, threatening the ecological balance and ecosystems, especially in sensitive areas.

However, the impact of tourism is not solely negative; it also has positive aspects, such as promoting awareness of the ecological environment and methods to protect it, referred to as eco-tourism or green tourism, with environmental preservation as its core principle. Economically and socially, tourism contributes positively by creating job opportunities and employment and serves as a vital source of national economic revenue.

6. Coastal Infrastructure :

Given that most global and Mediterranean maritime shipping operations for goods, as well as passenger transportation, are conducted via sea, Algeria's coastline features **45 operational ports**, categorized as follows:

- **11 commercial ports** offering dual services (commerce, transportation, fishing, and petroleum products). These ports are equipped for ferries, cargo ships, container vessels, and oil tankers, ensuring the passage and handling of all types of goods.
- **2 oil-specific ports** (Skikda in the east and Arzew in Oran), reflecting Algeria's role as a gas and oil exporter.
- **31 fishing ports and shelters**, six of which are integrated within commercial ports.
- **1 recreational harbor** in Sidi Fredj.
- **200 maritime navigation aids.**³⁶

These infrastructures have contributed to an artificial transformation of the coastal landscape. The increased maritime activity at Algerian ports, within the Mediterranean—a primary maritime corridor—exacerbates pollution from vessels, particularly oil tankers. This pollution includes oil spills, chemical discharge, and other hazardous waste, all of which harm the marine environment, wildlife,

³⁶ The website of the National Agency for Real Estate Mediation and Regulation

biodiversity, and climate, reducing seawater quality and ultimately affecting public health.

7– Seawater Desalination:

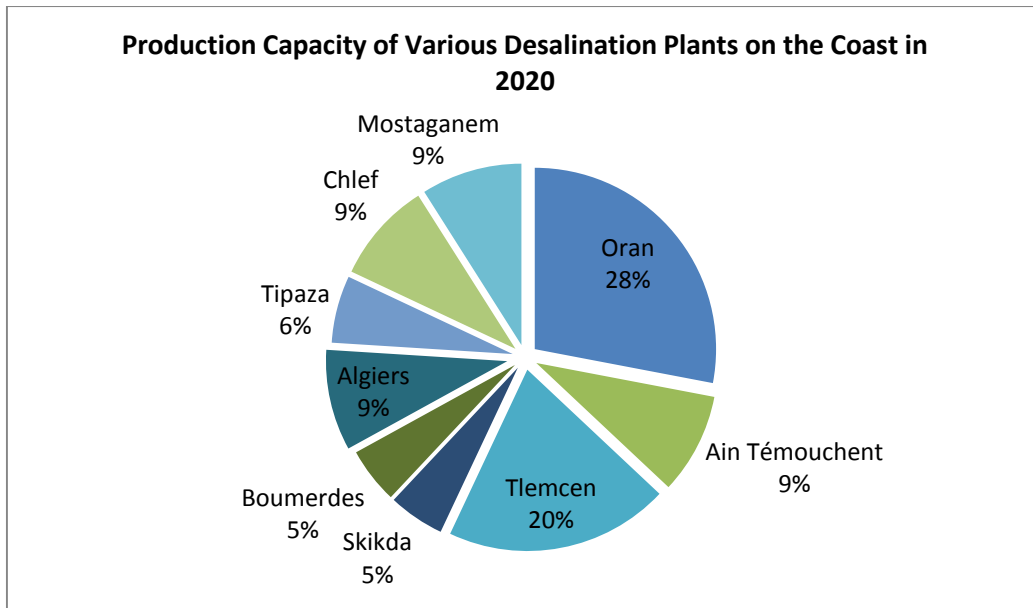
Given the scarcity of rainfall in recent years and the insufficient filling of dams nationwide, particularly in the western and central regions, the public authorities have adopted a strategy of seawater desalination to meet the increasing demand for potable water. By 2020³⁷, there were 21 single–unit desalination plants with a production capacity of 57,500 m³/day.

Additionally, 13 large desalination plants have been constructed, 11 of which have a combined production capacity of approximately 2,110,000 m³/day, with the goal of reaching 22 plants by 2024.

The average salinity level of seawater ranges between 30 and 45 g/L. As of 2022, Algeria’s coastline recorded salinity levels varying between 32 g/L as the lowest and 37.2 g/L as the highest, as illustrated in the following table:

The byproducts of the desalination process, including highly concentrated brine and the chemicals used, negatively impact marine life and ecosystems. Furthermore, the artificial alteration of the coastline due to the construction of these facilities—which require space and areas for water intake into the desalination units—also affects fisheries, aquaculture, and, in the long term, local communities.

³⁷ Source: National Strategy for Integrated Management of Coastal Areas (Ministry of Environment and Renewable Energies)



Source: National Strategy for Integrated Coastal Zone Management

8– Seawater Acidity:

Executive Decree No. 93–164, dated July 10, 1993, which specifies the required quality of bathing water, stipulates an acceptable acidity level ranging between 6 and 8. Algeria's coastline has recorded acceptable acidity levels, with some cases exceeding the maximum pH limit, as indicated in the accompanying table. A deviation from this range, either lower or higher, increases the risk of toxic metals being present in seawater, negatively impacting the marine environment. Furthermore, water acidity affects the level of dissolved oxygen in seawater, which has been regulated by Algerian legislation through Executive Decree No. 93–164, dated June 10, 1993. This decree sets the acceptable range for dissolved oxygen levels in bathing water between 80% and 120%. The highest measured level in 2022 was recorded in Tipaza Province at 160%, while the lowest was recorded at 89%.

(PH) Sea Acidity					
Coastal Wilaya	2019	2020	2021	2022	2023
El Tarf	7.21	6.5	7.45	6.86	6.88
Annaba	7.5	6.5	6.92	6.76	6.79
Skikda	8	8	8	8	8
Jijel	7.9	7.8	7.9	7.9	7.54
Bejaia	7.01	7.4	7.1	8.24	8.5
Tizi Ouzou	7.1	8.01	7.92	8.08	8.32
Boumerdes	7.56	7.8	8.16	8.1	8.21
Algiers	7.4	7.56	7.9	7.6	9.26
Tipaza	7.89	7.46	7.8	8.08	8.25
Chlef	7.9	7.39	7.97	7.96	8.25
Mostaganem	6.9	8.23	6.87	7.39	7.62
Oran	7	7	7.92	7.6	8.09
Ain Temouchent	8.02	7	7.39	7.5	8.32
Tlemcen	7.87	7.98	8.09	8.2	8.13

Source: National Observatory for Environment and Sustainable Development

9– Forests

There are 158 forests in the Algerian coastline, of which 141 are natural forests and 17 are artificial forests, as shown in the following table:

Wilaya	Number	Number of Forests	Number of Artificial Forests	Number of Natural Forests
El Tarf	01	13	0	13
Annaba	02	06	0	06
Skikda	03	24	04	20
Jijel	04	14	0	14
Bejaia	05	08	01	07
Tizi Ouzou	06	05	02	03
Boumerdes	07	10	0	10
Algiers	08	05	0	05
Tipaza	09	31	0	31
Chlef	10	09	0	09

Mostaganem	11	13	03	10
Oran	12	08	02	06
Ain Temouchent	13	04	0	04
Tlemcen	14	08	05	03
Total		158	17	141

The area of forests in the coastal region is approximately 1.3 million hectares,³⁸ which represents about 30% of the national forest area. Around 60% of the coastal forest areas are concentrated in four coastal wilayas: Tlemcen, Jijel, Skikda, and El Tarf. Additionally, afforestation operations are continuously carried out in the coastal forests.

Location of Forests in the Algerian Coast



Légende	مفتاح الخريطة
Forêts	الغابات
● Artificielles	الاصطناعية
● Naturelles	الطبيعية
□ Limites administratives	الحدود الإدارية

Source: National Coastal Conservancy

The coastal forests, like other forests, are exposed to the risk of fires, which peak during the summer season, leading to soil erosion and exposing it to natural factors that may lead to degradation. Coastal forests, in particular, are subject to the phenomenon of fire outbreaks, whether intentional or unintentional,

³⁸ Ministry of Agriculture and Rural Development – General Directorate of Forests – 2018

compared to other wilayas in the country between 2010 and 2020, representing about 50% of the total fires nationwide. This has led the authorities to take deterrent measures to address this phenomenon.

Section Two: Evaluation of Coastal Management Tools

Among the most important coastal management tools outlined in Law No. 02–02, dated February 5, 2002, mentioned above, are the National Coastal Conservancy and beach planning schemes. However, these tools suffer from certain shortcomings, which have made it difficult to implement the national coastal policy optimally.

Subsection One: The Role and Position of the National Coastal Conservancy in Implementing the National Coastal Protection Policy

The evaluation process revealed some deficiencies that negatively impacted the role and position of the National Coastal Conservancy in implementing the national coastal protection policy. The reasons for this are as follows :

1. The Need to Adapt the Legal Nature of the Conservancy

The National Coastal Conservancy was established under the provisions of Article 24 of Law No. 02–02, dated February 5, 2002, to ensure the implementation of the national coastal protection policy and the enhancement of the coast in general, and the beach area in particular. This body is also responsible for preparing a comprehensive inventory of coastal areas, including human settlements and natural spaces, as well as islands, which receive special attention.

Referring to Article 4 of Executive Decree No. 04–113, dated April 13, 2004, mentioned above, the Conservancy is tasked with the following:

- Ensuring the preservation and enhancement of the coast and coastal areas and their ecosystems,
- Implementing measures mandated by the applicable regulations for the protection of the coast and coastal areas,
- Providing assistance related to its areas of intervention to local communities,
- Maintaining, restoring, and rehabilitating unique or essential terrestrial and marine spaces to preserve natural balances,
- Promoting awareness programs to inform the public about the conservation and sustainable use of coastal spaces and their biodiversity.

Therefore, the evaluation of the legal tasks assigned to the Conservancy has shown that these tasks are predominantly scientific and technical in nature, requiring continuous field presence along the entire coastal strip. For this reason, the current administrative legal framework of this institution does not align with the intended goals for which it was established, primarily to implement the national coastal protection policy.

2. Organizational Structure Not Aligned with the Requirements of Implementing the National Coastal Protection Policy

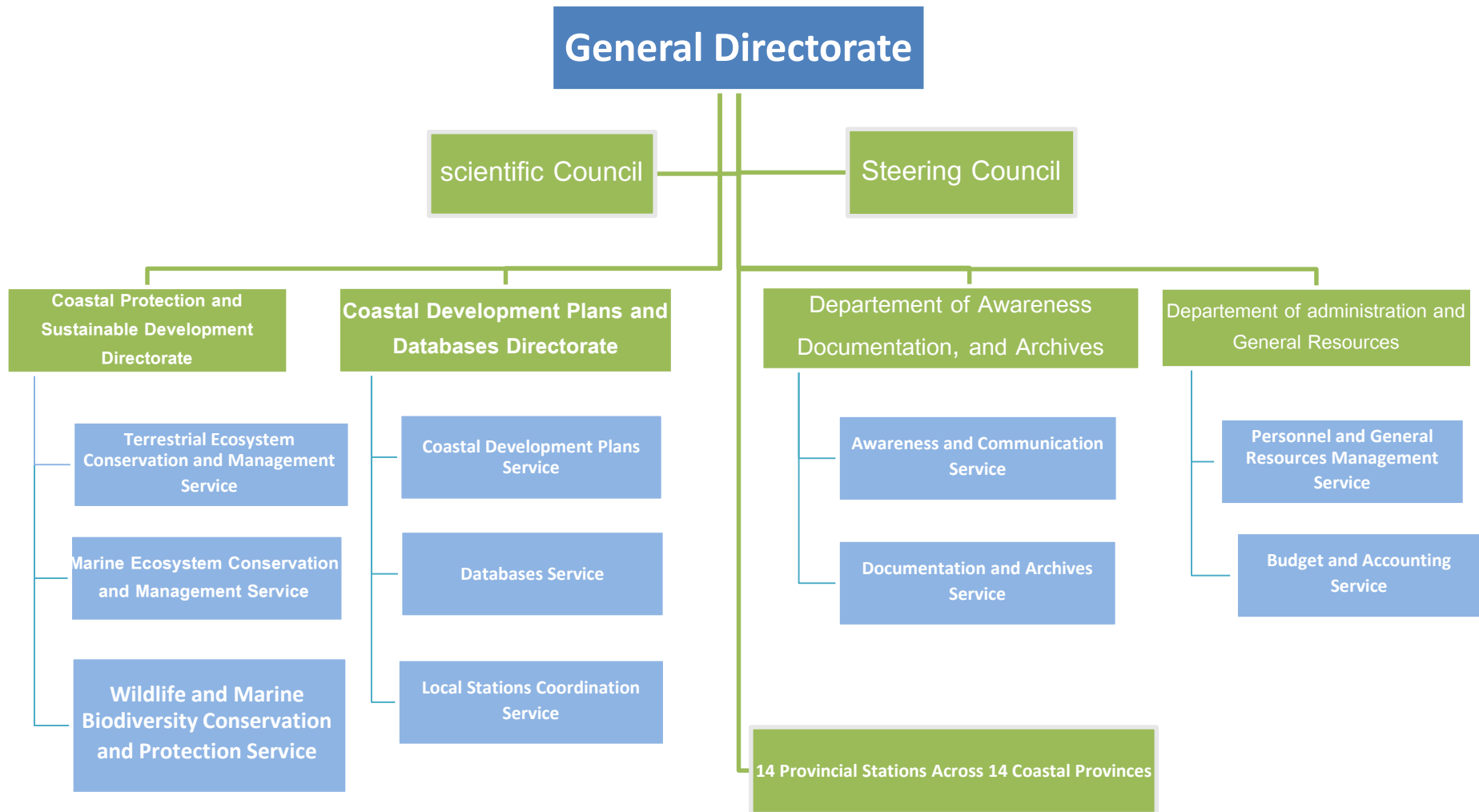
The administrative organization of the National Coastal Conservancy is determined by a joint ministerial decision dated January 14, 2006, in implementation of the provisions of Article 6 of Executive Decree No. 04-113, dated April 13, 2004, mentioned above. This decision aims to ensure the proper

functioning of the different departments under the Conservancy to implement the national coastal protection policy.

The Conservancy is managed by a Director General who represents the executive body and is responsible for financial oversight. It also has a Steering Committee, which acts as a deliberative body composed of representatives from various sectors related to the coast. The committee is responsible for the overall organization and operation of the Conservancy and specifically deliberates on:

- The general organization and internal regulations of the Conservancy,
- The plans, programs, and activity reports,
- The Conservancy's budget project,
- Acceptance and allocation of donations and bequests,
- Proposing any measures aimed at improving the Conservancy's activities.

Additionally, the Conservancy is equipped with a Scientific Council, which serves as an advisory body composed of experts, scientists, and academics from various bodies, universities, and research centers whose specialties relate to the Conservancy's activities, as outlined below:



However, the current organizational structure of the Conservancy is marred by some deficiencies, mainly as follows:

- The absence of a Geographic Information Systems (GIS) and Networks Division for the coast, which is responsible for managing the national information system,
- The lack of coordination and alignment between the awareness and archives departments,
- The failure to update the aforementioned joint ministerial decision to keep pace with the various developments,
- The absence of an organizational structure for the provincial stations.³⁹

The consequences of not having an organizational structure capable of meeting the demands of implementing the national coastal protection policy, given the current challenges, include the following:

- Weak coordination between the various departments and the provincial stations under the Conservancy,
- Inability to adapt to the volume of new functions and tasks, especially the computerization role,
- Difficulty in clearly defining roles and responsibilities.

3. The Need for Stability in the Conservancy:

The instability witnessed in the environmental sector, particularly since 2015, has negatively affected the smooth functioning of the various departments under the ministry, including the National Coastal Conservancy, which has undergone several leadership changes. Over a relatively short period of 11 years⁴⁰ (from

³⁹ At the level of the fourteen (14) coastal wilayas: Annaba, Tipaza, Oran, El Tarf, Skikda, Jijel, Bejaia, Tizi Ouzou, Boumerdes, Algiers, Chlef, Mostaganem, Ain Témouchent, and Tlemcen

⁴⁰ the last change occurred during the council's mission (at the end of 2023).

2012 to 2023), several directors–general have been appointed and removed, with one director general approximately every two years. This ongoing instability will undoubtedly negatively impact the Conservancy's performance in implementing the national coastal protection policy and hinder the achievement of the objectives set in the National Strategy for Integrated Coastal Zone Management 2020–2030.

4. Failure to Respect the Operational Rules of the Steering and Scientific Councils:

Ideally, the Steering Council meets at least twice a year in regular sessions, based on an invitation from its chairperson. It can also meet in an extraordinary session upon the president's proposal or at the request of its members.⁴¹ Upon reviewing the meeting minutes of the Steering Council, it was found that it met only once per year in a regular session during the years 2020, 2021, and 2022, and twice in 2023—once in a regular session and once in an emergency session based on the president's request. This failure to adhere to the meeting rules inevitably impacts the functioning and organization of the Conservancy.

✓ The Complete Absence of the Scientific Council:

The Scientific Council is an essential tool for the Conservancy, as its scientific nature and composition make it crucial for effective intervention in coastal protection. The council should meet at least twice a year in regular sessions by invitation of its chairperson. However, the Scientific Council of the Conservancy has not met since 2018. Therefore, the complete absence of the Scientific

⁴¹ Article 11 of Executive Decree No. 04-113 mentioned above.

Council, which is meant to provide advice to the Steering Council and the Director General on scientific matters within its domain, has resulted in a gap in its role.

5. Weak Human and Material Resources:

A. Management of Human Resources:

The National Coastal Conservancy is led by a Director General, supported by the heads of the departments at the central level and the heads of provincial stations at the local level. The employees are distributed according to the following table:

Distribution of Employees by Structures (2019–2022)

Structures			2019	2020	2021	2022
General Directorate			29	31	28	27
Provincial Stations	East	El Tarf	03	03	03	03
		Annaba	02	02	02	01
		Skikda	03	03	03	03
		Jijel	04	05	05	04
		Bejaia	04	04	04	04
	Center	Tizi Ouzou	08	08	09	09
		Boumerdes	04	04	03	03
		Algiers	01	01	02	02
		Tipaza	13	15	15	15
	West	Chlef	03	03	03	02
		Mostaganem	04	04	05	06

		Oran	11	11	11	10
		Ain Témouchent	02	01	01	01
		Tlemcen	01	01	01	01
Total			92	96	95	91

Source : National Coastal Conservancy

The National Coastal Conservancy consists of employees who belong to common service categories, subject to Executive Decree No. 08-04 dated January 19, 2008, which includes the special status for employees of public institutions and administrations, amended and supplemented, and employees who belong to specialized service categories, subject to Executive Decree No. 08-232 dated July 22, 2008, which includes the special status for employees of the administration in charge of the environment and land planning.

As of December 31, 2022, the conservancy consists of ninety-one (91) employees, mainly technical staff⁴², administrative staff, and contractors, distributed between the General Directorate and fourteen (14) stations located in coastal wilayas, with 30% and 70%, respectively, as shown in the table above. Given its technical nature, it requires the employment of professionals with skills and competencies aligned with this role. "Environmental Engineers" and "Land Planning Engineers" represent the largest category of employees, distributed according to their roles as shown in the table below:

⁴² It mainly consists of 16 Senior Engineers, 6 State Engineers, 1 Inspector, 1 Senior Technician in Environmental Field, and 8 Senior Engineers in Regional Planning.

Distribution of Employees by Nature for the Years (2019–2022)

Employee Nature	2019	2020	2021	2022
Technicians	43	45	44	43
Administrators	18	19	18	18
Contractors ⁴³	31	32	33	30

Source : National Coastal Conservancy

The number of technical employees did not experience significant growth during the evaluation period, remaining at forty-three (43) employees from 2019 to 2022. Similarly, the number of administrative employees did not exceed eighteen (18) employees. Contractors represent 33% of the total number of employees in the conservancy. This number of technical employees remains very low considering the vast tasks assigned to the conservancy, which is responsible for covering activities related to the coast along a coastal strip of 2,148 km, spanning 14 coastal wilayas. It is a key tool for coastal management and tasked with overseeing the implementation of the national coastal protection policy.

Referring to the table for the distribution of employees by structure for the years (2019–2022), it is noted that the Skikda provincial station, for example, only has three (03) technical employees. This number remains insufficient given the vastness of the wilaya's coastal strip, which is the longest compared to other coastal wilayas. Additionally, the wilaya's port is one of the most important ports in the country. The same applies to the wilayas of Annaba and Jijel. This issue is primarily due to the freeze on recruitment operations imposed by public authorities since 2015.

⁴³ Some of them hold technical and/or administrative positions.

This weakness in the number of employees is accompanied by a significant increase in the number of vacant positions, as shown in the following table:

Occupied and Vacant Financial Positions for the Years (2019–2022)

Year	2019	2020	2021	2022
Occupied Positions	92	96	95	91
Vacant Positions	29	25	26	30

Source: National Coastal Conservation Agency

As a result, there has been a near total absence of head positions for departments, such as the position of Head of the Awareness and Documentation Department, which remained vacant for four (04) years, from 2019 to 2022.

The consequences of the weak human resources allocated to the agency include the following:

- Increased workload pressure on current staff,
- Decreased performance of employees, thus hindering the agency's ability to achieve its objectives.

B. Financial Situation:

✓ **Revenues:**

The development of revenues for the National Coastal Conservation Agency for the financial years (2019–2022) is summarized in the table below:

Summary of the Evolution of Revenues for the Coastal Protection Agency (2019 – 2022)

The unit: DZD

Year	2019	2020	2021	2022
State Subsidies	80,000,000.00	72,000,000.00	72,000,000.00	73,000,000.00
Previous Year's Surplus	8,645,642.34	8,661,417.02	9,450,217.24	8,653,027.02
Other Revenues ⁴⁴	1,350,266.95	1,622,877.82	1,151,424.93	1,222,148.75
Total Revenues	89,995,909.29	82,284,294.84	82,601,642.17	82,875,775.77

Source: National Coastal Conservation Agency

The agency's revenues consist of the subsidies provided by the state, as well as other revenues primarily from salary deductions of its employees.

Subsidies remained relatively stable during the evaluation period. However, during the COVID-19 pandemic, they decreased by 8 million DZD, which is approximately 10%, from 80 million DZD in 2019 to 72 million DZD in 2022, with an unspent balance of 9 million DZD each year. In 2022, there was a slight increase in subsidies, rising by 1%, amounting to 73 million DZD.

✓ Expenditures:

The development of expenditures for the National Coastal Conservation Agency for the financial years (2019–2022) is summarized in the table below:

⁴⁴ It is primarily composed of deductions from the salaries of the employees of the National Coastal Protection Agency.

Table Summarizing the Development of the Agency's Expenses for the Years (2019 – 2022)

Unit: DZD

Year	2019	2020	2021	2022
Employee Expenses	64,312,311.61	67,669,067.14	68,859,488.91	73,353,669.93
Operational Expenses	5,550,725.19	2,196,496.52	5,089,126.24	4,590,422.30
Total Expenditures	69,863,036.80	69,865,563.66	73,948,615.15	77,944,095.23

Source: National Coastal Conservation Agency

In 2019, the total expenditures of the agency amounted to 69,863,036.80 DZD, of which 64,312,311.61 DZD (92%) were for employee expenses, and 5,550,725.19 DZD (8%) were for operational expenses.

In 2020, the total expenditures reached 69,865,563.66 DZD, with 67,669,067.19 DZD (97%) allocated to employee expenses, and 2,196,496.52 DZD (3%) for operational expenses.

In 2021, total expenditures increased by 5.84%, reaching 73,948,615.15 DZD. Employee expenses accounted for 93% of total expenditures, and operational expenses accounted for 7%.

In 2022, there was a further increase in total expenditures, rising by 5.4% compared to 2021. Employee expenses amounted to 94% of the total, and operational expenses were 6%.

The evaluation of the financial situation of the agency shows that it suffers from limited funding sources, which hinders its ability to fully implement the national coastal protection policy.

✓ **Property Ownership:**

The evaluation revealed that the National Coastal Conservation Agency's headquarters is not owned by the agency. The building it currently occupies, located in the municipality of El Khabar, Algiers, is owned by the Ministry of the Interior, Local Authorities, and Urban Planning. Moreover, the provincial stations lack their own premises, with the exception of the station in Tipaza, which owns one building.

These limitations significantly affect the agency's performance and hinder its ability to carry out its responsibilities effectively. In these circumstances, the National Coastal Conservation Agency cannot perform its tasks optimally as the primary tool for managing the coast.

6. Necessity of Legal Bridges for Joint Cooperation between the Agency and Local Authorities:

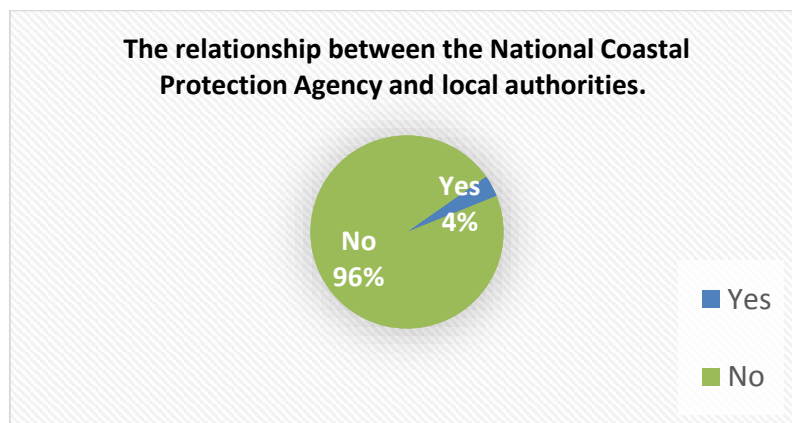
Under Article 4 of Decree No. 04-113 of April 13, 2004, the agency is responsible for providing assistance related to its areas of intervention to local authorities. However, the nature of this assistance and its implementation methods are not defined, despite the urgent need for it, especially for municipalities, as they are key to achieving sustainable development at the local level and ensuring effective management of coastal areas.

The Council observed the absence of legal texts and partnership agreements between the Ministry of the Interior, Local Authorities, and the Ministry of Environment and Renewable Energies, to organize and guide the relationship between the agency and local authorities. This gap prevents a clear understanding of the form and methods of implementing the assistance.

The consequences of the lack of cooperation between the agency and local authorities include:

- Lack of coordination between the two parties in implementing the national coastal protection policy, thus failing to achieve set objectives.

Additionally, the results of the surveys conducted with local authorities (municipalities near the sea)⁴⁵ regarding their relationship with the agency revealed that no initiatives have been taken to establish cooperative bridges between the two parties in the field of coastal protection, as shown in the chart below:



Source: Prepared by the Court of Accounts.

Subsection Two: Beach Development Plan as an Environmental Planning Tool

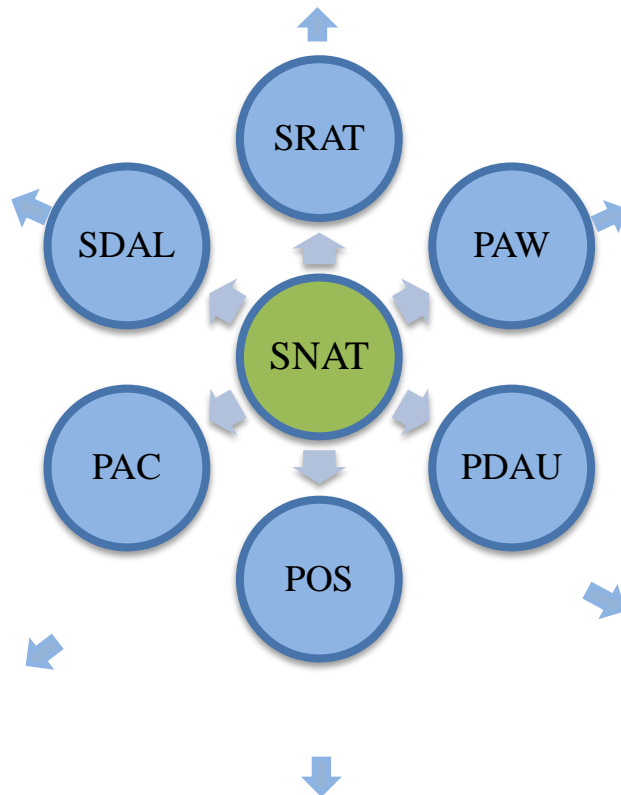
The national policy for regional planning and sustainable development aims to develop the entire national territory in a harmonious manner based on the characteristics and potential of each regional space.

To this end, the Algerian state has put in place a set of regional planning and sustainable development tools derived from the National Regional Planning Plan, which translates the strategic guidelines and basic arrangements regarding the national policy for regional planning and development across the entire national territory. These tools include the following:

⁴⁵ Among the 80 coastal municipalities surveyed by the Council, 55 municipalities submitted their completed questionnaires, representing 69%.

- Attempt to create integration between the parties and reduce disparities.
- Create balance and accuracy in determining choices.
- Simplifying and adapting the national plan to the region's data.

- An exceptional tool for regional planning aimed at coordinating sectoral activities within a framework of joint management among all stakeholders involved in the targeted space.
- A strategic tool that reflects, for coastal areas and the coastal strip of the country, the specific arrangements for preserving and enhancing fragile and targeted spaces.



- Means of implementing the national plan and detailing the regional plan
The National Urban Planning Agency is responsible for preparation.
- Ensure the implementation of planned equipment and investments.

- A spatial planning and urban management tool.
- Specifies urban planning guidelines for municipalities.
- Defines the reference frameworks for the land occupation plan.

- Tool for Protection of coastal areas, especially sensitive ones.

- A tool for urban planning and development
- Specifies in detail the rights of land use
- Compliance with the guidelines of PDAU (Urban Development and Planning Scheme)

Source: Prepared by the Court of Accounts.

Regarding the beach development plan as an environmental planning tool and a means to protect coastal areas, particularly sensitive ones, which was established under Executive Decree No. 09-114 dated April 7, 2009, it defines the conditions for preparing the beach development plan, its content, and how it is implemented, in accordance with the provisions of Article 26 of Law No. 02-02 dated February 5, 2002, as mentioned above.

So far, five (5) plans have been completed out of the 14 plans scheduled according to the number of coastal provinces. These include the following :

- ✓ Beach Development Plan for the Province of Bejaia: Completed in 9 months and delivered in December 2020.
- ✓ Beach Development Plan for the Province of Chlef: Completed in 9 months and delivered in December 2020.
- ✓ Beach Development Plan for the Province of Ain Témouchent: Completed in 9 months and delivered in April 2014.
- ✓ Beach Development Plan for the Province of Tipaza: Completed in 9 months and delivered in April 2014.
- ✓ Beach Development Plan for the Province of El Tarf: Completed in 9 months and delivered in June 2013.

However, only the beach development plans for the provinces of Chlef and Bejaia have been approved by the joint ministerial committee responsible for studying and approving these plans.

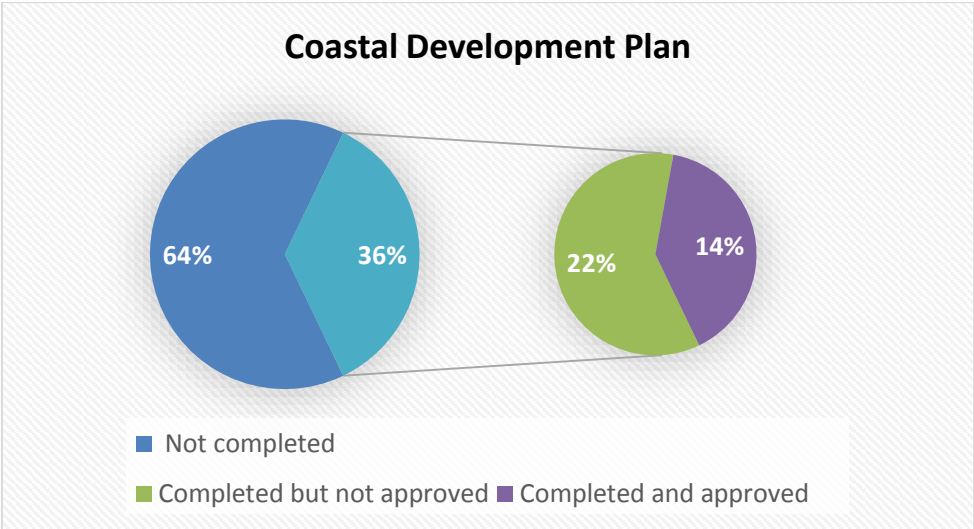
Among the reasons contributing to the delay in approving the beach development plans for Bejaia and Chlef, we mention the following:

- A legal gap in Executive Decree No. 09–114 dated April 7, 2009, primarily concerning the appointment of members to the joint ministerial committee.
- Some members of the joint ministerial committee refusing to sign the meeting minutes.
- The end of the mandate of the members of the joint ministerial committee and their renewal under the decision dated December 1, 2021, which led to the rescheduling of the presentation of the beach development plan for the Province of Bejaia on June 28, 2022.
- The absence of some representatives from the relevant ministries in the meetings of the joint ministerial committee.

As for the number of studies yet to be completed, which is estimated at nine (9), relating to the coastal provinces of Annaba, Jijel, Algiers, Boumerdes, Tizi Ouzou, Skikda, Mostaganem, Oran, and Tlemcen, these studies were subject to tenders

three times in the years 2011, 2012, and 2013, all of which were declared unsuccessful.

For this reason, the National Observatory for the Environment and Sustainable Development, as the delegated project owner, has been tasked with taking responsibility for launching these studies through a tender process.



Source: Prepared by the Court of Accounts.

Among the main obstacles that contributed to the delay in completing the studies and approving them, as well as approving the beach development plan, we mention the following:

- The instability in the environmental sector since 2015 due to frequent ministerial changes, which led to administrative and financial management issues in handling files (file settlements, invoice payments, approval of annex projects, issuing work stoppage orders and their resumption, and delivering temporary acceptance reports within the set deadlines).
- The suspension of the work of the sectoral public procurement committee from August 10, 2021, until April 6, 2021, due to the retirement of the committee's president and the appointment of a new one, which caused

delays in concluding annex agreements for contractor name changes and guarantees.

- The slow process of approving studies from different sectors due to the absence of members from meetings, frequent changes of sector representatives, failure of some sectors to respond to correspondence, and changes in governors.
- The difficulty of updating information by the technical study offices (slow consideration of observations).

This pace of preparation and approval of the beach development plans could negatively impact the planning process and decision-making for the utilization of coastal areas, thus affecting the rational exploitation of the natural resources of coastal regions.

Section Three: Evaluation of Intervention Tools in the Coast

The intervention tools for coastal areas, as stipulated by Law No. 02-02 of February 5, 2002, on the protection and enhancement of the coast, are as follows:

1. Emergency intervention plans
2. Coastal coordination council
3. National Fund for the Environment and Coast

However, these tools suffer from certain shortcomings, which have negatively impacted the implementation of the national coastal protection policy.

Subsection One: Emergency Intervention Plans as an Effective Tool for Managing Marine Pollution Crises

Emergency intervention plans are an effective tool for organizing the fight against marine pollution caused by maritime, land, or air accidents that result in massive spills of fuels or other products or substances that may pose a serious and/or

imminent danger, causing damage to the marine environment, deep seas, coastal areas, and related services.

For this purpose, the creation of committees is stipulated by Article 3 of Executive Decree No. 14–264 dated September 22, 2014, as follows:

1. **Provincial Marine Spill Committees:** These are headed by the relevant regional governor and have their members appointed by a decision issued by them. These committees are responsible for preparing and implementing the provincial marine spill plans for coastal provinces, submitting bi–annual reports on their activities to the regional marine spill committee, and sending a copy to the permanent secretariat.
2. **Three Regional Marine Spill Committees:** Corresponding to the three coastal regions (central, eastern, and western), these are headed by the commander of the relevant coastal region, and their members are appointed by a decision from the Minister of Environment based on proposals from the concerned authorities. These committees are responsible for preparing and implementing regional marine spill plans, preparing an evaluation report on drills and interventions in the case of accidental marine pollution, and submitting a bi–annual report to the National Marine Spill Committee on their activities, with a copy sent to the permanent secretariat.
3. **National Marine Spill Committee:** Headed by the Minister of Environment or their representative, this committee is responsible for coordinating the activities of various ministries and agencies in preparing for marine pollution control at the national level, particularly by:
 - Preparing an annual program for various activities and following up on their implementation.

- Preparing and implementing the national marine spill plan.
- Providing an annual report to the Prime Minister on the status of preparing various marine spill plans and on the activities of the committees.

Despite the great importance of emergency intervention plans, the council observed delays in preparing and approving the provincial marine spill plans, which were approved by the committees between 2021 and 2023. This was due to the following factors:

- The significant delay in the issuance of Executive Decree No. 14-264 dated September 22, 2014.
- The late establishment of the provincial marine spill committees, which did not happen until 2014, except for the Tizi Ouzou provincial committee, which was established in 2002.
- Legal Gap in Executive Decree No. 14-264 dated September 22, 2014: One of the key issues raised concerns the lack of provisions in the decree regarding the method for appointing representatives of the various concerned sectors as members of the National Committee. These appointments are made based on personal appointments rather than according to the nature of the position, which led to frequent changes among the members of this committee.
- In addition to the previous committees, Article 3 of the same executive decree establishes a Permanent Marine Spill Secretariat placed under the Ministry of Environment, managed by the National Secretary at the central director level.
- The Permanent Secretariat is responsible, according to Article 19 of the decree, for the following tasks:

- Preparing meetings for the National Marine Spill Committee.
- Publishing information that would support the organization of marine spill operations for the committees.
- Coordinating between the various marine spill committees.
- Updating the specifications for national marine pollution response tools in coordination with the committees.
- Establishing an information database related to its field of activity.

Despite the legal duties assigned to this secretariat, the Council observed the following issues:

- The absence of a decision defining the composition and functioning of the Permanent Marine Spill Secretariat, as required by Article 21 of Executive Decree No. 14-264.
- Lack of necessary human resources.

This current situation has negatively impacted the performance of its tasks, particularly in coordinating between the different committees, amid the significant risks threatening the entire marine and coastal areas. Given Algeria's status as a producer and exporter of hydrocarbons through various ports and the presence of oil refining stations in Algiers, Arzew, and Skikda, in addition to its strategic geographic location, this situation increases the likelihood of marine pollution caused by hydrocarbon spills, making it challenging to effectively address the issue.

Subsection Two: The Coastal Coordination Council as a Space for Cooperation Among Stakeholders in Implementing the National Coastal Policy

The Coastal Coordination Council was established by Executive Decree No. 06–424 dated November 22, 2006,⁴⁶ aiming to set up the necessary tools for protecting sensitive or environmentally at–risk coastal areas.

According to Article 4 of the mentioned decree, the council, headed by the relevant regional governor, consists of representatives from various decentralized ministerial sectors, in addition to the head(s) of the relevant municipal popular councils. The council may also seek assistance from any individual or legal entity to aid in its activities.

The council meets twice a year in ordinary sessions, as per Article 5 of the same decree, based on a summons from the president to evaluate the implementation means and their results. It can also hold extraordinary sessions upon request from the president when the situation requires it.

However, the activity of the Coastal Coordination Council has been almost nonexistent and does not meet the expectations and goals for which it was created. To date, only studies on identifying sensitive coastal areas or those at risk of environmental dangers have been carried out for the Skikda and Tarf regions.

This situation violates the provisions of Executive Decree No. 06–424, particularly the failure to adhere to the prescribed operational procedures of the

⁴⁶ The executive decree No. 06-424 dated November 22, 2006, which defines the composition and functioning of the Coastal Coordination Council.

Coastal Coordination Council. Since its establishment, only the Coastal Coordination Council in Skikda has convened twice, the last meeting being on December 14, 2022. This has resulted in the authorities' inability to identify sensitive or at-risk coastal areas to take necessary measures to address them, which hinders the achievement of sustainable development goals.

Subsection Three: The National Fund for the Environment and Coast as a Source of Financing for Environmental Activities

The Ministry of Environment and Renewable Energy manages the special allocation account **No. 302-065**, titled "**National Fund for the Environment and Coast**," as stipulated by Article 128 of Law No. 19-14, dated December 11, 2019, amending Article 128 of Law No. 17-11, dated December 27, 2017, as follows:

- **Line 1:** Environment and Coast.
- **Line 2:** Renewable energy not connected to the national electricity grid.

Article 2 of the joint ministerial decision dated October 25, 2020, which specifies the list of revenues and expenditures for the special allocation account No. 065-302, outlines the following sources of revenue for the fund:

- Tax on activities that are harmful or hazardous to the environment.
- Special taxes defined by finance laws.
- Penalties collected for violations of environmental protection laws.
- National and international donations and bequests.
- Compensation for expenses related to accidental pollution removal caused by the discharge of hazardous chemicals into the sea, public irrigation areas, groundwater, soil, and air.

- Potential allocations from the national budget.
- Other contributions or resources.

The financial situation of the special allocation account as of December 31, 2020, is summarized as follows:

Recorded and Funded Operations			Revenues of 2020	Positive balance as of 12/31/2019
Percentage %	Amount of Operations	Type of Operations	5.160.165.835,45	31.223.291.565,44
20%	7,346,000,000.00	Recorded and funded operations for the year 2020		
0.5%	167,317,370.00	Settled Operatiobns		
Balance in12/31/2020	Total expenses for 2020		Total Revenues for 2020	
28.870.140.030,89	7,513,317,370.00		36.383.457.400,89	

As for the account activity results, an amount of 7,513,317,370.00 DZD was allocated in 2020, including 7,346,000,000.00 DZD to finance (51) projects registered in 2020, and 167,317,370.00 DZD for settling (13) centralized operations that were registered under the two closed special allocation accounts during the period from 2012 to 2015.

However, despite the importance of the National Fund for Environment and Coastline, as a source of funding for environmental activities, it was closed under the provisions of the 2021 Finance Law, which negatively impacted the financing of various projects related to coastal protection.

Section Four: Evaluation of the Mechanisms Used in Coastal Protection

The coastal environment plays a vital role in achieving the Sustainable Development Goals at the level of coastal areas. For this purpose, the Algerian state has established a set of mechanisms to ensure its necessary protection.

These mechanisms are divided into two subsections:

Subsection One: Preventive Mechanisms

Preventive mechanisms are a preemptive means of protecting the Algerian coastline. Based on this, these mechanisms play an active role in the prior control of all activities harmful to the coastal environment, as outlined below:

A. Delay in Digitizing the Classified Establishment Operating License System:

The classified establishment operating license, aimed at determining the environmental impacts of economic activities and addressing them, is an administrative document that confirms the concerned classified facility's compliance with the environmental protection, health, and safety requirements set out in the applicable laws and regulations.

Before requesting a classified establishment–operating license, depending on the situation and in accordance with the classified facilities list, the following are required:

- An environmental impact study or summary, prepared and approved according to the conditions defined by the applicable regulations,
- A risk study, prepared and approved according to the conditions defined by the applicable regulations,
- A public inquiry carried out according to the procedures specified in the applicable regulations.

The operating license is issued according to the provisions of Article 20 of Executive Decree No. 06–198 dated May 31, 2006, depending on the situation:

- By a joint ministerial decision between the minister responsible for the environment and the relevant minister for facilities classified in the first category,

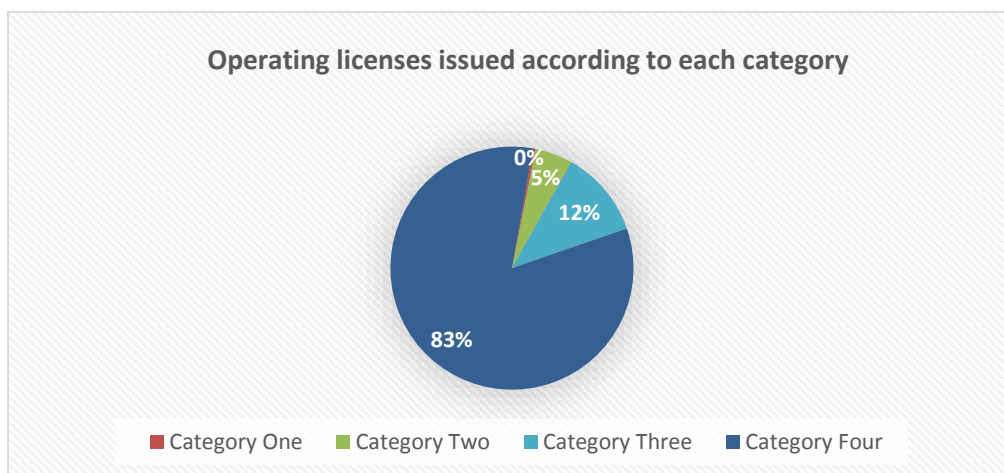
- By a decision of the relevant provincial governor for facilities classified in the second category,
- By a decision of the relevant municipal council president for facilities classified in the third category.

Additionally, there is a declaration system for operating fourth–category facilities, which must be submitted to the president of the relevant municipal council at least 60 days before the operation begins.

The results of the surveys conducted with the directors of environmental agencies in coastal provinces, regarding the number of operating licenses issued according to each category, were derived from the data obtained through questionnaires prepared by members of the inspection team. The figures are as follows :

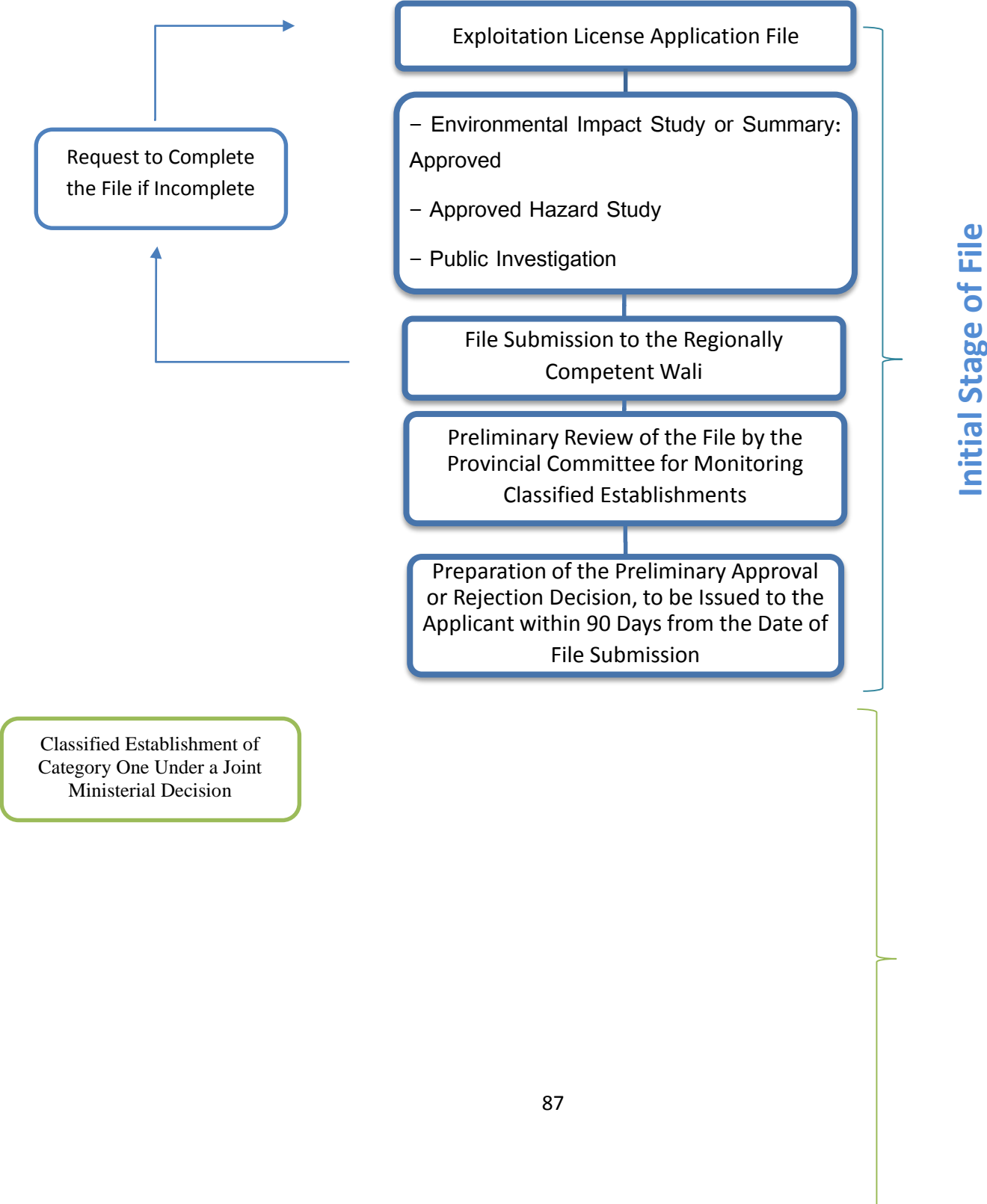
Operating Licenses	First Category	Second Category	Third Category	Fourth Category
Number	105	749	1752	12161
Total Number	14767			

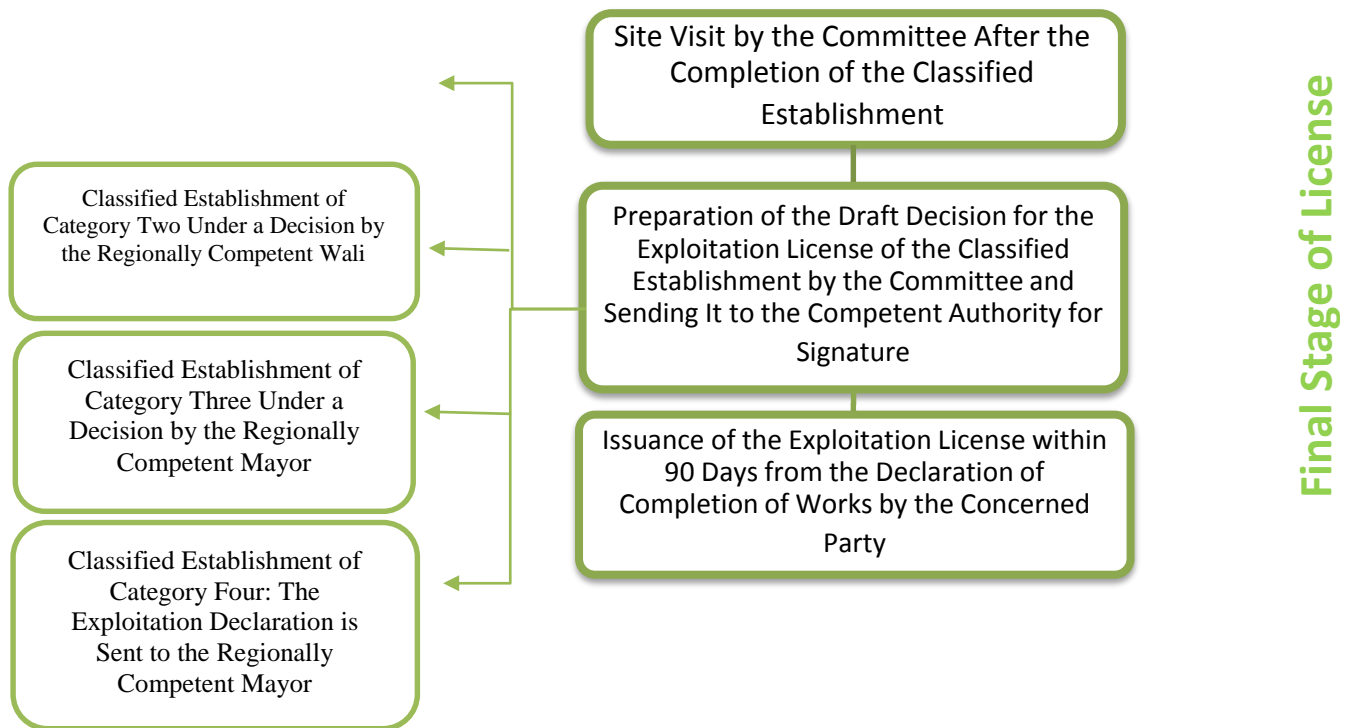
Source : Provincial Environmental Directorates



Source: Prepared by the Court of Accounts based on data from the Ministry of Environment and Renewable Energies.

According to the provisions of Article 6 of Executive Decree No. 06–198 dated May 31, 2006, as mentioned above, an operating license for the classified facility is granted following the procedure that includes the following stages:





However, despite the importance of the classified facility operating license system as a mechanism for prior control over economic activities, aiming to achieve a balance between the three dimensions of sustainable development—economic, social, and environmental— it is characterized by a certain heaviness and complexity in the procedures applied, primarily related to the submission of the application file and obtaining the license in the absence of digitization. Digitization aims to strengthen the relationship between the administration and citizens, facilitating administrative procedures by ensuring the provision of high-quality public services that are secure, fast, and at a low cost.

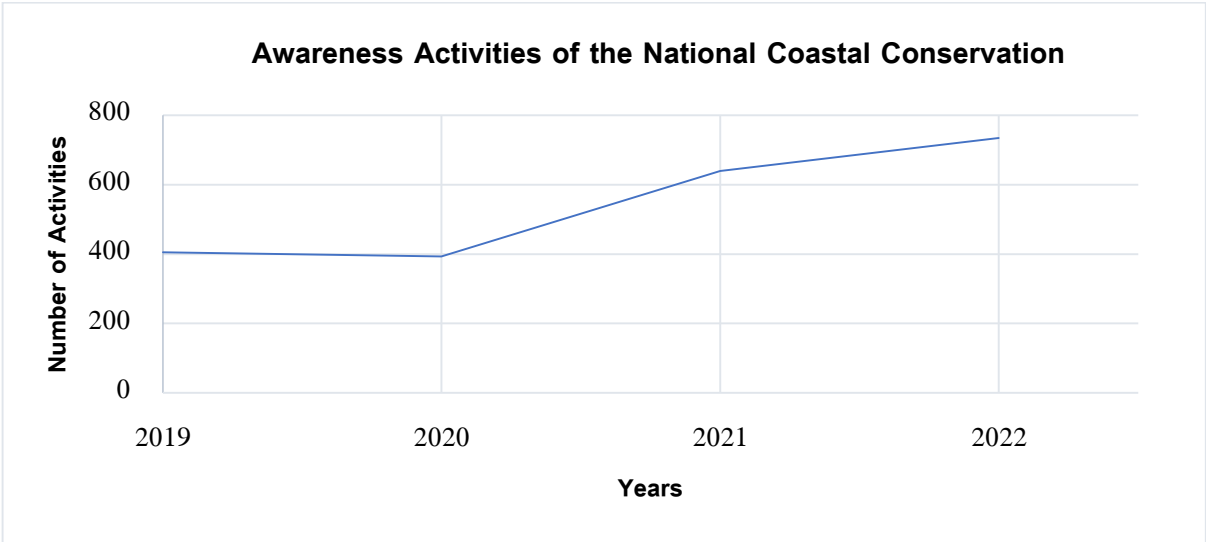
The delay in implementing the digital transformation program will negatively impact the timelines for investment project completion, thus hindering the development of coastal areas and the country as a whole.

b. Awareness Programs: A Key Task That Has Not Reached Expectations:

The importance of awareness and education programs in the field of coastal environmental issues lies in promoting environmental citizenship, as illustrated by the following points:

- Raising awareness among community members about the necessity and importance of preserving the environment by instilling values that change their behavior toward protecting the coastal environment,
- Encouraging community members to participate in offering suggestions that help resolve environmental issues,
- Helping community members understand and learn about the environment in which they live by imparting environmental culture.

To this end, both the Ministry of Environment and Renewable Energy and the National Coastal Protection Agency are committed to developing and implementing awareness and education programs in the field of coastal environment, as shown by the statistics obtained, outlined as follows:



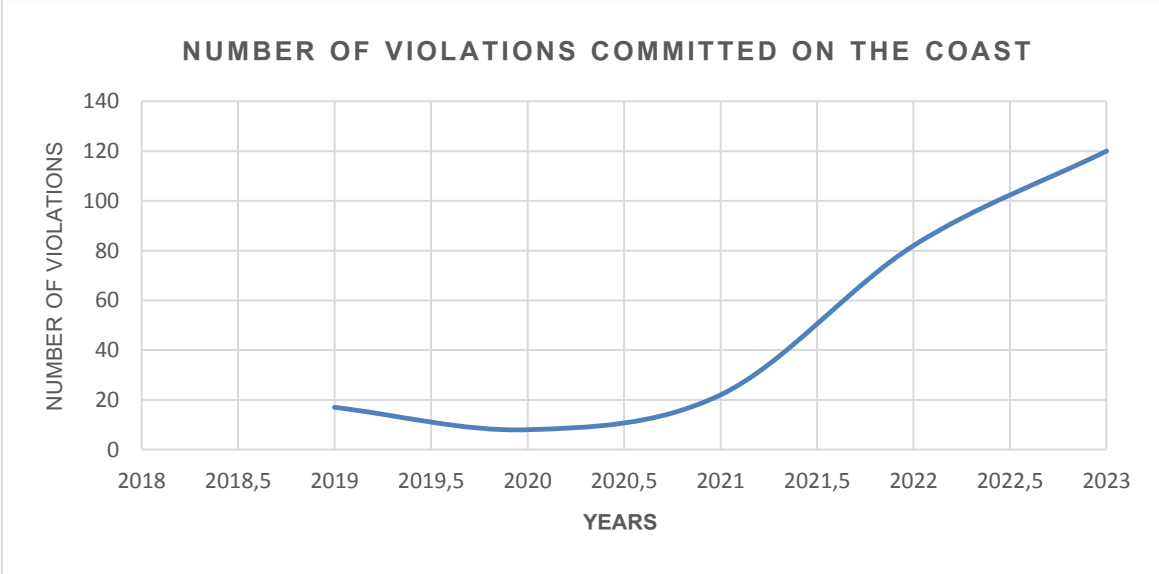
Source: Prepared by the Court of Auditors based on data from the National Coastal Protection Agency.

However, this has not been enough to eliminate the negative behaviors and practices of individuals, given the somewhat deteriorating state of the Algerian coast and the continued increase in the rate of violations committed.

Subsection Two: Deterrent Mechanisms

To curb the violations committed against the coastal environment, the Algerian legislator established criminal provisions under Law No. 02-02 dated February 5, 2002, as well as Law No. 03-10 dated July 19, 2003, mentioned above. However, these provisions were not strict enough to contribute to reducing all forms of depletion of coastal environmental resources. This has led violators to disregard the authority of the law, especially those driven by a desire to profit and accumulate wealth for their narrow, private interests.

The results of surveys directed at environmental directors of coastal provinces regarding the recorded violations show, through the data obtained from the questionnaires prepared by the members of the inspection team, a continuous increase in these violations, as illustrated in the following graph:



Source : Provincial Directorates of Environment.

Conclusion:

In conclusion, it can be deduced that despite the efforts made by the public authorities to achieve the objectives of sustainable development in coastal areas, through the formulation and implementation of the national coastal protection and enhancement policy, these efforts remain insufficient. This is due to the current state of coastal spaces, which are experiencing continuous deterioration because of the natural and human-made risks they face, such as climate change, earthquakes, forest fires, pollution, uncontrolled urban expansion, sand extraction, and others.

Therefore, based on the results obtained from the evaluation of the national coastal protection policy, the following conclusions can be drawn:

- The absence of a unified strategic vision among the various sectors involved in implementing the national coastal protection policy,
- A significant shortage of resources (human and material) allocated to the National Coastal Protection Agency,
- Weak coordination among various stakeholders in implementing the national coastal protection policy,
- A lack of funding sources for projects related to coastal protection, especially after the closure of the special allocation account,
- The inability of the current law related to coastal protection to keep up with developments,
- The inefficiency of preventive and deterrent mechanisms aimed at providing adequate protection for the Algerian coast,
- The absence of a national geographic information system for the coast.

Recommendations: In light of the above results, and for the effective management of coastal areas, the Court of Auditors recommends the following measures:

- Strengthening and promoting the role of the National Coastal Protection Agency as the main tool for coastal management, by supporting its structures with the necessary human and material resources to enable it to achieve its intended goals,
- Establishing indicators to monitor the status of the coast in line with the objectives of sustainable development, particularly Goal 14,
- Accelerating the amendment of the law related to coastal protection and its various implementing regulations to align with current and future challenges,
- Increasing the pace of generalizing the Geographic Information System (GIS) as a strategic tool in the planning and decision-making processes for coastal environmental protection,
- Exploring ways to enhance cooperation and coordination among the various stakeholders, especially with local authorities, as they form the foundation for achieving sustainable development at the local level.

List of References

First: Books:

1. Fahdawi Fadhi Khalifa, *Public Policy: A Holistic Perspective on Structure and Analysis*, Dar Al-Maysara, Jordan, 2000.
2. James Anderson, *Public Policy Making*, Translated by Amir Al-Kubaisi, 1st Edition, Dar Al-Maysara, Jordan, 1999.
3. Thamer Kamel Mohamed Al-Khazraji, *Modern Political Systems and Public Policies*, 1st Edition, Jordan, 1994.
4. Khaloufi Rachid, *Administrative Disputes Law*, University Publications Bureau, Algeria, 2001.
5. Zghdoud Ali, *Public Finance*, University Publications Bureau, 2nd Edition, Algeria, 2006.
6. Said Abdel Aziz Othman, *Public Finance*, Al-Dar Al-Jami'ah for Publishing, Beirut, 2008.
7. Shehoub Masoud, *General Principles of Administrative Disputes*, Volume 1, University Publications Bureau, Algeria, 2005.
8. Mohamed Al-Saghir Beali and Yousri Abu Al-Ala, *Public Finance*, Dar Al-Uloom for Publishing and Distribution, Algeria, 2003.
9. Mahyou Ahmed, *Administrative Disputes*, Translated by Faiz Anjaq and Bayoud Khaled, University Publications Bureau, 6th Edition, Algeria, 2005.
10. Messaâ Mohamed, *Public Accounting*, Dar Al-Huda for Printing and Publishing, Algeria, 2003.

Second : Theses and Dissertations :

11. Amjouj Nawar, *The Court of Auditors: Its System and Role in Oversight of Administrative Institutions*, Thesis presented for the Master's degree in Public Law, Political and Administrative Institutions branch, Faculty of Law, University of Constantine, 2006–2007.
12. Boussioud Badis, *The Anti-Corruption Institution in Algeria 1999/2012*, Master's thesis in Political Science, Specialization in Organization and Public Policies, Mouloud Maamri University, Tizi Ouzou, 2015–2016.
13. Farida Mkenia and Abdelhalim Chouider, *The Role of the Court of Auditors in Managing and Monitoring State Assets*, Thesis for the university diploma in Applied Studies, Business Law branch, University of Continuing Education, Algiers Center, 2001–2002.
14. Hiddane Zineb, *The Jurisdiction of the Court of Auditors in Monitoring the State's General Budget*, Master's thesis in Law, Specialization in Public Disputes, Faculty of Law and Political Science, University of Al-Arabi Ben Mehidi, Oum El Bouaghi, 2015–2016.
15. Abboub Ilham, *The Role of the Court of Auditors in Combating Financial Corruption Crimes in Algerian Legislation*, Master's thesis in Law, Specialization in Criminal Business Law, Faculty of Law and Political Science, University of Al-Arabi Ben Mehidi, Oum El Bouaghi, 2016–2017.
16. Mansouri Lahdi, *The Court of Auditors in Algerian Legislation*, Master's thesis in Law, Specialization in Administrative Law, Faculty of Law and Political Science, Mohamed Khider University, Biskra, 2014–2015.
17. Neda Lamiss Fazzâa, *Urbanization Conditions in Coastal Areas*, Master's thesis in Law, Specialization in Urban Planning, Faculty of Law and Political Science, University of Al-Bashir Al-Ibrahimi, Bordj Bou Arreridj, 2019–2020.

18. Ben Si Ahmed Mourad, Othmani Aboubakr, *Coastal Protection in Algerian Legislation*, Master's thesis in Law, Specialization in Urban Planning, Faculty of Law and Political Science, University of Al-Bashir Al-Ibrahimi, Bordj Bou Arreridj, 2021–2022.

Third: Journals:

19. Mousawi Halima, *The Role of the Court of Auditors in Evaluating Public Policies in Algeria*, Algerian Journal of Political Studies, Issue 1, 2018.

Fourth: Legislative and Regulatory Texts:

A. Constitutions :

20. Constitution of 1976.
21. Constitution of 1989.
22. Constitution of 1996.
23. Constitution of 2016.
24. Constitution of 2020.

B. Laws :

25. Law No. 80–05, dated March 1, 1980, concerning the exercise of the financial oversight function of the Court of Auditors, Official Gazette No. 10, dated March 4, 1980 (repealed).
26. Law No. 90–21, dated August 15, 1990, concerning public accounting, Official Gazette No. 35, dated August 15, 1990.

27. Ordinance No. 95–20, dated July 17, 1995, concerning the Court of Auditors, Official Gazette No. 39, dated June 23, 1995, amended and supplemented.
28. Law No. 01–19, dated 27th of Ramadan, 1422, corresponding to December 12, 2001, concerning waste management, monitoring, and disposal.
29. Law No. 01–20, dated 27th of Ramadan, 1422, corresponding to December 12, 2001, concerning territorial planning and sustainable development.
30. Law No. 02–02, dated 22nd of Dhu al–Qi'dah, 1422, corresponding to February 5, 2002, concerning the protection and enhancement of the coast.
31. Law No. 03–01, dated 16th of Dhu al–Hijjah, 1423, corresponding to February 17, 2003, concerning the sustainable development of tourism.
32. Law No. 03–02, dated 16th of Dhu al–Hijjah, 1423, corresponding to February 17, 2003, establishing general rules for the tourism use and exploitation of beaches.
33. Law No. 03–03, dated 16th of Dhu al–Hijjah, 1423, corresponding to February 17, 2003, concerning expansion and coastal areas.
34. Law No. 03–10, dated 19th of Jumada al–Awwal, 1424, corresponding to July 19, 2003, concerning environmental protection within the framework of sustainable development.

C. Decrees :

35. Presidential Decree No. 95–377, dated November 20, 1995, setting the internal regulations of the Court of Auditors.

D. Decisions:

36. Decision dated January 16, 1996, defining the areas of intervention of the Court of Auditors' chambers and determining their division into branches, Official Gazette No. 6, dated January 24, 1996.

Fifth : Methodological Guides :

37. Guide 9020 (Evaluation of Public Policies), INTOSAI, 2019.
38. Guide to Evaluating Public Policies, Algerian Court of Auditors, no publication year.

Sixth: Websites:

39. Official website of the Court of Auditors: <https://www.ccomptes.org.dz>
40. Official website of the Ministry of Environment and Renewable Energy: <https://www.me.gov.dz>

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Appendices

Feasibility Study Memorandum

Feasibility Study Memorandum Plan:

1– Assessing the Evaluability of the National Coastal Protection Policy:

1.1– Identifying and Prioritizing the Objectives of the National Coastal Protection Policy:

1.2– Objectives Tree:

1.3– Challenges of the National Coastal Protection Policy:

1.4– Identifying the Stakeholders in the National Coastal Protection Policy (Social Framework):

2– Evaluation Questions:

3– Information Collection Methodology:

4– Evaluation Plan:

5– Establishing the Accompaniment Committee:

1– Assessing the Evaluability of the National Coastal Protection Policy:

Any evaluation, according to the Public Policy Evaluation Guide prepared by the Court of Accounts, relies on the evaluation team’s ability to:

1.1– Identifying and Prioritizing the Objectives of the National Coastal Protection Policy:

The National Coastal Policy aims, within the framework of sustainable development, to achieve the following in particular:

- Defining the fundamental principles and rules for managing the marine environment;
- Promoting sustainable national development by improving living standards and ensuring a healthy living environment;
- Preventing all forms of pollution and damage;
- Restoring affected ecosystems;
- Utilizing cleaner technologies ;
- Strengthening information dissemination, awareness, and public participation, as well as involving various stakeholders in the implementation of the National Coastal Policy.

Strategic Goals	Specific Goals	Operational Goals
Improving and protecting the citizen's living environment	Developing a new vision for improving coastal management	Ensuring the protection and enhancement of the coast
		Implementing necessary measures for coastal protection
	Monitoring and combating pollution sources	Intensifying preventive and deterrent activities and correcting environmental damage at the source
		Promoting the circular economy to reduce pollution risks
Achieving sustainable development for coastal areas	Developing capabilities for integrated coastal area management	Developing and improving the competitive ability of coastal areas
		Searching for diverse funding sources to implement integrated coastal area management
		Developing a national integrated monitoring, follow-up, and evaluation system for coastal areas
	Coastal area rehabilitation	Rationally using coastal areas while preserving coastal properties
Maintaining, restoring, and rehabilitating coastal spaces		
Public awareness and communication	Supporting and enhancing awareness among relevant parties	Promoting and improving the exchange of information regarding the implementation of the national coastal policy

1–3 National Coastal Protection Policy Challenges:

Preserving the environment in general, and the coastal environment in particular, in order to achieve sustainable development, lies at the heart of the country's public authorities' concerns. These are strategic pillars contributing to the formulation of a new vision for good governance, based on regional balance restoration. This involves enhancing all its components, preserving natural resources, and strengthening the collaborative efforts of various stakeholders in the implementation of the national coastal protection policy.

To address major environmental challenges, the government aims to implement a comprehensive medium– and long–term policy to improve citizens' quality of life and continue working towards achieving sustainable and equitable development goals for coastal areas.

To achieve these objectives, a national coastal policy has been established and is being implemented through the management and intervention tools outlined in Law No. 02–02, dated February 5, 2002, concerning the protection and enhancement of the coast.

1–4– Identifying Stakeholders in the National Coastal Protection Policy (Social Plan):

Preparing the social plan provides a comprehensive view of the stakeholders in the national coastal protection policy and their functions. It also allows for determining how these stakeholders will be involved in the evaluation process, as outlined in the summary table below:

Actors to be Involved	Their Role in the Evaluation	Phases of Involvement
Ministry of Environment and Renewable Energies	Source for gathering information and supporting documents	Planning, implementation, report drafting, and publishing
Provincial Directors of Environment (Algiers–Tipaza–Boumerdes)		
National Coastline Authority		
National Waste Agency		
National Observatory for Environment and Sustainable Development		
National Urban Planning Agency		
Local Authorities		Implementation Phase
National Statistics Office	Source of information, particularly regarding statistical data	Implementation Phase
Ministry of Transport	Source for gathering information	
Ministry of Industry		
Civil Society	Provide opinions on the coastal situation, define their relationship with the ministry responsible for the environment, assist the evaluation team in distributing citizen questionnaires	Planning, implementation, and report publishing phases
Citizens	Provide opinions on the coastal situation through answering questionnaires	Implementation and report publishing phases

2– Evaluation Questions:

- **Question 1:**

To what extent does the national coastal policy align with the expectations and needs of citizens? (Relevance)

- **Question 2:**

To what extent have the objectives of the national coastal policy been achieved in terms of quantity and quality? (Effectiveness)

- **Question 3:**

Have the allocated resources been used optimally? (Efficiency)

- **Question 4:**

What changes and transformations have occurred in the lives of citizens? (Impact)

- **Question 5:**

To what extent do the effects of implementing the national coastal policy persist? (Sustainability)

3– Information Collection Methodology:

A variety of methods were used to gather and process the collected information, as follows:

- The auditing guidelines adopted by INTOSAI (Guide 9020) and the Court of Accounts, especially the Public Policy Evaluation Guide and the Quality Management Oversight Guide.
- Legislative and regulatory texts related to the subject of oversight.
- Utilization of administrative documents such as strategies, annual reports, reports, action plans, etc.
- Use of previous studies.
- Field visits.
- Surveys.
- Use and analysis of the coastal geographic information system.

- Individual and group interviews.

4– Evaluation Plan :

Year of Evaluation Task Completion	Time Budget	Stakeholders to be Involved	Oversight Activity
2023	20 Days	Ministry of Environment and Renewable Energies	<ul style="list-style-type: none"> – Review and analyze the legal framework related to coastal protection; – Evaluate the national strategy for integrated coastal zone management; – Ensure that the Ministry effectively guarantees coastal protection according to international and national standards, as well as the UN 2030 Agenda for Sustainable Development; – Evaluate the coherence and alignment between the Ministry's activities and those of the National Coastal Conservancy; – Evaluate monitoring mechanisms for coastal management; – Evaluate the coastal information system; – Evaluate the Ministry's relationship with various stakeholders in implementing the national coastal protection policy; – Evaluate the financing mechanisms for coastal protection activities.
	10 Days	Provincial Environmental Directorates (Algiers, Tipaza, Boumerdes)	<ul style="list-style-type: none"> – Identify and study various activities related to coastal protection; – Evaluate working conditions; – Evaluate the relationship between the Directorates and the National Coastal Conservancy, as well as the relationship

			<p>between the Directorates and the Ministry of Environment;</p> <ul style="list-style-type: none"> – Identify and study various obstacles related to the implementation of the national coastal protection policy.
	30 Days	National Coastal Conservancy	<ul style="list-style-type: none"> – Study and analyze the legal framework governing the National Coastal Conservancy; – Identify and analyze the various activities it undertakes; – Evaluate the coastal information system; – Evaluate working conditions; – Evaluate the National Coastal Conservancy's relationship with various stakeholders in implementing the national coastal protection policy, especially its relationship with local authorities, civil society, and citizens; – Ensure the achievement of its intended goals.
	5 Days	Local Authorities (Algiers, Tipaza, Boumerdes)	<ul style="list-style-type: none"> – Evaluate the relationship between local authorities and the National Coastal Conservancy; – Evaluate working conditions; – Ensure the achievement of their intended goals.
	1 Day	National Waste Agency	<ul style="list-style-type: none"> – Obtain information related to the management of marine waste.
	2 Days	National Observatory for the Environment and Sustainable Development	<ul style="list-style-type: none"> – Evaluate annual reports related to sea water analysis operations.
	2 Days	National Agency for Urban Planning	<ul style="list-style-type: none"> – Evaluate the coherence and alignment between urban planning plans and beach development plans.

	Throughout the Evaluation Phase	Civil Society	<ul style="list-style-type: none"> – Evaluate the level of partnership and cooperation between civil society, the Ministry of Environment, and the National Coastal Conservancy in implementing the national coastal protection policy; – Assist the evaluation team in distributing surveys to citizens.
	1 Day	Ministry of Industry	<ul style="list-style-type: none"> – Evaluate the alignment of the Ministry of Industry's strategy with the Ministry of Environment's strategy in coastal protection; – Evaluate compliance with environmental standards in the industrial sector.
	1 Day	Ministry of Transport	<ul style="list-style-type: none"> – Evaluate the alignment of the Ministry of Transport's strategy with the Ministry of Environment's strategy in coastal protection; – Evaluate compliance with environmental standards in the transport sector.
	1 Day	National Office of Statistics	<ul style="list-style-type: none"> – Obtain statistical data related to coastal areas.
Total Time Budget			73 Days

5– Establishment of the Accompanying Committee:

The accompanying committee for the evaluation of the national coastal protection policy consists of the following members:

- A representative from the Ministry of Environment and Renewable Energies (Directorate for the Protection and Conservation of Biodiversity and Ecosystems, and their Enhancement);
- A representative from the National Coastal Protection Conservancy;
- A representative from the Ministry of the Interior and Local Authorities;
- A representative from the Ministry of Industry;
- A representative from the Ministry of Transport;
- A representative from the Ministry of Energy;
- President of the Municipal People's Council of Central Algiers;
- A representative from civil society organizations;
- An expert in environmental protection.

