The Office of Developing Industrial Agriculture in Desert Lands and Its Role in Enhancing Development in Algeria and Fostering

Its Partnership with African Countries by Virtue of the Executive Decree no. 20 – 265 in 2020; Descriptive Analytical Study

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Abstract

The study aimed to explore and investigate the organization and working mechanism of the office of developing industrial agriculture in desert lands and its role in fostering economic development in Algeria and boosting its partnership with African countries by virtue of the executive decree no. 20 – 265 in 2020. The study administered the descriptive analytical approach. A review of literature was conducted. The study came to the finding that despite the importance of office of developing industrial agriculture in promoting investment, it ought to be confirmed that only religious and hard working Muslims that are to be nominated for the office's jobs and the board's membership. The study recommended planning media campaigns to raise people's awareness of the importance of investing in the cultivation of desert lands as an approach to enhancing economic development in Algeria and fostering its partnership with African countries .

Keywords*: The Office of Developing Agriculture; the Algerian Law.*

Introduction

Undoubtedly farming lands are so important since they enhance food production and achieve food security [99]. They also provide raw materials necessary for food industries, ensure hard currency, foster exporting and secure job opportunities and thereby pushing forward the national economy cycle [100]. That's why the Algerian lawmaker has paid agricultural lands great attention demonstrated in passing a set of laws to protect them and regulate their investment [101]. The most remarkable legislative endeavor in this concern is calling to create the national office for developing industrial agriculture in desert lands by virtue of the executive decree no. 20 – 265 in 2020 so as to enhance investment in reclaiming desert lands [102].

In spite of the legislative and material facilities Algeria secure in order to enhance investment in the farming sector, the development of agriculture in desert lands is not as expected. Algeria is still depends greatly on imported foodstuff. This means that it is not able to fulfill food sufficiency in food production [103]. Thus, questions have been raised about the effectiveness of the administration of the national office for developing industrial agriculture in desert lands. Therefore, the current study will explore and investigate the organization and working mechanism of the national office for developing industrial agriculture and its responsibility in enhancing development in Algeria and reinforcing its partnership with African countries in light of the executive decree no. 20 – 265 in 2020 and assess how effective it is. These points are going to be tackled in further detail in the following

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([99]) Reda Bu Afia, 2017, p. 295 and Aeisha Hijab, 2018, p. 7.
([100]) Hafiza Atwi, 2019, p. 150 and Sufiyan But, 2021.p. 260.
([101]) Mohamed Harash, 2016, p. 164 and Ahmed Dahha and Es-Sa'eed Kilyowat, 2023. p. 317.
([102]) Jilali Belhaj, 2019, p. 260 and Lakhdar Allawi, and Jamal Bu-Shannafa, 2024, p. 2.
([103]) Yassine Le-Emari, 2017, p. 140, Sufiyan But, 2021.p. 260 and Nawal Jedali, 2022, p. 170.

two sections.

1. **The Board of the Office of Developing Industrial Agriculture**

According to the executive decree no. 20 – 265 in 2020, the office of developing industrial agriculture in desert lands consists of two main bodies: a board and a director general. Article twenty three of this executive decree states that: "The office shall be managed by a board and run by a general director assisted with a committee for experience and technical assessment and supplied with one window. Starting local offices in desert governorates is permissible. The internal law of the office shall be approved by virtue of a decision by the minister of agriculture'"[(104)]. In view of the previous article, the office of developing industrial agriculture in desert lands is formed from two basic parts:

- a board,
- a director general assisted with a technical committee and one window for facilitating the office works.

This section will focus on the board's organization and working mechanism in the coming lines.

1.1. The Organization of the Board of the Office of Developing Industrial Agriculture

Article twenty four of the executive decree no. 20 – 265 in 2020 sheds light on the format of the board of the office of developing industrial agriculture. It states that: "The board that's presided by the minister of agriculture or their representative shall consist of the following:

- The representative of the minister of national defense.
- The representative of the minister of interior, local communities and construction planning.
- The representative of the minister of finance.

([104]) Article twenty three of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

- The representative of the minister of energy.
- The representative of energy transfer and renewable energy.
- The representative of the minister of higher education and scientific research.
- The representative of the minister of industry.
- The representative of the minister of commerce.
- The representative of the minister of water resources.
- The representative of the minister of environment.
- The representative of the minister of startups.
- The director general of the Algerian judiciary agency.
- The director of land planning, organization and reclamation.
- The director of agricultural and rural development in the dry and semi-dry areas.
- The director general of the national office for agricultural lands.
- The director general of the national agency for water resources.
- The director general of the technical institute for developing desert agriculture.
- The governor of agriculture development in desert areas.

The office's director general shall attend the meetings as a consultant and they shall take charge of its secretariat. The office's board can seek assistance from any person that is useful for its works. The office's board shall approve its internal law'"[(105)].

In light of the above article, the board of the office of developing industrial agriculture consists of a head, eighteen members and the secretariat. The head of the board is the minister of agriculture or their representative. Since the office's main job is to enhance agriculture, so it is the minister of agriculture who is the appropriate person for this job. The board's eighteen members represent related ministries and authorities. Eleven members represent eleven different ministries.

([105]) Article twenty four of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

They are representatives of the ministries of national defense, interior, local communities and construction planning, finance, energy, energy transfer and renewable energy, higher education and scientific research, industry, commerce, water resources, environment and startups. The other seven members of the board are the director general of the Algerian judiciary agency, the director of land planning, organization and reclamation, the director of agricultural and rural development in the dry and semi-dry areas, the director general of the national office for agricultural lands, the director general of the national agency for water resources, the director general of the technical institute for developing desert agriculture and the governor of agriculture development in desert areas. The office's director general takes charge of the secretariat of the board. He is permitted to be present at the board's gatherings not as a member but as a consultant. The previous article also stresses that the board is allowed to seek help from any person experienced in its concerned fields. Once the board is formed, it is intended to authenticate its internal law.

The law makes a provision that the board's members who represent different ministries must be at the position of men of chief of a central administration or higher. Article twenty five of the executive decree no. 20 – 265 in 2020 states that: "It is necessary that the board's members representing the ministers at the rank of a central administration manager at least"[(106)]. The previous article makes it obligatory that the members of the board of the office of developing industrial agriculture who represent the mentioned ministries are at the rank of a director of a central administration. This is to ensure that they are well experienced in the fields related to the office's work.

Article twenty six of the executive decree no. 20 – 265 in

([106]) Article twenty five of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

2020 sheds light on the method and duration of the board's membership. It states that: "The board's members shall be nominated for three renewable years by virtue of a decision by the minister of agriculture on basis of a suggestion by the authority they belong to. In case that a member does not go on their term, another member shall be similarly nominated to complete this term'"[107]. According to the above mentioned article, the board's members of the office of developing industrial agricultural are not to be elected but nominated. This nomination must be done by way of a decision from the minister of agriculture and on a basis of a suggestion from the organization they have been working for. They are nominated for three-year-term. This term can be renewed. However, the law has not set a limit for this renewal. This means that it is open. Nevertheless, the law ought to have prescribed that to renew a term is conditioned on proving being religiously practicing, fair, righteous, committed, efficient, and hard working.

The previous text emphasizes that if a member's term discontinues for whatever reason, a new member shall replace him but provided that he is nominated the same was as his predecessor. The new member shall complete the late member's term not to start a new one.

1.2. The Working Mechanism of the Board of the Office of Developing Industrial Agriculture

The Algerian lawmaker determines certain working mechanism that the board of the office of developing industrial agriculture is to abide by. He tackles this point in articles twenty seven, twenty eight, thirty and thirty one of the executive decree no. 20 – 265 in 2020.

Article twenty seven of the executive decree no. 20 – 265 in 2020 spots light on the issues this board has to discuss. It states that:

([107]) Article twenty six of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

"According to the existing laws and regulations, the board deliberates on the following topics:

- The office's internal regulation and law.
- The programs of the office's yearly and multi-year activities.
- The office's budget proposal and expected loans.
- The yearly and multi-year programs of the office's investments, equipping, outfitting and expansion.
- The outputs,their accounts and suggestions.
- The work's yearly report as well as the reports of the accounts' officials.
- The report of last year's activity.
- The general provisions for concluding transactions, contracts, agreements and treaties.
- Group agreements and the general provisions of the office's servants' salaries.
- The list of experts whom the office seeks their assistance in the framework of the tasks of experience, technical assessment and related contracts.
- The ways of getting contribution from other organizations.
- Accepting grants and donations according to the existing laws and regulations.
- Property possession and rental.
- The regular report on the projects of agricultural investment.
- Any other question the director general raises for the improvement of the office's organization and running and realizing its goals'"[108].

In view of the above text, the board of the office of developing industrial agriculture is meant to talk about the following questions:

a. The internal regulation and law of the office of developing

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([108]) Article twenty seven of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

industrial agriculture.

b. The programs of the office activities.

c. The office's budget and loans.

d. The programs of the office's supplies and investments.

e. The office's outputs and accounts.

f. The reports of the officials' accounts.

g. The necessary requirements for making transactions, contracts, agreements and treaties.

h. The stipulations related to the salaries of the office's staff.

i. The experts the office is short of.

j. The methods of obtaining contribution from other organizations.

k. Grants and donations acceptance.

l. Property possession and letting.

m. The report of the projects of agricultural investment.

n. Any related issues.

Generally speaking, the board is intended to tackle every issue that can contribute to the fulfillment of the office's goals and the sound operation of its work.

As to the board's meetings, Article twenty eight of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture in desert lands shows how the board shall gather. It states that: "The board gathers in an ordinary session twice a year pursuant a call from its head. It can gather in an extraordinary session whenever necessary in compliance with the ways mentioned in the internal regulation "'[(109)]. According to the previous article, the head of the board of the office of developing industrial agriculture in desert lands shall call the board's members to ordinarily meet twice a year. It is also possible to gather extraordinarily if

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([109]) Article twenty eight of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

necessary.

It is the board's head that plans the agenda for every meeting. Article twenty nine of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture in desert lands states that: "The board's head lays out an agenda for every meeting on the basis of a suggestion from the office's director general. The notifications shall be attached with the agenda and its files and sent to every member.before the start of every session by fifteen (15) days. It is permissible to make this time shorter regarding the extraordinary sessions provided that it is not less than eight (8) days"'[(110)]. The previous text confirms that it is the responsibility of the head of the board to set the agenda related to every meeting but in light of what is suggested by the office's director general. The board's head is also responsible for sending notification of the agenda and pertinent documents to every member before every ordinary session by fifteen days and before every extraordinary session by eight days in order to give every member the opportunity to get ready for the coming meeting.

The Algerian lawmaker determines a given quorum for the board's meeting to be valid. Article thirty of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture in desert lands states that: "The board's deliberations shall not be approved unless half of its members, at least, have been present at its meetings. In case the quorum is not fulfilled, the board gathers by force of law in a time of eight (8) days and its deliberations shall be approved then whatever the number of present members is. The deliberations shall be decided by the simple majority of votes. In case the number of votes is equal, the head's vote shall give

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([110]) Article twenty nine of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

preponderance'"[111]. In light of this text, the smallest number of people needed to be present at the board's meeting before it can officially begin and before official decisions can be taken is half of the board's members at least. Nevertheless, if the quorum has not be met, the board meets by the force of law in eight days and the meeting shall be valid irrespective of the number of the attending members. The decisions of the board shall be made by virtue of the simple majority. That's the board's decision that shall be approved are those voted for by more than half of all votes cast. If the votes on a decision are equal, the party who gains the vote of the board's head shall be approved.

The Algerian lawmaker accentuates that the board's discussions are to be reported to the minister of agriculture and be into effect after a period of thirty days. Article thirty one of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture in desert lands states that: "The deliberations shall be written down in reports and registered in a private record that is numbered and flagged by the board's head. The meetings' reports shall be sent to the minister of agriculture in the fifteen (15) days following the meeting to be approved. These deliberations shall be enforceable after passing thirty (30) days from sending them to the concerned authority unless there is a plain objection from the minister of agriculture'"[112]. The above article reveals that the board's discussions must be noted in reports. These reports must be kept in a particular record. This record must be numbered and flagged by the board's head. Then, these reports are sent to the minister of agriculture in the fifteen days following the meeting to approve them. If there is no objection from the minister of agriculture, the board's decisions shall come into

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([111]) Article thirty of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

([112]) Article thirty of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

force after the thirty days following sending them to the concerned authority.

2. The Director General of the Office of Developing Industrial Agriculture

The Algerian lawmaker stresses that the office of developing industrial agriculture is to be headed by a director general. Article twenty three of the executive decree no. 20 developing industrial agriculture in desert lands states that: "The office shall be … run by a general director assisted with a committee for experience and technical assessment …"'[(113)]. According to the previous text, a director general is to run the office of developing industrial agriculture. A technical committee is created to help him do his work.

Article thirty two of the executive decree no. 20 developing industrial agriculture in desert lands reveals the way of occupying the office of the director general. It states that: "'The office's director general shall be nominated by virtue of a decree in conformity with the existing regulation on the ground of a suggestion from the minister of agriculture. He shall leave office the same way"[(114)]. The previous text intensifies that the director general of the office of developing industrial agriculture holds office by way of nomination not election. He is to be nominated on the grounds of a suggestion from the minister of agriculture. He leaves office the same way.

The director general is meant to do given jobs. Article thirty three of the executive decree no. 20 developing industrial agriculture in desert lands states that: "The office's director general shall carry out the

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([113]) Article twenty three of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

([114]) Article thirty two of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

directives and programs that the board determine. He takes charge of the office's administrative, technical and financial management and operation in compliance with the existing law and regulation. In this connection, he shall do the following:

- Representing the office in all works of civil life and in the court.

- Taking charge of the office's expenses and ordering to get them covered.

- Taking out loans in conformity with the existing legislation and regulation.

- Exercising peaceful authority over the office's staff and nominating in the positions that no other way of occupation is decided concerning them.

- Taking responsibility of the board's gatherings' preparation.

- Making the reports that shall be presented to the board to deliberate on and introducing them the concerned authority to get them approved.

- Making the proposal of the group treaty related to the employees.

- Making the schemes of the employees' recruitment and formation.

- Making the proposal of the office's estimated budget and implementing it.

- Making the yearly and multi year programs related to investments and activities.

- Making transactions, contracts, agreements and treaties in compliance with the existing law and regulation.

- Monitoring achieving the office's goals and carrying out the results of the board's deliberations that the concerned authority has approved.

- Suggesting the proposal of the office's internal law and regulation.

- Overseeing respect for the office's internal law.

- Making a report every three (3) months on the office's activities and sending it to the minister of agriculture.

- Suggesting the list of experts the office shall depend on in the framework of the tasks of experience, technical assessment and related contracts.

- Making a yearly report at the end of every fiscal year attached with the outcomes and tables of results' accounts and sending it to the minister of agriculture after the board has deliberated on them "[(115)].

In view of the above article, the director general of the office of developing industrial agriculture is to the following tasks:

a. Putting into practice the board's guidelines and programs.

b. Taking responsibility of the office's administrative, technical and financial management.

c. Acting on behalf of the office in civil and judicial affairs.

d. Taking charge of the office's spending and loaning.

e. Presiding the office's staff and recruiting employees.

f. Handling the board's gatherings and meeting.

g. Making deliberation reports and getting them approved.

h. Making treaties related to the employees.

i. Planning the schemes of the employees' recruitment and formation.

j. Drawing up the office's budget and putting it into effect.

([115]) Article thirty three of the executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.

k. Making investments and activities programs.

l. Making transactions, contracts, agreements and treaties pertinent to the office's work.

m. Overseeing fulfilling the office's goals and putting the board's thoughts into practice.

n. Making a proposal for the office's internal law and regulation.

o. Overseeing abidance by the office's internal law.

p. Specifying the experts the office needs for technical assessment and related jobs.

In brief, the director general of the office of developing industrial agriculture is intended to run the office as effectively as he can so that the targeted goals are met.

Conclusion

The study aimed to explore and investigate the formation of the office of developing industrial agriculture in desert lands and its role in enhancing economic development in Algeria and fostering its partnership with African countries according to the executive decree no. 20 – 265 in 2020. The study came to the following findings:

1. The Algerian office of developing industrial agriculture in desert lands consists of two main elements : a board and a director general assisted with a technical committee and one window for facilitating the office works.
2. The board of the office of developing industrial agriculture consists of a head, eighteen members and the secretariat. The head of the board is the minister of agriculture or their representative. The board's eighteen members represent related ministries and authorities. The office's director general takes charge of the secretariat of the board. The board is permitted to

seek assistance from experts in its concerned fields.

3. The board's members of the office of developing industrial agricultural are nominated by virtue of a decision from the minister of agriculture and on a basis of a suggestion from the organization they have been working for. They are nominated for three-year-term. This term can be renewed. However, the law has not set a limit for this renewal. This means that it is open. Nevertheless, the law ought to have prescribed that renewing a term is permissible only for those members who are religiously practicing, fair, righteous, committed, efficient, and hard working.

4. The office of developing industrial agriculture is run by a director general. He is nominated on the grounds of a suggestion from the minister of agriculture. The director general's main job is to put into practice the board's guidelines and programs and to take responsibility of the office's administrative, technical and financial management.

In view of the research results and in order to enhance economic development in Algeria and strengthening its partnership with other African countries, the study recommends the Algerian legislators, planners and decision makers of property sector to do the following;

1. Confirming that only religious and hard working Muslims that are to be nominated for the membership of the board of the office of developing industrial agriculture in Algeria.
2. Enhancing economic cooperation between Algeria and other Muslim countries to invest in the Algerian agricultural sector.
3. Ensuring financial, media and technical support for agricultural investors to explore foreign markets.

4. Encouraging agricultural investors to pay regular visits to international economic fairs, exhibitions, demos, displays and forums to enrich their experience in their given fields.

5. Fostering small and middle sized startups to invest in the cultivation of desert lands.

6. Making partnership treaties with Muslim countries to encourage investment in the agriculture of desert lands.

9. Securing further tax and customs facilities for investors in farming desert lands.

10. Planning media campaigns to draw the public attention to the importance of making investments in cultivating desert lands and its necessity for fulfilling food safety.

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- *The executive decree no. 20 – 265 in 2020 concerning creating the office of developing industrial agriculture in desert lands. See: the Algerian Official Gazette, issue 57, year 57, 27th September 2020.*