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**Maritime administration in Algeria: proposals to improve it**

Said Amrouche

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MARITIME ADMINISTRATION IN ALGERIA
PROPOSALS TO IMPROVE IT

by

Said AMROUCHE
ALGERIA

A paper submitted to the faculty of the World Maritime University in partial satisfaction of the requirements for the award of a

MASTER OF SCIENCE DEGREE

in

GENERAL MARITIME ADMINISTRATION

The contents of this paper reflect my own personal views and are not necessarily endorsed by the University.

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Secretary General for
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Limoges-France-

Date: 26 October 1990
Signature: [Signature]
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My English teachers, Inger Battista, Allison Howe, Clive COLE; and THERESA who corrected this work.
DEDICATION

A special dedication of this work to my wife and to my three children RYM, ASMA and MOHHTAR who have been deprived of the warmth of their father's company during the time spent at this University.

My deepest gratitude to Mr Rachid AKTOUF, ex. Wali of Chlef Wilaya, now Ambassador, from whom I worked many years and learnt many things.

My special thanks to Mr TIGHILT, Merchant Marine Directorate who gave me the opportunity of studying at W.M.U.

Malmö, October 1990-
ABREVIATIONS:

Wilaya: Prefecture-Governorate
Daira: Sub-Wilaya
Commune: Unit of the Wilaya
A.D.: Algerian Dinar
W.M.U: World Maritime University
I.M.O: International Maritime Organization
I.L.O: International Labor Organization
F.A.O: Food Agricultural Organization
MARAD: Maritime Administration
C.O.L.R.E.G: Convention on the International Regulations for Preventing Collisions at Sea, 1972
S.A.R: Search and Rescue
S.T.C.W: Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978
G.R.T: Gross Registration Tonnage
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INTRODUCTION
INTRODUCTION

This paper is devoted to the maritime reorganization including the administrative field in Algeria, so as to suggest the ways and means for its implementation. It not attempt to undertake an exhaustive analysis of the subject matter into discussion but to make some important recommendations. My intention in writing this paper is to consider with a prospective point of view the development of the maritime administration, especially at local level.

In writing this paper, I have made use of many sets of informations. The first of these is derived from the various courses and experience given by the resident Professors and the visiting Professors of the World Maritime University. In the second I have made use of the Job-Training in France at the Prefecture de la Region Poitou-Charentes and the field Training in West Germany especially at Port of Bremen and Bremerhaven and Hamburg-Port, in the United Kingdom at Aberdeen in Scotland and London, in Norway at Oslo and finally many places in Sweden. In the third way, I have made use of my own experience of 10 years achievement in my country as a Maritime Administrator in Oran-Wilaya, and lastly as Director of Transport, Industry and Energy de la Wilaya de Chlef.

The purpose of writing this paper is to implement the relevance of the present concept regarding administrative and maritime organization in my country. Administration is playing an important role in economic, politic and social activities. In this paper, the term territorial means Wilaya or administrative Division (District or Prefecture in other countries) which is governed by the national legislation, mainly the Wilaya and Communal Codes.
The term Region, also, means Wilaya and implies the space in the sense of human habitat and local administration.

The aim of this paper is to give the major aspects of maritime administration at a local level (Wilaya) from an administrative and managerial point of view. To be able to explain the present territorial and maritime administration, it is necessary to focus on the proposed issue for the future maritime administration one with its own provisions including legislation and organization one.

In this paper, the author will try to discuss the various aspects of general administration at a local level and a proposed draft in order to improve maritime administration within the Wilaya subject to national legislation under the conduct of the local authorities. The draft is made for consideration by the authorities involved in the field. In turn, it will certainly not provide all the answers about the present administrative questions. But, as a result of proposing aspects of the subject, I hope it will better assess the country in this complex organization which is maritime administration.

This paper will also analyse those problems, particularly at Wilaya level and, finally, make suggestions and proposals for establishment of a proper maritime administration to administer and manage the maritime affairs and fisheries effectively and efficiently. For this purpose, it is an absolute necessity to rationalize local maritime organization (Wilaya level), to modernize the local structure and to specialize personnel in order to ensure adequate management. It also appears that those authorities should place more emphasis on safety evaluation performed by the international environment, technology and the introduction of new political and economic reforms in the country.

The problems discussed in this paper are covered by possible solutions and recommendations. I have described the current economy and the present territorial and maritime activities in Algeria.
A diagnosis of the local activity (Wilaya level) was made. It should be better to formulate suggestions to improve the present situation by a suitable organization for the Algerian maritime administration. The purposes are to manage the coastal zone and to protect the integrity of the coastal environment and sources and finally to provide the legal instruments to control maritime activities. A number of conventions, applicable on a local level have been adopted to control and prevent the different forms of maritime pollution, i.e., MARPOL.

Regarding the maritime field in the country, under this proposed structure, the main activities within this organization will be primarily explained. A schematic description is also prepared. Therefore, attention and importance are focused in this paper. I carried out research supporting the approach of the subject of this paper, however, taking into consideration the actual new political and economic reforms expected to change the face of the country. The approach and methodology given by my courses Professor Mr. MLYNARCZYK and Mr. YVES BOIXEL, Lecturer, are adopted for the preparation of this paper. Between the original plan and the final paper, I received assistance and advice from those Professors. This paper has one general introduction and five chapters.

The general introduction deals with the background, the choice of the subject, purpose, work methodology and stages of content. The first chapter is devoted to Algeria's current economy. I outline some aspects of the national legislation, geography, location, demographic growth and the presentation of the maritime sector and international conventions ratified by the Government.

Chapter II examines the present territorial and maritime organization at a local level (Wilaya) and the territorial administration framework including the functions of the main local authorities. It also analyses the present situation and identifying the problems relevant to the Wilaya level.
Chapter III deals with the possible ways to improve maritime legislation and gives some suggestions. It determines the importance for the future of maritime administration at a local level.

Chapter IV addresses a new proposition for maritime administration followed by a scheme opposite to the present structure.

Finally, the chapter V is devoted to a general conclusion consisting of practical suggestions.
Algeria possesses rich maritime history going back to the Phenicians, Carthage and in the beginning of the 16th Century to the period of the Ottoman Empire. Phenicians sailors established coastal settlements and after the 8th Century B.C, the territory was controlled by Carthage. Roman dominance dates from the fall of Carthage in 146 B.C. Completely annexed in A.D 46, the region, known as Numidia, became a center of Roman culture. The Roman influence gradually declined, especially after the Vandal invasion of 430-31, and after the fall of Rome in 476, it did not resume despite the Byzantine reconquest of Eastern Numidia in the 6th Century.

From the 7th Century onward, the region was known as Al Maghreb Al Awsat. The Arab conquest began in 637 and the inhabitants accepted and adopted Islam.

Spain conquered part of the coast in the early 16th and the people of the country asked the aid of Arroudj, known as Barbarossa, Ottoman sailor. He expelled the Spaniards from some of their coastal footholds (presidias ou forteresses) and conquered additional territory. The area of Barbarossa's control was extended by his brother Kherreddine who placed the Algerian territory under the suzerainty of Ottoman Sultan in Constantinople. At the end of the 18th Century, Algeria became increasingly independent of Constantinople.

During the Ottoman period, there was existence of shipping activities and maritime administration along the coastal state.

-5-
Ottoman rules were established in the maritime provinces, as known Beylicks, in the country. It was the ports like Algiers, Oran, Bejaia or Mostaganem which had fundamental importance for the country's maritime economy. The principal products handled by those ports was local grain exported to Constantinople and West European countries. The maritime administration and commercial ports were placed under the Ottoman administration until the French occupation in 1830. At this time, it had diplomatic and trade relations with many European countries, including France. But with the defeat of the Algerian fleet and the Ottoman fleet by European military coalition during 1815-16 and with the growing European interest in acquiring overseas colonies, Algeria was seen as a possible addition to either the British or the French Empire. In 1830, the French took over the principal ports and annexed the northern regions, and set-up a system of fortified posts. Thereafter, revolts (El Mokrni, Ouled Sidi Cheikh...) broke out from time to time. Al Djazair, as it was called in Arabic, became in French Algerie, a name that France applied to the territory for the first time in 1839. In 1848, northern Algeria, especially coastal area, was proclaimed and integral part of France and was organized into three provinces (Algiers, Oran and Constantine). The result is that the country were based on the French legislation. Algeria, as a colony, had played an increasing part in French exports.

During this period until 1962, the year of our Independence, ports maritime administration and ports played an important role and transports links were established with French industrial centers. The French maritime administration was est-up in Algeria at the beginning of 1848 and the colony was divided into three Maritime Circonscriptions or Maritime Quarters situated along the coastal area (Quartiers Maritimes).
As a Colony of French Empire (1848-1871) and thus French Republic until 1962, legislation, regulations, etc... biffiting the French interest were adopted from the Metropole, France. To have regulatory measures in Algeria's maritime sector, the French Colonial Administrators adopted many laws. The most important were the Decret Cremieux, Loi Warnier, Senatus Consult and Code de l'Indigenat in which the Algerian seamen were involved.

During the period following the Colonization, commercial and fishing ports and the established maritime administration were placed under the authority of the Administration of the Sea (Administration de la Mer) largely military, ruled by French legislation.

This was the essence of the maritime administration in Algeria until the Independence in 1962.
Algeria is located midway along the Mediterranean littoral in the Maghreb Region of North Africa and extends into the heart of the Sahara. It is the second largest country in Africa with an area of 2,381,741 Sq Km (919,592 Sq Miles) extending 2,314 Km (1,500 Mi) East to West and 2,092 Km (1,300 Mi) North to South. The total length of the Mediterranean coastline is 1,104 Km (596 Miles). The Mediterranean Sea separates the country from Europe while in the South the Sahara links it to Africa.

History, language, customs and the Islam Religion (sunnite rite) make it an integrated part of the Arab World. Algeria's struggle for liberation from 1954 to 1962 has gained it a significant place within the Third World while the international as well as the external choices that the political regimes have placed on it among the range of socialist countries.

Algeria was admitted to the United Nations on 8 October and is a member of E.C.A and all the non-regional specialized agencies except I.F.C. Algeria also participates in the African Development Bank, Group 77, League of Arab States, Organization African Unity and OPEC. The nation is a signatory of the Law of the Sea and a de facto adherent of GATT.

However, the problems that confront the country among them the economic crisis, health, housing, education, are contained within the framework of a new concept of the country's administration. Since 1989, Algeria had a new Constitution and new multiparty ages to dispose organization and appropriate national institutions to build a modern state. While agriculture, in the main, will continue to be the dominant activity, Algeria's industry, above all the petroleum industry from prospecting and refining, continue to expand.
Geographically speaking, the morphology of Algeria can be divided into three main parts:

a) In the North, between the Mediterranean coast and the Sahara Atlas, lies the Tell and the Steppe zones about 380,000 Km².

b) The Highest Plateaux, plains that form a depression between the Tell and the Sahara Atlas.

c) The Algerian Sahara which covers 2,071,990 Sq Km (800,000 miles) over 85% of the land area and is one of the driest, hottest and most arid region on earth.

Vegetation is conditioned by the climate and precipitation. The vegetation pertaining to the forest about 3.5 million hectares occupies the massif of mountains (Aures, Djurdjura, Ouarsenis, monts of Tlemcen...). The climate of Northern Algeria is Mediterranean with hot, dry summers and mild, wet winters. Typical winter temperatures range from 10°C to 12°C and in summer from 25°C to 35°C. In the South, the Sahara has a true desert climate with temperatures going up to 50°C on most days in summer. Precipitation is largely dependent on the surface. The main precipitation is some 100 M in the mountains (Atlas, Tell, Atlas Sahara) and it exceeds 100 mm, while in the plains (Mitidja, Chlef, Bounoussa) it drops to 80-100 mm.
In 1990, the population of Algeria is estimated at 24 million. The estimated population in the year 2000 is 35 million. The annual rate of population growth is 3.2%. The population is concentrated in the arable areas accounts for 50% of inhabitants. The average density is estimated at 9 persons per Sq Km. In 1990, nearly 70% of the population lives in urban areas compared with 38% in 1966. Migration to the cities has become a permanent demographic phenomenon causing massive dislocation of rural life and housing and employment problems in the cities. The annual growth rate of the urban population is 5.4%.

In 1962, the year of Independence, there was rapid urbanization of all the large coastal cities like Algiers or Oran which have doubled in less than 20 years. The distribution of the population is uneven both due to conditions and historical factors and also owing to contemporary economic relations arising from the beginning of the development of industry in the 1970s and the emergence of large urban agglomerations. The majority of towns perform complex functions, but some certain functions predominate. For instance, the capital Algiers is a large centre of scientific and cultural institutions.
Following the Independence, Algeria adopted an economic policy favoring a socialist organization of society. The new developmental guidelines were contained in the Charte d'Alger, issued by an FLN Congress in April 1964. The basis of Algerian policy was self-management of farms, industry and commercial enterprises. Under this system, the workers themselves were responsible for management, while ownership of the property was maintained by the state.

During this period, the first constitution adopted by Parliament on August 28, 1963 and approved by referendum on September 8, 1963, instituted a presidential type of regime modified by the responsibility of the head of the state to the National Assembly. There was a single Party, the Front de Liberation National (FLN) which played a predominant role.

Since its creation in June 19, 1965, the Revolutionary Council has been the supreme organ of FLN as well the government. In 1970, an Economic and Social Council was established including representatives for all segments of the nation. The first elections to the Popular Communal Assembly were held on February 5, 1967 and the Assembly of the Wilaya held on May 25, 1965. Elections to the National Assembly and the higher organs of the State were scheduled to be held in the 1970s after the 1976 second Constitution. The basis of the Constitution of 1976 ratified in 1977 and modified in 1979. The Constitution, also known as the National Charter established Algeria as a socialist, democratic and popular republic and the FLN was recognized as the nation's sole political party. The Executive Power was vested in the President of the Republic as the Chief Executive.
The Constitution of 1976, as subsequently amended provides for a strong Executive headed by a President who is nominated as the sole candidate by the FLN Congress and elected by universal adult suffrage for a five year term. The President appoints the Prime Minister and Cabinet Ministers by the Political Bureau of the FLN's Central Committee. The legislative body is the National Assembly represented by the militants of the single Party, FLN.

The new Constitution was adopted by the nation on February 28, 1989 in a large referendum. This Constitution preserves the prerogatives of Parliament (Popular National Assembly) and defines the new government concept. The important changes are:

-1- There is a constitutional multi-party democracy in which more than twenty legal parties agree to create opposition to the FLN in power in Algeria since 1962. A new political change resulted from a socialist system of multi-parties and separated powers.

-2- The President of the Republic appoints the Prime Minister who appoints the Ministers, members of the Government. The Prime Minister is responsible to the Parliament which has the right to dismiss the Government.

-3- The new Constitution determines the relationships between the Government, the National Popular Assembly, the new parties and the citizen's rights. It separates the three functions: Executive, Legislative and Judicial powers.

The Executive power is headed by the President of the Republic assisted by a Prime Minister. The Legislative power (National Popular Assembly) consists of Deputies elected for five years. The Judicial power involves defending the fundamental rights in the State.
According to provisional estimates, Algeria's GDP in current market prices in 1986 totaled AD 240 billion. Per capita in 1985 was about 2,100 Dollars. Contribution to the GDP were the hydrocarbon sector, 29%; Construction and public work, 16%; Trade, 14%; Manufacturing 13%; Agriculture, 8%; And other sectors, 20%. Remittances from overseas workers totaled estimated $313 million in 1985.

Since Independence, the major sectors of the economy have been taken over, reorganized and managed by state enterprises. The government controls all internal transport, domestic wholesale, foreign trade, etc... The economy, based on hydrocarbons, is dominated by the public sector. The government carried out a policy of centralized planning which ran from 1970. The current plan was promulgated after a gap from 1978 to 1980, when the government undertook a major reassessment of the previous plans, and of the future. The 1980-1984 plan aimed at encouraging smaller industrial units and the private sector.

The government initiated a shift in emphasis from heavy industry along the Northern coastal strip and toward conservation of hydrocarbons reserves and the decentralization of industry. There was considerable investment in light industry, as a result of which national production (excluding hydrocarbons) rose by 9.7% annually. Algeria has been able to gain control over both its natural resources and its development. Now, the State controls about 90% of industry and 70% of the work force.
After 1986, with the economic crisis, the government's new economic policy is aimed at encouraging the private sector in industrial projects with private capital and participating as defined by the Investment-Law amended, in the development of the country. Because of the heavy dependence on oil revenues (90%), the government has decided on ambitious reforms to expand and diversify agriculture and the industrial base.

-6-3-External trade-

According to the Africa Research Bulletin 1989, the development of external trade between 1984 to 1989 is as follows (in billion Dalg):

<table>
<thead>
<tr>
<th>Year</th>
<th>Import of goods</th>
<th>Import of services</th>
<th>TOTAL IMPORTS</th>
<th>Export of hydrocarbons</th>
<th>Export of other goods</th>
<th>Export of services</th>
<th>TOTAL OF EXPORTS</th>
<th>GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984</td>
<td>50,2</td>
<td>10,8</td>
<td>61,0</td>
<td>63,6</td>
<td>2,0</td>
<td>2,9</td>
<td>68,5</td>
<td>227,6</td>
</tr>
<tr>
<td>1989</td>
<td>69,1</td>
<td>13,02</td>
<td>82,1</td>
<td>75,5</td>
<td>5,0</td>
<td>6,0</td>
<td>88,5</td>
<td>313,5</td>
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</tbody>
</table>

annual growth

6,6%
6,1%
4,0%
20,1%
17,7%
5,3%
6,6%

-6-4-Comments-

Petroleum constituted about 75% of exports. Of the imports, food constituted 21%. Algeria's main customers are France, West Germany, The United States, Italy and the Eastern European countries. About two thirds of Algeria's foreign trade is with the European Community. The suppliers are also the same.
With its important reserves of oil, natural gas, iron and other resources, Algeria has industrial potentiality. Basic industry has been created in the coastal region, but industrialization began since the 1970s until now by launched development national programs. However, the economic support of Algeria consists in the exploitation and exportation of its natural resources.

Regarding agriculture, its development is limited by climatic conditions. It is also the consequence of the policy of the Agrarian Revolution following the period from 1972 to 1980. The actual and new government wants to reduce dependence on food imports (now nearly 60%). It plans to increase output and reduce dependence on imports by a series of measures including investing in new technology and financial incentives for public and private sector farms to buy equipment.

However, despite considerable efforts, Algeria remains overwhelmingly dependent on foreign food supplies from abroad.

In my opinion, a more comprehensive strategy should be formulated so that full consideration should be given to the inter-relations between industrial and agricultural development to create the independence of agriculture and the food processing industry.
After the nationalization of natural resources in 1971 and the first oil crisis in 1973, Algeria realized the importance of having its own national fleet for transportations goods as well as gas and petroleum. The Compagnie National Algerienne de Navigation (CNAN) and Office National des Ports (ONP), created both in mid-60s, received governmental assistance to acquire fleet and modernize equipment.

Actually, about 90% of the global volume of Algerian foreign trade is carried out by sea. The present participation by the national flag in this total volume is nearly 60%. In this context, the maritime ports play a considerable role in the Algerian economy. The ports handle more than 80% of imports and exports. Many industrial enterprises are concentrated in the immediate area of the capital, Algiers which is the most important maritime and commercial port in Algeria.

The main ports are Algiers, Oran and Annaba, but there are a number of other important and specialized ports including Bejaia, Jijelly, Ghazaouet, Skikda, Mostaganem and the new port of Djenjen in Eastern Algeria: In 1984, these ports loaded nearly 45 million tons of cargo and off loaded 14 million tons.

Petroleum and liquified gas are exported through the ports of Arzew, Bejaia and Skida. Algerian crude oil petroleum is also exported through the Tunisian port of la Skhirra.

**Shipping companies:**


- Societe Nationale du Transport Maritime des Hydrocarbures et des Produits Chimiques (SNTM-HYPROC): 18 ships - Established in Arzew El Djedid Port in 1982 - It is a national society operating in hydrocarbons transports and chemical products trade - Activities of shipowner, tug operator and shipping agent for tankers.
3-Societe Nationale por la Recherche, la Production, le Transport, la Transformation et la Commercialisation des Hydrocarbures (SONATRACH): 5 ships—Activities on bunkering of transportation. It is the State oil and gas enterprise.

4-Compagnie Algero-Lybienne de Transport Maritime (CALTRAM): 4 ships whom 2 enregistered in Libya—Activity of ship-owner. Shareholders are the Algerian and Lybian Governments. Services are weekly from West coast Italy to Lybia, Hamburg and Antwerp and range to Algerian ports.

Since 1967, there are bilateral accord between Algeria and France to give 50% to each country in maritime traffic. In 1988, French objections include claims of cargo carriage and monopolising of North Mediterranean by Algeria. The final accord renegotiated deals similar to the accord signed between Algeria and Italy. This accord observes the U.N guidelines on shipping trade allowing a 40% share each, with the remaining 20% allowed to third parties.

Since 1988, Algeria implemented a study group to examine all Algerian transport, surveying existing services and looking ahead to long terms plans. The result will enable the government to plan transport under the 1990-1994 development plan. However, Algeria continues its strategy aimed at alleviating country's dependence on single export hydrocarbons. In this case, the development of the merchant marine and the implementation of the maritime administration as a whole seem necessary.

8-Transports

In 1987, Algeria's nationally owned railway had about 3,900 Km (2,400 Miles) of track. The system consists principally of a main East-West line linked with the railway of Tunisia and Morocco and of line serving the mining regions of Algeria, like Bechar.
So, the railways had come to be responsible for two thirds of goods transportations in terms of volume. However, this kind of transport is actually insufficient to the needs hinterland and ports.

Regarding roads, in 1986, there were 78,420 Km which about 57% were paved.

During the Five Year Development Plan 1980-1984, investment spending should total AD 400 billion. Concerning transportation, the road network (AD 8 billion) will be extended, the commercial ports will be improved and new fishing ports (AD 2,7 billion) will be built, the aeroport facilities (AD 2 billion) will be upgraded, the railway network (AD 5 billion) extended and new transport equipment (AD 3 billion) will be purchased.
CHAPTER II:

TERRITORIAL AND MARITIME ORGANIZATION

IN ALGERIA
CHAPTER II

TERRITORIAL AND MARITIME ORGANIZATION

IN ALGERIA

-1-INTRODUCTION-

The basic territorial divisions decreed by the French in 1959 were maintained until 1969 with certain adjustments. The number of Departments remained at 15, while the number of arrondissements increased from 76 to 91 by mid-1964 to 669 by that January. In 1969, a Wilaya (Governorate) system replaced the Department. Each Wilaya has its own elected people’s Assembly, Executive Council and Governor (Wali). In December 1983, an administrative reorganization created 17 new Wilayas.

The Law n. 84-09, February 4th 1984 relating to territorial organization divides the country into 48 administrative divisions (Wilayas) and into 1534 Communes (Municipalities) or Popular Communal Assemblies (APC) and 360 Subdivisions called Daira. Among the 48 Wilayas, 14 of them are maritime Wilayas in direct contact with the Mediterranean Sea.

-2-DEFINITION AND ROLE OF THE WILAYA-

As defined by the Algerian legislation (Wilaya Code), the Wilaya is an organ or administrative structure relating to the territory of the State. There is a geographical area within which operates the legal representatives of the Government and other national organs, for instance national enterprises or the local communal administrations.

The Wilaya is also an intermediate local authority between the Central Government and the Commune. Normally, it represents the central decentralization of power by the creation of the Popular Assembly of the Wilaya (APW) which is elected by universal suffrage for a five year term.
Local organization or local government may also be defined as a public organization authorized to decide and administer a limited range of public policies within a relatively small territory which is a subdivision of the State. The local organization or Wilaya Administration is at the bottom of a pyramid of governmental institutions with the national government at the top and intermediate government occupying the middle range. Wilaya Administration acts on national jurisdiction and is not confined to the performance of one specific functions or services. Since the Independence, the particular style of local administration is that the Central Government places in territorial and administrative subdivisions (Wilaya level) of the nation an agent of the Government to oversee and if necessary to suspend or replace the local important body, the Wali or Chief Executive.

-3- ROLE OF THE WALI-

According to the national legislation, the Wilaya is governed by the Wali who represents the Central Power. He is the head of the Wilaya and the operating authority at local level. The Wali is nominated by Presidential Decree and is the sole and permanent representative of the central government as well as the local organization which is the Wilaya. The Wali is also subject to extremely close-control by the central government. As chief of the Wilaya, he presides over the implementation of the decisions of the Popular Assembly of the Wilaya (APW). As a high functionary in this area, the Wali is the delegate of the Government and the direct representative of each of its Ministers.

Since the Independence, the Wali is appointed by the President of the Republic after approval by the Council of the Ministers.
In Algeria, the tittle Wali is corresponding to a civil government of the Wilaya and opposed to the Mouhafedh which represented the unique political party, the FLN until 1989. In this context, the Wali has the duty to organize and manage the administration of the Wilaya including the local maritime administration in maritime Wilaya which is also organized and subject to national legislation.

-4-ROLE_OF_THE_POPULAR_ASSEMBLY_OF_THE_WILAYA-

According to the provisions of the Wilaya Code, the Popular Assembly of the Wilaya is elected for a term of five years. This Popular Assembly, normally meets four times in the year, but can hold an extraordinary session. Upon the request of the Wali and two third of the Assembly's members, the Popular Assembly of the Wilaya is particularly concerned with regional and important questions such as irrigation, transports, health measures or immediate environment. It is also concerned with such other matters as maritime environment along the coastal state, the study and promotion of regional economic development, such as building new fisheries ports in connection with the concerned Ministry, road construction, the establishment of new urban zones. Since 1990, according to the new Constitution promulgated in 1989, the Popular Assembly of the Wilaya is represented by agreed political tendencies at Wilaya level.

-5-ROLE_OF_THE_EXECUTIVE_COUNCIL_OF_THE_WILAYA-

The Executive Council of the Wilaya is the chief regional authority. It is composed of different Directors of the State services who are established in the Wilaya. The Wilaya is thus oriented to both regional and national level. Within the national Government, it participates in the development and application of the general development plan and assists in coordination in matters that concern the Wilaya.
The Executive Council of the Wilaya is established under the provisions of the Wilaya Code. It is concerned with all matters regarding the Wilaya as a whole. The concerned Ministry and the Ministry of Interior are responsible for appointing those local administrators. Their role is oriented according to regional or national projects. Under the authority of the Wali, and the decisions of the Popular Assembly of the Wilaya, the Executive Council exercises trusteeship and administrative control of the local collectives and public enterprises and also public societies.

The Executive Council of the Wilaya participates in the development plan and assists in coordination concerning the Wilaya, i.e. the maritime control activities along the coastal area, or maritime and fisheries administration.

It is responsible for financing, budgeting, education, employment, planning, fire service prevention and the major highways through its area. It is likely concerned by other services particularly in the field of public health, housing, and general administration. In some cases these local authorities are subject to inspection by ministerial bodies. With regard to the new political and economic reforms in the country, the Executive Council will be under the control of the Popular Assembly of the Wilaya and will play better control. The nature of the services provided by the present local administration is so complex for many years due to the negative bureaucracy. It was a closed system and becomes preoccupied to change.

-6-ROLE OF THE POPULAR COMMUNAL ASSEMBLY-

In Algeria, the basic unit of local government is the Commune of which there are some 1,600 and each Commune or Municipality called APC is governed by local legislative bodies directly elected by the citizens.
The Commune is typically a small community, although cities are also organized as communes, such as Algiers, Oran or Annaba. Most of the communes are rural. The commune is under the supervision of the Wali of the Wilaya and the immediate control of a sub-Wali called Chef de Daira of an Arrondissement (Daira) or sub-division of the Wilaya.

The local organization or Wilaya is divided into several communes which are defined by the law as territorial and administrative entities ruled by the Wilaya Code and Communal Code. Each Popular Communal Assembly is elected every four years by universal suffrage by the inhabitants of the locality. The Commune is governed by the Executive of the Popular Communal Assembly composed of a certain number of members of the elected citizens, varying according to the population of the locality. Governmental control over the activities of the Commune is restricted to legal coordination of the different communal activities.

Most of the maritime Wilayas are composed of maritime communes to which the maritime Code as well as the Wilaya Code and the Communal Code apply for instance for fisheries activities or pleasure ports.

--- ADMINISTRATIVE ORGANIZATION OF THE MARITIME WILAYA ---

The national legislation defines the Wilaya as the main body of the Government. Power derives directly from the Central level. Within each maritime Wilaya, there is an Executive Council represented by administrative divisions and services in which the maritime and fisheries activities are largely administered. These are represented, at local level, by the Transport Regional service and also the Agriculture Regional service. These services are under the authority of the Wali who is the legal representative of the Government.
Along the coastal area, there are 14 important maritime Wilayas like Algiers or Oran which operate extensive services to the public and have large national enterprises such as the Compagnie Nationale Algérienne de Navigation or other important societies and also ports authorities involved in the maritime field. The character of the maritime Wilaya is determined by a multiplicity of factors of the maritime field and also the local traditions.

-7-1-The Maritime Administration within the local organization (Wilaya level)-

Like many other developing countries, Algeria inherited its general and maritime administration from the French Colonization. During this colonial period, maritime administration has been organized as a Directorate called Administration of the Sea within the French General Governorat. Before Independence, the maritime administration was the same as in France. The Administration was subdivided into three Maritime Circonscriptions called Maritime Quarters in Algiers, Oran, Annaba and later in Bejaia. These Maritime Quarters were under the authority of Maritime Administrators (Chef de Quartiers Maritimes) appointed by the Ministry of Merchant Marine in France.

At local level, the maritime administration was divided into Principal and Secondary Maritime Stations under the responsibility of Maritime Syndics (Syndics des Gens de Mer) and Maritime Surveyors (Inspecteurs de la Navigation). Those maritime personnel played a great role at a local level in controlling fishing zones and periods and safety of navigation for fishing vessels, as well as the commercial vessels.

From the beginning of the year of Independence until 1973, Algeria maintained the same maritime administration and practically the same rules in order to continue to administer the maritime quarters due to the lack of human means and appropriate legislation.
Since 1973, there was more implementation in the maritime field resulting from the following statements:

1. Establishment of a National Service of the Coast Guard in order to bring some important controls and safety at sea,
2. Establishment of the Executive Council of the Wilaya under which the Directorate of Transports has in charge all kind of transports including the maritime affairs and fisheries, as well as inspections of ships and seamen's activity within the maritime Wilaya,
3. Expansion of the national fleet,
4. Promulgation of the maritime and fisheries Codes
5. Development of the maritime education and training by the opening of the Institut Superieur Maritime of Bou-Ismail,
6. Ratification of the most important I.M.O Conventions, i.e SOLAS 73-78 and MARPOL,
7. Implementation of social welfare for seafarers by a set up of Etablissement de protection Sociale des Gens de Mer.

The present set-up of Maritime Administration

Actually, the maritime administration, including shipping and industrial repairs is governed by one central authority within the Government which the Ministry of Transports which has the duty to manage, organize and administer over all maritime fields in the country. The Ministry of Transports is statutory concerned and competent for maritime administration at central level, as well at a local level, as a field of governmental activity. The role and functions are assigned to it by the national legislation (Deceet and Codes regarding the conduct of the Ministry of Transports). The present maritime administration whether at national level or local level is mainly under the Merchant Marine Directorate and the Port Directorate of the Ministry of Transport.
Their functions relate to the tasks of port management and all matters regarding the sea such as the administration of maritime services at the local level. Under this line of conduct, these two Directorates are competent of elaborating and proposing principles and rules in order to implement national maritime policy.

The present maritime administration is embodied within maritime and fisheries Codes promulgated in 1976. This is the framework of the maritime legislation in order to provide the legal national instruments to control and implement maritime activities at all levels.

-8-LEGAL COMPETENCY-

Organizationally, the external services of the Government are an integrated part of the Wilaya Administration. Since Independence, transport service activity is regarded as a complex and strategic system of transportation modes (Maritime, road, rail, civil aviation and meteorology as included into these modes). The transport modes play an important and predominant role in the economic life of the country. Concerning the maritime field, it takes the most important position for import and export goods.

The Ministry of Transport is involved in maritime administration at local level. The Merchant Marine Directorate and Port Directorate are the principal maritime administration assuming the responsibility, authority and exercising the functions assigned to the Ministry of Transports to the work of MARAD at any level. At a local level, the Ministry of Transport is represented by the Wali, territorially competent to administer maritime administration. In this sense, there exists in each maritime Wilaya one Transport Service Activity established to manage and administer all transport modes, including the local maritime administration. The Wali has the right to supervise and control the efficiency and the effectiveness of the MARAD and its legal interpretation.
CHAPTER III:

PROPOSALS FOR IMPROVING MARITIME ADMINISTRATION
IN ALGERIA
CHAPTER III

PROPOSALS FOR IMPROVING MARITIME ADMINISTRATION IN ALGERIA

-1-INTRODUCTION-

Like many other developing countries, Algeria has a maritime administration which is an important element within the national and economic activity, including the maritime sector. As already explained in chapter II, maritime administration is now playing a primordial role in the economic and social life of the country. Since the 1970s, the maritime sector increasingly developed maritime traffic, port activities, control and inspection of hydrocarbons by a new fleet of tankers to USA and Europe. For this reason, the Ministry of Transport was established to deal with those maritime activities in order to develop all transport modes in the country, especially the maritime field. The Government was expecting to considerably reduce our transport dependence vis-à-vis ship markets. The purpose was to acquire adequate and sufficient merchant fleet, particularly after the nationalization of hydrocarbons and mining resources of the country. It was also the consequence of the 1973 oil crisis.

The Ministry of Transport was also set up to improve maritime services at a local level included in Transport Directions within each maritime Wilaya. The maritime service within each Transport Direction is composed of maritime affairs, fisheries and all questions regarding the seafarers and the safety of life at sea. It is in charge promoting and strengthening national legislation, navigation facilities and the preservation of the marine environment.
Professor P.S Vanshiswar of the World Maritime University gives an appropriate definition of the establishment of the organization of maritime administration in developing countries dealing with this kind of administration: The object of maritime administration is to provide the government the machinery which would enable it to satisfactorily and efficiently undertake these functions which are embodied within the country's merchant shipping legislation (i.e., national maritime law). These functions would include the implementation of the requirements of international maritime conventions and national rules framed under the authority of the Merchant Shipping Act.

This adequate definition comprises all aspects of governmental activities in respect to merchant shipping, administrative and maritime organization. This definition determines the relationships between authorities involved in the field of all maritime activities. Under this consideration, the present situation of maritime administration in Algeria requires a strengthening of the structure of the actual organization.

Actually, despite the new political and economic reforms at the beginning of the year 1989, the restructuring of the government and governmental agencies has not yet strengthened local maritime administration. The main and urgent problems is to reorganize the present structure of maritime administration. The purpose is to assume better management and administration for the future considering the vital role in which that administration may take place and may play the economic and social life of the country. Taking into consideration this concept, it will be advantageous to the country's administration and national authorities shall adopt and promote a national maritime policy.
Any maritime Code derives from maritime law which is defined as a system of law concerning navigation and overseas commerce. In general, maritime law determines the relationships among nations. It covers the contracts, injuries and offences, cases of pollution, the parties involved, etc... but questions of war at sea, belligerency and neutrality are part of the international law proper.

In Algeria, like other countries of the United Nations, maritime legislation derives from international conventions ratified by the Government. The present maritime administration and legislation derives also from that as follows:

1. Existence of customs related to shipping and maritime administration,
2. I.M.O Conventions and other international rules and regulations accepted by the country.
3. Maritime Code came into force on the 23 October 1976,
4. Fishing Code came into force on the 23 October 1976,
5. Law relating to the Protection of the Environment came into force in 1984,
6. Other national rules...

They provide principles and objectives for the maritime administration and the maritime safety administration involved in the same field. In this connection, the maritime administration is the direct concern of the Ministry of Transport concerned with its application at all levels: Central, local, shipping companies, safety of life at sea for commercial and fishing vessels, etc...
In the case of maritime affairs within the Wilaya Administration, the Exterior Service of the Ministry of Transport called Transport Service applies principles and other rules contained within the maritime legislation. At a local level, the Director of Transport, acting under the authority of the Wali, has the duty to apply those regulations.

In order to reduce problems involved at a Wilaya level and give more authority to the local and legal maritime responsible, it seems necessary to globally review the present establishment of maritime administration. Why? Because, it has become no longer ideal and inefficient to the local maritime organization. Authorities, at a central level, should take into consideration the new realities of the country and the increasing technology and management in the world. The reasons for future changes are the following factors:

1. A large coastaline with 1,104 Km,
2. 14 important maritime Wilayas,
3. The importance of the shipping fleet (71 ships engaged in international voyages for about 1 million GRT and five shipping companies)
4. Relative importance of fishing fleet, about 600 fishing vessels,
5. Shipbuilding repair
6. The importance of the maritime population constituted by sea going personnel, fishermen and their families with a particular way of life,
7. The present political and economic changes in the country.
Territorially, the local maritime administration is the concern of each maritime Wilaya. Like other administrative wilayas, the maritime Wilaya constitutes also the organizational link between the central level and the Wilaya level. The legislation is mainly the Wilaya Code which defines the administrative life of the Wilaya, the Daira which is a subdivision of the Wilaya and finally the Commune. It determines the administrative relationships between the State and the citizens, rights and obligations to each party. Within the Commune, the local administration is also based on other important rules such as the Commune Code which concerns the economic and social life of this administrative unit.

Administration of the Wilaya is set up by the national legislation which provides principles and control such as described in this paper. The maritime Wilaya, in direct contact with the immediate proximity with the Mediterranean Sea, are naturally established as regard to the importance of the coastal area. In connection with other local and national services, such as the Service National of the Coast Guards, the maritime Wilaya exercises control over the defined coastal area and immediate environment.

Each maritime Wilaya is an area of specific potential. Some of them are areas of special interests like the Wilayas of Algiers, Oran or Annaba which confine their maritime and commercial activities, i.e. maritime fisheries, shipping companies, port authorities, or the local maritime administration.
<table>
<thead>
<tr>
<th>Maritime_Wilayas</th>
<th>Commercial ports</th>
<th>Main_fisheries ports</th>
<th>Pleasure_Ports</th>
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<tbody>
<tr>
<td>Algiers</td>
<td>Algiers</td>
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<td>Oran</td>
<td>Oran-Arzew</td>
<td>Oran-Arzew</td>
<td>Oran</td>
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<td>Annaba</td>
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<td>Skikda</td>
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<td>Chlef</td>
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<td>Tlemcen</td>
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<td>Tipaza</td>
<td>/</td>
<td>Bouharoun-Cherchell</td>
<td>Tipaza-Zeral-da-Sidi fer-ruch</td>
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<td>Boumerdes</td>
<td>Dellys</td>
<td>Tghzert</td>
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<td>Tizi-Ouzou</td>
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<td>Azzefoune</td>
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<td>Jijel</td>
<td>Jijel-Djenjen</td>
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The Algerian ports authorities was established in 1963 as a national agency for all ports of the country as a whole in order to administer and manage port activities. The existing ports are those inherited from the French Colonization. Their building was directly oriented to export of goods from Algeria to Europe.

Actually, the Algerian ports are ruled by the national legislation and international regulations. Situated in the main maritime Wilaya, they are under the existing Authonomeous Port and Management System with overall responsibilities such as pilotage, consignation, safe navigation of vessels, cargo handling, harbour authorities (Capitaineries) and tug operations. The maritime activities and maintenance are supervised by the Ministry of Transport, as well as the Ministry of Equipment created in 1989. Economically, port handling insure the most important traffic, import-export, traditionally with European Community and Mediterranean countries, heavily 80% between the Algerian ports and foreign ports.

In the lecture Port State Administration given by Professor Alderton of the World Maritime University, a port is a major interface between a country and the outside world and as such is a vital element in the national economy. A port cannot exist in a vaccum. It should be the focal point of a national transport system and rail with existence to an aeroport. It will attach industries and become an area of commercial and administrative creativity. According to this definition, we can said that our ports have important role that the ports can play, so they have geographical strategic location along the coastal state. However, with the development in the maritime transport in the world, and with the containerization, a good link between seaports and the hinterland should be very sustained.

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Geographically, our ports have lack infrastructure linking ports with the interland. Ports should become a link between the maritime transport and terrestrial transport.

Concerning the relationships between port administration and maritime administration at Wilaya level, the existing of those may be defined as, for instance, inspections or surveys on board ships when in ports. However, at central level, the Port Directorate of the Ministry of Transport is in direct contact with all Algerian ports in the maritime Wilayas.

-5-IMPLICATION_OF_THE_INTERNATIONAL_CONVENTIONS-

The International Maritime Organization, which Algeria is a party, is a specialized Agency of the United Nations. As defined, the principal objectives of this organization is to promote the development of international regulations which are necessary for safety and the prevention of pollution of a maritime environment. THOMAS A. MENSAH of the International Maritime Organization defines its legal work and the treaties which are ratified by States and implemented by them in accordance with their constitutional procedures. When a State ratifies a treaty it undertakes a legal obligation to apply the provisions of the treaty to relevant operations within its jurisdiction.

In accordance with the general recommendations of the International Maritime Organization, Algeria has ratified the most important international maritime conventions and their amendments. However, the implementation of the safety scheme remains insufficient over the maritime sector, such as described in chapter IV. There are certain consequences of ratification of the Conventions by the State as far as national legislation and executive practices are concerned.
A ratified International Convention involves the State in specific rights and other obligations. Consequently, it is necessary to ensure that the national legislation keeps faith with the requirements of the Conventions. In connection with those ratified IMO Conventions and the existing national legislation, it is necessary to identify the requirements in respect of maritime safety and the protection of the environment and to connect them with the established maritime administration at local level.

-I.M.O. Conventions to which Algeria is a party-
-and considered as the primary legislation in addition to the Algerian Maritime Code-

<table>
<thead>
<tr>
<th>I.M.O conventions Accepted</th>
<th>Date of entering into force</th>
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<tbody>
<tr>
<td>I.M.O Convention</td>
<td>31-10-1963</td>
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<tr>
<td>Oil Pollution 1954</td>
<td>31-01-1964</td>
</tr>
<tr>
<td>C.L.C 1969</td>
<td>14-06-1974</td>
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<td>P.U.N.D 1971</td>
<td>02-06-1975</td>
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<tr>
<td>C.O.L.R.E.G 1972</td>
<td>04-10-1976</td>
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<tr>
<td>Tonnage 1969</td>
<td>04-10-1976</td>
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<tr>
<td>Oil Pollution-Amendment 1971</td>
<td>04-10-1976</td>
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<tr>
<td>Load Line 1966</td>
<td>04-01-1977</td>
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<tr>
<td>T.M.S</td>
<td>18-07-1982</td>
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<td>S.O.L.A.S</td>
<td>03-11-1983</td>
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<tr>
<td>F.A.L 1965</td>
<td>21-11-1983</td>
</tr>
<tr>
<td>S.T.C.W</td>
<td>26-07-1988</td>
</tr>
</tbody>
</table>
Actually, the aim is the application and the implementation of these above ratified International Conventions and their recommended amendments over all maritime field and to incorporate those into the proposed up-dating of national maritime legislation. They are also to regulate the enforcement of those ratified conventions in order to improve maritime administration and safety of life at sea, health and the work environment.

Algeria is member of I.M.O since 1963, and the present maritime Code, promulgated in 1976, does not cover the new International Conventions ratified by the Government, for instance amendment MARPOL 73/78, STCW or INMARSAT.

-7-PREVENTION OF THE POLLUTION (LAND-SEA)-

Pollution is directly attributable to marine activities. The definition of marine pollution laid down at the United Nations Conference on the Law of the Sea (UNCLOS 1982). As defined, pollution of the marine environment means the introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) which results or is likely to result in such deturious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of the sea water and reduction of amenities.

As a coastal State, with 1,104 Km coastline, Algeria has ratified the above maritime Conventions and normally came into force since their ratification and promulgation in the Officiel Gazette (Journal Officiel). However, in their application, there are some practical problems. The first is the insufficiency of the equipment for controlling and combatting pollution if oil spill, for instance.

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The second problem is also the insufficiency of the equipment for reception facilities despite international regulations on which the national rules are being based.

The solution is to acquire receptions facilities to the ports, port containment, and equipment for combating pollution and establish regional cooperation among States, particularly with our neighbouring countries. When there is major pollution those neighbouring countries will be affected. In order to prevent and combat oil pollution efficiently and effectively, it is necessary and obligation to organize our coastal States with the following suggestions:

- Protection and preservation from pollution of the marine environment,
- Constant surveillance of the coastal State,
- Establishment of a suitable national and regional network program linked to ensure meaningful implementation of the International Conventions,
- Assistance through banking measures,
- Application of the Barcelona Convention of February 16, 1976 related to the Protection of the Mediterranean Sea against Pollution, under the auspices of the United Nations Environment (UNDP). This important Convention is ratified by Algeria in 1980. The establishment of a regional cooperation among the Mediterranean States determines possible pollution control and the combat of marine pollution. In this line of conduct, Algeria is also a part of the economic and strategic system of the Maghreban countries. It is, in another hand, a part of the Mediterranean zone, subject to international cooperation. For this reason, regional cooperation for combating pollution should take place in line with the neighbouring countries: It should be established Oil Spill Contingency Planning and Activities.
-6-The 1973-78 International Convention for the Prevention of Pollution from Ships (MARPOL) applicable on a global level was adopted to control and normally prevent the various forms of marine pollution,

-7-The 1982 UNCLOS, ratified by Algeria, determines the legal instruments for the protection of the marine environment, especially general principles fixed by article 145, contingency planning article 199, studies for preventing-reducing and controlling pollution article 200, and scientific criteria for formulating the rules for determining all aspects related to pollution contained in article 201 LOS.
Maritime is a branch of international law which concerns maritime matters. It was originally derived from the ancient codes of law and continually amended and expanded with modern experience and expanded with new examples and conditions requiring international legislation.

Maritime law covers a subject of rules of the road at sea, territorial and international waters, fishing, etc... The usual means of change and modernization are the international conference and conventions, especially the International Maritime Organization of the United Nations.

All maritime nations have their corpus of maritime law dealing with their own maritime requirements within their own territorial waters and maritime administration. In Algeria, all maritime legislation dating from French Colonization was reviewed and amended by a national commission. Since 1962 until the 1970's, the legal system was in transition (process) and maritime and fisheries codes were issued in 1976.

The present maritime code is derived from international regulations and also the influence of local traditions, among them those arising from ancient French codes. The Algerian Maritime Code is divided into two books. The first book includes the maritime navigation and regulations for seamen while the second one deals with shipping operations and other rules. This code constitutes the most important legislation within the scope of the Algerian maritime administration because it includes the major maritime functions. It is the legal framework in which the maritime administration is legally involved and subject to improvement.
However, with the increased use of technology and considering the implementation of national legislation since 1989 with new political and economic reforms in the country, it seems necessary today to review, update and implement maritime legislation and to globally restructure the present maritime administration.

The aim is to provide a new legal framework and to regulate all relationships between parties involved within the national maritime administration. In order to newly provide maritime administration, the national legislator should issue specific functions regulating maritime activities and also their legal instruments.

The present situation, especially at Wilaya level, requires a well established efficient maritime administration. Another legal aspect is to give more implementation within one coherent system of regulation with a reviewed maritime Code which shall be seen as a major need for one more coherent and unique maritime policy.

Taking into consideration the proposals for updating present maritime legislation, there will also be a close relationship with the 1982 Law Relating to the Prevention of the Environment and Wilaya and communal Codes. However, equally involved in the maritime field, these latter Codes also, should be updated and implemented from legal, administrative, territorial and economic point of view.
In line with the protection of the marine environment (and life environment as a whole), Algeria has introduced the Environmental Law Relating to the Protection against disposals near or at sea. This Law n. 83-03 was promulgated on February 5th 1983 and came into force the same year. This Code deals with legal instruments for controlling the environment against pollution dangers in the land and coastal areas. It is to regulate the release of wastes from land based sources in application to the ratification of the UNESCO Convention relating to the World Protection of the Natural and Cultural Patrimony.

The present Code is the legal instrument for the control of the immediate environment against any disposable waste and pollution in the land and coastal area in the maritime Wilayas. Normally, this code provides the relationships between human activities and the immediate environment and to consider man's environmental areas.

This Code contains some important maritime provisions, especially those regarding Protection of the Sea defined in chapter III of the Law.

So, from this legal instrument, there is a great necessity to control and also punish any fraction proved in order to pollute land or coastal waters within the maritime Wilaya.

Land based pollution includes things as factory effluence, sewage discharge, direct sea dumping of garbage, and agriculture residues such as fertilizers and pesticides.

In the case of marine pollution from the land, the intentional or accidental discharge of wastes, the dumping of garbage and the pumping out of ballast water provides and affects serious hazards to the environment.
In the 1970s, the fisheries administration has become under the responsibility of the Ministry of Transport. Then, in 1981, there was creation of a Secretariat of Maritime Transport and Fisheries. In 1984, fisheries were again transferred to the Ministry of Agriculture, and the Government has decided to consider fish and the production of fishing artisanal the same as agricultural product. Finally, in 1988, there became a single Agency of Fisheries within the Ministry of Hydraulics.

According to this process, it inevitably appears that this situation creates a lack of continuity of maritime administration while, normally, the Ministry of Transport deals with maritime administration including fisheries activities.

According to my own experience as a Maritime Administrator, fisheries should remain an integrated part of the maritime administration under the auspices of the Ministry of Transport. With regard to maritime legislation and other national rules still in force, Maritime Affairs and Fisheries activities are embodied within the same maritime administration.

Taking into consideration the maritime legislation, there is a close relationship between maritime administration and fisheries shown as follows:

- 1- There are no difference between the sailors of sea going vessels and fishing vessels,

- 2- The same provisions govern maritime affairs and fisheries activities,

- 3- The same obligations relate to inspections and surveys,

- 4- Nearly 15.000 seamen (both sea going ship and fishermen), and about 600 fishing vessels.
For these reasons, the central authorities have to formulate a policy regulating an appropriate organ of fisheries management to exercise the fishery regulations or, finally, to reintegrate it within the actual maritime administration, under the Ministry of Transport-Merchant Marine Directorate.

Doctor W.H. LAMP, former Director, Office of Maritime Law, Federal Ministry of Transport in West Germany, in his lecture entitled Maritime Administration, Structure and Law, National and Foreign, given at the World Maritime University, gives an appropriate approach and defined the case of fisheries administration. He says: "Most States consider fish, the product of fishing industry, to be the determining factor and have consequently affiliated their fisheries to her Ministry of Agriculture and Food. It is evident that there are strong ties with the Ministry which normally deals with all matters related to the maritime navigation and to the safety of fishing vessel. If this distribution of responsibility or coordination is properly established, it will be not so important which Ministry is primarily responsible, either transportation, as for instance in France, or agriculture as in Germany or the United Kingdom. The same distribution of responsibilities applies at the international level: Economic aspects of fishing and the technics of fishing and the technics of it are dealt with by F.A.O while international aspects of navigation and safety in relation to fishing vessels are in the hands of I.M.O..."

For this purpose, an adequate new structure including maritime fisheries should be set up and organized in order to take into consideration the following statements:

- 1-Fishing infrastructure and building modern fishing fleet capable of exploiting the fishing potential in the territorial sea,
- 2-Improvement of local fisheries schools and increasing the number of officers for fishing ships,
-3-More equipped fishing vessels with deep freeze installations and good equipment,

-4-Developed cooperation among neighbouring countries, for instance with Morocco or Tunisia which have long fisheries traditions,

-5-As defined in this project, to have more adequate maritime administration with renewed maritime legislation, including fisheries regulations.
The National Service of Coast Guard (Service National des Gardes Côtes) was established by Ordonnance in 1973 to cover the maritime area of the coastal zone. It constitutes the most important element within the scope of maritime surveillance. This National Service is set up in application on the safety of life at sea and has authority to conduct operations for search and rescue: S.A.R.

According to Hamburg Convention to which Algeria is a party, the National Service of Coast Guards has the duty to implement search and rescue operations at sea.

Taking into consideration some important aspects in which the SNGC is involved and the real protection of the Algerian maritime territory, the maritime surveillance and control to be established in the territorial waters, has to fulfill certain objectives shown as follows:

1. Protection of the territorial waters,
2. Prevention of environmental damages,
3. Control and assistance to the distress ships,
4. Inspection of illegal maritime activities such as fishing in prohibited zones,
5. Protection of the marine environment with regard to international conventions,
6. Supervision of navigation and ensuring continuous and adequate surveillance of vessels carrying oil and gas and of ships with dangerous cargoes along the territorial waters.

Taking into consideration this important maritime Service, it is also a necessity to implement the maritime rules regarding the prevention of marine pollution and the discharge of harmful substances, waste and refuse into the sea.
The aim is to have a proper maritime surveillance system to Algerian coastal zone, from the boundaries of Morocco to those of Tunisia, and to evaluate its effectiveness and sufficiency. It is also to effectively manage the maritime sector as a whole. The possible ways for improving this Service are:

1. Increase of financial and technical means for search and rescue regarding equipment for detecting and finally combating pollution,
2. Launching investigations and periodical soundages to detect pollution from fishermen, national and foreign vessels.

Maritime Education

Maritime education deals with the Institut Superieur Maritime of Bou-Ismail, one of the World Maritime University branches, and some local maritime centers situated in the main maritime Wilayas, Algiers, Oran, and Mostaganem.

Education and training are established by law and include both theoretical and practical courses provided by full-time placements of students (3 and 4 years). The classroom lectures and laboratory are under the control of the Professors most of whom graduated from the World Maritime University. The training is also organized around methods and work practice on board ships. The knowledge provides human behaviour, respect and discipline on board ships, social life and maritime technology.

The Institut Superieur Maritime has to teach maritime personnel, the proposed maritime administration which should be available, and may be defined as:
1. Surveyors for maritime inspections and surveys,

2. Maritime Syndics with concept in shipping economics, naval architecture, maritime law and international regulations such as STCW or SOLAS,

3. Finally, to establish an efficient maritime training facilities to provide maritime administration with capable and competent maritime skills. The suggestion is to foresee an adequate infrastructure for maritime studies relating to maritime economics, statistics, planning, transportation, public administration, environment enforcement, etc...

The aim is to provide and perform the maritime administration with a high degree of efficiency. It is also the purpose to give logistical support to the suggested maritime administration and to supervise the implementation of International Conventions especially STCW, and national law and regulations.
CHAPTER IV:

WHAT LOCAL MARITIME ADMINISTRATION SHOULD BE?
CHAPTER IV
WHAT ORGANIZATION, MANAGEMENT AND ADMINISTRATION SHOULD BE

1-INTRODUCTION-

As usually defined, management is the art of coordinating the elements or factors of production toward the achievement of the purpose of an organization. Professor EDWARD L. MILES of the University of SEATTLE (Washington), in his lecture given at the World Maritime University proposes this following definition: "Management is the actual control exercised over people, activities and resources. It is the aim to reduce the uncertainties affecting the choice of policy acts, and achievement of objectives." In the book entitled "Sea use Planning and management: Decisions making systems and institutional arrangements", the policy is defined as "A purpose course of action followed by a Government, or NGO, in response to some sets of perceived problems. The policy problem means the necessity of identifying and choosing between alternative courses of actions".

In our special case, we are interested in a maritime administration, not in an enterprise of production. Management may be seen for achieving objectives for the future which establishment of a new maritime organization, especially at Wilaya level. Thus, it is the accomplishment of objectives through the use of men and coordination which is defined here in this project.

The proposed maritime administration that I am trying to develop in this chapter is derived from my own experience, experience of others acquired from Professors and visiting Professors of the World Maritime University.
It also provides from the jo-training done in France at the Poitou-Charentes Prefecture which has a traditional maritime organization. (Prefecture Maritime).

The maritime administration and management intended in this University gives me the opportunity to propose the following organization. Management can be seen and used in our maritime administration for improving the achievement of objectives. For this purpose, the following suggestions are established to be able to administer the maritime Wilaya effectively and efficiently.

-2-LOCAL ORGANS OF STATE AUTHORITY AND ADMINISTRATION-

Administration, in any country, consists of the determination of the goals and the policy of the organization: In maritime organization, these goals are usually included in the international rules relating to administration (IMO Conventions, Maritime Code and national rules relating to administration, safety, environment...).

Then, the functions of administration are normally "to carry out, execute and implement policy decisions and to coordinate activities in order to accomplish some common purposes or simply to achieve cooperation in the pursuit of a shared goal".

The conviction underlying this definition of administration is that administration is a process of arriving at decisions operationally homologous to other decisions making in organizations. Administration is one of the forms of the State's activity and a form of executive character. It is based on legislative acts. It consists of organizing the social, economic and cultural life of the country and ensuring the realization of all rights and duties of the citizens.

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Administration is one of the functions of the Government by which it implements legislation and policy and operates the governmental system in accordance with a country's constitution and those Conventions underlying it. In Algeria, the Government is now referred to administer according to new Constitution. There are administrative law who governs the country relating to administration. It determines the organization, powers and duties of administrative authorities. The ever increasing activities of government Wilayas, local authorities and enterprises must require administrators and personnel to be familiar with administrative process likely to affect the rights and obligations of the citizens.

In Algeria, the supreme organ of the State administration is the Council of the Ministers, headed by the President of the Republic and the Council of the Government under the authority of the Prime Minister. Functioning alongside the supreme organs are also local organs of State administration called Wilaya administration. Within the scope of its competence, the Wilaya's administration normally directs economic, social and cultural activities of national tasks. It took after the every day needs and interests of the population and bureaucratic attitudes towards the citizens.

In this way, a new administrative structure should encourage local autonomy and the organizing of Wilaya and commune interests in direction most favorable to their development. The improvement of Wilaya and commune Codes will provide a legal framework for economic and social policy, establish separate sector of economic activity, including the maritime field and environment. The commune must also stimulate industrial development. Initiatives should be taken by the commune with respect to tourism and manage existing tourist facilities along the coastal State.
According to management specialists, an organization comes into existence when explicite procedures are established to coordinate the activities of a group in achieving specific objectives. This is a structured process in which persons interact for objectives. The human organization always includes persons and they are interacting (Process achievement of common objectives).

An organization does not exist in a vacuum. An organization and its environment continues to contribute for valuable resources to the organization returns goods and services to the environment. In our case relating to the proposed maritime administration in Algeria, the management should primarily be concerned with:

- 1. National and international legislation which fix the objectives for the maritime administration by particular status for management: Within this area, persons are called to play functions involved in the maritime administration and the National Public function (Fonction Publique).

- 2. Those persons should have adequate maritime education and training, skills, human behaviour and efficiency for achieving objectives in this organization.

- 3. The proposed maritime administration should be governed by a constant system of rules and regulations and the performance of the duties in official relations from the central level to the maritime Wilaya level.
Persons or core of the maritime administration are defined by a particular status of the National Public Function. They are also included in many "interior reglements" under the auspices of the Ministry of Transport and Interior Ministry.

The persons who are called to work within the maritime administration will be specialized personnel, namely:

-1-Maritime administrators, and
-2-Maritime personnel, like surveyors

This specialized personnel will work in the sphere of administrative management, and in performing the functions of the maritime administration. They will be subordinated to the head of the maritime administration. They should be competent and capable for administrative tasks in the maritime field. The human element and particularly its features are essentially important in administration and management.

**-3-2Need for management-**

Management means directing business, government agencies and other organizations and activities. The central and main idea of management is to make every action or decision help achievement and a carefully chosen goal. Management is also used to mean the group or personnel called "executives" who perform management activities.

Actually, the need for management has increased as modern business. To the importance of management mentioned here in this paper, the skills are called into play. This is our purpose for the proposed maritime administration within which management should be developed.
THE MARITIME ADMINISTRATORS

The maritime administrators or managers or future heads of the proposed local maritime administration will be the administrative important persons within this scope. Before and after Independence, this specialized personnel was very used to administer the local maritime affairs, particularly at local level within the "Maritime Quarters".

They are persons with appreciable maritime knowledge in maritime education and training, and also job experience. They have appreciable judgment incorporated in the approved plans and must influence others and their performance is measured. They appoint, supervise, discipline, remove and direct subordinates.

The maritime administrator will be subordinated to the Ministry of Transport which gives them power and authority in the practice of management according to national rules.

The maritime administrator is a specialized person. His predominant role is to manage, administer and supervise maritime administration. In this line of conduct, recruiting, licencing, controlling, etc... are undertaken by the management functions in accordance with rules governing the Algerian Public Function.

Actually, there are fewer in number maritime administrators acting within the Wilyaya administration. The aim is to increase the number and to give them working facilities, so to improve maritime administration.
The maritime staff can be defined as persons who collect, summarize and present information which is useful to the process of management within the maritime administration. These persons make the job and translate the management judgment within the structure. It can be seen as a system of organization.

The maritime staff manage the chain of persons and they are responsible for decision on the policy and its execution within the maritime administration. The responsibility is given by the rules governing maritime administration. Maritime staff is subordinated to the head of the maritime administration, for instance from the surveyor to the maritime administrator.

This personnel is an essential element to the functioning administration in order to assist the head of the maritime administration, in order to assist likely in planning strategy regarding the present and future work.

-5-1-Composition-

The maritime staff consists of and comprises technical and maritime personnel at each level in the line and organized of personnel work:

-1-Assistants of the head of the maritime administration who are also maritime administrators (second level),

-2-Maritime surveyors involved in maritime engineering or officers of sea going vessels (machine and deck).

-3-Doctor for sea going personnel for health advice.
However, qualification and experience are required for the professional staff. It should have a wide knowledge of international maritime conventions and maritime safety standards. For instance, surveyors should have qualifications such as Master certificates of competency and many years in deck of ships engaged in international trade. It should be the same qualifications for other personnel involving within the maritime administration, so the specialization should be required. Regarding maritime administrators, their knowledge should be also implemented in order to ensure better management in the maritime field.

-5.2- Process of the organization-

As a result, management can be seen as the carrying out of a policy of administration through the framework of organization which should be defined by the national legislation. In the case of our proposed maritime administration, the form which this organization will take is determined by the nature of the problems encountered. The problem is to reorganize the maritime administration as a whole. The conditions under which the problems will be solved and the character of the maritime personnel should be available.

The role of these persons can be defined as follows:
- 1-To coordinate the process of work problems
- 2-To identify and collect information,
- 3-To assist the head of the maritime administration in the necessity of advising and helping to solve the problems.

Collectively, those above activities constitute the executive function of the maritime administration. The maritime administrator, head of the maritime administration, has, finally, the rights to request all persons to execute legal instructions.
Function of organising, managing and communicating work in the most efficient, constructive and economical way consist with good human relations with the work involved, and with the aims and objectives of government Wilayas concerned, and in the compliance with legal requirements. In order to deal with all the work efficiently the office manager should have a good knowledge of office and communicating system. It is the function of the administrative manager to coodinate work, staff, and machinery into an organization with operates and performs the work required of it as efficiently as possible.

The objectives of organising gives meaning and identification to the various parts of the organization which is the maritime administration and to their activities, relationships and the communication flows between them. Communicating in maritime administration should integrate a variety of discipline and language. The languages used are Arabic, French and English which should be implemented due to their world wide uses.

As in each organization, communicating is one of the most important element in maritime administration. It deals with the human variety of communicating and principally with managerial concepts. It includes persons who are maritime administrators, maritime staff and other specialized personnel involved in many ways in achieving goals through interdependent actions. These are called planning actions. The purposes of communicating within maritime administration are manifold. Most functions are to provide a goal basis for making valid decisions and implementing them.
Most actions and decisions in an organization are necessary determined and carried out by parts of the organization, each part has a structure, skills, standards and goals of its own. Actions and decisions must be based on the contribution they make to the performance and results of the organization as a whole.

In "New thinking in management" written by F. DE. HANIKA, organizing in management is very important. It is essential and appropriate to quote the following statement about sequential decisions:

-1-Acquiring a quantity of information before the decision (or sequential decisions) which take this information into account,

-2-Learning which is acquiring a quantity of information (or sequential decisions) before the decision which increase progressively as the decisions which take it into account are made,

-3-Adaptation which is acquiring at each date a quantity of information over a certain period of anticipation and adjusting the decisions to this information. Adaptation is essentially concerned with the evolutionary phenomena and particularly in random cases, no stationary phenomena, i.e those for which the laws of probability evolve as a function of time.

One of the main task of a manager in any organization is decision.
The maritime administrator, head of the maritime administration, should concentrate a great variety of competences and power into:

1. Maritime and fisheries Codes to be updated and attention should be given to the present inadequate maritime administration infrastructure due to the separate maritime administrations, one for maritime affairs, while the other is concerned with the fisheries administration, each managed and administered by separate ministeries.

2. Wilaya and Commune Codes also should be updated and define the legal relationships between the local maritime administration, local authorities, the Wali territorially competent, the Popular Assembly of the Wilaya and finally the popular Assembly of the Commune. However, consideration should be given by the national legislator to clearly define and distinguish competences and prerogatives to all parties involved in the maritime field.

According to the above statements, the national legislator has the obligation to promulgate all appropriate laws, Decrees, Orders and Regulations and to take all other steps which may be necessary.

The following dispositions will deal with the maritime administration with reference to the existing structure in the country and the international regulations. These dispositions set up the framework within which the maritime administration will operate:

1. Registration of ships,
2-Measurement of the ships,
3-Combating marine pollution,
4-Protection of the environment
5-Protective rules for seafarers and their families (Social welfare),
6-Medical health. How to organize the health Service for seafarers?
7-Maritime education and training for sea going personnel and fishermen,
8-Fishing and seafood industry,
9-Issuance of sailor's registration and all certificates,
10-Maritime investigations,
11-Regulations and control of the maritime traffic,
12-Supervision of the pilotage service and port control,
13-Entering and maintaining professional conditions of work on board,
14-Supervising, inspecting the technical, navigational and loading conditions of the vessels.

7-2-Legal authority-

The relationships involved between all parties should be defined with all authorities in the concerned field regarding the work of the maritime administration whether conducted at national level or at local level.

The maritime administrator, appointed by the Ministry of Transport will be responsible for the conduct of the proposed local organization. He should have specific and legal relationships with the local authorities and also at central level.
The maritime administrator should have authority from the Ministry of Transport to accomplish the specific goals as defined by the national legislation and contained in the maritime code and other related rules.

In the line of the proposed maritime administration, the right to do something is consigned into the maritime legislation such as defined, and within the Ministry of Transport which has the right and obligation to control the maritime activities and to implement them.

In order to carry out the responsibility assigned by the national legislation, the future maritime administration should be organized outside the actual Executive Council of the Wilaya due to its specific mission which should become the Administration of the Sea or Maritime Circonscription, the same as it was before 1973.

The maritime administration should have conduct all local maritime affairs and fisheries with defined and established relationships with all parties involved.
The maritime administration as far as organization is concerned should be based on Regional Directorates of Maritime Affairs and Fisheries activities under the head of maritime administrators. This proposition of change derives from the present inadequate maritime infrastructure within the local organization. Actually, local maritime administration is embodied within the Transport Service as a single sub-service, as we can see into the 14 maritime Wilayas.

For this purpose, an adequate new organization is suggested to give more emphasis in the maritime field, so to completely review the situation as a whole. The decentralization of the tasks and missions with the same meaning as territorial decentralization, refers, in my opinion to create three Regional Directorates based on the main regions of the, country, Centre, East and Algerian West.

The first Regional Directorate will be situated in the Centre of the country, in the Capital Algiers and includes the maritime affairs and fisheries at the following maritime Wilayas, Algiers, Tizi-Ouzou, Tipaza, Boumerdes, Bejaia and Chlef.

The second Regional Directorate will be based in the Algerian East, Annaba which is the most important maritime Wilaya in the area and includes the other neighbouring maritime Wilayas, namely Skikda, Traf and Jijel.

The third and last Regional Directorate based in the Algerian West, Oran, will include the maritime Wilayas of Oran, Temouchent, Mostaganem and Tlemcen.
Within the sphere as seen here, the Ministry of Transport carry out, at central level, the proposed maritime administration as called Regional Directorates of Maritime Affairs, and to be based in the main economic regions of the country. Within these three maritime Wilayas as proposed as localization of set up maritime administration, are concentrated the most important maritime activities, such as port state administration, maritime companies, fisheries activities, etc. Other Algerian maritime Wilayas are also important with relative similar activities. So, the ports of Algiers, Oran and Annaba remain important in the maritime field.

The Ministry of Transport remains the central authority in which these Directorates will be embodied. Its legislatively mission will be providing rules and regulations and managerial controls.

However, it should be noted that the maritime administrators, heads of these Directorates will manage and administer by delegation from the Ministry of the Transport which has power and authority given and covered by the national legislation. In management, this concept is called delegated authority which means "authority delegated to a person or organization to perform specific tasks on behalf of the administration".

Each maritime Directorate will deal with all maritime matters, including fisheries, concerning the area of the maritime region constituted by a group of maritime Wilayas such as proposed in this project.

However, due to the large dimension of the maritime territory along the coastal state and composed of 14 maritime and administrative Wilayas, each Regional Directorate should be divided into local maritime annexes.
As established, those local maritime annexes will under the authority of the maritime administrators, heads of the Regional Directorates of Maritime Affairs. The proposed names to these annexes will be called the following:

1. Maritime Wilaya Service (Service des Affaires Maritime de la Wilaya) which will cover the whole maritime territory of the Wilaya. It will deal with all responsibilities regarding maritime matters within the area.

2. Then the maritime Wilaya will also be divided into activities for coordinating actions. These activities are dealt within the Stations des Affaires Maritimes which can be defined as follows:

   a. The Principal Maritime Stations (Stations Maritime Principales) to deal with maritime affairs and fisheries activities, safety control in commercial and fishing ports included within the sphere of the Principal Maritime Station. Their administration will be under the responsibility of the Maritime Syndic (Syndics des Gens de Mer) or Maritime Surveyors, appointed by the head of the Regional Directorate of Maritime Affairs.

   b. The Secondary Maritime Stations (Stations Maritime Secondaires) also to deal with the same activities as principal maritime stations, including social welfare for fishermen and their families. Their sphere of activity will be the fishing ports with relative importance based along the coastal area. They will be administered by Maritime Syndics.

As shown here, the Maritime Syndics or Surveyors which are specialized personnel, are appointed by the Ministry of Transport and act under the authority of the Regional Maritime Affairs who has the right to manage and administer its own Maritime Administration.

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All this maritime organization will be directed by the head of proposed Regional Maritime Affairs who has the right to do administration and management and has authority over the maritime personnel on behalf of which they work. So, power and authority will be legally exercised and directed by those heads of Maritime Administration. They should have appreciable and adequate experience in the maritime field and are engaged in managing and controlling the system.

However, this maritime organization, as proposed here in this project, will also depend on a highly technical and professional maritime staff such defined. This organization should be seen as a basic territory of the maritime Wilaya to efficiently maintain local maritime administration and safety in shipping and fishing. Organizationally, the legal national authority which the Ministry of Transport should the obligation to regulate the specific and legal functions into each maritime administration.

As explained above and in line with this particular organization, the national legislator is to formulate up-dated maritime legislation, policies, guidelines, rules and regulations. The maritime legislation should cover and incorporate international conventions in matters relating to maritime administration as reviewed and implemented, construction of ships, safety of navigation, rules of the road at sea, carriage of special or dangerous goods, manning, working on board of ships, control of foreign vessels and fisheries activities.

In order to fulfill the above mentioned requirements, the national legislator must be able to take into consideration new Wilaya Code and incorporate it into maritime legislation as implemented.
The proposed maritime administration is directly related to its objectives, functions and competence. The structure of the organization is divided into five main maritime divisions called to deal with matters in the field.

These activities within the maritime Divisions of the Regional Directorates will be carried out by bodies called Heads of Divisions acting under the authority of the maritime administrator. They are called also assistants of the head of the Regional Maritime Affairs, and form together an Executive Management Team to deal with maritime matters and related activities.

**10-2-Main functions**

Considering this proposition, the manner to do the five main functions are suggested as a chart of the maritime administration shown as follows:

1. The Seamen's Division
2. The Legal Administrative Division
3. The Maritime Inspection Division
4. The Maritime Fisheries Division
5. The Personnel and Budget Division
6. The health and welfare Division

**10-2-1-The Maritime Seamen's Division**

This Maritime Division will be established to deal with the following matters:

1. Registration of seafarers both for sea going personnel and fishing vessels,
2. Seamen's careers according to their professional status for entering and maintaining maritime profession,
3. Verifications of services,
4. Maritime discipline,
-5-Maritime education and training and establishment program for the human resources to ensure quality and quantity,
-6-General questions regarding seafarers.

10-2-2-The legal Administrative Division-
Will deal with the following matters:
-1-Legal matters regarding all types of ships,
-2-Questions of environment,
-3-International and national regulations,
-4-Maritime investigations,
-5-Activities in connection with the fulfillment of the tasks and related to maritime matters such as port authorities, military authorities, customs, wilaya administration, etc...
-6-General questions regarding legal matters.

10-2-3-The maritime inspection Division-
To deal with:
-1-Issue of certificates,
-2-Annual, intermediate and periodical surveys for sea going vessels and fishing vessels,
-3-Tonnage measurement,
-4-Control of qualification and manning,
-5-Approval equipment,
-6-Ensuring safety of sea going and fishing vessels and pleasure boats,
-7-Pollutions and accidents prevention,
-8-Search and rescue in connections with the National Service of Coast Guards,
-9-Control and inspection of other integrated maritime services within the maritime administration which are the Principal and Secondary maritime stations,
-10-Implementation of international and national regulations,
-12-Control and inspection all over the determined maritime sector.
-10-2-4-The Health and Welfare Division-

Established to deal with:

-1-Control of working environment and occupational health on board ships,
-2-Medical examinations for sick and injured seamen, health, etc...
-3-Matters relating to illness and social welfare.

-10-2-5-The Maritime Fisheries Division-

Will deal with:

-1-Operations of supervisions, control, inspections of fishing vessels from their building to their entering into service and their exploitation,
-2-Provisions for the protection of the seamen fishing vessels,
-3-Fisheries statistics,
-4-Protection and environmental work of fishing,
-5-All questions regarding fisheries.

-10-2-6-The Personnel and Budget Division-

Will deal with:

-1-All matters regarding management, the organizational chart of the maritime administration,
-2-Discipline and behaviour,
-3-Conduct of the carriers of the personnel management,
-4-Finances questions, materials and general affairs.
The aforesaid maritime organization at local level is defined as pursuing a specific goal. Within the sphere of management there are some important activities which Regional Directorates of Maritime Affairs should include in its structure to implement the action plan and to support the achievement of target objectives.

The most important of them is the proposal for the creation of the Regional Maritime Affairs for inspections as a regional commission. This maritime commission will deal with all controls and inspections with regional competence under the authority of the local maritime administration.

The purpose is to control and inspect the specific and defined area. Its main functions are to ensure the safety of life at sea, the safety of navigation, surveys and inspections and the protection of the marine environment.

According to international and national regulations, it seems necessary to set up in each Maritime Directorate of Maritime Affairs a specialized maritime commission to deal with matters relating to safety and prevention. Their localization will be based in the main maritime Wilayats as already defined which are Algiers, Oran and Annaba.

This maritime commission will act under the authority and control of the head of the maritime administration in order to ensure the implementation of safety on board ships, national and foreign, certification of ships, etc...

Traditionally, it is the same maritime commission at local level before and after Independence.
Maritime inspections refer to State inspections of foreign ships and also to the general inspections of the administration's own ships. It is the primordial mission of the maritime inspection commission. In order to do the aforesaid inspections, the Ministry of Transport should nominate surveyors and other specialized maritime personnel such as described here in this project and also required by the international and national regulations. They will act for achieving the defined objectives of the maritime administration.

Taking into account these objectives, the maritime administration act on legal documents required, mostly, by the International Maritime Conventions. So, the most important legal document subject to renewal or control by the maritime administration is issued to verify conformity with specific standard. A standard is defined as document describing requirements for a given ship, so as to give all information needed to design and construct a ship and/or a part of ship to conform with the standard. One of the objectives of the maritime administration is to verify the conformity of the standard according to the specified international and national regulations.

The composition of the regional maritime commission may consist of the following members:

- 1- Maritime Administrator,
- 2- Captain of sea going vessels,
- 3- Surveyor or Chief Engineer as Engineer Surveyor,
- 4- Seamen's Doctor,
- 5- Engineer of Telecommunications,
- 6- Maritime Syndic,
- 7- Representant of the Coast Guards,
- 8- Representant of the shipowner.
CHAPTER V

GENERAL CONCLUSION
CHAPTER V

GENERAL CONCLUSION

1-INTRODUCTION-

The policy encouraging the restructuring of the present general administration, national enterprises and other areas is one aspect of the legislative efforts by the government to instal in Algeria an economic system which concerns an attempt to create a really modern administration and a competitive market. Nevertheless, in the process of transformation initiated by these reforms, fundamental conditions should be created for modernizing the economy and improving its functioning. Among them, the first concern is with measures relating to the reorganization of the national administration, agriculture and industries, the object being to encourage productive investment within the framework of new legislation. The second is the research policy and the sectorial choice involved. The third aspect concerns the overall administration and territorial reorganization of the Wilaya's administration which is an integrated part of the process of restructuring the economy of the country.

Since the end of 1980s, Algeria undertook a number of political and economic reforms to promote and implement the new policy. A new government is appointed to promote the mobility of public and private operatives, including the restructuring of shipping and transport enterprises.

Algeria continues to give priority to sectors directing the promotion of human resources of the harmonious development of the country.
The policy encouraging the restructuring of business enterprises is an aspect of the legislative efforts which tend toward installing an economic system free of the "hindrances and rigidities" which had accumulated over preceding 30 years. The new measures, as a whole, tended to favor competitiveness above all and, in order to do this, the reconstruction of the necessary mechanisms to increase production (Agriculture and industrial sector). This is a challenge which Algeria must gain.

The principal aim of the 1990-1994 Development Plan will be to liberalize the country, allowing companies to become more competitive within the new economic system of Entreprises Publiques Economiques (E.P.E) and around 40 committees will be set up, each responsible for a sector of the economy, to produce medium-term economy. The State will merely formulate national economy and aims and advice on policy.

Actually, Algeria continues to improve management at each level of the national administration and implements the domestic business of liberalization and better management of a number of important reforms in stabilization, the industrial sector, and in another way, national legislation.

As a consequence of new reforms, there is a tendency to have better decentralization which is one of the main aspects of liberalising economic, administrative and territorial policy. The local authorities are being encouraged to play a greater role in managing all economical sectors and in building up local managerial skills, and adopt policies compatible to the national interests.
A new territorial organization, including the maritime administration, should be established in order to have a rational regional and administrative system of territorial divisions. Here again, the extent of the Government is to palliate regional disparities due to the situation inherited before.

The present maritime organization should be implemented with the proposed maritime administration as Regional Directorates of Maritime Affairs and taking into consideration some studies and aspects of other maritime administrations over the world, like the following MARAD:

-1- Regional Directorates of Maritime Affairs in France,
-2- The Norwegian Maritime Administration.

As a coastal state, Algeria is divided into 14 maritime Wilayas. Reviewed and implemented, it is obviously no doubt that they can play more important role in administrative and economic life of the country.

Another way is that the present maritime legislation in Algeria needs to be rectified and modified both in its primary and subsidiary phases: the reformulation of this legislation will require serious implementation so as to be fairly accurate. The proposed maritime administration at local level requires for its implementation a new organizational structure where new functions should be introduced and required: In this connection an adequate maritime administration is expected to embrace various activities in relation to the Wilaya Administration.

However, while there is actually important economic and political change in the country, maritime administration is waiting for implementation towards future trends.
It is now necessary to reconsider the maritime legislation and the actual established maritime administration at Wilaya level and the objectives normally assigned to it. The present situation would be modified if actions are taken at any level with regard to the definition of coherent national legislation and setting up a new MARAD. The functions to be played by the MARAD in the maritime development process is of primordial importance. It is necessary to Algerian maritime administration through the Ministry of Transport to promote and support the implementation MARAD organization.

The solution is to take charge of the problems of the environment by the diminution of the adverse effects of waste generated, the control of land based pollution into the sea which the local authorities are responsible for, and it should be the economic role of those authorities.

Another point discussed in this project is the I.M.O Conventions from Algeria is a party. According to the general obligations under these conventions, Algeria undertakes to give effect of these conventions which constitute an integrated part of the national legislation. However, it has to ensure that the domestic legislation enables to keep faith with the requirements. It has to implement those conventions. In my opinion, it is necessary to consider this problem in the light of the legislation that will be obligatory to give effect to the national reorganization. The legal instrument which the MARAD acts defined, but must be reviewed and implemented. There are the following:

- 1- Maritime Code
- 2- Fisheries Code
- 3- Other national regulations
Regarding the transport sector, the needs increase inside the Wilaya each year. Each mode of transport should be effective with the rest of the chain: Maritime, railways, aerial and roads. The growth of transport demand can be sustained by giving required transport capacity. For this reason, it is necessary to create economical integration between the Wilayas and to integrate it new infrastructure of transport. The solution is to satisfy the needs of the citizens. The result is to combine the advantages of this approach if a coherent policy for transport is to be elaborated and put into practice by an available transport scheme within a reorganized Wilaya.

Since the end of the 1980s, the Government uses the policy to encourage the private sector to participate in main areas, including transports sector, especially the terrestrial transport, and the Wilayas administrative bodies have to follow this policy. The Government policy for the transport sector in the present development Plan 1990-1994 should set out the implementation of the transport activities to serve public utilities.

All modes of transport should have a primordial attention within a national transport policy. The extent of the contribution by each mode to a whole system is determined now by the growth of demography, topography of the Wilayas, and the types of goods transported: the Government must intervene in order to exercise a positive influence of the transport system and encourage the development of the railways in connection with the maritime transport, especially for the transport of passengers and freight. Actually, the growth of demography and demands within the national economy should require the development of transport the maritime structure.
One of the important problems in the future will be a radical enhancement of the role of road haulage. An overhaul of the railway transport system should take place in accordance with the needs of container shipments. The development of economic relations between Algeria and overseas countries will necessitate the development of the existing ports. The use of transportations, partially the maritime transport, should encourage regional development.

As a littoral state, Algeria should have a national policy to pursue its national development as far as improved maritime legislation and shipping are concerned. All these proposals areas should be covered together with possible solutions to be introduced in a new legislation. The proposed MARAD reorganization will rehabilitate the role of the maritime affairs and fisheries at local level.

**-4- BUREAUCRACY AND DECENTRALIZATION-**

Since many years, there is a negative bureaucracy which means rigid rules and regulations, impersonally and resistance to change. All decisions are made at the central level, and then implemented through direct supervision. All the decisions cannot be understood at one center, and the information cannot be transmitted at local level in adequate manner.

-4-1- Why to decentralize?

The reason for decentralization (and deconcentration in the same time) is that it allows the state to respond quickly to local decisions. Now, there is implementation in this field since 1989. It is a stimulus for motivation. The result is to stimulate and motivate individuals to participate and contribute to the development of the country.
The problems created by the bureaucracy erected as a form of organization does not stimulate national development, capable of obtaining the highest degree of efficiency. The collectivity is confronted by complex administrative tasks. The decentralization can attract and retain persons and utilize their initiative if it gives them power to make decisions.

In this context, decentralization can be seen as authority from the central level to the local level. The decentralization of authority can be seen to undertake programs or encourage local initiative with relative freedom from strict supervision and restrictions by the central level.

It is important to note that the role of the Wali of the Wilaya and the local authorities should be capable of controlling negative various actors on the Wilaya scene in order to respond to the challenge a Wilaya faces. According to this important constatation, there is no doubt that this concept of bureaucracy should merit a prominent place in the new definition of administration in the country.

Consequently, democratic power must be exercised direct through particular forms of rule, for example, an important number of the maritime administration's tasks should be discharged by the centralized authorities.

According to B.C SMITH in his book entitled "Bureaucracy and political power", the "Alternative of bureaucracy is democratization". In this context, bureaucracy and democracy can be seen as two contrasting structures of authority, and bureaucracy is characterized by a hierarchy of chain of command at any level of which authority is limited by command of superiors.
INTEGRATION POLICY

From the Wilaya of Temouchent (boundary with Marocco) to the Wilaya of Tarf (boundary with Tunisia) for 1.104 Km coastal band, this coastaline can play an important and structural role. In the terms of accessibility, coastal integration within new innovations from the Government can disenclose many land areas in the country. For the future, the important orientation towards the environment and its problems is to foresee through a new territorial dispositions. Furthermore, it is of primordial interest to implement and implement the present economic situation within the communes, especially those with maritime facade, as for instance to foresee evacuation system water in order to avoid diseases and pollution water along the coastal area. The aim is to protect the fishing zones, beaches and the quality of the marine area. It is the necessity to prevent land pollution and marine pollution from discharges by "Environmental Observatory" to be based along the coastline of maritime Wilayas.

Another thing is to integrate the present transport infrastructure within the territorial dispositions policy (politique d'aménagement du territoire). The interaction between transport infrastructure and territorial disposition should be improved. The actual transport system should be modified and implemented in order to give more regional equilibrium, and the chain of transport can offer important flexibility with regard to the size of cargoes and persons to be transported. The implementation of the national cabotage can create and facilitate transit of goods whether between maritime Wilayas or our neighbouring Maghreban Countries. The economic integration, as far as the maritime field should be concerned, and the development of the network communications can contribute to the present Maghreban policy.
ANNEXES:

1- Diagram set up territorial and administrative Wilaya organization within which the local Maritime Administration is embodied,

2- Diagram proposed organization chart of a local MARAD,

3- Cases study by Professor Gamal Mokhtar of The Alexandria Maritime Transport Academy (AMTA)-Egypt-
DIAGRAM: Present set-up territorial and administrative Wilaya organization within which the local Maritime Administration is embodied.

Parliament

Government

Ministry of Transport

Transport Service

Executive Council of the Wilaya

Popular Assembly of the Wilaya
DIAGRAM: The proposed organization chart for the local Maritime Administration:

Ministry of Transport

- Maritime Wilayas
  - Regional Directorate of Maritime Affairs
    - Heads of Divisions
      - Legal & Administrative Division
      - Seamen's Division
      - Maritime Inspection Division
      - Health & Welfare Division
      - Maritime Fisheries Division
      - Personnel & Budget Division

- Maritime Administrator

- Maritime Wilaya Services
  - Principal Maritime Stations
    - Specialized Maritime Personnel
      - Secondary Maritime Stations

Regional Maritime Inspection Commission

Obs: This above diagram illustrates the relationships between all levels of the local Maritime Administration.
PRESENT SET UP LOCAL MARITIME ADMINISTRATIONS

(Location)

MEDITERRANEAN SEA

SPAIN

Gibraltar

Tunisia

MARROCO

ALGERIA

• Maritime Wilatas, and
• Main commercial and fishing ports
PROPOSAL: SET-UP LOCAL MARITIME ADMINISTRATIONS

Regional Directorates of Maritime Affairs
- Maritime Stations:
  - Principal,
  - Secondary

- Mediterranean Sea
- Spain
- Gibraltar
- Tunisia
- Morocco
- Algeria
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Algerian Maritime Code
Algerian Fisheries Code
Algerian Public Function Code
Law relating to the Protection of the Environment
Algerian National Constitution as amended in 1989-
ANNEXES:

Cases study by Professor Gamal Mokhtar of Alexandria Maritime Transport Academy (AMTA)-Egypt-

-1- Manpower Training and Development

-2- Manpower Training and Development in the Developing Countries-Case of AMTA-
LECTURE NO. 2

MANPOWER TRAINING AND DEVELOPMENT
LECTURE NO. 2

LECTURE OBJECTIVES:

After studying this lecture you should be able to:

1. Discuss the benefits of training and development for employees and organizations.

2. Identify the major advantages of career planning.

3. Explain the role of personnel departments in implementing changes in the organization.

4. Explain the influence of performance appraisals on the activities of personnel departments.
INTRODUCTION

In the last lecture we discussed the preparation and selection of manpower. Once they are hired in the organization, we should develop and evaluate them. Employees need help if they are to grow and be successful. The employers want to help them for their benefits as well as employees. The company trains and develops them. It also helps them to plan their careers for promotion and helps them learn to adjust to change. It appraises their performance so that they, and the company know how they are doing.

Development and evaluation is one of the most vital tasks of personnel department. We will try to discuss the activities that this department can share which are:

- Training
- Career planning
- Change and organizational development
- Performance appraisal

1. TRAINING AND DEVELOPMENT

After employees have been selected, they are seldom ready to perform successfully. They must be integrated into social and work environment of the organization. Orientation programs help the employees begin this socialization process. The organization benefits, because training time and costs are lowered, employee satisfaction is higher, and initial turnover is lower.

Even after employees are oriented, they may lack the necessary skills, attitudes, or knowledge to perform their jobs successfully. This deficiency is remedied through training, which begins with needs assessment. Then specific training objectives can be set. These objectives give direction to the training program and serve to evaluate the training program at its completion. The content of the program depends upon the training objectives. The design of the training should consider such learning principles as participation, repetition, relevance, transference and feedback.

Once training is completed, it should be evaluated. Evaluation includes a pretest and posttest, measurement of how well the training content has been transferred to the actual job, and some form of follow-up studies to ensure that the learning has been retained.
Training and development techniques:

It is important to remember that any method may be applied to both training and development. In selecting a particular technique to use in training or development, there are several trade-offs. That is, no one technique is always best, the best method depends upon:

- Cost-effectiveness.
- Desired program content.
- Appropriateness of the facilities.
- Trainee preferences and capabilities.
- Trainer preferences and capabilities.
- Learning principles.

The importance of these six trade-offs depends upon the situation. For example cost-effectiveness may be a minor factor when training the ship crew in emergency maneuvers. But whatever methods is selected, it has certain learning principles associated with it.

Human resource development:

The long-term development of human resources - as distinct from training for a specific job - is of growing concern to personnel departments. Through the development of present employees, there will be less dependence on hiring new employees, and the job openings found through human resource planning are more likely to be filled internally. Promotions and transfers also show employees that they have a career, not just a job.

Human resource development is also an effective way to meet several challenges faced by most large organizations. These challenges include employee frustration when no longer possesses knowledge or abilities to perform successfully because of the fast technological changes. It meets also the challenges of employee turnover, since present employees will succeed those who leave.
Evaluation of training and development:

The implementation of training and development serves as a transformation process, since untrained workers are transformed into capable ones, and present employees may be developed to assume new responsibilities. To verify the programs success, personnel managers demand to evaluate training and development activities. The lack of evaluation may be the most serious flaw in most training and development efforts.

Participants should be given a pretest at the beginning of the program and a posttest at the end of it. Posttest should reveal any improvement that may have resulted from the program.

2. CAREER PLANNING

A career is all the jobs that are held during one's working life. For some people these jobs are part of a careful plan. Planning a career does not guarantee career success. Superior performance, experience, education and some occasional luck play an important part. But when people rely on luck, they seldom are prepared for opportunities that arise. To be ready for a career opportunity, successful people develop career plans and take action to achieve their plans. Some people fail to manage their careers because they are unaware of the basic concepts of career planning. Goal setting is a very important step in the plan.

Today an increasing number of personnel departments see career planning as a way to meet their internal staffing needs. When employer encourage career planning, employees are more likely to set career goals. In turn these goals may motivate employees to pursue further education, training or other career development activities.

Although personnel departments provide career education, information, and counseling, the primary responsibility for career planning and development results with the individual employee.
Career planning benefits to organizations:

1. It helps to develop internal supplies of promotable talent.

2. The increased attention and concern for individuals to careers generates more organizational loyalty and, therefore, lower turnover.

3. It encourages employees to use their potential abilities to achieve their career goals.

4. Individual esteem needs, such as recognition and accomplishment are satisfied.

5. Career planning can help members to be prepared for more important jobs. This preparation can contribute to meeting affirmative action timetables.

CHANGE AND ORGANIZATIONAL DEVELOPMENT

Since an organization is a complex system in which all parts affect each other, a major change anywhere in the organization usually affect the personnel function. Before change is undertaken, managers and personnel specialists must recognize the trade-offs involved. The personnel department must work to reduce barriers to change. In addition, it has to trade-off between costs and benefits. There are many kinds of change costs such as psychic costs and costs of geographic moves because of transfers.

Barriers to change:

They are environmental factors that interfere with the acceptance and implementation of change. Among them are economic costs, difficulties in securing finance, problems with new technology, and lack of resources. The most difficult barrier, and the one of concern to personnel department is frequent employee opposition to change, this is called resistance to change. This resistance has three types:
1. Logical resistance which arises from the time and effort required to adjust a change.

2. Psychological resistance is concerned with attitudes and feelings of individuals about change. They may fear the unknown, mistrust management's leadership, or feel that their security is threatened. Management should recognize that.

3. Sociological resistance is more concerned with group interests and values. For example, there are friendships that may be disrupted by changes.

3-2 Implementing change:

Personnel department assists with change by increasing the supporting forces for changes and reducing the forces that resist change.

There are many practices that support change, such as:

1. Participation: it encourages employees to discuss, to communicate, to make suggestions, and to become interested in change.

2. Communication: it encourages understanding. Employees are unlikely to give their support to any change that they do not understand.

3. Supplementary rewards: it is a way to build employee support for change, because they will be sure that there are enough rewards in change situation. It is natural for employee to ask "What is in this for me". Rewards could be financial and nonfinancial.
Organizational Development: An Intervention Strategy

Organizational development is an intervention strategy that uses group processes to focus on the whole organization in order to bring about planned change. It seeks to change beliefs, attitudes, values, structures, and practices, so that the organization can better adapt to change.

Organizational development has a number of characteristics which are different from a training program. Some of the differences are:

1. **Focus on the whole organization**: Organizational development attempts to develop the whole organization in order to make it more humanly responsive.

2. **System orientation**: It is concerned with intergroup relationship as well as interpersonal ones. It is concerned with structure and process as well as attitudes.

3. **Use of a change agent**: Organizational development uses persons from outside the organization to develop the required changes. These persons will be free of hierarchy and politics of the firm.

4. **Problem solving**: Organizational development emphasizes problem solving rather than discussing them theoretically as in a classroom. This focus on real, ongoing problems, not artificial ones, is called action research.

5. **Group process**: There is an effort to improve interpersonal relations, open communication, channels, build trust, and encourage responsiveness to others.
Feedback: (CBD) relies heavily on feedback to participants so that they will have concrete data on which to make decisions.

3-3-1
Benefits of (CBD):

There are three major areas of benefits:

1. Performance: there is a strong probability for improvement in individual, group, and organization performance, which will result in lower costs or higher productivity.

2. Job satisfaction: it will increase following a program and employees will have a better place to work.

3. Self change: Participants learn to be more aware of their own feelings and the feelings that others have toward them. They are encouraged to be more open in their communication, and become more cooperative.

4. PERFORMANCE APPRAISAL

We have discussed how employees are selected, developed, and formed into work groups. The ultimate measure of personnel departments success is employee performance. Both the personnel departments and employees need feedback on their efforts.

Performance appraisal is the process by which organizations evaluate employee job performance. Accurate performance evaluations show employees where they are deficient. For the personnel department, appraisals make compensation, placement, training, development, and career guidance more effective. At the same time, the department obtains feedback on its development activities, staffing process, job designs, and external challenges.
Appraisal systems should be practical, have standards, and use dependable measures.

4-1
Performance Standards and Measures:

Standards are benchmarks against which performance is measured. To be effective, they should relate to the desired results of each job.

Measures are the ratings used to evaluate performance. They must be easy to use, reliable, and report on critical behaviors that determine performance.

There are many methods to appraise past performance. Each has advantages and disadvantages. But use of past-oriented approaches make you know where you have been not where you are going. Future-oriented appraisals focus on future performance by evaluating employee potential or setting future performance goals. Included here some of these techniques used:

1. Self-appraisals: the employees evaluate themselves. By this method defensive behavior is less likely to occur.

2. Assessment center technique: they are standardized form of employee appraisal that relies on multiple types of evaluation and multiple raters. These appraisals subject selected employees to in-depth interviews, psychological discussions, rating by psychologists or managers, and stimulated work exercises to evaluate future potential.

3. Management by objectives approaches: since each employee and superior jointly establish performance goals for the future which are agreed upon, these goals could be measured objectively. In the following lecture we will discuss in some detail management by objectives (MBO), manpower training and development in the developing countries and some light on the case study of the Arab Maritime Transport Academy (AMTA) in Alexandria EGYPT.

-90-
LECTURE NO. 3

MANPOWER TRAINING AND DEVELOPMENT

TRAINING IN THE DEVELOPING COUNTRIES

CASE OF AMTA
LECTURE NO. 3

LECTURE OBJECTIVES:

After studying this lecture you should be able to:

1. Discuss the importance of the manpower education and training.

2. Identify the needs of developing countries to have their own education and training facilities and the difficulties facing them in that respect.

3. Discuss a proposed policy for establishing a proper system for maritime education in developing countries.

4. A case study of ALEXANDRIA MARITIME TRANSPORT ACADEMY (AMTA) in establishing a regional institute for the developing countries.
INTRODUCTION

Many concepts prevail in the job enrichment and human resources accounting. These concepts have resulted in giving the human being his proper place, and were more easily accepted in the developed countries.

The problem is more difficult in the developing countries, where the awareness of the human element is lacking. This is due to the fact that the developing countries face typical problems of under-development, resulting from the population increase, low per capita income, lack of infrastructure and other barriers to social and economic development.

While recognizing well trained manpower as one of the three main elements for success of any project, namely the capital, the natural resources and the human element, I am indeed emphasizing its priority particularly when considering safety of personnel, environment and capital. The fact that the ships sometimes have to operate on the high seas under the most difficult and hazardous conditions results in losses to both life and property. Every year about 380 ships grossing about one million and half tons are lost through accidents at sea, and an even greater number of ships are severely damaged.

Analysis shows that over 80% of these accidents were attributed to the human errors, despite the fact that these ships were carrying highly developed navigational equipment. It is therefore, evident that the main reason is the inadequacy of properly educated and trained seafarers.

While loss of life and property is the most serious result of maritime casualties, no less important are pollution hazards from oil, chemicals and other toxic materials. We have witnessed many tragic incidents, which have resulted in serious damages to beaches and sea-life, causing immense losses.

Maritime Industry has witnessed a great technological revolution during the last few decades in ship design, shape and speed. Design of shipboard equipment, marine electronics and control engineering have also made vast strides. This technological surge necessitates a serious effort being made for a parallel development in the education and training of the human element involved.
We know of many seafarers in the developing countries who are unable to make use of various important and rather sophisticated shipboard equipment because they have not been trained to handle them. This applies particularly to areas covering electronics, automation and control engineering.

THE NEED FOR DEVELOPING COUNTRIES TO HAVE THEIR OWN EDUCATION AND TRAINING FACILITIES.

The strong desire of the developing countries to get their fair share of their overseas trade has made it necessary for them to acquire the requisite tonnage, and hence to make serious measures to train their own nationals in the different specialities of seafaring to enable their own ships to be operated efficiently and competitively. One first step along that road could be accomplished by training own personnel by initially utilising educational facilities in developed and/or developing countries. The ultimate goal should naturally be to establish the country’s own training institution.

DIFFICULTIES FACING DEVELOPING COUNTRIES

HUMAN INPUTS

The most difficult problem facing developing countries is the shortage of properly trained human resources. For decades, maritime industry was the monopoly of developed countries. We are witnessing a great change and good response between the developed and the developing countries in altering the existing status. If lack of trained personnel is the main problem facing these developing countries, the problem of selecting teachers in the maritime field is far more serious.

FACILITIES

In many of the developing countries emphasis is laid on the establishment of large training institutes with all the advanced training equipment, even before making preparations to acquire the necessary teaching staff and technicians to run them. In fact the acquisition of equipment is much easier than the recruitment of teachers and technicians who are to make use of such equipment.
LIMITATIONS IN REGARD TO FELLOWSHIPS

Because of the language barrier and limitation of financial and other facilities, it is difficult to send large numbers of nationals to study abroad in the institutes of the developed countries. Tuition fees have also increased considerably in the past few years. These factors together with the large attribution rate make it difficult for developing countries to depend solely on developed countries in training their nationals.

ABSENCE OF A SOUND MARITIME EDUCATION AND TRAINING POLICY

One cannot look to the problems relating to maritime education, training, examination, certification, administration and legislation separately. All these elements are interrelated and must be looked at integrally. With the absence of trained and experienced personnel in the fields of maritime education and training, the problem of formulating an integrated maritime policy becomes more difficult. IMO has met this problem by the establishment of the technical co-operation division, and recruiting interregional and regional advisers in various specialities to advise and assist developing countries in formulating their educational and training policies. The creation of the World Maritime University in Malmoe-Sweden in 1953 was a result of IMO. Secretary General's deep conviction of the importance of maritime education for the developing countries.

The emergence of the Maritime Transport Academy at Alexandria is a typical result of successful technical co-operation between IMO and a group of developing countries.

DEVELOPING A POLICY FOR ESTABLISHING A PROPER SYSTEM OF EDUCATION, TRAINING AND CERTIFICATION

The task of developing a policy by a country for establishing a proper system of education, training and certification of seafarers may broadly be dealt with under three main headings:


b. Organisation of an Educational System.

c. Examination and Certification System.
Taking into consideration the facts and problems facing developing countries in the process of educating and training the maritime manpower they need, the following actions are suggested:

- The primary step is to seek technical assistance of IMO in formulating a maritime education and training policy on the basis of which integrated action or coordination could be taken in the areas of maritime legislation, administration, education training, examination and certification of seafarers.

- Sending of bright candidates to study in the World Maritime University (W.M.U.), the main objective is to prepare prospective maritime administrators, Teachers and Examiners. In parallel with this, young candidates should be sent to study in national and regional maritime institutes in developing countries to prepare the needed seafarers to the level of Master-Mariner and Chief Engineer, which are the pre-requisite qualification for the higher studies given in the W.M.U.

- Establishing Regional Sea Training Institutes to provide badly needed places to train the cadets at sea and gain the needed sea service to sit for the examinations.

- Making use of regional examination units recognised by IMO and working in conformity with the IMO STCW 1978 Convention.

- The establishment of national education and examination facilities can only be achieved by solving the problem of preparing the teaching staff needed. It usually takes anywhere between 10 to 15 years to solve the problem. The duration will depend on the availability of the prospective officers to be trained as teachers and as Examiners.

  It is difficult to prepare teachers, but it is much more difficult to retain them on the job with the low national salaries that they get compared with other more lucrative jobs at sea or ashore. This applies to examiners as well. Perhaps the grouping of teachers and examiners into Regional Academies may help in overcoming the problem of low national scales of pay in developing countries.
It will be to the benefit of the developing countries to join the proposed International Association of Maritime Training Institutes, as well as regional associations for Africa, Asia and Latin America. Such organisations can help in the exchange of experience and making use of each other's human and material resources and facilities. Regional and Inter-Regional Advisers can play an important role in this respect.

ALEXANDRIA MARITIME TRANSPORT ACADEMY

A CASE STUDY

1. Background

AMTA project was initiated in 1972 as an effort to establish a Regional Centre for training young candidates to work in the field of maritime transportation. A committee comprising the representatives of UN specialized agencies, IMO, UNCTAD and UNDP recommended the site at Alexandria in Egypt as the most suitable one for the establishment of Regional Maritime Training Center. AMTA has continued to train and build up its regional character and till to date it offered 26,045 training opportunities to students from 32 Arab, African and Asian countries.

2. Educational Organisation and its Scope

At the time the Academy commenced its activities in 1972, there were four different educational units:

* The cadet college undertaking the responsibilities of the education of deck and engineering cadets.

* The upgrading nautical studies section handling the upgrading courses for deck officers.

* The upgrading engineering studies section handling the upgrading courses for engineer officers.

* The Maritime Transport Institute conducting short courses and diploma courses in the area of shipping and port management and in the maritime law.
During the first years subsequent to its establishment, the Academy planned and executed a comprehensive programme of mutual visits, discussions and consultations with:

* International Agencies such as IMO, UNCTAD and UNDP.

* Reputable Consultative Firms and Agencies such as ASA and Harbridge House Inc.

* Maritime Educational Training Institutes in developed Countries such as USA, UK, FRANCE, USSR, NORWAY, SWEDEN, HOLLAND, JAPAN, EAST and WEST GERMANY, with the aim of studying different systems and schemes of Maritime Education and Training.

As a result of such a prolonged study and also as a result of the continuous process of assessment and self criticism, the Academy decided to adopt the departmental approach in implementing its different educational courses and programmes. In this system all available training equipment and human resources are grouped, according to specialization, into appropriate departments. Thus the re-grouping process has resulted into the following departments:

1. The Nautical Studies Department.
2. The Marine Engineering Department.
3. The Radio and Electronics Department.
4. The Academic Studies Department.
5. The Maritime Studies Department.

The Nautical, Engineering and Radio Departments offer comprehensive courses and programmes leading to professional certificates of competency in the basic and higher levels. Together with these courses, the departments offer courses leading to Bachelor Degrees in Maritime Transport, Marine Engineering and Radio Electronic Technology for distinguished students.
The department of Maritime Studies offers four diploma courses in the field of Economics and Management, Foreign Trade, Marine Insurance and Maritime Law, each of one academic year. This department also conducts short courses relating to the Maritime Industry in areas such as Shipping Operation, Port Administration, Tanker Operation and Chartering.

Together with the above facilities, a Port Training Center has been initiated since 1981 for the training of dock workers and other personnel working in ports.

A Research Center was established in 1984 for servicing the maritime sector in Egypt.

The specialized Seamen's Training Center conducts pre-seatraining courses for ratings in three specializations, deck, engine, and electrical work. It also conducts advanced courses for personnel with sea experience to prepare them for higher posts or to qualify them to be trainers.

The Ports Training Center was established to train needed personnel in Cargo Handling and Stevedoring.

Another Center for Catering Training was established to train needed stewards and cooks.

3. System of Education

The Academy adopted the policy of indirect approach, making full use of the experience of others and moving away from the trial and error method as time and resources are scarce and costly.

The Academy made a study of various systems of education and training, and in 1977 adopted the American "Credit Hours System" of education as it proved to be most compatible with its needs. The system is applied to students who pursue courses leading to certificates of competency as well as for those following courses leading to a diploma or a degree.

The Academy firmly believe in the importance of studying the manpower demands and in adopting an integrated approach to educate and train the manpowers needs of the maritime transport sector in the developing countries. AMTA is a unique case in this aspect.

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4. Building up and the Advancement of Faculty

AMTA has always the conviction that the back-bone of any successful training institution is its faculty. In consequence AMTA pursued the policy of bringing together persons with the best qualifications and experience into its faculty. Being an institution of a unique nature, AMTA has to build up not only the number of its faculty (130 Faculty Members), but also the high quality needed to prepare its teachers. The Academy had, from its very inception, encouraged and assisted its faculty members to obtain higher qualifications or specialized training whenever it has been possible.

AMTA has regularly invited visiting professors from foreign institutions and international organizations to give series of lectures not only on topics of current interest but also on modern techniques in the filed of maritime education and training. Every two years, a Foreign Educational Institute is invited to audit the quality of the faculty of AMTA.

5. Training Facilities

The Academy was able to build up its training facilities by acquisition of equipment through its own funds and utilizing financial assistance offered by UNDP, JICA, USAID, the Egyptian Government and other International Agencies.

The following are some of the most important facilities that the Academy possesses:

* Radar Simulator Laboratory.
* Ship Condition Simulator.
* Tanker Operation Simulator.
* Automatic Control Laboratory.
* Pollution Prevention Laboratory.
* Planetarium.
* Language Laboratory.
* Technical and General Library.
* Computer Center.

In addition to the above, there are more than 25 Laboratories and Workshops and 40 Floating Units.
6. Sea-Training

The importance of sea-training or on the job training of deck and engineer cadets, in the building up of their competence to become efficient sea-going officers has been appreciated. Efforts have been made to improve the quality of sea-training, and to make the necessary changes to cope with the STCW 1978 Convention. A planned sea-training semester (fifth semester) has been introduced in the scheme of the study since 1983. Sea-Training is also provided to Seamen, engine-room mechanic, electricians and catering staff students.

7. Certification of Sea-farers and the Role of AMTA

The Academy has been entrusted with the task of conducting examinations for the issuance of certificates of competency to Deck and Engineer Officers, by the Egyptian Government, based on the IMO STCW 1978 Convention.

An independent Examination Unit has been established for that purpose, the staff of which are independent of the teaching department of the Academy, insofar as competency examinations are concerned.

IMO is providing technical assistance to this unit for the purpose of revising the regulations and syllabuses relating to the examination of Deck and Engineer Officers and introducing the grades and standards of certificates needed to comply with the requirements of the STCW 1978 Convention. This task has been completed and the project came to an end by March 1987.

CONCLUSIONS

Because maritime transportation is international in character, co-operation and co-ordination between developed and developing countries are essential. Maritime Education and Training on all matters pertaining, is therefore, of utmost importance, to achieve the objective of safer ships and cleaner oceans.
Safety cannot be achieved if you, and you alone, are a good sailor. Safety can only be achieved when we all follow the internationally accepted rules and regulations on Maritime Safety.

Not all nations and countries are capable of educating themselves, some simply do not have the means. Technical co-operation between the developed and the developing countries is therefore required. More fruitful co-operation can be achieved by co-operation between developing countries.

Alexandria Maritime Transport Academy with its experienced faculty and its sophisticated training equipment, can play an important role in extending its services to other sister developing countries in preparing their manpower needs and in establishing their own national maritime education institutes.
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