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BUSINESS LEGAL MONITORING

March-April 2025

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2024
LEGAL AWARDS

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WORDS FROM THE MANAGING PARTNER

Dear Readers,

As the Managing Partner of Fares Legal, I am thrilled to share some wonderful news. We are incredibly proud to announce that Fares Legal has earned recognition as a leading firm in dispute resolution in Algeria by the esteemed Legal 500. This accolade highlights our deep expertise and exceptional ability to manage cases of high complexity and strategic significance. Our dedicated team excels in addressing the legal challenges within sectors such as Pharmaceuticals, Energy, Construction, Transportation Industry and more ensuring precise and effective solutions. My heartfelt gratitude goes out to our remarkable team for their diligence, and to our clients for their continuous trust and valuable partnership.

Also, I am pleased to engage and share with you on some of the key developments in March and April impacting Algeria's economic landscape and bring you insights into Algeria's diversification challenges and opportunities. Algeria has long relied on hydrocarbon exports. However, new European Union regulations, notably the Carbon Border Adjustment Mechanism (CBAM) effective from 2026, require adherence to stringent environmental standards. This poses a significant challenge for sectors like chemicals and steel. Our June seminar will provide essential guidance on navigating these regulatory changes for businesses targeting the European market.

Despite recent growth in LNG exports to Spain in Q1, trade relations with France have softened in 2024, possibly affected by political tensions affecting the broader legal and diplomatic landscape influencing bilateral legal dynamics. Concurrently, the Algerian Ministry of Energy and Mines is proposing legislation to rejuvenate the mining sector by allowing 80% foreign investment in mining projects, with a 20% partnership reserved for national companies. This is a strategic move to enhance investment attractiveness and spur economic diversification. On the other hand, I am delighted to discuss with you the significant the latest updates on the new framework of importations procedures.

The recent dissolution of the National Agency for the Promotion of Foreign Trade (ALGEX) by Algerian President Abdelmadjid Tebboune suggests a pivotal transformation in Algeria's trade policy, particularly against the backdrop of ongoing disputes with the European Union (EU). This decision appears to stem from criticisms regarding ALGEX's inefficiency and the bureaucratic obstacles it created within the trading landscape. Concurrently, the EU's initiation of arbitration under Article 100 of the EU-Algeria Association Agreement reveals deep-seated concerns primarily surrounding Algeria's import rationalization measures, which have increasingly been perceived as restrictive, and at times, analogous to outright import bans.



WORDS FROM THE MANAGING PARTNER

Despite the dissolution of ALGEX, the underlying challenge of import restrictions remains a substantial issue. The creation of two new bodies aimed at managing imports and exports signals an intent to streamline processes and bolster economic competitiveness. However, it is crucial for the Algerian government to ensure that these new frameworks not only promote transparency but also facilitate the importation of essential goods required for local investments. Failure to address existing measures may further complicate bilateral relations with the EU.

Moreover, nurturing an amicable resolution to these differences holds significant importance for cultivating a collaborative atmosphere that would be conducive to strategic initiatives, such as the development of a green hydrogen corridor. Both Algeria and the EU seem inclined toward engaging in consultations rather than resorting to formal arbitration, illustrating a commitment to negotiation and solutions that would benefit both parties. This diplomatic approach aligns with the principles of good faith in international trade law, underscoring the significance of cooperation and dialogue.

An illustrative manifestation of this collaborative spirit is the recent launch of the "Taqathy+" project, co-funded by the EU and Germany. This initiative aims to enhance renewable energy deployment and strengthen institutional capacities in Algeria, thereby enabling more favorable conditions for substantial renewable energy undertakings.

As such, resolving ongoing disputes is critical for underpinning and advancing these strategic cooperative efforts. Engaging in comprehensive dialogue about import procedures not only stands to improve Algeria's trade relations but also fosters a constructive partnership with the EU and other international allies, paving the way for mutual growth and progress.

Thank you for taking the time to explore these insights, and I wish you an enjoyable and informative reading experience.

Yannil Belbachir
MANAGING PARTNER



Inside Business Data

1.1 OVERVIEW OF ALGERIA'S FOREIGN TRADE (2018-2023)

From 2018 to 2023, Algeria's exports rose from 4,889 billion DZD to 7,432 billion DZD (+52%), with imports increasing from 5,403 to 5,793 billion DZD (+7.2%). The trade balance shifted from -513 billion DZD to +1,636 billion DZD. Hydrocarbons dominated exports (90% in 2023). Italy, France, and Spain were the top trading partners. ¹

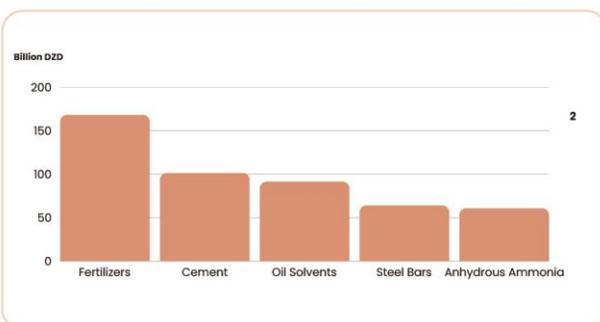
Key Figures

Exports: +52% **Imports:** +7.2%
Trade Balance: -513B DZD to +1,636B DZD

1.2 KEY NON-HYDROCARBON EXPORTS OF ALGERIA IN 2023

In 2023, Algeria's top non-hydrocarbon exports included:

Fertilizers: 168.1 billion DZD (\$1.25 billion)
Cement: 101.5 billion DZD (\$753 million)
Oil Solvents: 91.6 billion DZD (\$678 million)
Steel Bars: 64.3 billion DZD (\$477 million)
Anhydrous Ammonia: 61 billion DZD (\$453 million)



Key Non-Hydrocarbon Exports of Algeria in 2023

¹ ONS Report

² Office National des Statistiques

³ Direction Générale du Trésor français

1.3 ALGERIA'S ECONOMIC CHALLENGE AMID OPEC+ DECISIONS AND US TARIFF UNCERTAINTY

Key Features

OPEC+ oil production increase: +411,000 barrels/day

Potential US tariff: 30% on imports

Hydrocarbons: 78.6% of Algeria's trade with the US

Brent crude price drop: from \$75 to \$65.

Algeria faces challenges from rising oil production and potential tariffs, threatening economic stability reliant on hydrocarbon exports.

1.4 ALGERIA-FRANCE TRADE DECLINE IN 2024

Trade decline: 4.3% to 11.1 billion EUR

French imports from Algeria: -11.2% to 6.3 billion EUR

Hydrocarbons share: 79.4% of Algerian exports

Hydrocarbon exports: -14% to 5 billion EUR

Gas exports: -19.1%

French exports to Algeria: +6.6% to 4.8 billion EUR

Transport equipment: +28.2% to 1.1 billion EUR

Agricultural exports: +16.5% to 322 million EUR

Cereal sales: +105.6%

Agro-food exports: -21.9%

French trade deficit with Algeria: -1.5 billion EUR ³



I. Inside Business Data

1.5 KEY CONTRACTS FOR FRENCH COMPANIES IN ALGERIA

Summary

Vallourec and Viridien secured contracts worth \$250M and \$multi-million for energy projects in Algeria respectively. ³

1.6 INVESTMENT OVERVIEW: ENI'S \$9 BILLION COMMITMENT IN NORTH AFRICA

ENI plans \$9 billion investments in North Africa, focusing on Algeria, Egypt, and Libya. Key details include: ⁴

Total Investment: \$9 billion (4-year plan)

Production in Algeria: 115,000 boe/d (2024)

Key Assets: Touat, In Amenas, In Salah

Production Challenges: Berkine down 10% to 56,000 barrels/day

Bid Round: Ongoing until June 17

1.7 KEY INVESTMENT INSIGHTS: SONATRACH AND SINOPEC'S STRATEGIC MOVES

850 M USD: Investment in Hassi Berkine North exploration.

70%: Sinopec's share in development costs if successful.

4.45 B USD: Revised contract for Hassi Messaoud refinery.

October 2027: Expected completion of diesel production phase.

3 Point Magazine Juridique, April 8, 2025

4 MEES, Weekly Energy, Economic & Geopolitical Outlook, April 18, 2025



II Inside Legal Business Updates

2.1 MANDATORY BENEFICIAL OWNERSHIP DECLARATION: EXPANDING TRANSPARENCY TO FOREIGN SUBSIDIARIES ALGERIA

In the ongoing global fight against money laundering and the financing of terrorism, Algeria is intensifying its transparency requirements for businesses. According to the new directives from the National Trade Register Center (CNRC), all legal entities including foreign subsidiaries are now mandated to disclose their beneficial owners under Executive Decree No. 23429. This expansion of obligation marks a significant shift in regulatory approach, as it now applies to both Algerian and foreign-invested entities operating within national borders.

This measure aims to enhance transparency regarding individuals who exert effective control over these companies. By doing so, Algerian authorities will be better equipped to assess legal and financial risks, improving the country's alignment with international standards on financial crime prevention. The regulations detail that companies must comply within a strict timeframe of 15 days to avoid substantial fines and legal repercussions.

Violations of this decree can lead to severe penalties, including significant fines, activity bans, and potential criminal charges against culpable executives.

Such stringent measures not only promote good governance but also serve to attract legitimate foreign investments by fostering a secure business environment.

Businesses, especially foreign subsidiaries, are urged to respond promptly and thoroughly to these new requirements.

2.2 PRESENTATION OF THE NEW MINING ACTIVITIES BILL BEFORE THE ECONOMIC AFFAIRS COMMISSION

The Minister of Energy and Mines presented the new bill regulating mining activities to the Economic Affairs Commission of the National People's Assembly (APN). This text aims to revitalize the mining sector in Algeria by establishing a legal framework conducive to the development of the mining industry as well as attracting investments. Approved by the Council of Ministers on February 9th, the bill notably includes the removal of mining activities from the list of strategic sectors subject to the 49/51 rule, which limits foreign investment to 49%. This list was established by an executive decree on April 17, 2021, and published in the official journal. However, the bill plans to increase the foreign capital share in a mining project to 80%, stipulating that the foreign investor must partner with a national company that will now hold 20%.

II Inside Legal Business Updates

2.3 INTRODUCTION TO ELECTRONIC PORTAL PUBLIC PROCUREMENT TO FOR COMPLIANCE

On February 27, 2025, the Directorate General of Taxes (DGI) launched a new electronic portal for public procurement, enabling economic operators to register online or in-person at the General Directorate of the Budget of the Ministry of Finance. This platform allows users to consult various calls for competition and download specifications without charge, significantly enhancing accessibility and transparency in public procurement processes.

PROVISIONAL PAYMENT OF IBS

As stated in the direct tax and similar taxes code, the first advance payment of the Income-Based Tax (IBS) for the taxable year 2025, calculated from the profits of 2024, is due by May 31, 2025. The legislation emphasizes timely compliance to avoid penalties.

CANCELATION OF TAX DEBTS

An Order dated February 18, 2025, delineated the process for canceling tax debts of companies subjected to confiscation by final court decision. Following Circular dated March 5, 2025, which discusses tax debts' expiry after four years post-December 31, 2023, companies that failed to subscribe to the debt cancellation scheme by December 31, 2024, now face the prospect of rigorous prosecution for tax defaults.

CHANGES IN STAMP DUTY CALCULATION

Circular no. 14/MF/DGI/LF.2025 of March 5, 2025, reorganizes the method for calculating stamp duty on receipts. It specifically exempts electronic payments from stamp duties, marking a significant advantage for businesses opting for digital transactions.

NEW PENALTIES FOR LATE FILINGS

Circular no. 07/MF/DGI/LF.2025, issued on February 27, 2025, outlines new penalties for the late filing of declarations related to vocational training and apprenticeship taxes. Employers must ensure compliance with these updated requirements to sanctions.



III. Latest Insights of Our Experts

3.1 THE UK ARBITRATION ACT 2025: A NEW CHAPTER IN GLOBAL DISPUTE RESOLUTION

Summary

The recently enacted UK Arbitration Act 2025 marks a pivotal evolution in the UK's arbitration landscape. Aimed at reinforcing the UK's global status as a premier arbitration destination, the Act enhances arbitrators' authority while reinforcing the finality of awards and reducing unnecessary court interference.

Key features

Enhanced Arbitrator Authority :

Arbitrators can now issue summary awards for baseless claims, streamlining the dispute process.

Restricted Judicial Challenges :

Revised Section 67 curbs the reintroduction of arguments in court post-arbitration unless previously undiscoverable.

Default Rule for Governing Law :

In the absence of an explicit choice, the law of the arbitration seat governs the agreement a move that brings clarity and predictability.

International Nuance :

Investor-state arbitrations under treaties are excluded from this default rule, respecting the complexities of public international law.

Impact

This legislative reform aligns the UK with arbitration leaders like Singapore and Hong Kong, while reaffirming its commitment to efficient, autonomous, and final dispute resolution.

3.2 DENOUNCING THE FRANCO-ALGERIAN AGREEMENT OF 1968: A LEGAL TIGHTROPE

Summary

The recent political debate surrounding the denunciation of the Franco-Algerian Agreement of 1968 brings to light a host of intricate legal challenges. Without a formal exit clause, any unilateral denunciation faces scrutiny under international treaty law, particularly the Vienna Convention on the Law of Treaties (1969).

Legal Hurdles

No Exit Clause: Article 56 of the Vienna Convention limits denunciation to treaties with implicit termination grounds a difficult threshold in this case.

Change of Circumstances (Art. 62)

While France and Algeria's political and social contexts have evolved, a fundamental change justifying withdrawal remains legally contestable.

Violation of Obligations (Art. 60)

The agreement's provisions don't clearly identify a substantial breach that would legally warrant termination.

Diplomatic Tensions Are Not Enough

Article 63 affirms that strained diplomatic ties alone are insufficient grounds for termination under international law.

[Read full article on fareslegal.com](https://fareslegal.com)



III. Latest Insights of Our Experts

Conclusion

Terminating the agreement would require a legally airtight case. Absent clear treaty violations or mutual consent, any move toward denunciation may provoke both diplomatic fallout and legal uncertainty. Legal rigor not political pressure must guide any such action.

[Read full article on fareslegal.com](https://fareslegal.com)

3.3 RENEWABLE ENERGY IN ALGERIA: A NEW ERA FOR STRATEGIC INVESTMENT

Summary

Algeria is accelerating its transition to clean energy, aiming to produce 15,000 MW of renewable electricity by 2035. This ambition is underpinned by the 2025 Finance Law, which enables foreign funding for projects of national interest, and by Algeria's intention to supply up to 10% of the EU's hydrogen needs.

Backed by Sonelgaz and a strategic location between Africa and Europe, Algeria is positioning itself as a key player in the global energy shift particularly in solar, wind, and green hydrogen.

Foreign investors now benefit from: Tax incentives and legal guarantees Access to public-private partnerships (PPP).

New project-financing models, including Independent Power Producers (IPP).

Transfer guarantees, ensuring the repatriation of profits and capital

However, structural reforms remain critical: challenges persist around land allocation, pricing frameworks, and administrative procedures. Additionally, the establishment of robust dispute resolution mechanisms, including arbitration, will be essential to ensure bankable and secure investments.

Despite these hurdles, Algeria's evolving regulatory framework presents a compelling opportunity for forward looking energy stakeholders.

[Read full article on fareslegal.com](https://fareslegal.com)



IV. Latest Case Study

4.1 SUPPLY CHAIN CRISIS AVERTED FOR LEADING ELECTRONICS MANUFACTURER

Introduction

In a precision-driven electronics sector, even minor procedural failures can cascade into disruptions. A prominent Algerian electronics manufacturer faced a potentially crippling crisis when flawed shipping documentation stalled customs clearance of critical components. With production lines across three facilities on standby and delivery commitments to five key international partners at risk, immediate legal intervention was essential.

The Challenge

The client's synchronized manufacturing cycle ground to a halt at port, jeopardizing just-in-time production schedules, international contracts, and projected revenues in the multi-million euro range. Any further delay threatened reputational damage and potential contract breaches.

Our Strategy

Fares Legal deployed a dedicated litigation taskforce that:

Engaged Customs Authorities – Submitted formal corrective filings and coordinates with port officials to identify and remediate documentation errors.

Issued Pre-Litigation Notices – Filed cease-and-desist and breach-of contract letters to the logistics provider, preserving the client's right to damages.

Prepared Parallel Litigation Roadmap -

Drafted and lodged suit for recovery of financial losses based on contractual guarantees and anticipated business interruption costs.

The Result

Within 72 hours, all detained shipments were released, restoring full production capacity and preserving every scheduled international dispatch. No contractual penalties were incurred, and the client's logistics partner immediately revised its documentation protocols industry-wide. Recovery proceedings for damages remain active, with an initial settlement proposal under review.

Key Outcomes

- Operational Continuity Restored across three production sites within three days.
- Contractual Integrity Maintained no delivery penalties, no lost clients.
- Multi-Million-Euro Damages Claim Filed to secure full financial redress.

4.2 CROSS BORDER PARTNERSHIP STRUCTURED FOR LEADING EUROPEAN MANUFACTURER IN THE HEATING SECTOR

Introduction

A major European manufacturer specializing in gas burner technology launched a strategic commercial expansion into North Africa through a high-value partnership.



IV. Latest Case Study

The venture, exceeding €10 million in projected value, required precise legal structuring to align with a complex and evolving regulatory environment while securing long-term commercial and intellectual property protections.

The Challenge

Entering a new market within a heavily regulated sector such as energy and heating solutions presented a number of legal and operational risks. Key concerns included the enforceability of cross border agreements, brand protection, proprietary technology rights, and the management of warranties. A failure to anticipate and mitigate these risks could have resulted in legal exposure, operational inefficiencies, or dilution of the client's commercial identity.

Our Strategy

Fares Legal provided comprehensive legal advisory services throughout the negotiation and structuring of the partnership. Our legal team:

Protected Intellectual Property and Brand Assets

We ensured full control over trademarks, proprietary systems, and technical documentation, preventing unauthorized use and preserving the client's market positioning.

Built a Resilient Legal Framework

The agreement included risk mitigation clauses, warranty terms, and jurisdiction specific dispute resolution mechanisms to ensure enforceability and operational clarity.

Harmonized Compliance with Dual Jurisdictions

We reconciled the partnership structure with both local legal standards and international trade laws to eliminate regulatory gaps and support future scalability.

The Result

The client entered the market with a legally sound and enforceable agreement that offered full protection over brand and proprietary technologies. Stakeholder confidence was strengthened through embedded warranty protocols and a clear conflict resolution pathway. The agreement not only facilitated immediate commercial activity but also established a template for future partnerships across other jurisdictions.

Conclusion

This case demonstrates Fares Legal's capacity to design cross-border commercial partnerships that are both legally robust and operationally pragmatic. Through proactive legal strategy, we helped our client enter a key market while securing the legal foundation for sustainable international growth.

V Inside The Firm

5.1 AWARDS AND RECOGNITIONS

We are incredibly proud to announce that Fares Legal has been recognized by the famous Legal 500 as a leading firm in dispute resolution in Algeria.

This recognition reflects our deep expertise and our ability to handle cases of high complexity and strategic importance. Our focus sectors include Pharmaceuticals, Energy, Construction, Transportation, and Industry, where we address the legal challenges of our clients with precision, thanks to our experienced and dedicated team.

A huge thank you to our exceptional team for their hard work, and to our clients for their continuous trust and valuable partnership. Together, we are pushing boundaries and redefining excellence in legal matters.



5.2 OUR LATEST SEMINARS

Doing Business in Algeria 2025: Navigating Legal Complexity with Confidence Introduction.



February 3, 2025 | Fares Legal Office

Fares Legal hosted its annual flagship seminar, bringing together representatives from the diplomatic corps, multinational companies, and legal professionals for a comprehensive session on Algeria's evolving legal landscape.

Key Insights

- Regulatory developments in cross border transactions.
- Foreign investment structures and compliance requirements.
- Employment and visa frameworks for international firms.
- Intellectual property rights protection.
- Public procurement procedures and EPC contracts.
- Anti-corruption and data protection compliance.
- The session concluded with an expert panel discussion addressing practical legal challenges faced by multinationals operating in Algeria.

V Inside The Firm

5.2 OUR LATEST SEMINARS

**Doing Business in Algeria 2025:
Navigating Legal Complexity with
Confidence Introduction.**



February 25, 2025 | Fares Legal Office

This executive seminar focused on the critical legal, operational, and technical risks associated with large-scale infrastructure and energy projects in Algeria.

Agenda Highlights

- Legal Risk Landscape Presented by Yannil Belbachir, Managing Partner, covering forex exposure, contract claims, cybersecurity, health & safety, and anti-corruption practices.
- Business & Technical Risks Presented by Nacer Greffou, Founder of Algeria Smart Grid Co., highlighting strategic risk planning and investment opportunities.
- Networking Break Facilitated engagement among key industry stakeholders,

This seminar reaffirmed the importance of strategic foresight and robust compliance systems in navigating Algeria's dynamic business environment.

5.3 UPCOMING EVENTS AND WORKSHOPS.

**Ensuring Global Trade Compliance:
Seminar for Multinationals in Algeria.**

Date: June 24th, 2025

Audience: Legal, compliance, export managers, and business leaders across key industries.

Discover the future of international trade across Africa and Europe by attending our essential seminar. Tailored to support multinational corporations, this event offers key insights from leading experts.

Why Attend?

- Navigate Legal Complexities: Understand Algerian environmental regulations, European compliance standards like CPAM, REACH, RoHS, and strategies for multi-sector waste management.
- Advance with Digital Compliance: Access knowledge on Algerian data protection laws comparable to GDPR, and learn about e-commerce and consumer protection regulations.
- Develop Strategic Alliances: Delve into joint ventures, technology transfers, and "Made in Algeria" compliance, supported by expert advice on licensing and strategic partnerships.
- Safeguard Intellectual Property: Enhance your IP tactics through guidance on trademarks and patents in Algeria, alongside strategies for global markets.

V Inside • The Firm

- Explore African Markets: Comprehend customs rules, trade tariffs under AfCFTA, and various import restrictions applicable to the African continent.
- Enhance Dispute Resolution Skills: Update your knowledge with the latest arbitration and mediation practices locally and worldwide, and gain skills in drafting contracts to reduce legal risks.

Join Our Distinguished Gathering

Engage with around twenty multinational corporations from industries such as construction, automotive, chemicals, pharmaceuticals, agribusiness, electronics, renewable energy, and petrochemicals.

Meet Our Distinguished Experts

Gain unparalleled insights from top African and European law firms renowned for their specialization in international trade and compliance. To express your interest or register for the seminar, please follow the link below:

[Click here to register](#)

5. 4 NEW CLIENT SPOTLIGHTS

We are pleased to welcome three distinguished companies to our client portfolio. Each of them represents excellence in its field, and we are proud to support their continued growth and international ambitions.

TURKISH AIRLINES



Founded in 1933, Turkish Airlines is the national flag carrier of Turkey and a global leader in the aviation sector. With over 40,000 employees and a network spanning more than 350 destinations across 131 countries, it operates one of the most expansive and connected flight networks in the world. The airline is widely recognized for its service quality, operational excellence, and strategic role in global air transport.



GROLMAN

Established in 1855, the Grolman Group is a fifth-generation, family-owned company headquartered in Germany. With operations in every European country, Grolman is a key distributor of specialty chemicals for a wide range of industries, including coatings, construction, food, pharmaceuticals, and personal care. Its longevity and market reach reflect both its technical expertise and deep commitment to long-term partnerships.

V Inside • The Firm



L'Avannotteria

Based in Sicily and founded in 2017, L'Avannotteria is a fast-growing aquaculture company specializing in the production of Mediterranean fish fingerlings. As part of the Del Pesce Group, it operates one of the largest onshore hatcheries in southern Europe, contributing significantly to sustainable aquaculture practices and the regional seafood supply chain.



5.5 INSIGHTS FROM OUR VALUED CLIENTS

Ilhem YAHI

Country Manager
at PMS International



“The Fares Legal team was extremely available, attentive, and responsive. Our cases, well handled by the firm, had specific complications due to desired changes in our Algerian subsidiaries.

Fares Legal was able to address our doubts and concerns. We have consulted you on several cases, and you have demonstrated good responsiveness and availability.

No unexpected costs were incurred, and your fees align with international standards. I also understand that Fares Legal is an international and selective firm.”



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