

Towards a sustainable city in Algeria: the legal framework and the challenges

Nourredine Daas¹

Doctorate. **Email:** daasnordine9@gmail.com

Lakhdar reffaf²

Doctorate. **Email:** lakhdar.reffaf@univ-bba.dz

Submission Date: 20.08.2025 | Acceptance Date: 01.01.2026 | Publication Date: 03.02.2026

Summary:

Protecting the environment and achieving a decent standard of living have become urgent necessities for ensuring the quality of life of both individuals and society, given the rise in various environmental and human threats, these concepts are interrelated, and have been accompanied by the establishment of new and sustainable cities .

The topic has received focused attention from researchers, decision-makers, and policy-makers as an alternative and comprehensive solution that reinforces efforts to achieve sustainable development in the context of increasing challenges.

This study aims to shed light on this, by opening a discussion on the extent to which it can be adopted as a new approach to promoting sustainable development, as well as highlighting the challenges facing the Algerian experience in this context .

Keywords: Sustainable city – Sustainable development – Human settlements – Green spaces – Urban planning.

Introduction:

Human awareness has led to the understanding that well-being, the guarantee of human rights, is closely linked to environmental protection and sustainable development, Strengthening this relationship and these goals has become the aspiration of countries and peoples, as it has taken on several legal, human rights, economic, and social dimensions .

Environmental protection represents the natural environment that exists without human intervention, which humans influence, are influenced by and adapt to, through contributing to the creation of elements based on coordination and harmony, such as cities, buildings and technical and industrial facilities.

Countries have already taken the necessary measures and harnessed all their available resources to redesign their cities to be more spacious and inclusive, and to respond to the requirements of sustainable development through environmental, economic, and social dimensions, not only for the benefit of the current generation, but also for the benefit of future generations.

Sustainable urban engineering is one of the means by which this is being achieved, guaranteeing the right to a clean and healthy environment and ensuring human dignity. To what extent has the Algerian legislator succeeded in optimising it to fulfil its function in the context of achieving sustainable development goals?

Section I: The sustainable city, concept and objectives

Cities generally constitute an environment built by human intervention, through which humans satisfy their various needs. However, it is an established fact that their existence has a direct impact on the natural environment, whether negative or positive.

Consequently, research into the concept of the sustainable city ensures that it responds to modern environmental protection requirements.

This study will examine the theoretical framework by starting with the definition and identification of elements, as well as the international efforts made to recognise and embody sustainable cities.

Traditionally, the living environment of the population is divided into urban and rural areas. In contrast, the concept of a sustainable or green city is a relatively new idea in the context of environmental protection and sustainable development.

Chapter I: The definition of a sustainable city

The term “sustainable development” has been included in the Rio Declaration on Environment and Development to denote the need to balance environmental and development considerations. The original articulation of the principle is found in the Brundtland report, which stated that sustainable development means development that satisfies the needs of present generations without jeopardizing the ability of future generations to meet their own needs. In the WSSD, sustainable development was further articulated as having three pillars, namely: economic development, social development, and environmental protection.¹

In view of this, a sustainable city can be defined as one that respects the principles of sustainable development and urbanisation, facilitates the fulfilment of needs, promotes the consumption of renewable energy and is primarily governed by its own local Agenda 21, based on participatory democracy¹, many alternative terms have been proposed to define sustainable cities²:

1. The self-sufficient city: This hypothesis, put forward by French economists, suggests that self-sufficient development strengthens the ability to meet local needs.

2. A city that does not import the cost of its development: a city that is successful in terms of its sustainable development plan and can achieve its goals without doing so at the expense of another region.

3. The economically active city: Many researchers emphasise economic exchanges and dynamics in the city, as well as the integration of various dimensions of sustainable development into the urban framework. This allows social values to be integrated into the market, enabling a balance to be achieved between residents' lives, economic activities, and the natural environment while taking cultural dimensions into account.

4. The harmonious city: This is a city that ensures social, economic, environmental and aesthetic harmony, with a focus on revitalising the urban structure.

Chapter II: Elements of a Sustainable City

A sustainable city is a comprehensive concept and a framework project, where multiple elements contribute collectively to achieve its ultimate goal.

1/Adequate housing³: It is one of the most important elements of a sustainable city that supports stability. It also falls within the scope of human rights and is stipulated in Article 25

of the 1948 Universal Declaration of Human Rights and Article 11.1 of the 1966 International Covenant on Economic, Social and Cultural Rights. Other international human rights treaties.

Adequate housing must provide more than just four walls and a roof, A number of conditions must be met, among them:

- **the security of tenure:** Housing is not considered adequate if its occupants do not have a degree of security of tenure which guarantees legal protection against forced evictions, harassment and other threats.

- **Availability of services,** materials, facilities and infrastructure: Housing is not adequate if its occupants do not have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage and refuse disposal.

- **Affordability:** Housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights.

- **Habitability:** Housing is not adequate if it does not guarantee physical safety or provide adequate space, as well as protection from cold, damp, heat, rain, wind and other threats to health and structural hazards.

- Accessibility:** housing is not adequate if the specific needs of disadvantaged and marginalized groups are not taken into account.

- **Location:** housing is not adequate if it is cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if it is located in polluted or dangerous areas.

- **Cultural adequacy:** housing is not adequate if it does not respect and take into account the expression of cultural identity.

2/Sustainable Construction: ⁴is defined as construction activities in which negative impacts are minimised and positive impacts maximised so as to achieve a balance in terms of environmental, economic and social performance. It is based on several principles:

- Energy and carbon reduction :** High amounts of energy are used in construction projects. Using renewable energy on site and building low energy consumption into the final product can reduce this.

- Low embodied carbon :** Selecting materials with low embodied carbon can significantly reduce the overall carbon of a construction project.

- Sustainable materials ,** with a low carbon footprint must be prioritised, and wherever possible, locally reclaimed materials. Low carbon materials are often naturally-sourced and renewable, reused, or have a high recycled content'.

- Waste reduction :** Wherever possible reuse, recycling, and the sustainable selection of materials should be prioritised.

- Enhancing nature :** The noise, pollution and disturbance caused during construction projects, especially on greenfield sites, can affect many species. Restoration and enhancement of nature and habitats should be part of the construction plan.

- Prioritising health and wellbeing and social value ,** On-site health, safety and wellbeing is a legal requirement. Impacts on local communities should be positive, with air pollution and noise disruption mitigated as much as possible.

3/Sustainable Transport : involves creating transport systems that reduce environmental harm, boost economic efficiency, and support social fairness. It includes adopting practices

and technologies that cut greenhouse gas emissions, decrease energy use, and mitigate negative impacts on health and the environment. Examples of sustainable transport solutions are utilizing renewable energy, enhancing public transit, promoting electric and hybrid vehicles, and developing infrastructure that supports walking and biking. These strategies collectively work towards a more eco-friendly and balanced approach to transporting people and goods⁵.

From a health perspective, reducing emissions and pollution enhances air quality, which can lead to fewer cases of respiratory and cardiovascular diseases. Economically, transitioning from private cars to mass transit can alleviate traffic congestion, prevent urban sprawl, and positively affect land values and carbon footprints over time. This shift not only fosters more liveable urban areas, but also provides equitable access to jobs and education, thus supporting upward mobility. Moreover, moving towards electric vehicles can reduce reliance on imported fossil fuels, thereby promoting energy independence. Overall, sustainable transport tackles a range of interconnected issues, making it crucial for improving both urban environments and public health.⁶

4/Urban Green Spaces: “urban green spaces” are considered as urban space covered by vegetation of any kind. This includes smaller green space features (such as street trees and roadside vegetation), as well as the green spaces not available for public access or recreational use (such as green roofs and facades, or green space on private grounds), and larger green spaces that provide various social and recreational functions (such as parks, playgrounds or greenways). Some of these larger green space structures (such as green belts, green corridors or urban woodlands) can actually have regional scope and provide ecological, social and recreational services to various urban communities.⁷

These green spaces are a mechanism for integrating urbanisation with environmental considerations, as they clearly embody the principle of sustainable development by striking a balance between environmental protection and economic necessities.

5/Smart Cities: smart sustainable cities engage with sustainability in an inclusive, collaborative and equitable way. While fostering sustainability across their environmental, economic, social and cultural dimensions, these cities provide the necessary conditions and infrastructure to enhance the capabilities of their citizens to contribute, and to enjoy the benefits of a more liveable, resilient and sustainable urban development. These cities enable the meaningful participation of citizens in fulfilling their right to the city; they focus on making cities more prosperous, equitable, comfortable and innovative; they address social needs and make sure housing and urban services are high-quality and adorable; they cater for the needs of the vulnerable and those with disabilities; and they are also gender-sensitive and age-responsive, acknowledging the different and changing needs of residents at different stages of their life.⁸

if designed towards sustainability, have high potential to prevent and resolve the climate problems and contribute to human prosperity as cities can move quickly to implement locally viable solutions. and provide space to incubate new green technologies as sociotechnical experiments can be carried out for clean energy innovation via observing and analysing the interactions among technologies, , infrastructure and institutions at city scale can also efficiently tackle climate change through city networks by sharing knowledge and encouraging

participation in climate action.⁹ The development of sustainable cities requires integrated interventions in sustainable planning, sustainable investment, and sustainable technologies.¹⁰

Section II: The philosophical and legal origins of sustainable cities

A sustainable city provides a space for interaction between individuals and their surrounding environment. Sustainable cities represent a modern alternative to the traditional framework, serving as a means to address emerging challenges related to urbanization and housing. They have received international attention since the early beginnings of environmental protection efforts.

Chapter I: Confronting the Challenges of Traditional Patterns of Human Urbanisation

Shelter is among the most fundamental human needs. Throughout history, settlements have served as sanctuaries where people build lives, secure resources, and cultivate connections. Yet, beyond their basic utility, human settlements have become epicenters of human potential, enabling innovation, creativity, and societal progress.¹¹

Settlements shape and are shaped by their inhabitants. They influence economic systems, political structures, cultural expressions, and environmental outcomes. In the modern age, settlements must also address new realities, including rapid urbanization, climate change, and deepening social inequalities.¹²

Human society faces many environmental threats, such as pollution from various pollutants, including toxic chemicals and hazardous waste; climate change; pollution of the environment, including the air and water; loss of biodiversity; deforestation; and environmental health problems.¹³

Indeed, the accumulation of a number of bad habits and “unsustainable” practices seems to have led to critical stresses on societies and the environment. In spite of unprecedented economic growth, the world has been on a course leading to resource depletion and serious social crises, and old ways of problem-solving have proven inadequate. Something has to be done to change development – its philosophy and methods – if societies wanted to reverse those negative trends. As Albert Einstein wrote, “Today’s problems cannot be solved if we still think the way we thought when we created them.”¹⁴

Social disparities Social inequalities of urbanization often deepen existing disparities. Marginalized groups, including women, children, and people with disabilities, disproportionately face barriers to housing, education, employment, and healthcare. The social fabric of cities is further strained by issues like crime and exclusion.¹⁵

Chapter II: The Evolution of International Interest in Sustainable Cities.

This idea has been emerged from a series of international conferences that have discussed the concepts, dimensions and mechanisms that strengthen the role of cities in achieving sustainable development, namely:

1/ Stockholm Conference, 1972: Having met at Stockholm from 5 to 16 June 1972, the Stockholm Conference produced the Stockholm Declaration on the Human Environment. Some believed that the declaration should begin with a sweeping articulation of every human being's right to a wholesome environment. A rights approach, however, did not prevail. The declaration adopted an anthropocentric approach to the protection of the environment, as the full title of the declaration denotes: "Declaration of the United Nations Conference on the Human Environment.

The Conference, having considered the need for a common outlook and for common principles to inspire and guide the peoples of the world in the preservation and enhancement of the human environment, proclaims that: Man is both creature and moulder of his environment, which gives him physical sustenance and affords him the opportunity for intellectual, moral, social, and spiritual growth. In the long and tortuous evolution of the human race on this planet, a stage has been reached when, through the rapid acceleration of science and technology, man has acquired the power to transform his environment in countless ways and on an unprecedented scale. Both aspects of man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights, the right to life itself.

It can be understood from this that the Declaration considered, in its first principle, the environment in its natural and built dimensions as the living framework of human beings, a vital sphere for achieving growth and well-being, and a reinforcing factor of the right to life.

2/Rio de Janeiro, 1992: The UN Conference on Environment and Development (or Earth Summit) was held in Rio de Janeiro between June 3 and June 14, 1992, with the participation of an unprecedented number of NGOs. It produced a number of instruments that have shaped the development of international environmental law until today - the Rio Declaration on Environment and Development, Agenda21 the Non-Binding Principles on the Sustainable Development of all Types of Forest, the Treaty on Biological Diversity, and the Treaty on Climate Change.¹⁶

In the same context, the Rio Declaration acknowledged the centrality of human beings as the core of any efforts related to environmental protection within the framework of sustainable development, as stated in its principle that : Principle 1: Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Demographic crises that may give rise to threats to the environment in its comprehensive sense, as well as the resulting economic, health and even social crises, were also taken into account, as stated in the principle that Principle 8: To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption, and promote appropriate demographic policies.

Chapter 5 of the 21 st Century Agenda covers demographic dynamics and sustainability. It states that 'global population and production growth, combined with unsustainable consumption patterns, place a heavy burden on the life-supporting capacities of our planet'.

Although this declaration did not directly address urban issues, a discussion was held several days prior to the meeting at the request of a group comprising major international associations such as the World Organization of Local Authorities and the World Federation of United Cities, as well as some regional associations affiliated with local authorities. Following the meeting, it emerged that around 300 cities had ratified a commitment document. This document recommended preparing local agendas based on open consultation and supporting decentralised cooperation between cities. Subsequently, cities became the main focus of Agenda 21, as set out in Chapter 28.¹⁷

3/United Nations Conference on Human Settlements - Habitat I Vancouver, Canada, 31 May-11 June 1976

Habitat I was the first United Nations Conference on Human Settlements. It took place in Vancouver, Canada, from 31 May-11 June 1976. The United Nations General Assembly convened the Habitat I conference as governments began to recognize the need for sustainable human settlements and the consequences of rapid urbanisation, especially in the developing world.

At that time, urbanisation and its impacts were barely considered by the international community, but the world was starting to witness the greatest and fastest migration of people into cities and towns in history as well as rising urban population through natural growth resulting from advances in medicine. Member States recognized that the circumstances of life for vast numbers of people were unacceptable, particularly in developing countries, and that, unless positive and concrete action was taken to find solutions, those conditions were likely to be further aggravated.¹⁸

Upon examining the content of the Declaration of Principles adopted by the Conference, it is found that it objectively emphasized the role of human settlements in improving the quality of life, as stated in its first principle that:

The improvement of the quality of life of human beings is the first and most important objective of every human settlement policy. These policies must facilitate the rapid and continuous improvement in the quality of life of all people, beginning with the satisfaction of the basic needs of food, shelter, clean water, employment, health, education, training, social security, without any discrimination as to race, colour, sex, language, religion, ideology, national or social origin, or other cause, in a frame of freedom, dignity and social justice.

From a procedural perspective, it stipulated the necessity of land-use planning, considering land as one of the most important national resources of each state and a key aspect of environmental protection efforts, as stated in Principle 8:

Every State has the right to exercise full and permanent sovereignty over its wealth, natural resources, and economic activities, adopting the necessary measures for the planning and management of its resources, and providing for the protection, preservation, and enhancement of the environment.

The Declaration also recognised the right of each state to exercise its authority in the field of land-use planning, as stated in Principle 10: Land is one of the fundamental elements in human settlements. Every State has the right to take the necessary steps to maintain under public control the use, possession, disposal and reservation of land.

Every state has the right to plan and regulate use of land, which is one of its most important resources, in such a way that the growth of population centres both urban and rural are based on a comprehensive land use plan. Such measures must assure the attainment of basic goals of social and economic reform for every country, in conformity with its national and land tenure system and legislation.

Significantly, the Declaration addressed issues that are important and closely related to improving the condition of human settlements. It recommended protecting the environment, improving economic relations, achieving international peace and security, respecting the right to sovereignty, and promoting international cooperation..

4/The Istanbul Declaration on Human Settlements: ¹⁹

Twenty years after (Habitat I), the Second United Nations Conference on Human Settlements (Habitat II) took place from 3-14 June 1996, in Istanbul, Turkey. Also nicknamed 'City and Town Summit' by Secretary-General Boutros Boutros-Ghali, its objective was to address two major themes concerning all nations: "adequate housing for all" and "viable human settlements in a changing world. full urbanization".

Indeed, in 1996, it was already estimated that nearly half of the world's population lived in cities, that more than a billion people in the world lacked adequate housing and that more than 100 million were homeless. shelter. The then projections for 2025 were that more than two thirds of human beings would be city dwellers.

Habitat II also built on the results of the International Conference on Population and Development in Cairo in 1994, which made stabilizing world population growth a priority.

Habitat II took the issue further by considering the root causes of urban growth, namely the increase in the number of inhabitants. This second conference adopted the Istanbul Declaration and Habitat Agenda, by which governments committed themselves to achieving the goals of adequate housing for all and sustainable human settlements.

Take this opportunity to endorse the universal goals of ensuring adequate shelter for all and making human settlements safer, healthier and more liveable, equitable, sustainable and productive.

To improve the quality of life within human settlements, we must combat the deterioration of conditions that in most cases, particularly in developing countries, have reached crisis proportions. To this end, we must address comprehensively, inter alia, unsustainable consumption and production patterns, particularly in industrialized countries; unsustainable population changes, including changes in structure and distribution, giving priority consideration to the tendency towards excessive population concentration; homelessness; increasing poverty; unemployment; social exclusion; family instability; inadequate resources; lack of basic infrastructure and services; lack of adequate planning; growing insecurity and violence; environmental degradation; and increased vulnerability to disasters.

The Declaration also affirms that globalization of the world economy presents opportunities and challenges for the development process, as well as risks and uncertainties, and that achievement of the goals of the Habitat Agenda would be facilitated by, inter alia, positive actions on the issues of financing of development, external debt, international trade and transfer of technology. Our cities must be places where human beings lead fulfilling lives in dignity, good health, safety, happiness and hope. And we reaffirm our commitment to the full and progressive realization of the right to adequate housing, as provided for in international instruments.

The Declaration explicitly links the requirements of environmental protection with the improvement of housing, as it provides that the participating States commit to the sustainable patterns of production, consumption, transportation and settlement development, pollution prevention, respect for the carrying capacity of ecosystems, and the preservation of opportunities for future generations. In this connection, we shall cooperate in a spirit of global partnership to conserve, protect, and restore the health and integrity of the Earth's ecosystem. In view of different contributions to global environmental degradation.

5/Declaration on Cities and Other Human Settlements in the New Millennium :

This Declaration reaffirmed the Istanbul Declaration, especially regarding the commitments of its parties that human beings are at the centre of our concern for sustainable development, and that they are the basis for our actions taken in the implementation of the Habitat Agenda, and that rural and urban areas are economically, socially and environmentally interdependent, and that cities and towns are engines of growth, contributing to the development of both rural and urban human settlements. Reconfirm the goals and principles of adequate shelter for all and sustainable human settlements development in an urbanizing world, as set out in the Habitat Agenda,⁴ which form the basis of our commitments. It also welcomed the efforts by all levels of government, the United Nations, other intergovernmental organizations, and Habitat Agenda partners, as well as those by the Executive Director of the United Nations Centre for Human Settlements (Habitat), and welcomed the progress made thus far towards the implementation of the Habitat Agenda.

Furthermore, it did not ignore the serious obstacles facing the sustainable development of human settlements between the commitments made at Istanbul and the political will to fulfil them. We also find the gaps in both public information and awareness-raising as impediments, serious financial constraints, gaps in shelter and urban policies that have limited the opportunities for participation and partnership, women still do not participate fully, obstacles that prevent the efficient functioning of land and housing markets to ensure an adequate supply of shelter, obstacles associated with limited economic, technological and institutional capacities at all levels of government, have also identified economic policies and financial market constraints at all levels that have prevented the mobilization of adequate resources to meet the sustainable human settlements needs of many countries, and there is unequal access to information and communication technologies.

Accordingly, this Declaration urged further measures aimed at achieving its objectives, as fulfilment of commitments, especially support strongly poverty eradication, protection of the family, raise awareness about human settlements challenges and solutions through full and open dissemination of information, encourage authorities within metropolitan areas to develop mechanisms and to foster legal, financial, administrative, planning and coordination instruments, in order to achieve more equitable, ordered and functional cities, among other means..

An analysis of the various principles contained in these declarations leads to a common conclusion that their content is closely linked to universal human values, such as promoting mutual cooperation, respecting human rights, achieving international peace and security, and enhancing human welfare and dignity.

The declarations emphasise the need to draw on the experiences of cities and human settlements, while strengthening the efficiency of cities and their role in providing a clean, healthy and safe environment, free from security, psychological and social threats. They also contribute to improving the economic and social conditions of the population, and are therefore in line with the requirements of sustainable development.

To achieve its objectives, these declarations rely on measures such as promoting initiative among decision-makers, encouraging participation, and improving urban planning and land management.

Section III: Sustainable Cities in Algeria: Model and Challenges.

The Sustainable Cities Project aims to find solutions to the urban problems that have become characteristic of most countries, such as overpopulation, inadequate public road networks, and shrinking real estate space. This has prompted many countries to embark on the experiment of creating new model cities .

Algeria is no exception, with its cities experiencing remarkable population growth and increased local demand. This issue is particularly significant given the recent administrative reorganization of the country and the decision by higher authorities to grant provincial status to many cities in response to administrative and economic demands.

In this context, Algeria has also experimented with creating new cities, such as Sidi Abdallah, which is the first model city in this context.

Chapter I: Legal and technical aspects of sustainable cities in Algeria.

By examining the Algerian legislative system for cities, we find a legal and technical basis for their formation, principles, objectives, establishment and organisational procedures, and improvement of its internal elements, in an attempt to make it a built environment compatible with the requirements of sustainable development.

Sub-chapter 1: The legal basis for new cities in Algeria.

The Minister of Housing, Urban Development and the City ~~stated that~~ Sidi Abdallah City constitutes the first smart city model developed since national independence. He emphasised that the city is equipped with technologically advanced industrial hubs that comply with the highest international standards. He further indicated that 10,000 housing units will be allocated as an initial tranche under the rent-to-own housing scheme (AADL 1), together with all necessary social infrastructure, including educational institutions and public service facilities.

In this regard, the director of an architectural consultancy firm affirmed that the implementation of these smart neighbourhoods was carried out with a high level of precision, in accordance with specific international standards and predefined urban planning frameworks, and with the integration of all relevant professional disciplines. Furthermore, the President of the Local Council of Architects noted that the adoption of smart city policies within residential areas aims to enhance citizens' living conditions, stressing that traditional residential patterns lack essential social facilities, a deficiency that adversely impacts the daily quality of life of residents.²⁰

According to Art. 2 of Law No. 06-06 of 20 February 2006 relating to the City Orientation Act, the fundamental principles upon which urban development in Algeria is founded are established, Which include:

First : Principles relating to public management: These are as follows:

1-Proximity management: This refers to the search for and implementation of methods and procedures designed to involve citizens, either directly or through associative movements, in the management of programs and actions concerning their living environment, and to enable them to assess and evaluate the effects produced.

2-Deconcentration: This refers to sectoral missions and responsibilities delegated at the local level to representatives of the State.

3-Decentralisation: This means that local authorities possess powers and responsibilities that are conferred upon them by law.

4-Coordination and consultation: This refers to the principle whereby the different sectors and stakeholders work together to implement a coherent and optimal urban policy, based on decisions made by the State and common arbitration.

5-Preservation : This means that the city's tangible and intangible heritage must be safeguarded, preserved, protected, and enhanced.

6-Social equity: This principle states that coherence, solidarity, and social cohesion are essential elements of urban policy.

Second: Principles relating to democracy and local participation: These are:

1-Good governance: This refers to the principle where by the administration listens to citizens and acts in the public interest within a transparent framework.

2-Information : This principle stipulates that citizens are kept informed on a continuous basis about the situation of their city, its development, and its prospects.

3-Culture : This refers to the principle whereby the city serves as a space for creation and cultural expression, within the framework of national values.

Third Principles of development: which consist of :

1-Human development: according to which man is considered the main resource and the ultimate goal of all development.

2-Sustainable development: according to which urban policy contributes to development that meets current needs without compromising the needs of future generations.

Fourth: Principles relating to democracy and local participation: These are:

1. Human development: Human beings are considered the main asset and the ultimate goal of all development.

2. Sustainable development: Urban policy contributes to development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Further analysis of the policies underlying the city, as set out in the text, reveals that Article 6 provides that the city's policy aims to guide and coordinate all interventions, particularly those relating to the following areas:

- reducing disparities between neighbourhoods and promoting social cohesion;
- eliminating precarious or unsanitary housing;
- managing transport, travel and traffic plans in and around cities;
- strengthening road networks and other infrastructure;
- guaranteeing and extending public services, particularly those responsible for health, education, training, tourism, culture, sport and leisure.
- Prevention of major risks and protection of populations.
- Combating social issues such as marginalisation, delinquency, poverty and unemployment.
- Promoting partnership and cooperation between cities.
- Integrating large cities into regional and international networks.

Proceeding from Article 07, Point 01 expressly states that urban policy is conceived as a multidimensional, multisectoral and multilateral framework that aims to achieve sustainable

development. This is implemented through several components, including sustainable development, the urban economy, urban planning, culture, social issues, management and institutional matters.

This law employs specific legal and technical terminology, defining a city as any urban agglomeration with a certain population size and endowed with administrative, economic, social, and cultural functions.

Furthermore, the Algerian legislator has specified the objectives to be achieved through the establishment of the city, all of which are framed within the context of environmental protection and sustainable development in its various dimensions.

Sub-chapter 2: The technical aspects of establishing the new city in Algeria.

The establishment of new cities relies on the adoption of a set of instruments, as stipulated in Articles 18 to 25 of the Law. This can be summarised as follows:

1/Spatial and Urban Planning Instruments Art 19: The instruments of spatial and urban planning consist of several plans, which include: the national territorial development plan, the regional development plan of the program area, the metropolitan area development plan, the wilaya development plan, the urban development and planning plan, the land use plan, the new city development plan, the permanent plan for the protection and enhancement of sectors, the plan for the protection and enhancement of archaeological sites and their protection zones, and the general development plan for national parks.

2/Sectoral planning and guidance instruments Art. 20.point 1: A consultation and coordination framework is established to ensure the coordinated, consistent and optimal implementation of sectoral planning and guidance instruments at city level, particularly those relating to environmental and cultural patrimony protection, urban planning, transport, water, facilities and infrastructure. This framework is responsible for proposing measures not provided by sectoral planning and guidance instruments.

3/Partnership instruments Art. 21. point 1 : Programs and actions falling within the scope of urban policy are, where appropriate, implemented in accordance with urban development contracts signed with the local authority and economic and social partners.

4/Information, monitoring and evaluation tools Art. 23. points 1 and 2 : As part of an appropriate urban policy, socio-economic and geographical evaluation and information instruments must be identified and implemented. Intervention and monitoring tools must also be identified and implemented to facilitate the evaluation and intervention of appropriate adjustments.

5/Financing instruments Art. 25. point 1 : All studies and actions undertaken by public authorities as part of urban policy must be financed by local public resources, supported by the state budget.

Regarding the institutional framework for the creation of new cities, the Algerian legislator, by virtue of this law, established the National City Observatory under Article 26 and entrusted it with multiple responsibilities, namely:

- Monitoring the implementation of urban policy;
- conducting studies on urban development within the framework of national spatial planning policy;
- producing and maintaining a list of cities;

- proposing to the Government any measures likely to promote national urban policy;
- participating in the promotion of international cooperation in the field of urban development;
- proposing to the Government a framework for action to promote citizen participation and consultation;
- monitoring all measures taken by the Government to promote national urban policy.

The technical tools adopted by the Algerian legislator for establishing new cities are diverse and comprehensive. They cover the rational management of allocated resources, including human resources and financial funding.

However, the The Algerian legislator has confined the use of these tools to a theoretical framework, referring to regulations and subsidiary laws for their application. This may be viewed negatively as it indicates a legislative vacuum which, if detailed legislation is not enacted, may remain unresolved for a long time and delay implementation.

There is no objection to combining the city's guiding law with other relevant legislation to promote progress in urban planning and development, and in the regulation of building permits and land use, of which we mention:

Law No. 07-06 of 13 May 2007 relating to the management, protection and development of green spaces, amended and supplemented by Law No. 17-22 of 20 July 2022.

Art. 2. -The management, protection and development of green spaces within the framework of sustainable development have the following objectives in particular:

- to improve the urban living environment;
- to maintain and improve the quality of existing urban green spaces;
- to promote the creation of green spaces of all kinds:
- to promote the expansion of green spaces in relation to built-up areas:
- to make the introduction of green spaces in all construction projects an obligation covered by public and private urban planning and architectural studies

Chapter 2: The technical legal framework of Sidi Abdallah as a model

Algerian lawmakers progressed from establishing the legal framework for the new city to its practical implementation, resulting in the creation of several cities, including Sidi Abdallah in the Algiers province. This section provides a detailed explanation and analysis of the Algerian experience, along with a comprehensive assessment.

Sub-chapter 1: Introduction to the city of Sidi Abdullah.

The establishment of the new city of Sidi Abdallah was effected through Executive Decree No. 04-275 of 5 September 2004, amended by Executive Decree No. 16-215 of 11 August 2016 and Executive Decree No. 20-296 of 12 October 2020.

The New City of Sidi Abdallah is located in the Province of Algiers, within the territories of the municipalities of Maâlna, Rahmania, Zeralda, Souidania, and Douera.

It is derived from Amended Article 05, which includes the components of the city of Sidi Abdallah, that the legislator has adopted the elements of a sustainable city, taking into account urban, economic, research, and cultural aspects, and has provided that the general plan for the new city of Sidi Abdallah is as follows:

- Spaces for the housing program intended for a population of around four hundred and fifty thousand (450,000) inhabitants;
- administrative facilities;

- an information and communication technology hub, called a cyber park;
- an urban park consisting of green spaces, relaxation areas, sports and leisure facilities;
- university centres;
- research and development centres;
- centres of competitiveness and attractiveness in the fields of biotechnology, pharmaceuticals, advanced technologies and military infrastructure;
- public basic infrastructure networks, including energy and water supply, telecommunications infrastructure, road infrastructure and a rail link.
- Public facilities support urban and local services.
- religious and cultural facilities;
- education and training facilities;
- Protected areas around the city, the use of which is determined by the development plan.

As for the institutional framework responsible for the establishment and management of the city, Decree 06-305 has been issued, which defines it in accordance with Articles 2 to 4, The authority of Sidi Abdellah New City is a public, industrial and commercial establishment. It has legal personality and financial autonomy, hereinafter referred to as the establishment, is placed under the supervision of the Minister. Its headquarters are located within the boundaries of the new city of Sidi Abdellah, in the Wilaya of Algiers.

According to Article 5, the authority is responsible for:

- Acquire and develop built or unbuilt properties, or any land necessary for the development of the new town.
- carry out land management operations in accordance with the provisions laid down;
- benefit from the right of pre-emption established by the laws and regulations in force;
- Transfer land intended for housing, crafts or commercial activities in accordance with the terms and conditions set out in a schedule of easements adopted by the Minister responsible for territorial planning.
- Collect, process, save and transmit statistical, scientific, technical and economic data, information and documentation relating to its purpose, and maintain files and studies in accordance with the laws and regulations in force.

Sub-Chapter 2: Evaluation of the New Town Model in Algeria.

These new cities were built to reduce population density, as the authorities sought to address overcrowding in the old city by dispersing the population across the region. These cities can play an important role in reducing regional disparities within a country or city as they stimulate growth in the regions in which they are located. As well as helping to reduce urbanisation problems such as traffic congestion, inadequate facilities and transport, and insufficient housing, we find that the old city was characterised by cultural diversity, due to the presence of many social groups from different regions. This clearly impacted social relations and integration²¹.

However, moving to new cities requires the provision of numerous social and community services that may not meet the population's needs and requirements, leading to problems resulting from the inadequacy of some services and how they meet the population's essential needs. This is particularly true given the cultural diversity of these residents, who

come from different communities, regions and professions. Achieving balance between these groups and ensuring their integration into society is therefore a fundamental requirement for their success.²²

Some believe that the Algerian legislature's delay in recognising the city as an integrated and harmonious entity, despite its existence and expansion, is a black mark against it. Before the enactment of Law 06/06, which contains the aforementioned city guidelines, and within the framework of constitutionally enshrined administrative organisation, local communities represented in the province and municipality were considered the only legally empowered authorities to manage matters relating to citizens' lives, as they were the bodies closest to citizens and most aware of their problems and aspirations. The municipality, in particular, was given broad powers in the field of urban planning and development.²³

It ignored the fact that urban planning is a complex, multidimensional technical process requiring an integrated team of specialists from various fields. This obscures the process and makes it difficult for citizens to understand, leading to the failure of the public consultation phase and hindering genuine participation. In administrative terms, the lack of skills and weak capacities within the Algerian administration have stripped urban planning of its specificity, placing decision-making in the hands of the unqualified and inexperienced.²⁴

Conclusion:

Those examining and following national interest in environmental protection and sustainable development in Algeria will have noticed an accelerated movement towards integrating the environmental dimension into various related fields over the last decade, including the development of new, sustainable cities. The aim is to avoid the problems facing urban areas, such as overcrowding, social fragmentation, and infrastructure-related issues.

Algerian decision-makers and the executive administration have committed to moving away from the traditional development model adopted since independence, in order to meet the needs of a steadily increasing population in light of improved living conditions. One indicator of this shift is the monitoring of legal and legislative developments in environmental protection and sustainable development, as well as the laws governing urban planning .

However, despite the occasional shortcomings, particularly with regard to the speed and quality of implementation, strengthening public services, providing permanent public security and protecting the environment, new and sustainable cities remain a strategic option that must be pursued. The Algerian experience is relatively recent and has not received much attention, despite the availability of a legal framework. Perhaps its success requires learning from the experiences of leading countries in this field and integrating technical means and services.

References

¹ Elli Louka ,*International Environmental Law* ,Cambridge University Press ,New York ,2006 , p52

² Fouad Ben Ghadban, *Sustainable Cities and the Urban Project*, 1st edition, Dar Al Safaa for Publishing and Distribution, Amman, 2014, pp. 154–155.

³ UN , *The Right to Adequate Housing*, HABITAT , Geneva,2009, p3-4.

⁴ UK Green Building Council, *Sustainable Construction Practical Guide*, 2024, p 01.

⁵ UN , *Sustainable transport in the Arab region: towards a decade of action* , ECONOMIC AND SOCIAL COUNCIL, Amman, 26–27 November 2024 , p 4.

⁶ Ibid .

⁷ WHO , *Urban Green Space Interventions and Health* , 2017 , p7.

⁸ UNECE, *People-Smart Sustainable Cities*, United Nations Publications , New York, 2020, p4

⁹ UNIDO , *Sustainable Cities*, United Nations Publications , Vienna , 2016, p4

¹⁰ Ibid , p6

¹¹ UN , *Human Settlements*, <https://www.un.org/en/global-issues/human-settlements>

¹² Ibid .

¹³ Marie Lundqvist, *Sustainable Cities in Theory and Practice*, A Comparative Study of Curitiba and Portland , 2007 , p9

¹⁴ Tracey Strange and Anne Bayley , *Sustainable Development*, OECD, 2008, p23.

¹⁵ UN , Human Settlements , OP.Cit .

¹⁶ Elli Louka , OP.Cit , p32.

¹⁷ Fouad Ben Ghadban, OP.Cit , p 149.

¹⁸ UN , *Conferences/Habitat* , <https://www.un.org/en/conferences/habitat/vancouver1976>.

¹⁹ UN , *Conferences/Habitat* , <https://www.un.org/en/conferences/habitat/istanbul1996>.

²⁰ Radio algerie, *Sidi Abdellah City : The First Smart City Model in Algeria*, 06/12/2016, available on : <https://radioalgerie.dz/news/ar/reportage/96311.html>

²¹ Said Rachedi, Karima Flahi, *New Cities and the Problematic of Development Action in Algeria: The Case of the New City of Menaghla*, Constantine, El-Khaldounia Journal of Human and Social Sciences, University of Tiaret, Issue 01, 2020, pp. 147.

²² Ibid .

²³ Ghada Hassani&Yamina Beliman, Problems of Urban Planning in Algerian Cities: Between Reality and Aspirations, *Revue des Sciences Humaines (Journal of Human Sciences)*, Issue 01 (2022), pp. 475-488

²⁴ Ibid .