

**The Role of the Governor in Promoting Sustainable Local Development in
Algeria: An analytical study in light of Provincial Law No. 12-07**

Dr Sabrina Adjabi

Lecturer -A-, Institute of Law, Abdelhafid Boussouf University Centre, Mila, (Algeria)

Email: s.adjabi@centre-univ-mila.dz

Dr. Hadjer Chenikhar

Lecturer-A-, Faculty of Law and Political Science, University of Echahid Cheikh Larbi
Tebessi, Tébessa, (Algeria)

Laboratory for Strategic Studies and Development in Arab Countries

Email: hadjer.chenikhar@univ-tebessa.dz

Received: 02.10.2025 | Accepted: 15.01.2026 | Published: 01.04.2026

Abstract:

Sustainable local development is considered one of the major challenges facing modern states, as it represents a mechanism for achieving a balance between the requirements of economic and social development and the preservation of available resources for future generations.

Algeria has adopted this approach as part of a reform process aimed at strengthening the role of territorial authorities in managing local affairs, through the implementation of the principle of administrative decentralisation and the gradual expansion of local entities' competences in the field of development planning and implementation.

Within this framework, the Wali (Governor) occupies a central position in the Algerian administrative system, as he acts as the representative of the State at the territorial level and as the executive authority of the wilaya.

The legal framework, particularly Wilaya Law No. 12-07, has granted him a set of powers that make him a key actor in implementing local development programmes and ensuring coordination among the various stakeholders.

This article aims to analyse the legal and functional role of the Wali in promoting sustainable local development by examining his powers, intervention mechanisms, and contribution to the implementation of development policies at the local level.

Keywords: Wali (Governor); Sustainable Local Development; Wilaya; Territorial Authorities; Administrative Decentralisation; Wilaya Law No. 12-07.

Introduction

Achieving local development has become one of the fundamental pillars upon which the modern state relies in organising its public interventions, given that development is no longer limited to economic indicators alone, but has come to be linked to the extent to which regional units are able to respond to the growing needs of the population and strike a balance between

the requirements of economic and social development and the conservation of local resources. From this perspective, many legal systems have moved to strengthen the role of regional authorities as an institutional framework for implementing development policies at the local level.

The Algerian legislature has adopted this approach by establishing a system of regional authorities based on the wilaya and the municipality, as the legal frameworks for the exercise of local powers and for contributing to the management of public affairs, Algerian local governance has undergone a series of reforms aimed at recalibrating the relationship between the central administration and local units, notably through Law No. 11-10 on municipalities and Law No. 12-07 on wilayas, which established a set of mechanisms designed to support the developmental role of local authorities and strengthen their capacity to intervene in various fields.

In this context, the wali stands out as one of the most important actors in the local administration system, given his dual position within the Algerian administrative structure; he represents the central authority at the provincial level within the framework of a system of administrative decentralisation, and is also the executive body of the province and responsible for coordinating various local public interests and programmes.

Consequently, legal texts have entrusted him with a range of powers that go beyond the traditional administrative role to include contributing to the preparation, implementation and monitoring of development programmes, and ensuring harmony between national policies and local development requirements.

However, the effectiveness of the governor's developmental role raises numerous questions regarding the extent to which the current legal framework can strike a balance between state authority and the requirements of local administration, particularly in light of the economic and social transformations Algeria is undergoing, which have necessitated a re-examination of development management approaches and the development of local governance mechanisms. Accordingly, the central issue of this study revolves around the following question :

To what extent do the legal status and powers conferred upon the wali contribute to the implementation of sustainable local development in Algeria under the provisions of Provincial Law No. 12-07?

To address this issue, a descriptive approach was adopted to examine the research problem and its various aspects, alongside an analytical approach involving the study of the legal texts governing the governor's powers and an analysis of his role in the field of local development, in accordance with the following two main themes:

Axis 1: The legal framework for sustainable local development and the governor's position within the Algerian administrative structure.

Axis 2: Mechanisms for activating the governor's developmental role and the limits of his effectiveness in achieving sustainable local development.

Axis 1: The legal framework for the status of the wilaya and its role in achieving sustainable local development

The wilaya is one of the most important levels of regional administrative organisation in Algeria, as it constitutes the legal framework through which the state exercises part of its functions at the local level, whilst at the same time representing a sphere for the implementation of the principle of administrative decentralisation (¹). Law No. 12-07 on the province stipulates that the province is a regional authority possessing legal personality and financial autonomy, which grants it independent legal capacity enabling it to manage its local interests and contribute to the achievement of development objectives within its territory².

The role of the wilaya is not limited to being an administrative unit for the implementation of public policies; rather, it has become a forum for planning, coordination and intervention in various areas related to the lives of citizens, which necessitated the establishment of local bodies to exercise its powers and manage its affairs³. The Algerian legislature has designated the two provincial bodies as the Provincial People's Council and the Wali, considering them the two main pillars in the exercise of local powers.

First: The Provincial People's Council as a mechanism for local participation in development management

The Provincial People's Council represents the institutional embodiment of the principle of local democracy, as it is an elected body that expresses the will of the province's inhabitants and contributes to the management of local affairs. It is a deliberative body that exercises its powers through collective deliberations concerning various areas of local public interest.

Law No. 12-07 on the province, in Article 12, confirms that the Provincial People's Council is the deliberative body of the province. It is formed through general elections for a term of office defined by law, thereby enshrining citizens' participation in choosing their representatives and determining the development priorities required by the region.

Membership of the Provincial People's Council is divided among elected representatives chosen under a proportional representation system based on party lists, with seats allocated according to the proportion of votes obtained, using the largest remainder method, thereby ensuring proportional representation of the various political orientations within the Council.

The Provincial People's Council plays an important role in local development, as the body that discusses and determines the province's general policies, particularly through its participation in the preparation of development plans and programmes, and by submitting proposals relating to the development of various economic, social, cultural and environmental sectors⁴.

¹ For further details, please refer to:

Dr Ammar Aouabdi, **Administrative Law and the Administrative System**, University Press, Algiers, Ben Aknoun, 2020, p. 142

Dr Rachid Khaloufi, **Algerian Administrative Organisation Law**, University Press, Algiers, 2018.

² **Article 1** of Law No. 12-07 of 21 February 2012 on the Province, Official Gazette of the Algerian Republic, Issue 12, published on 29 February 2012.

³ Dr Mohamed El-Saghir Baali, **Administrative Law: Administrative Organisation**, Dar Al-Ouloum for Publishing and Distribution, Algiers, 2019, p. 98.

⁴ See in this regard the Council's development powers in Articles **77, 78 and 81** of Law No. 12-07 on the Province, *op. cit.*

The Council also contributes to supporting local development by providing grants and assistance to municipalities, thereby promoting integration between different regional communities and achieving more balanced development within the region,⁵ To ensure the effectiveness of its work, the Provincial People's Council exercises its powers through standing and ad hoc committees, established in accordance with specific legal procedures. These committees are responsible for examining sectoral dossiers and preparing proposals to be submitted to the Council for deliberation.⁶

1- Powers of the Provincial People's Council in promoting economic development

The Provincial People's Council plays a pivotal role in supporting local economic activity through its participation in the preparation of the provincial development plan, the discussion of its orientations, and the proposal of appropriate measures for its implementation. also contributes to identifying areas for economic expansion, particularly by proposing business zones and industrial areas within the framework of the national spatial planning and development policy⁷.

The Council's role extends to encouraging local investment by creating the right conditions to attract economic projects, supporting initiatives aimed at developing existing economic institutions at the provincial level, and strengthening coordination between economic operators and training bodies to create a suitable environment for business and investment. These responsibilities cover various productive sectors, foremost among which are the industrial and agricultural sectors, as they are among the most important drivers of local economic growth.

2- Powers of the Provincial People's Council in social development

Local development, in its modern sense, is not achieved through economic factors alone, but is also linked to improving the social conditions of the population and promoting investment in human capital. With this in mind, the legislature has entrusted the Provincial People's Council with a range of social responsibilities.

In the field of education and vocational training, the Council contributes to supporting programmes aimed at developing employment and training opportunities, particularly for young people and areas requiring special development interventions,⁸ In the field of housing and urban development, the Council is involved in programmes aimed at improving the urban environment, rehabilitating the built environment, and helping to eliminate substandard housing, whilst taking care to preserve the urban and heritage character of the regions.

⁵ **Article 111** of Law No. 12-07 on the Province, *op. cit.*

⁶ **Articles 31 and 32** of Law No. 12-07 on the Province, *op. cit.* (Note that Article 31 limits the number of standing committees to a maximum of nine, and committees on local development and the budget are established by operation of law).

⁷ See **Article 81** of Provincial Law 12-07, cited above. In comparison with the new legislative framework, see: **Law No. 23-17** of 15 November 2023 on the conditions and granting of economic property belonging to the State's private assets for the implementation of investment projects, Official Gazette, No. 73, 2023. (which abolished the former provincial committees and entrusted management to specialised agencies, with the role of the local council being limited to expressing an opinion on regional development)

⁸ **Articles 90 and 94** of Law No. 12-07 on the province, *op. cit.*

In the cultural sphere, the Provincial People's Council contributes to the protection of the province's historical and cultural heritage and supports cultural, sporting and youth activities, thereby promoting local social and cultural development.

The Council also plays a role in the field of public health by contributing to the establishment of health facilities that exceed the capabilities of municipalities, supporting health prevention programmes, and addressing health risks and natural disasters in accordance with approved plans.⁹

3- Powers of the Provincial People's Council in supporting tourism development

Tourism is one of the sectors that can contribute to the diversification of the local economy and the creation of development opportunities; consequently, the legislature has granted the Provincial People's Council powers relating to the protection of the province's tourism assets and efforts to enhance their value.¹⁰

The Council's role is to encourage tourism projects and preserve the region's natural and cultural assets, given that tourism not only generates economic returns but also contributes to improving the living conditions of the population and supporting sustainable local development.¹¹

Second: The Wali

Despite the abundance of legislative and regulatory texts governing the institution of the governor in Algeria, we have not found a comprehensive legislative definition of this office, other than the specification of its dual legal status. Referring to the legislative roots, we find that Article 150 of the first Provincial Law of 1969 described the governor as the holder of state authority, the government's representative, and the sole and direct representative of all ministers at the local level¹²

The legislator has maintained this in subsequent texts; Article 42 of the 1990 Provincial Law No. 90-09 stipulates that the wali is the representative of the state and the government's delegate at the provincial level¹³ , **a provision endorsed by Executive Decree No. 90-230 , which contains the basic law on senior positions in local administration¹⁴ , up to the text of Article 110 of the current Provincial Law 12-07, which enshrined this dual function by making the governor the representative of the province as a regional community, and the government's delegate as the representative of the central authority.**

The governor's dual role is subject to legal and regulatory provisions derived directly from the Constitution and the regulatory framework governing senior state positions.

Articles 97, 98 and 102 of Law No. 12-07 on the province, op. cit.⁹

¹⁰ Dr Saïd Bouali, **The Legal and Institutional Management of the Tourism Sector in Algeria in the Context of Sustainable Development**, Dar Balmaria Publishing, Algiers, 2023, p. 89

¹¹ **Article 79** of Law No. 12-07 on the province, op. cit. See also: **Law No. 03-01** of 17 February 2003 on the sustainable development of tourism, Official Gazette, Issue 11, in particular the articles relating to the development of tourism expansion zones in coordination with regional authorities

¹² **Article 150** of Decree No. 69-38 of 23 May 1969 containing the Provincial Law (repealed), Official Gazette of the Algerian Republic, No. 44, published on 23 May 1969.

¹³ **Article 42** of Law No. 90-09 of 7 April 1990 containing the Provincial Law (repealed), Official Gazette of the Algerian Republic, No. 15, published on 11 April 1990.

¹⁴ **Article 4** of Executive Decree No. 90-230 of 25 July 1990 laying down the provisions of the Organic Law on senior posts in local administration, Official Gazette of the Republic of Algeria, No. 31, 1990.

1- Appointment to the post of governor:

The power to appoint governors is an inherent prerogative of the President of the Republic, as a sovereign power that cannot be delegated, given the sensitivity of the post and its security and development dimensions. Tracing the historical development of appointment mechanisms, we find that Article 10 of Executive Decree No. 90-230 required a proposal from the Minister of the Interior to the Council of Ministers¹⁵. **However, the issuance of Presidential Decrees No. 99-239 and No. 99-240 transferred this power to fall within the scope of the President's absolute discretionary authority¹⁶, a trend confirmed by successive constitutional amendments, culminating in Article 92 (paragraph 2) of the 2020 constitutional amendment, which made appointments to civil and military state posts (including the position of governor) a power exclusively vested in the President of the Republic, without being subject to prior administrative nomination procedures.¹⁷**

Those holding this position are subject to a set of general and specific requirements; the general conditions include citizenship, nationality, the enjoyment of civil and political rights, good conduct and fulfilment of national service obligations, alongside specific conditions relating to academic competence, high-level administrative qualifications, and practical experience in the management of public affairs, as specified in Article 21 of Executive Decree No. 90-226 defining the rights and duties of employees holding **senior positions, and Article 13 of Executive Decree No. 90-230¹⁸**

2- Termination of the Governor's duties:

In accordance with the general principle of administrative law known as 'parity of forms', the termination of a governor's duties is effected by a presidential decree issued by the President of the Republic, and such termination is divided into two categories: ordinary and extraordinary:

A. Standard methods of terminating employment: These refer to the usual circumstances in which the employment relationship is terminated, namely:

- **Retirement:** In the case of sovereign and high-ranking positions, this procedure is not linked to a specific legal provision, but is subject to the discretion of the appointing authority based on the length of service to the state.¹⁹
- **Voluntary resignation:** The governor submits a written request to the President of the Republic and is legally obliged to continue performing his duties and managing the public service regularly and consistently until a presidential decree is issued **accepting the resignation. Resignation entails the complete relinquishment of the salary and benefits**

¹⁵ **Article 10** of Executive Decree No. 90-230 containing the Organic Law on Senior Positions in Local Administration, cited above

¹⁶ See: Presidential Decree No. 99-239 of 30 October 1999 defining the appointment powers of the President of the Republic, and **Article 1** of Presidential Decree No. 99-240 of 30 October 1999 concerning appointments to civil and military posts in the State, Official Gazette of the Algerian Republic, No. 77, 1999.

¹⁷ **Article 92/F2** of the 2020 Constitutional Amendment, promulgated by Presidential Decree No. 20-442 of 30 December 2020, containing the publication of the text of the Constitutional Amendment in the Official Gazette, No. 82, dated 30 December 2020.

¹⁸ See **Articles 21 and 13** of Executive Decree No. 90-226 of 25 July 1990 defining the rights and duties of senior civil servants, Official Gazette of the Algerian Republic, No. 31, 1990.

¹⁹ Dr Masoud Chehab, **The Comprehensive Guide to Administrative Law and Administrative Organisation**, Vol. 1, Dar Houma, Algiers, 2021, p. 312.

associated with the senior position, without benefit from exceptional measures such as special leave²⁰

- **Death:** This is a material event that terminates the official status by operation of law, whilst preserving the financial rights and protective privileges of the entitled parties, unlike in the case of resignation.

B. Extraordinary methods of terminating duties: These apply in cases requiring the intervention of the central authority to remove the governor or terminate his duties abruptly on the following grounds:

- **Professional incompetence:** This is evidenced by the governor's proven inability to achieve development objectives or poor management of local crises.
- **Loss of fitness for duty:** where the governor suffers from a health condition or chronic illness that prevents him from carrying out his duties in the field.
- **Political deviation:** This occurs when the governor deviates from the broad outlines of the state's general policy or obstructs the government's structural programmes.
- **Abolition of the post or organisational structure:** In this case, the official retains their salary for one year, after which they are placed on 'special leave' (²¹). This situation arises during regional restructuring, such as the merger of certain administrative districts or the conversion of delegated provinces into provinces with full powers.²²
- **Transfer to another senior post:** where duties are terminated due to promotion or transfer to another ministerial sector; in this case, the individual retains their previous salary for a period not exceeding one year until their new status is settled.

Third: The concept of local development

Local development is the cornerstone of the administrative and economic architecture of modern states, reflecting the effective transition from rigid centralisation to a flexible participatory framework. It is a strategic approach aimed at empowering regions and local communities to manage their own resources and formulate their development programmes based on their specific geographical and demographic characteristics. There are various theoretical and legal approaches to defining this concept, depending on the organisational dimensions and management mechanisms on which it is based, which we shall elaborate on below:

1. Definition of local development:

There are multiple definitions of local development that reflect the dimensions of this concept. In general, local development can be defined as a dynamic process in which voluntary grassroots initiatives by local residents are integrated with the administrative plans of public authorities, with the aim of improving the economic, social and cultural conditions of regional

²⁰ See Articles **11 and 12** of Executive Decree No. 90-226 on the rights and duties of senior civil servants for details of the financial consequences of resignation, *op. cit.*

²¹ **Article 26** of Executive Decree No. 90-226, *op. cit.*

²² See the provisions on abolition and regional restructuring in: **Law No. 19-12** of 11 December 2019, amending and supplementing Law No. 84-09 on the regional organisation of the country, Official Gazette, Issue 78, particularly regarding the upgrading of administrative districts in the south to full provinces and the accompanying amendment to the positions of deputy governors and governors.

communities, in order to integrate these local units into the overall national development framework and to strengthen their contribution to advancing national development.²³

In the same academic context, Professor Abdelhamid Abdelmuttalib argues that local development embodies a mechanism for synergy and effective, coordinated cooperation between grassroots initiatives and organised government interventions, aiming to enhance the economic, cultural and social efficiency of local communities and units, which ultimately leads to an improvement in the quality of life and living environment for citizens across various areas of local administration and within a comprehensive integrated system²⁴

Furthermore, local development is approached procedurally as the process through which the local community acquires the capacity and competence to identify its basic needs, set its immediate objectives, and to set its regional priorities, whilst harnessing energies and fostering self-confidence to ignite the collective desire for action and engagement; thereby ensuring the development of a spirit of solidarity and mutual cooperation and the consolidation of socio-economic cohesion within a single region²⁵

2- The importance of local development:

Local development is of paramount strategic importance given its pivotal role in shaping comprehensive development and ensuring its sustainability. It is characterised by its integrative dimension, which bridges the development gap between urban and rural areas (in line with regional planning policy), as well as its incorporation of all economic, social and environmental dimensions, aiming to achieve a regional balance that ensures the cohesion of the local social fabric²⁶

This importance also stems from the capacity of local development to put into practice modern constitutional principles based on ‘participatory democracy’, by actively involving citizens in the formulation, design and implementation of development plans and linking them to field projects of public benefit²⁷. Relying on the local community as a cohesive social and functional entity represents the cornerstone of the transition towards comprehensive national development, as this approach contributes to geographical and thematic coordination between spontaneous civil society efforts and structural government reforms, acting as a bridge between the will of the people and that of the administration.

3- Objectives of local development:

The aims and objectives that local development seeks to establish are diverse, with its practical strategy taking shape in the achievement of a set of strategic objectives, the most prominent of which are:

²³ Dr Suhail Hussein al-Fattlawi, **Local Administration and its Contemporary Applications (Regional and Local Development)**, Dar al-Thaqafa for Publishing and Distribution, Amman, 2020, p. 88.

²⁴ Dr Abdulhamid Abdelmuttalib, **Local Development Strategies and the Governance of Local Communities**, Dar al-Nahda al-Arabiya, Cairo, 2018, p. 41. (*Or page 41 of the revised edition published jointly in Algeria*)

²⁵ Dr Ammar Aouabdi, **General Theory of Administrative Disputes in the Algerian Judicial System (Aspects of Regional Balance)**, Vol. 2, University Publications Office, Algiers, 2022, p. 304.

²⁶ The provisions of **Article 15** of the 2020 Constitutional Amendment, which explicitly stipulate that the State shall promote participatory democracy at the level of regional communities to support local development.

²⁷ See the provisions of **Article 15** of the 2020 Constitutional Amendment, which explicitly stipulates that the State shall promote participatory democracy at the level of regional communities to support local development.

- Combating unemployment and establishing an attractive institutional environment that ensures the creation of sustainable, high-quality jobs and employment opportunities with stable economic returns²⁸
- Reducing poverty and social exclusion, and achieving equity in the distribution of national wealth across different regions.
- Developing local financial mechanisms and establishing transparent and well-governed local tax and revenue channels to support the financial independence of regional communities.

It should be noted that local development is not presented as a static strategy, but rather as a dynamic process and a management philosophy aimed at embodying the following elements:

1. **Empowering local values:** by strengthening the regional front and enabling it to tackle accelerating socio-economic challenges such as poverty and the growing demand for basic needs.
2. **Stimulating economic drivers:** by increasing the added value of local production, valuing endogenous resources, and refining and attracting local professional skills to ensure higher per capita income.
3. **Modernising essential infrastructure:** by upgrading transport sectors and connecting to water, electricity and energy networks; given that modernising these vital facilities is the legislative and practical gateway to boarding the development train in its modern sense.
4. **Fostering a sense of oversight and responsibility:** Citizens' participation in the design and implementation of local development projects instils in them a sense of community ownership, which consciously drives them to safeguard and protect these projects from any form of waste or abuse.²⁹

The second pillar: The developmental role of the provincial governor in Algeria

Under the provisions of Law No. 12-07, the province represents a geographical and institutional extension of the state's sovereignty, which is constitutionally guaranteed; it enjoys a dual legal status that makes it, on the one hand, a centralised administrative district of the state and, on the other, a decentralised regional community. This dual position qualifies it to be the primary driver of economic and social development dynamics, and the optimal mechanism for managing local public services, in addition to its protective and supportive role for other ministerial institutions and sectors by bridging gaps on the ground and correcting regional development imbalances.

Pursuant to Law No. 12-07 on the province, the governor occupies the apex of the executive hierarchy at the provincial level, constituting the highest authority directing public policy locally. In performing these strategic tasks, he is supported by the Provincial People's Council as a deliberative body, alongside the executive body and the external departments of the

²⁸ Dr Boualam Tawahriya, **The Economics of Local Development: Principles and Applications in Algeria**, Dar Klik Publishing, Algiers, 2023, p. 75.

²⁹ Dr Al-Rashid Khaloufi, **Public Services Law and Participatory Governance**, University Publications Office, Algiers, 2019, p. 162.

ministries³⁰. It is noteworthy that the legislator has brought about a significant conceptual shift in the current provincial law by including explicit provisions concerning ‘economic development’, thereby achieving a set of pedagogical and practical objectives that enshrine the governor’s developmental role. These can be summarised as follows:

- Establishing the governor’s role as the authorising officer for the implementation of the provincial budget, and entrusting him with monitoring and evaluating the deliberations of the Provincial People’s Council and submitting periodic reports thereon.³¹
- Requiring the governor to brief the Provincial People’s Council annually on the status of decentralised activities and sectoral projects based in the province (**Article 115** of Law No. 12-07 on the province)
- Require the governor to present a comprehensive annual report on the province’s activities, followed by a public debate by elected representatives to assess the pace of local development (**Article 114** of Law No. 12-07 on the province)
- Restructuring the local executive system to ensure the governor’s direct leadership of development projects in his capacity as the State’s representative and the Government’s delegate³²
- Redefining and formalising the functional relationship between the governor and the heads of non-centralised departments (executive directors) to ensure effectiveness, joint coordination, and the upholding of the principle of transparency in public affairs.

First: The powers of the governor as the representative of the province and his relationship with the work of the Provincial People’s Council

The Algerian legislature has dedicated Articles 105 to 109 of Law No. 12-07 to defining the exclusive powers of the governor in his capacity as the legal and legitimate representative of the province,³³. As a developmental administrative authority, the governor bears full responsibility for preparing and implementing the resolutions issued by the Provincial People’s Council, as well as directing departments and coordinating programmes; Article 102 stipulates his obligation to ensure the dissemination and implementation of the deliberations of the deliberative body, whilst regularly informing elected representatives of the progress made in implementing the adopted recommendations.

There are numerous areas of development deliberations for which the governor is responsible for the technical and logistical preparation of the relevant dossiers prior to their submission for drafting discussions. These are vital areas defined by Article 77 of the Provincial Law, and include: public health, employment promotion, youth and sport, housing and urban development, regional planning, agriculture, irrigation and forestry, transport, infrastructure, financial solidarity between municipalities to alleviate the hardship of low-income communities, environmental protection, and the promotion of local skills.

³⁰ Dr Ammar Aouabdi, **Administrative Law: The Algerian Administrative System**, University Press, Algiers, 2021, p. 165.

³¹ See in this regard the provisions and powers relating to budget implementation in Articles **121 and 122** of Provincial Law 12-07, op. cit.

³² Dr Saïd Bouali, **A Concise Explanation of Provincial Law 12-07**, Dar Balmaria Publishing, Algiers, 2022, p. 143

³³ **Articles 105, 106, 107, 108 and 109** of Law No. 12-07 on the Province, op. cit.

The governor's role is not limited to the preparatory and executive aspects of deliberations, but extends—in accordance with Article 78—to informing the council of all sectoral and national activities and policies relevant to regional planning, given their direct implications for the provincial planning scheme. On the economic front, the governor's role complements that of the local council through the implementation of strategic priorities, namely:

- expressing views on development and contributing to the proposal and identification of business zones and industrial areas to be established and developed in line with contemporary national strategies³⁴
- Facilitating and localising mechanisms for economic property users to benefit from such property, in coordination with specialised national agencies, and providing them with administrative support to remove bureaucratic obstacles³⁵
- Stimulating and encouraging the flow of private investment and finding financing solutions in coordination with financial and banking funds and institutions
- Activating channels of partnership and consultation with economic operators, scientific research institutions and higher education establishments to create an innovative environment supportive of sustainable local investment³⁶

On this basis, the Wali—pursuant to Articles 88 to 91 of Law No. 12-07—shall—is responsible for implementing and monitoring initiatives relating to the development and maintenance of road networks, the classification of provincial roads, and the development of rural infrastructure. At the social and cultural levels, Articles 93, 94 and 95 translate this role into the Governor's commitment to municipal coordination programmes for the benefit of young people, the completion of major health facilities, and the implementation of mechanisms for the protection of public health and the control of epidemics and pests.

Second: The powers of the governor as a representative of the state and a delegate of the government

Article 110 of Provincial Law 12-07 enshrines the sovereign nature of the governor's office by explicitly stating that: "The governor is the representative of the State at the provincial level and is the government's delegate; and, by virtue of this position, the governor is the principal authorising officer for non-centralised infrastructure programmes funded from the state budget and directed towards the province's territory (³⁷). The governor's developmental role is evident in his management and on-the-ground implementation of three main levels of strategic plans and programmes:

- **a) The Provincial Spatial Development Plan (WAAT):** This serves as the reference document and legal framework for the spatial and economic planning of the province, aiming

³⁴ **Article 81** of Law No. 12-07 on the Province, *op. cit.*

³⁵ See the new coordination between the governor and real estate agencies in: **Law No. 23-17** of 15 November 2023 on the conditions and granting of economic property belonging to the State's private assets for the implementation of investment projects, *Official Gazette*, No. 73, 2023.

³⁶ **Article 83** of Law No. 12-07 on the province, *op. cit.*

³⁷ Dr Mohamed El-Saghir Baali, **Public Finance Law and Local Tax Legislation**, Dar Al-Ouloum for Publishing and Distribution, Algiers, 2020, p. 94.

to organise infrastructure and develop inter-municipal areas. The governor initiates its preparation and submits it to the Provincial People's Council for approval³⁸

- **B. Municipal Development Plans (PCD):** These plans are the closest expression of the decentralisation philosophy and aim to meet citizens' basic needs (water, sanitation, roads). These programmes are financially registered in the name of the governor in his capacity as the supervisory and allocating authority, whilst their implementation is entrusted to the presidents of the municipal people's councils under his technical and financial supervision³⁹

- **C. Sectoral Development Programmes and Plans (PSD):** These are programmes with a central sectoral focus, funded from the general state budget and encompassing major strategic investments and infrastructure. They are registered in the name of the governor, who oversees and monitors their implementation on the ground, whilst managing their financial resources in coordination with the relevant ministerial sectors.⁴⁰

As for historical development approaches relating to regional balance, the governor has managed a range of special funds and programmes aimed at addressing regional disparities and correcting structural imbalances across the country's regions, which have served as a reference for the dynamics of local intervention. Among the most notable are: the "Economic Recovery Support Programme" and the "Southern Fund Programme", established under the 1998 Finance Act to address the infrastructure deficit in the Greater South (⁴¹), **in addition to the "High Plateau Development Fund" established in 2004, and the "Rural Renewal Programme" (2007–2013), which aims to stabilise the population, promote agricultural activity, maintain agricultural control and development, and address natural disasters**⁴²

In this sense, the governor acts as the organisational and intermediary link between local deliberative bodies (elected councils) and central political authority; For to the extent that he understands the specificities of his region and maintains a presence on the ground, he conveys development realities transparently and objectively to decision-makers; whereas his absence from the field leads to a distortion of facts and administrative reports, which negatively impacts the effectiveness of development policies and their benefits for citizens.

Third: The developmental role of the governor in the context of participatory democracy

The participatory approach is defined administratively as the involvement of all socio-economic and cultural actors in the formulation, drafting and structuring of local development policies, in order to achieve a strategy of public mobilisation and the consolidation of local democracy,⁴³ **The legislator has recognised this mechanism in the text of Article 1 of the**

³⁸ For sustainable development plans, see: **Law No. 01-20** of 12 December 2001 on regional planning and sustainable development, Official Gazette, No. 77, in particular Article 15 thereof.

³⁹ Dr Khaled Khalil, **Municipal Development Plans (PCD) as a Tool for Administrative Decentralisation**, Dar al-Huda, Ain M'lila, Algeria, 2021, p. 72.

⁴⁰ Dr Hussein Mostafa, **Sectoral Policies and Programmes (PSD) and Their Impact on Regional Balance in Algeria**, University Publications Office, Algiers, 2023, p. 108.

⁴¹ See the system of special funds: Executive Decree No. 2000-242 of 16 August 2000 establishing the financing system for the Special Fund for the Development of the Southern Regions, Official Gazette, No. 49, 2000.

⁴² Dr Boualam Tawahriya, **The Dynamics of Agricultural Investment and Rural Renewal in Algeria**, Dar Klik Publishing, Algiers, 2022, p. 119.

⁴³ Dr Al-Rashid Khaloufi, **The Law on Participatory Governance and Local Democracy**, University Publications Office, Algiers, 2019, p. 88.

Provincial Law, which establishes this regional sphere as a forum for implementing public policies based on dialogue and consultation with the community, embodying the motto ‘by the people, for the people’. The role of the governor in implementing the participatory approach is articulated across four levels:

1- **The governor and state institutions:** as the guardian of legislation and the government’s representative, the governor ensures the harmonisation of local development priorities with the state’s major strategic directions, thereby guaranteeing the unity of the legal and political system and achieving institutional stability.

2- **The governor and the promotion of civic engagement and bottom-up planning:** The governor’s role extends beyond traditional logistical and material oversight of infrastructure to include fostering a general climate that promotes a sense of civic responsibility and active participation in the formulation of local development plans, This participatory approach is based on activating channels of dialogue and positive negotiation between local actors and the official administration, to adopt ‘bottom-up planning’ (Bottom-up Planning) that starts at the grassroots level (municipalities, towns and villages) and extends up to the governorate, thereby providing decision-makers with accurate data that reflects the genuine aspirations of communities and increases rates of sustainable development⁴⁴

3- **The Governor and Local Administrative Units:** Given limited resources and fluctuations in funding structures, the governor acts as the financial and investment driving force for sectoral projects funded by the Treasury; he exercises oversight and field monitoring, and delegates executive directors to conclude public deals and contracts to ensure the lawful handover of facilities within the stipulated deadlines⁴⁵

4- **The Wali, the associative movement and civil society:** The Wali faces a complex local reality where human and social structures intersect, which requires managerial competence, flexibility and positive impartiality. His role is manifested in supporting civil society by channelling public aid and grants to ensure its financial sustainability, establishing the foundations for regular and structured dialogue with associations, and addressing citizens’ genuine concerns with complete flexibility, thereby neutralising self-serving and exploitative groups within society⁴⁶

5- **The Wali and Partnership with the Private Sector:** Development does not stop at public investment, but extends to encouraging private capital and developing the small and medium-sized industrial fabric across villages and hamlets (which historically resembled Local Economic Production Units (EPLs) and local public enterprises).

The governor currently contributes to creating an attractive investment climate, and by providing support in the preparation and structuring of industrial, tourism and commercial property contracts, whilst keeping investors informed of the region’s needs. This is achieved through strict measures to combat property speculation and the diversion of commercial

⁴⁴ Dr Abdelhamid Abdelmutilib, **Bottom-up Planning and Local Development Strategies**, Dar al-Nahda al-Arabiya, Cairo/Algeria, 2018, p. 154.

⁴⁵ Dr Ammar Aouabdi, **Public Procurement Law and Public Service Delegations in Algeria**, University Press, Algiers, 2022, p. 210.

⁴⁶ Dr Nasser Labad, **Administrative Law: Administrative Activity and Civil Society**, Jitali Publishing and Distribution, Algiers, 2021, p. 134.

property from its developmental purposes, by organising seminars and exhibitions to align visions and drive the engine of sustainable development ⁴⁷

Conclusion:

This study is based on an analytical and foundational approach to the structures and institutions of the wilaya within the Algerian administrative system, with a focus on the architecture and nature of the developmental role entrusted to the wilaya governor as a pivotal actor in realising the features of sustainable local development. In light of the central issue and the research themes adopted, this study has formulated a set of theoretical and field-based findings and conclusions, followed by a presentation of a series of proposals and recommendations designed to improve and enhance the administrative and legislative performance of the governorate officials.

First: Findings

- The study demonstrated a direct, interactive and close relationship between the leadership characteristics, technical skills and institutional integrity of the governor, and the indicators of success of local development plans; this makes the governor's administrative competence a fundamental criterion for the region's progress or backwardness.
- The governor's ability to identify the genuine needs of the local community and to understand its internal environment and socio-cultural components constitutes the fundamental guarantee for the region's transition from the burden of stagnation and haphazard growth to the prospects of structured and sustainable development.
- The study revealed that the local administrative environment requires greater autonomy and scope for initiative for the benefit of the governorate administration, by freeing their development decisions from the constraints of excessive subordination to the central government and the bureaucracy of strict supervisory oversight, thereby ensuring the acceleration of on-the-ground achievements.
- Development success requires the governor to commit to analysing and learning from the lessons of past management failures in the same region, whether drawn from his own experience or that of his predecessors; this is to capitalise on gains and avoid repeating structural imbalances.
- The burden of local development in Algeria does not fall on the governor alone, but requires the activation of channels of 'participatory democracy' to support and assist various local actors—including elected councils, civil society and the private sector—in order to build bottom-up development plans based on solidarity and the pooling of collective efforts.

Second: Recommendations

Based on the findings, we propose a set of recommendations aimed at enhancing the developmental roles of the wali in Algeria:

1. Calling for the enactment of a basic law specific to the office of the governor that precisely defines the scope of their duties, enhances their scope for action and initiative, and

⁴⁷ Dr Hani Suleiman, **Public-Private Partnerships and Local Investment Governance**, Dar al-Jami'ah al-Jadida, Alexandria/Algeria, 2024, p. 192.

provides them with the necessary legal protection to take bold development decisions, within the framework of the state's general policy.

2. The need to expedite the enactment of a new provincial law that accommodates current economic transformations, and redefines and refines the governor's developmental and economic powers in line with the requirements of modern decentralisation and the removal of bureaucratic obstacles to investment and local production.

3. Raising the bar for the objective criteria required to hold this sovereign office by stipulating high levels of university education and academic qualifications, alongside specific practical experience in strategic management, financial engineering and the economic management of projects.

4. Adopting regular, specialised and compulsory training programmes for governors, in coordination with leading national higher education institutions and international organisations, to familiarise them with the latest techniques in 'local governance', regional crisis management and the management of public procurement.

5. Work towards gradually reducing the extent of the administrative and financial control imposed by central authorities on local development matters, and grant the governor the authority to act and exercise independent judgement based on the bottom-up vision adopted by his local council.

6. Establishing direct channels of communication between the governor and citizens by organising regular, open meetings and seminars involving various actors from the voluntary sector and civil society, to ensure that residents' concerns are listened to attentively and translated into tangible development projects on the ground.

List of sources and references

First: Sources

1- Constitutions:

1. **The Constitutional Amendment of 2020**, issued by Presidential Decree No. 20-442 dated 30 December 2020, containing the publication of the text of the constitutional amendment in the Official Gazette, Official Gazette of the Republic of Algeria, Issue No. 82, published on 30 December 2020.

2- Laws and Orders:

1. **Decree No. 69-38** dated 23 May 1969 containing the Law on the Province (repealed), Official Gazette of the Republic of Algeria, No. 44, published on 23 May 1969.

2. **Law No. 90-09** of 7 April 1990 containing the Provincial Law (repealed), Official Gazette of the Republic of Algeria, No. 15, published on 11 April 1990.

3. **Law No. 01-20** of 12 December 2001 on regional planning and sustainable development, Official Gazette of the Republic of Algeria, No. 77, published on 15 December 2001.

4. **Law No. 03-01** of 17 February 2003 on the sustainable development of tourism, Official Gazette of the Republic of Algeria, No. 11, published on 19 February 2003.

5. **Law No. 12-07** of 21 February 2012 on the province, Official Gazette of the Republic of Algeria, No. 12, published on 29 February 2012.

6. **Law No. 19-12** of 11 December 2019, amending and supplementing Law No. 84-09 on the territorial organisation of the country, Official Gazette of the Republic of Algeria, No. 78, published on 18 December 2019.
 7. **Decree No. 21-01** of 10 March 2021, containing the Organic Law on the Electoral System, Official Gazette of the Algerian Republic, No. 17, published on 11 March 2021.
 8. **Law No. 23-17** of 15 November 2023 on the conditions for and granting of economic property belonging to the State's private assets for the implementation of investment projects, Official Gazette of the Republic of Algeria, No. 73, published on 22 November 2023.
- 3- Presidential and Executive Decrees:**
1. **Presidential Decree No. 99-239** of 30 October 1999 defining the appointment powers of the President of the Republic, Official Gazette of the Republic of Algeria, No. 77, published on 31 October 1999.
 2. **Presidential Decree No. 99-240** of 30 October 1999 concerning appointments to civil and military posts in the State, Official Gazette of the Republic of Algeria, No. 77, published on 31 October 1999.
 3. **Executive Decree No. 90-226** of 25 July 1990 defining the rights and duties of civil servants holding senior positions in the State, Official Gazette of the Republic of Algeria, No. 31, published on 25 July 1990.
 4. **Executive Decree No. 90-230** of 25 July 1990 laying down the provisions of the Organic Law on senior posts in local administration, Official Gazette of the Algerian Republic, No. 31, published on 25 July 1990.
 5. **Executive Decree No. 2000-242** of 16 August 2000 establishing the financing system for the Fund for the Development of the Southern Regions, Official Gazette of the Republic of Algeria, No. 49, published on 20 August 2000.

Second: References

1- Publications:

1. **Dr Boualam Tawahriya**, *The Economics of Local Development: Principles and Applications in Algeria*, Dar Klik Publishing, Algiers, 2023.0020
2. **Dr Boualam Tawahriya**, *The Dynamics of Agricultural Investment and Rural Renewal in Algeria*, Dar Klik Publishing, Algiers, 2022.
3. **Dr Khaled Khalil**, *Municipal Development Plans (PCD) as a Tool for Administrative Decentralisation*, Dar Al-Huda, Ain M'lila, Algeria, 2021.
4. **Dr Hussein Mustafa**, *Sectoral Policies and Programmes (PSD) and Their Impact on Regional Balance in Algeria*, University Press, Algiers, 2023.
5. **Dr Rachid Kheloufi**, *Algerian Administrative Organisation Law*, University Press, Algiers, 2018.
6. **Dr Rachid Kheloufi**, *Public Services Law and Participatory Governance*, University Press, Algiers, 2019.
7. **Dr Rachid Kheloufi**, *The Law on Participatory Administration and Local Democracy*, University Press, Algiers, 2019.

8. **Dr Saïd Bouali**, *The Legal and Institutional Management of the Tourism Sector in Algeria in the Context of Sustainable Development*, Dar Balmaria Publishing House, Algiers, 2023.
9. **Dr Saïd Bouali**, *A Concise Explanation of Provincial Law 12-07*, Dar Balmaria Publishing, Algiers, 2022.
10. **Dr Suhail Hussein Al-Fetlawi**, *Local Administration and its Contemporary Applications (Regional and Local Development)*, Dar Al-Thaqafa for Publishing and Distribution, Amman, 1st ed., 2020.
11. **Dr Abdulhamid Abdulmuttalib**, *Local Development Strategies and the Governance of Local Communities*, Dar Al-Nahda Al-Arabiya, Cairo, 2018.
12. **Dr Abdulhamid Abdulmuttalib**, *Bottom-up Planning and Local Development Strategies*, Dar al-Nahda al-Arabiya, Cairo/Algeria, 2018.
13. **Dr Ammar Aouabdi**, *Administrative Law (The Administrative System)*, University Publications Office, Algiers, Ben Aknoun, 2020.
14. **Dr Ammar Aouabdi**, *Administrative Law (The Algerian Administrative System)*, University Publications Office, Algiers, 2021.
15. **Dr Ammar Aouabdi**, *General Theory of Administrative Disputes in the Algerian Judicial System (Aspects of Regional Balance)*, Vol. 2, University Publications Office, Algiers, 2022.
16. **Dr Ammar Aouabdi**
17. **Dr Mohamed El-Saghir Baali**, *Administrative Law: Administrative Organisation*, Dar Al-Ouloum for Publishing and Distribution, Algiers, 2019.
18. **Dr Mohamed El-Saghir Baali**, *Public Finance Law and Local Tax Legislation*, Dar Al-Ouloum for Publishing and Distribution, Algiers, 2020.
19. **Dr. Masoud Chehoub**, *A Comprehensive Treatise on Administrative Law (Administrative Organisation)*, Vol. 1, Dar Houma, Algiers, 2021.
20. **Dr Nasser Labad**, *Administrative Law and Civil Society*, Jitali Publishing and Distribution, Algiers, 2021.
21. **Dr Hani Suleiman**, *Public-Private Partnerships and Local Investment Governance*, Dar Al-Jami'ah Al-Jadidah, Alexandria/Algeria, 2024.