



## Corporate social responsibility in Algeria: A discussion of law and regulations

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### Abstract

The fundamental objective of the Corporate Social Responsibility (CSR) is integrating the social and environmental concerns into business routines voluntarily. This paper aims to highlight the law and policies that regulate CSR in the Algerian Context. Moreover, this paper overview the law and regulations and discussed the Algerian CSR development from the environment, consumer, labour, and social perspectives. The discussion outcomes have shown that Algerian government made huge efforts to regulate CSR, however, is remain a lack in the monitoring and implementation of this efforts.

**Keywords:** CSR, Algeria, law, policies

### 1. Introduction

Corporate Social Responsibility (CSR) has turned into a small industry nowadays both in the educated community and in the business world. A decade ago, a Google research with the Catchphrases 'corporate social responsibility' yield more than 77 million hits. A pursuit of books accessible at Amazon.com up with 'corporate social responsibility' in the title brought about 1035 books going back to 1973 (Banerjee, 2008) <sup>[1]</sup>.

Moreover, terms like 'Corporate Social Responsibility', 'Corporate Citizenship', and 'Partnership' have been common expressions in global advancement speech. This reflects the way that an expanding number of transnational corporations and local corporations, propped by business and industry associations, are adoption an assortment of voluntary activities that expect to enhance their social, environmental, and human rights record.

For instance, such activities incorporate; codes of conduct; measures to enhance ecological administration frameworks and occupational health and safety; organization 'triple bottom line' reporting financial, sociable, and environment parts. Involvement in certification, also in the labelling programs; dialog with stakeholders and partners with non-governmental organizations (NGOs) and united nations (UN) offices; and. expanded the supporting provide for community development projects and programmes (Utting, 2005) <sup>[31]</sup>. The progressive advocates within the legal academic debate about CSR contend that a company ought to look to accomplish more than simply turn a benefit; it ought to try to make society "better" (Bekhouche, 2018).

### 2. Background of the Study

Law scholars argue that several researchers seen to CSR as a way to make gains, government find it as some sort of legislative requirement to safe workplace, also to ensure safety of products, Consumers determine CSR as a top quality for

great price, referring to ethical or maybe philanthropic facets in diverse degrees. Chinese Government defined CSR as the following: While pursuing economic profits, corporations are held responsible by shareholders, employees, consumers, suppliers, communities, and other stakeholders. Moreover, corporations have responsibilities to protect the environment. (SASAC, 2009) <sup>[26]</sup>.

Algeria has not yet acceded to any of specific international guidelines for corporate social responsibility, but national legislation taking into account aspects of corporate social responsibility in a number of laws, including the law on protection of the environment within the framework of sustainable growth, the law of employment, the law of health measures in companies, the Law on safety at work.

It is known that Algerian government remained the first and the important institution which support programmes of social development. However, the companies still far for bear their responsibilities in this field. Thus, the lawmaker made different legislation to regulate and to encourage the companies to contribute in social development and bear their social responsibility.

Revathy (2012) <sup>[14]</sup> mentioned that the World Business Council for Sustainable Development has described CSR as the business contribution to sustainable economic development. Building on a base of compliance with legislation and regulations, CSR typically includes "beyond law" commitments and activities pertaining to:

- Corporate governance and ethics,
- Health and safety,
- Environmental stewardship,
- Human rights (including core labour rights),
- Sustainable development,
- Conditions of work (including safety and health, hours of work, wages),
- Industrial relations,

- Community involvement, development and investment,
- Involvement of and respect for diverse cultures and disadvantaged peoples,
- Corporate philanthropy and employee volunteering,
- Customer satisfaction and adherence to principles of fair competition,
- Anti-bribery and anti-corruption measures,
- Accountability, transparency and performance reporting, and
- Supplier relations, for both domestic and international supply chains.

There is a close relationship between CSR and the law. The main instrument governments use to address a firm's social, environmental and economic impacts is the law. Many countries have a wide range of laws, whether at the national, state or local levels of government, relating to consumers, workers, health and safety, human rights and environmental protection, bribery and corruption, corporate governance and taxation. Algeria one's of these countries that made efforts to regulate the CSR field.

## 2.1 Literature Overview

According the existing literature in CSR field shows that there are many definitions. However, there is no agreed upon the definition at the global level, regardless the World Business Council for sustainable development has a comprehensive, well descriptive and in detail definition: corporate social responsibility is the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the work force and their families as well as the local community and society at large (Barrett, 2009) <sup>[2]</sup>.

At recent time, CSR has become a major concern for modern discussions of business, both in local and international contexts. Companies are increasingly aware of the importance of this concept and this is caused by the growing of the awareness of the various issues that nowadays affecting the environment, human rights and social ethical issues that generally influenced by operations and commercial activities of companies.

Briefly, the concept of CSR includes the various issues related to the behaviour of companies in the wider environment in which it operates not only in its traditional economic sphere (Brilius, 2010) <sup>[6]</sup>. One of the main factors hindering CSR to become a very common practice in the business world is the lack of an internationally accepted framework and well-structured. This ambiguous situation in CSR terminology delayed and limited the development aid from the companies and businesses to the poor in order to improve the quality of life and strengthening people as efficient and productive economic knowledge (Parra, 2008) <sup>[21]</sup>.

Although CSR is a modern term, the debate on business ethics and related to the impact of the activity on the social environment issues have been excited for a long time. Businesses activities is based on control of morality and greed, with the support of pre-Christian researchers and other scientists in different parts of the world; Religions such as Christianity and Islam have always condemned certain unethical business practices (Blowfield & Frynas, 2005) <sup>[4]</sup>.

Certainly, when we talk about corporate social responsibility

should be aware of the immensity; a topic that includes a variety of ideas and incorporated into the same set of concepts definitions, each definition has its unique characteristics and a definition by country origin, organization or author. The recognition of CSR has expanded and developed especially during the last three decades (Freeman & Hasnaoui, 2011) <sup>[16]</sup>. Moreover, Carroll (1999) <sup>[7]</sup> states that the CSR to him, was better known as social responsibility (SR), not as corporate social responsibility. This is because the reputation and dominance in the world of corporate business at that moment is not recognized (Carroll, 1999) <sup>[7]</sup>. CSR was first mentioned in 1926 in studies by Clark, who points out that companies have commitments toward the society.

Moreover, Davie Packard (1939) argues that CSR has a more focus beyond the economic phase, saying that most people have the wrong idea when they think that the only purpose of companies is to get profits and maximize income, profit is the result for the existence of the organization. However, we need a genuine, real purpose behind our existence, the point is that when a group of qualified people and all unite and create an organization can do much better than just produce profits, they should contribute to society around them and they are committed to give something for the society (Freeman & Hasnaoui, 2011) <sup>[16]</sup>.

Spector (2008) argues that the roots of modern social responsibility to move back to the years between 1945 and 1960; the years of the Cold War. Spector says David Dean and other CSR supporters used this as a method to protect the free market capitalism against socialism movement of the Soviet Union. The establishment of the CSR moves quickly developed, social and economic environment and pressure from others, such as activists, to embrace the views, attitudes and approaches of CSR (Carroll & Shabana, 2010) <sup>[8]</sup>. Bowen (1953) resulted in a definition of social responsibility of the company, said: refers to the obligation of businessmen to pursue those policies, to make those decisions, or to follow those lines of action which are desirable in terms of the objectives and values of our society. Bowen said that social responsibility is no antidote; but that it contains a critical truth that must guide business later on (Carroll, 1999) <sup>[7]</sup>. Moreover, Chalmers (1959) <sup>[9]</sup> refers to CSR as a new dimension of social responsibility by companies and entrepreneurs, he said this approach of social responsibility emerged in the middle class because of the growing concern over increasing corruption in the economy, mismanagement, corruption and immoral practice (Freeman & Hasnaoui 2011) <sup>[16]</sup>.

In fact, little evidence that the definitions of CSR in the literature in 1950, but 1960 was instrumental in developing the concept of CSR. In addition, 1960 was the decade CSR has fought for the precise definition, and literature expanded considerably. The focus in this decade was the real social responsibility means and what it can offer to the economy and society. Davis (1960) <sup>[13]</sup> highlights the definition of CSR as a "nebulous idea" that alludes to "businessmen's decisions and choices made for reasons at least partially beyond the firm's immediate monetary or specialized investment". Frederick (1960) was also an effective partner in the first definitions of social responsibility, expressed as follows: social responsibility in the final analysis implies a public posture toward society's economic and human resources and the will

to see that those means in a large social purpose and used not only for narrowly defined interests of individuals and businesses.

Even Joseph McGuire W. (1963), another important contributor in the design of social responsibility in the 1960's, he said, the idea of social responsibility implies that the company has not only economic and legal obligations, but also a certain responsibility to the society that goes beyond these commitments. Davis (1960) <sup>[13]</sup> in other hand, stated that the essence of social responsibility stems from concerns about the ethical implications of one's practice that may affect the lives of others (Carroll, 1999) <sup>[7]</sup>.

In recent years, the debate on the relationship between society and the business focused on CSR. In the study of this relationship Margolis and Walsh (2003) conducted 127 investigations over a period of 30 years, which measures the relationship between corporate social performance and financial performance of the company that 50% of studies have shown a positive relationship (Banerjee, 2008) <sup>[1]</sup>. Sohn (1982) expressed a holistic approach to the definition of CSR and its objectives, by recognizing the nature in which the concept started and developed. This means that we should take in account the disparity of understanding and application of the concept over the different societies, cultures, ethnicities and countries. Sohn argued that this contrast did not prevent the development of corporate social responsibility (Freeman & Hasnaoui, 2011) <sup>[16]</sup>. Aurelija and Juozas gave one detailed definition for CSR: corporate social responsibility is the policy and practice of the company, which integral of voluntary social and environmental issues, according to the principles of respect for all groups of stakeholders, society and the environment (Ruževičius, 2011).

The International Standards Organization (ISO) defines CSR as a balanced approach for companies to align their economic interests for the benefit of individuals and society in general (Leonard & McAdam, 2003) <sup>[19]</sup>. Australian Standards Association (2003), to develop a standard for corporate social responsibility defines CSR as a voluntary mechanism for integration in society and in environmental issues into the core activities of the company and should be beyond legal responsibilities of this company. Johnson and Scholes (2002) argue that social responsibility refers to courses and activities of the organization and they are beyond the traditional obligations to stakeholders indicated through regulation and corporate governance (Banerjee, 2008) <sup>[1]</sup>.

Talking about current time, the modern concept of CSR mainly refers to four main areas: human rights, environmental protection, labour standards and the fight against corruption. Clearly evident that the business world is moving towards a total concept and understanding of CSR, as well as common standards in the world that companies should continue to be labelled as socially responsible (Ruževičius, 2011). In addition, Harold Johnson (1971) characterizes social responsibility (SR) like this: a socially responsible company is the company which its employees are doing a balance between the interests of shareholders or owners and other parties concerned and affected by corporate activities, such as workers, suppliers, local communities (Carroll, 1999) <sup>[7]</sup>. Alexander Dahlsrud tried to formulate a definition of CSR by literature review of the concept, then he identified five

dimensions is through the study of the substance of the definitions, he also investigated the frequency numbers from Google of all the definitions. He noted that CSR has too appropriate definitions, even if they come from different approaches, these definitions are relatively stable, so the availability of a complete definition less problematic. He added, definitions of CSR are a diagnosed phenomenon, but give no direction, confronted in the correct manner to the challenges in this phenomenon. Alexander argues that the challenge for companies is not to define CSR as it is to see how to develop CSR specific social context, and how to consider this when business strategies are developed (Dahlsrud, 2008) <sup>[12]</sup>.

Regardless of the internationalization of trade and the countries of the authors roots, CSR has not been understood that global or universal sense. Dahlsrud (2008) <sup>[12]</sup> implies that CSR is a socially constructed concept, which means that it is difficult to be universally defined. Similarly, Gjølborg (2009) to identify the origin of CSR demonstrates that CSR cannot be separated from the contextual factor of the country in which they are exercised (Freeman & Hasnaoui, 2011) <sup>[16]</sup>. The definitions of CSR are divided into two schools of thought, one's that believe that the company is only committed to maximize profits within the limits of the law and the minimum standards of conduct, as Friedman and Levitt, and the second school of thought those who proposed a range wider commitment to the society like Andrews, Carroll, Davis, Blomstrom, McGuire (Schwartz & Carroll, 2003) <sup>[23]</sup>.

The country's and firm's culture as a whole, will certainly affect the development and implementation of CSR in organizations and countries (Freeman & Hasnaoui, 2011) <sup>[16]</sup>. Sparks said that the ordinary meaning of CSR is that companies and businesses are judged only by the products and services they offer, but also by how these products and profits are made, means that companies have responsibilities and commitments on the environment which work in it. He says that CSR has three key elements. He comes out with this result after talks with the number of pension funds of local government in the UK in September 2000 (Sparkes, 2003) <sup>[28]</sup>: The first element is the responsibility of shareholders, or what could be called corporate governance, the second responsibility of humanity in the form of human rights and the third responsibility to the biosphere in terms of good environmental practices.

Corporate social responsibility (CSR) has been dismembered in many different elements by different authors each with a different motivation. These include comprehensive terms, for example, corporate responsibility, corporate citizenship, sustainability and social performance of companies. The need for socially responsible businesses in general, has increased for several reasons. Among the main reasons is the use of natural resources and the consequent threat to future generations, pollution of the environment and exploitation of the labour force. A huge influence on the development of CSR stems from globalization in which subsequently the companies become multinational and the primary purpose of their business is to maximize profits, despite the negative consequences.

Notably, governments are more attentive to CSR as a tool to encourage companies to help strengthen the social and

environmental standards. However, most companies are still convinced that CSR should be a voluntary initiative led businesses. The companies' leaders believe that the government's role should be "soft" limited to political measure such as the provision of information and the dissemination of best practices (Georgeta, 2008) <sup>[17]</sup>.

The obligation to have a social responsibility that is made by a company must be voluntary or optional action not mandatory, also, the obligation is a bit wider, meaning it extends beyond the traditional duty to shareholders and other groups in society such as consumers, employees, suppliers and neighbouring communities. The heart of this conceptual question is whether companies have obligations to other groups rather than the shareholders (Dumitru, Ionel, & Ileana-Sorina, 2010) <sup>[14]</sup>.

Whether or not companies ought to adopt CSR and in which form of responsibility should take within the company, is dependent upon the economical approach adopted by the company. There are those who believe that the only corporate responsibility is to provide working and paying taxes. This view is shared by those who believe in maximizing profits for shareholders is reflected in the views of Friedman (1962): Few trends would so thoroughly undermine the very foundations of our free society as the acceptance by corporate officials of a social responsibility other than to make as much money for their stockholders as it can be (Moir, 2001). Moreover Levitt (1995) also argues that social concerns and wellbeing was the responsibility of government, it's not the responsibility of business, and the business role was to deal with the more material components of welfare. Levitt expected that the attention which given to the social responsibilities reduce the profit motive which is very important for the prosperity of the business (Carroll & Shabana, 2010) <sup>[8]</sup>.

Similarly, Milton Friedman (1962) increase the arguing that the management has one responsibility and that is to enhance the benefits of the owners or shareholders. He argued that social issues are not the concern of the business and these issues should be resolved by the liberalized the operation of the free market system. Furthermore, this view holds that if the free market cannot cope with social problems, it is not the responsibility of businesses but it is on the government. Another argument against CSR is that business nature is not enough to solve social problems and issues.

### 3. Methodology

Social research is a systematic study into social, political or other fact-conditions, to discover unknown or partly known factors working behind particular phenomenon, to understand why something happens and to draw inferences and general conclusions, it is to identify the cause and effect of certain problem (Yaqin, 2007) <sup>[32]</sup>. This paper is an attempt to find out the regulations and policies relating to CSR in Algeria. In conduction this paper, it is intended to use the exploratory study on the Algerian law to know the legislation which related to the CSR in Algeria, "The important thing for business and society at large to understand is the limit to voluntary action, which is the point where government need to intervene. If we are to live within the earth's capacity and share its resources equitably, economies must be transformed. That cannot be done by business alone" (Cowe R and Porritt J, 2002) <sup>[11]</sup>, the author sets out to describe the role of corporate

social responsibility (CSR) in government policy and examine its relevance to a particular sector, the regulated utilities (labor, environment and consumer protection.....), and the role of government to regulate CSR in Algeria. The armchair library approach employed for the collection of the primary legal materials. For this purpose, the Library of University Utara Malaysia, the Faculty of Law Library, and the Algerian High Court Library used to source the primary legal material. The secondary data, books, articles, reports and online database equally sourced through the library approach.

## 4. Results

### 4.1 Environment Protection

The first law that protected environment in Algeria was enacted on 1983, after that the government enact many legislative and executive ordinances:

- Law number (03-83) enacted in 5 February 1983 relating to environment protection.
- Law number (12-84) enacted in 23 June 1984 Containing the General Forest System, which amendment in 2 December 1991 by law number (20-91) Containing the General Forest System and Regulatory provisions applicable to this law.
- Executive ordinance number (78-90) enacted in 27 February 1990 which concern about the studies related to environment affected, its sections stipulated the obligation of the studies about effect of the project to the environment prior to do so.
- Executive ordinance number (339-98) enacted in 3 November 1998 which concern the regulations about Constructions classified including the concept and the acquisition of Constructions classified character, also the Provisions applied to this field. Law number (01-19) related to manage, control and remove the garbage which ratified in December 2001. This law has stipulated the obligation of Producers to reduce, recycle or reuse the rubbish, also to inform and educate the citizens about the dangers caused by waste and how to avoided and protect themselves from this danger. This law reflects the producer's responsibility of waste which left by them.
- Law number (03-10) related to environment protection in framework of continuous development, ratified in July 2003. Algerian legislator takes on the recommendations of Rio de Janeiro forum (1992) about the principle's Sustainable development.

In 2008, for serious volition in controlling the garbage in Algeria the government launched the national program to manage rigid garbage. Furthermore, Algerian government established collection of environmental taxes and fees as an attempt to put an end to the various types of pollution, especially air and water pollution. Some of this fees and taxes are: fees about rigid garbage, fees about Air emissions and special fees about industrial liquid emissions. In addition, there are many public institutions which established to protect environment in Algeria; it can be arranged on the basis of their role and importance in the protection of the environment as follows:

- The Ministry of Environment and arrangement of the Territory,

- Supreme Council for the Environment,
- National Institute for Environmental Careers,
- National Observatory for Environment and Sustainable Development.
- National Institute of shore.
- The National Centre of Clean technologies.

Moreover, the Algerian government established more policies for environment protection, which forced companies to be comply with the instructions of this policies. First, the owner of the project should comply with the conditions environment studies which conducted by expertise bureau or Consulting Office specializes in this field which endorsement from the minister of environment. The studies contain the affects and the risk of the project on the environment, the entrepreneur bear the costs of the studies. The studies aimed to determine the direct and indirect effects of the project on the environment, also to verifying and assuring to comply with the instructions concerning the protection of the environment. After that, the entrepreneur should get the using permission, an administrative document proved that the project complies with provisions and conditions related to environment protection. Next, when the company established they should have environment delegate; who has the responsibility to apply of environmental laws at the enterprise level also to ensure good environmental management in the regulatory and legal aspects. More than that, the company should be committed to providing an annual report about the hazardous special waste, which containing the nature, quantity and the properties of the waste. And how to treat this garbage, also the prevention techniques which are obligated, for more reassuring, the Ministry of Environment and arrangement of the Territory enter into a good environmental performance contracts with all contaminated corporation each one separately; regarding the financial and technique situation of each company.

The aim of this contracts is to put the rehabilitation program for each company in exchange for financial aid. As result Algeria classified the first in Africa and Arab countries in the field of environmental protection, according to American program the Environmental Performance Index 2010 EPI, Algeria ranked 42 from 163 countries (Environmental Performance Index, 2015). However, the limited knowledge of environmental legislation, low investment capacity, insufficient expertise and limited access to technology, are the main obstacles to the environmental commitment of SMEs / SMIs, which account for almost 95 percent of the industrial fabric. Most often, they are also unaware of support schemes instituted by the state. Under the aegis of the Algerian Standardization Institute (United Nations Economic Commission for Africa Office for North Africa, 2015).

#### 4.2 Consumer Protection

Guidelines of ISO 26000 recognise consumers as stakeholders and provides instruction on standards for social responsibilities of corporations. Clause 6.7 of ISO 26000 guidelines on consumer issues: it is expected that the corporation to satisfy its responsibility towards their consumers; one of the significant stakeholders of the corporation are consumers, who consumes or uses products and services for private usage. The seven components of

corporate behaviour towards consumers, included in Clause 6.7 namely:

- Fair marketing, factual and unbiased information and fair contractual practices.
- Protecting consumer's health and safety.
- Sustainable consumption; utilization of good and healthy food which fulfills the present needs without compromise future needs that utilization of products and resources at rates of regular with sustainable development.
- Consumer service, complaints and dispute resolution, the consumer services refer to proper installation, warranties and guarantee, repair and maintenance, after sale service, take measures to prevent complaints and reviews complaints to improve the practices.
- Consumer data protection and privacy.
- Access to essential service; basic needs for example: health care and right to essential utility services like electricity, gas, water, drainage, sewage and communication.
- Consumer education and awareness (Khanna, 2012) <sup>[18]</sup>.

To guarantee customer security and safety, Algerian government has inserted various systems with build up the control framework for locally produced and imported food. Mechanisms were inserted to regulate the interior business sector, specifically by adjusting the legislative and regulatory framework for quality control, combined with modernizing and reinforcing control structures to enhance market observation. Subsequently, the quantity of analytical and testing laboratories has ascended from 11 to 20 nationwide for controlling the quality and safety of products. For verification of product conformity, there are 50 border inspection posts across the country.

Moreover, various offices are in charge of controlling nourishment quality and safety in Algeria, including the Ministry of Agriculture (control animals and animal products, plant safety, seeds, and so forth.), Ministry of health and Ministry of Trade. The Ministry of Trade possesses a focal position inside of this legislative structure due to its responsibilities for consumer protection, monitoring fair trade and promoting food quality. The Ministry of Trade has adopted an appropriate legislative and organizational structure to fulfil its duties. The regulatory framework for consumer protection and fraud prevention is based on Law 09-03 of 25 February 2009 on consumer protection and fraud prevention.

This Act repeals and replaces Law 89-02 of 7 February 1989 on the general rules of consumer protection. A number of horizontal and vertical regulations have been developed on such matters as labelling, food additives, hygiene, contact materials, product safety, control of locally produced and imported products and the specifications to be met by various foods.

Briefly, the structures that regulate consumer protection in Algeria are:

- Ministry of trade. The national board to protect consumer. Algerian center for quality control and packages. The Grid of laboratories for quality testing and analysis. The National Committee for Consumer Protection from the dangers. Also, the following ministries responsible for consumer safety and protection.

- Ministry of Agriculture. Ministry of Health. Ministry of Fishing and Fishery Resources. Ministry of Water Resources. The law 09-03 of 25 February 2009 on consumer protection and fraud prevention; considered as the most important legislation for consumer protection, which contain new procedures for more protection and safety to consumer, also to enhance the role of consumer protection associations. The main points of this law:
  - ✓ Obligatory of cleanliness and hygiene food product and their safety.
  - ✓ Obligation of products safety.
  - ✓ Obligation of satisfy with Stipulated Standards.
  - ✓ Mandatory of guarantee and services after sales.
  - ✓ Obligation of informing the consumer.
  - ✓ Consider the material and moral interest of the consumer.
  - ✓ Admission the public interest and Offering judicial assistance for consumer protection associations.

#### 4.3 Labour Law

CSR brings a significant measurement to the worldwide economy. CSR can upgrade human rights, work rights and work measures in work place by joining the consumer power and socially dependable business authority (Compa, 2008) <sup>[10]</sup>. All the legislations in Algeria which related to labour law are emerged from International conventions and agreements, Algeria has endorsed 59 International conventions, and the main points of these conventions are:

- Prevent forced labour.
- Freedom of syndicate and protection of the right to organize.
- Collective bargaining.
- The equality in the field of wages.
- Non-discrimination.
- Working age.
- Prevent children labour.

The following are the legislation that regulate the labour field in Algeria:

- Law (11-90) related to regulation of labour relations; the sections 5 and 6 stipulated the rights of workers.

**Section 5:** The workers enjoy the following basic rights:

- Exercise of the trade-union right,
- Collective bargaining,
- Participation in the organization employer,
- Social Security and retirement,
- Hygiene, safety and occupational medicine,
- Rest,
- Participation in the prevention and the payment of the conflicts of work,
- Resort to the strike.

**Section 6:** Within the framework of the working relationship, the workers also have the right:

- With an effective occupation;
- With the respect of their physical and moral integrity and their dignity;
- With a protection against any discrimination to occupy a station other than that founded on their aptitude and their merit;
- With the vocational training and promotion in work,

- With the regular payment of the remuneration which is due for them;
- With social works;
- With all advantages rising specifically from the contract of employment.
- Law (14-90) related to determine the terms of syndicate practice.
- Law (02-90) related to intervention methods and the settlement of collective disputes. Also, ways and conditions to exercise the right of strike which resulting from a collective dispute.
- Law (04-90) related to intervention methods and the settlement of individual disputes. Also, Rules and procedures that determine the compatibility and reconciliation offices and the competent courts. Despite that many international labour laws defined by ILO concerning principles and basic rights already exist, among which some have been ratified by Algeria.
- Law N° 90-11 of the 21st of April 1990 (complemented on January 11, 1997), regulates working conditions: 40 hours of work in 5 days, less if the conditions are harsh; agricultural work is fixed at maximum 1800 hours per year (art. 24), maximum 12 hours per day (art. 26), child labour (under 16 years of age) is illegal (art. 15), a minimum wage (SNMG), a very good social security coverage and hygiene and safety rules (law N° 88-07 of the 26th of January 1988). However, private companies don't often register their employees and labour inspectors don't control and punish who breaks the law, although they have the legal power needed. Therefore, the problem is not a question of lack of legislation, but the failure in applying and controlling it (Bouزيد & Padilla, 2014) <sup>[5]</sup>.

#### 4.4 The Effort of Algerian Government to Enhance the Adoption of ISO 26000

ISO 26000 is always the reference point related to the corporate social strategy. This "standard" takes the form of recommendations to encourage corporations to bear their social responsibility, good governance, and respect for human rights, the satisfactory about the working conditions, respect for the environment, faire practices, consumer satisfaction and contribution to sustainable development (Quairel-Lanoizelee & Capron, 2010) <sup>[22]</sup>.

According to Capron, a corporation which follows the guidelines of ISO 26000 contributes to local development within its zone of activity by increase wealth and income, creating jobs and participating in education and culture. Making an adherence towards societal responsibility means that the companies should contributing to sustainable development, health and well-being of society. ISO 26000 is definitely an International norm giving assistance on SR.

It is intended with regard to use simply by organizations of all types, throughout both public and private sectors, throughout developed and developing nations around the world, as well as economies in transition. It will assist them in their efforts to perform in the particular socially responsible manner which the society increasingly demands. ISO 26000 contains voluntary guidance, not conditions, and therefore seriously isn't for use as a certification norm.

ISO 26000 distills a new globally relevant perception of what

social responsibility is and exactly what organizations have to do to perform in a socially responsible manner (Libnor.gov.lb, 2015). Algeria has ratified the standard of ISO and developed a national program to accompany this project, within a part of a regional initiative named MENA (Middle East and North Africa); The project deployed in two phases, the first phase was performed in 2011 and the second phase was performed from 2012-2014.

During the first phase of this project, four Algerian educators have been trained, two pilot organizations have started implementing ISO 26000 (one public and one private company) and two national seminars were held in the autumn of 2011 in Oran and Algiers respectively. During a follow-up session in Marrakech in December 2011, the first phase of the Algerian project was validated and it was decided to continue the project for the period 2012-2014, with training of another four experts and 12 more pilots with four new each year. (Randi Adoum, 2012) <sup>[23]</sup>. Within this program 114 Algerian Corporations benefited from the formation and accompaniment.

#### 4.5 Anti-Corruption

In the light of the fact that business transactions free of corruption are essential in order to attain other CSR objectives, this inattention is all the more worrisome. Anticorruption policies and standards enable the realisation of CSR values in two ways: first, as CSR values are mutually reinforcing, anti-corruption standards can also have a positive indirect effect on other CSR goals. Transparent business transactions guarantee a certain degree of fairness and permit the participation of different interested parties.

In turn, these parties, such as civil society, the media, and labour unions, will each strive for their own interests, which will consequently result in better CSR conditions on the whole. Second, business practices free of corruption function as a secure and long-term basis on which to build a platform to work towards the attainment of other CSR goals. If corruption is not addressed at a pre-stage of any CSR effort, the work of CSR practitioners will be built on quicksand. This is especially true with regards to the environment. The presence of valuable natural resources may lead to bribes that affect the awarding of concessions for natural resource extraction.

For example, a serious deforestation case in the region of Sundalan (Brunei, Indonesia, Malaysia, Singapore and Thailand) was based on corrupt practices. Due to the reliance on kickbacks from illegal logging in all countries in Sundalan, the environmental problem has been difficult to tackle. Corrupt police officers and officials protect illegal loggers at the expense of local communities (Julio Bacio Terracino, 2007) <sup>[29]</sup>. Corruption in emerging markets is a major social problem, which affects the ability of a company to competition. Participation in strategies against corruption is a way for companies to improve their competitiveness, while also limiting resources that are intended for disadvantaged groups from ending up in the pockets of roguish corrupt officials. Companies can play a huge role as leadership and contribute to improvement of results in the field of combat corruption, by tackling corruption as a CSR strategy.

In Algeria the government made huge efforts to combat

corruption; ratify the United Nations Convention against corruption, also the African Convention related to same field. Enacted the law (06-01). Which related to the prevention of corruption, this law ratified in 2007. It contains 74 chapter It provides for the formation of a national body whose task is to apply a national strategy for the fight against corruption and the formulation of rules to prevent and establish measures to monitor corruption and mechanisms of legal cooperation. The law defines a series of rules that are applied in the public administrations in order to ensure fairness and transparency in public affairs.

As result of this efforts, within June 2012, the Algerian lower court found two Algerian people and three Chinese residents guilty involving in corruption. The actual court sentenced the Algerian people to 15 years in jail and sentenced the Chinese residents in absentia to ten years in prison and issued a global warrant for their arrest. The government investigated numerous high-profile corruption scandals in 2009 and 2010.

One investigation implicated officials with the Ministry of Public works on charges of fraud associated with the construction on the East-West highway.

Another senior official of Sonatrach (an oil company which owned by government) investigated in case of corruption in procurement. Several exes - Sonatrach senior officials have been in custody, while some are within investigation. Lower-level investigations involved customs officials as well as private sector executives charged with embezzlement, illegal currency exchanges, and wrong use of public funds.

#### 5. Conclusion

This paper investigated Corporate Social Responsibility in the Algerian context. The main objective of this paper is to explore the laws and policies that organize CSR activities related to community within Algerian companies. During the study, an extensive desk study is conducted to have an idea about the laws and policies that regulate CSR in Algeria. The study has shown that Algerian government made huge efforts to regulate the field of CSR by enacted and endorsement different legislations and policies, which support the companies to bear their social responsibilities, the government focus in the following areas: environment, consumer protection, and labour law, adoption of ISO 26000 and anti-corruption. However, the Algerian government should make more efforts to apply this legislation and policies, also more efforts to monitor the implementation of this policies by corporates.

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