

Preventive Mechanisms for Combating the Crime of Bribery under Algerian Anti-Corruption Law

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Abstract:

Bribery is among the most prevalent offences in the contemporary era. Due to the abundance of administrative services, whether traditional or digital, provided by public officials to citizens in pursuit of personal interests, this crime has become deeply entrenched within the corridors of institutions and high-ranking bodies in the country. To curb this phenomenon, this article highlights the measures adopted by the Algerian legislature to combat bribery, as stipulated in the Anti-Corruption Law. These measures are categorised into preventive mechanisms and punitive mechanisms. However, the scope of this article is limited to preventive mechanisms, given their effectiveness in raising awareness among citizens and public employees to avoid involvement in such crimes.

Keywords: *Bribery, Corruption, Central Office for the Repression of Corruption, National Authority.*

Mécanismes préventifs de lutte contre le délit de corruption en vertu de la loi algérienne contre la corruption

Résumé :

La corruption est l'un des délits les plus répandus à l'époque contemporaine. En raison de l'abondance des services administratifs, traditionnels ou numériques, fournis par les fonctionnaires aux citoyens dans la poursuite d'intérêts personnels, ce délit s'est profondément ancré dans les couloirs des institutions et des instances supérieures du pays. Afin d'endiguer ce phénomène, cet article met en lumière les mesures adoptées par le législateur algérien pour lutter contre la corruption, telles que prévues par la loi anti-corruption. Ces mesures sont classées en deux catégories : les mécanismes préventifs et les mécanismes punitifs. Cependant, le champ d'application de cet article se limite aux mécanismes préventifs, compte tenu de leur efficacité pour sensibiliser les citoyens et les fonctionnaires à la nécessité d'éviter toute implication dans de tels délits.

Mots clés : *Corruption, Bureau central de répression de la corruption, Autorité nationale.*

Introduction

Corruption is regarded as one of the most profound phenomena threatening societies across all dimensions, including political, social, and economic. It poses significant dangers to the stability and security of nations. Corruption manifests in various forms, among which administrative corruption is particularly prominent, with bribery being one of its most critical expressions.

In this context, bribery is "an agreement between two parties whereby one imposes upon the other a gratuity or a benefit, which is accepted in exchange for performing or refraining from performing an act within the scope of their official duties or responsibilities."ⁱ Based on this definition, the Algerian legislature enacted the Law on the Prevention and Fight Against Corruption, encompassing many corruption-related offences. Complementary legislation has also been adopted. Among the offences addressed in Law No. 06/01 on the Prevention and Fight Against Corruption, bribery receives substantial attention due to its severity, which is considered tantamount to corruption. The law delineates various forms of bribery, including bribery in the private sector, bribery in public procurement, bribery involving foreign officials and officials of international organisations, and bribery of national public officials.

Since the bribery of national public officials is the most widespread and poses the greatest threat to the state's internal structure, it warrants particular concern. In fulfilling its responsibilities to meet the needs of its citizens, the state establishes public administrations charged with specific functions. Within these frameworks, the public official is the direct link between the citizen and the state. When such offi-

cial fail to perform their duties with integrity, abandoning professional ethics and instead exploiting their position for illicit gain through bribery, they consequently obstruct the interests of many individuals. The situation becomes even more alarming when this menace infiltrates vital institutions such as the judiciary, where injustice prevails over truth, thereby fostering a widespread sense of oppression among citizens. This erosion of trust is among the key factors that pave the way for the commission of various other crimes.

The significance of this study lies in the preventive mechanisms established by the Algerian legislature to combat bribery. This is especially true considering that the citizen plays a central role in this dynamic, as they frequently contact public officials to fulfil specific needs.

Accordingly, the central research question arises: *What preventive approaches are adopted by Algerian anti-corruption law to address the crime of bribery?*

To answer this question, the descriptive-analytical method has been adopted to examine and describe the crime of bribery within the framework of Algerian anti-corruption legislation, as outlined in the following structure:

Section One: Institutions Established under Law No. 06/01 on the Prevention and Fight Against Corruption

- **Subsection One:** The National Body for the Prevention and Fight Against Corruption
- **Subsection Two:** The Central Office for the Repression of Corruption

Section Two: Preventive Measures in Recruitment and Transparency in Administrative Dealings with the Public

- **Subsection One:** The Role of Civil Society in Combating Corruption
- **Subsection Two:** The Role of the Media in the Fight Against Corruption

- **Subsection Three:** Codes of Professional Ethics and the Declaration of Assets

Before addressing the core subject of this article, it is essential first to define the bribery offence and distinguish it from other related crimes. We will begin with the legal definition and then the distinguishing features.

First: The Legal Definition of the Crime of Bribery

The Algerian legislator did not provide a direct definition of the crime of bribery in the provisions of Law No. 06/01 on the Prevention and Fight Against Corruption. Instead, the law addresses the constituent elements of the offence in Articles 25, 27, 28, and 40 while leaving the definition task to legal scholarship.

Among the most prominent doctrinal definitions of bribery are the following:

"Bribery is an agreement between two parties in which one offers the other an undue advantage, gift, or promise of benefit, which the other accepts, in exchange for performing or refraining from performing an act within the scope of their duties."

Bribery thus signifies the exploitation by a public official of the duties or services entrusted to them for the public good to obtain a personal benefit. In its original form, the crime of bribery typically involves two principal parties: the briber and the bribed. However, a third party, the intermediary, may also be involved. Accordingly, the legal definition of bribery concerning a public official may be framed as follows:

"An agreement between two persons in which one offers the other money or a benefit, which the other accepts, in order to perform or abstain from performing an act."ⁱⁱⁱ

Second: Distinguishing the Crime of Bribery from Similar Offences

The Algerian legislator has identified several corruption-related offences that share specific characteristics with the crime of bribery, such as the status of the public official. However, each offence nonetheless retains elements that distinguish it from the others.

These offences include:

- The crime of influence peddling (Article 32)
- The offence of abuse of office (Article 33)
- The offence of illicit enrichment (Article 34)

These three offences were not previously included in the Penal Code but were introduced through Law No. 06/01.

The following section will address each of these offences individually, highlighting their respective similarities and differences in the crime of bribery.

1) The Crime of Influence Peddling

This offence is codified in Article 32(2) of Law No. 06/01, which stipulates:

"Any public official or other person who, directly or indirectly, solicits or accepts any undue advantage for themselves or for another person in order for that public official or person to exploit their actual or supposed influence with an administration or public authority to obtain undue advantages." ⁱⁱⁱ

From this article, the following observations can be made:

The Algerian legislator does not require the perpetrator of this offence to hold a specific status; the offender may be a public official or any other person, unlike the crime of bribery, which expressly necessitates that the offender be a public official.

This offence entails the perpetrator requesting or accepting, from an interested party, a gift, a promise thereof, a donation, or any form of benefit similar to the crime of bribery.

A key condition in this offence is that the perpetrator must invoke their actual or presumed influence in requesting or accepting the advantage to fulfil the interest of the party offering it.

The distinction between bribery and influence peddling lies in the act: bribery involves trading official duties, whereas influence peddling concerns exploiting the offender's actual or perceived influence over the person responsible for doing official duties.

The offence also requires that the perpetrator abuse the influence granted by their position or status. An example would be a high-ranking police official who intervenes with an officer to suppress an official report documenting a crime.

This offence aims to obtain the desired benefits from an administrative body or public authority, namely, advantages to which the beneficiary is not lawfully entitled. Therefore, the offence is not constituted if the decision sought by the offender is legitimate. For instance, if the offender intervenes with an investigating judge to release a detainee after the legal period of detention has expired, the act would not constitute the offence in question.^{iv}

2) The Offence of Abuse of Office

This offence is set out in Article 33 of Law No. 06/01, which states:

"Any public official who abuses their functions or position to perform or refrain from performing an act within the scope of their official duties, in violation of laws and regulations, with the aim of obtaining undue advantages for themselves or for another person or en-

... tity, shall be punished by imprisonment for a term of two to ten years."

From this provision, it is evident that for the offence to be constituted, the public official must engage in either:

- a positive act performing an act prohibited by law or in contravention of regulations; or
- a hostile act of failing to perform an act mandated by law or regulations while executing their duties.

In contrast, bribery may be committed by a national or foreign public official or even a private-sector individual.

Another requirement for this offence is that the official's conduct must aim to secure undue benefits. It is irrelevant whether such benefits accrue to the official or another, whether a natural or legal person.

This offence differs from bribery in that it does not require the offender to have requested or accepted any benefit. The offence is constituted merely by performing or refraining from performing a duty in a manner that breaches laws or regulations. Otherwise, if such a benefit is solicited or accepted, the matter may fall within the scope of bribery.^v

3) The Offence of Illicit Enrichment

Illicit enrichment constitutes a newly introduced form of corruption-related offence not previously criminalised under the Penal Code but established under Law No. 06/01 and codified in Article 37. For this offence to be constituted, the following elements must be present:

Firstly, the offender must be a public official, as is also required in the offence of bribery. Secondly, there must be a substantial increase in the official's financial assets disproportionate to their lawful income. This increase is typically reflected in the offender's lifestyle and behaviour, such as purchasing a villa or luxury vehicle, or it may manifest as a

significant rise in their bank balance or the acquisition of real estate, even if registered in the name of another person.

A key element of this offence is the inability to justify such an increase in wealth. In particular, the legislator has placed the burden of proof on the accused, such that suspicion alone suffices to warrant accountability. The suspect must then provide evidence to rebut that suspicion, in contrast to the general legal principle that the accused is presumed innocent until proven guilty.^{vi}

1. Institutions Established under Law No. 06/01 on the Prevention and Fight Against Corruption

In response to the United Nations Convention Against Corruption's call for the establishment of national bodies dedicated to the prevention and combat of corruption, the Algerian legislator took the initiative to implement this directive by creating a specialised national authority under Law No. 06/01, dated 20 February 2006, concerning the prevention and fight against corruption.

Article 6, paragraph 1, of the aforementioned Convention stipulates the following:

"Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption."

The Algerian legislator's intervention was not limited to establishing this authority alone; it also included creating a Central Office for the Repression of Corruption under the Ministry of Finance, as provided by Ordinance No. 10/05 dated 26 August 2010, which serves as a supplement to Law No. 06/01. A third chapter of the law is dedicated to this office, containing Articles 24 bis and 24 bis 1, which assign it the responsibility of investigating and inquiring into corrup-

tion cases in coordination with the competent judicial authorities.

We shall examine Algeria's institutional framework for combating corruption in this context. The first subsection will address the National Body for the Prevention and Fight Against Corruption. In contrast, the second subsection will analyse the structure and role of the Central Office for the Repression of Corruption.

1.1. The National Body for the Prevention and Fight Against Corruption

The Algerian legislator entrusted the National Body for the Prevention and Fight Against Corruption with developing a national anti-corruption strategy. The body must have all necessary legal, material, and human resources to carry out its duties optimally.^{vii}

1.1.1. Establishment of the National Body for the Prevention and Fight Against Corruption

The National Body for the Prevention and Fight Against Corruption was established under Law No. 06/01, which laid the legal foundation for its creation to implement the national anti-corruption strategy (Article 17 of Law No. 06/01).^{viii} Article 18 of the same law defines the body's legal nature, recognising it as an independent administrative authority endowed with legal personality and financial autonomy, operating under the authority of the President of the Republic.

To ensure the body's independence, the legislator prescribed a set of measures in Article 19 of Law No. 06/01,^{ix} Which include:

- Granting the members and staff of the body the authority to access personal and confidential infor-

mation, conditional upon their taking an oath prior to assuming their duties;

- Providing the body with adequate material, financial, and human resources;
- Ensuring high-level training for the body's personnel;
- Protecting the body's staff from all forms of pressure, intimidation, threats, insults, defamation, or physical aggression that they may face during or on account of the performance of their duties.^x

All these guarantees were afforded to the body to facilitate the effective execution of its mandate, as defined by the law. These functions, which combine both preventive and repressive dimensions, may be summarised as follows:

- **Preventing corruption** through the proposal of a comprehensive anti-corruption policy, notably by issuing guidance to public and private entities and coordinating cooperation with them and with international bodies. This also includes proposing legislative and regulatory measures related to corruption prevention.
- **Combating corruption** through practical fieldwork involves collecting and utilising information that may assist in uncovering corruption and bribery offences. This includes receiving periodic asset declarations from public officials, processing the information therein, and ensuring its safekeeping. Furthermore, the body is empowered to seek the assistance of the Public Prosecution Service to gather evidence and investigate corruption-related acts.^{xi}

Second: Functions of the National Body for the Prevention and Fight Against Corruption

The National Body for the Prevention and Fight Against Corruption, which operates under the authority of the President of the Republic, is endowed with broad powers. It is responsible for implementing the national strategy for combating corruption. The Algerian legislator outlined the functions of this body in Article 20 of the Anti-Corruption Law, which specifies the advisory and administrative roles assigned to its predominantly preventive functions. These tasks include the following:

1) **Vigilance and Evaluation Council:**

Its members are selected from among independent national figures representing civil society, known for their integrity and competence. The council's primary role is to provide opinions on the body's work programme, the conditions and methods for its implementation, and the contribution of each sector of activity in the fight against corruption. It also issues opinions, reports, and recommendations regarding the body's operations, its budget, files involving criminal offences that are forwarded to the Minister of Justice, and the annual report submitted to the President of the Republic.^{xii}

This is precisely what is exhaustively stipulated in **Article 11 of Executive Decree No. 06/413**, which outlines the following responsibilities:

- The work programme of the body, along with the conditions and methods for its implementation;
- The body's reports, opinions, and recommendations;
- The budget of the body;
- The annual report addressed to the President of the Republic, prepared by the President of the body;

- The referral of files containing facts that may constitute criminal offences to the Minister of Justice;
- The annual performance review of the body.^{xiii}

2) Directorate of Prevention and Awareness

This directorate is responsible for formulating appropriate proposals within the framework of the corruption prevention programme. These proposals are followed by guidance addressed to individuals and public and private bodies, along with all relevant measures and legislation. The directorate also promotes professional ethics and raises public awareness about the harmful consequences of corruption.

The centre has the right to investigate information that may help uncover the factors leading to corruption. It is also tasked with examining legislative and regulatory texts, administrative procedures, and practices to identify corruption-related factors and work towards eliminating them. Moreover, it conducts periodic assessments of legal instruments and administrative measures in corruption prevention and identifies any avoidable risks.^{xiv}

This is expressly stated in **Article 12 of Executive Decree No. 06-413**, which provides the following functions:

- Proposing a work programme for the prevention of corruption;
- Issuing guidance related to corruption prevention to any person or any public or private entity;
- Proposing preventive measures, particularly of a legislative and regulatory nature;
- Assisting relevant public and private sectors in developing codes of professional ethics;

- Preparing programmes aimed at educating and raising public awareness about the harmful effects of corruption;
- Collecting, centralising, and utilising all information that may contribute to the detection of corruption;
- Examining legislation, regulations, and administrative practices to identify and eliminate factors that encourage corrupt practices;
- Conducting periodic evaluations of legal instruments and administrative measures in corruption prevention.^{xv}

3) Directorate of Analysis and Investigations

The director of this unit is appointed by presidential decree and is responsible for overseeing the receipt, examination, and use of periodic declarations and information related to the tangible and movable assets of state agents, namely public officials and their minor children, both within and outside the country. These declarations must be submitted in duplicate and signed by the declarant and the authority to which they are submitted.

The directorate is also tasked with investigating and gathering evidence related to corruption. It may call upon specialised bodies, such as experts and advisers, to assist in its duties where necessary.

Besides, the directorate monitors all field activities and operations based on proposals and periodic reports supported by statistical data submitted by various sectors and stakeholders.^{xvi}

These powers granted to the **Directorate of Analysis and Investigations**, as outlined in **Article 13 of Executive Decree No. 06/413**, are listed by example rather than limitation.

They are characterised as operational and field-oriented tasks and are defined as follows:

- Receiving periodic asset declarations from state agents;
- Examining and utilising the information contained in the asset declarations and ensuring its safekeeping;
- Collecting evidence and conducting investigations into corruption-related incidents with the assistance of specialised bodies;
- Ensuring coordination and on-site monitoring of activities and operations based on regular and periodic reports supported by statistics and analyses related to corruption prevention, as received from various sectors.^{xvii}

Third: Evaluation of the Role of the Body in Combating Corruption

There is no doubt that the establishment of this body has played a significant role in advancing the fight against corruption, following its inclusion in the Anti-Corruption Law. This was subsequently reinforced by the issuance of the decree defining the composition and functioning of the body (Presidential Decree No. 06/413, Official Gazette No. 74). However, the actual installation of the body did not occur until 2011, which was relatively delayed. This delay undermined the goodwill and determination expressed by the competent authorities in addressing corruption and bribery in Algeria.

The body's efforts and role in combating corruption in Algeria are regarded as independent administrative authorities and enjoy a degree of autonomy. Such independence is one of the fundamental guarantees enabling the body to operate freely and without pressure or influence from any par-

ty to prevent and uncover instances of corruption and bribery.

Nevertheless, it would be preferable for the body's members to be appointed in consultation with the Supreme Judicial Council and relevant civil society organisations active in this field. Currently, appointments are made by the executive authority through a presidential decree, which somewhat compromises the body's actual independence.

Moreover, Law No. 06/01 empowers the body to seek the assistance of the Public Prosecution Service in gathering evidence and conducting investigations into acts related to corruption, which is one of the strengths of this legislation. However, granting its members the status of judicial police officers would have been more effective. When faced with facts that qualify as criminal offences, this would allow the body to directly refer the case to the Public Prosecutor to initiate public proceedings rather than passing through the Minister of Justice, as required under Law No. 06/01.

This, in brief, encapsulates the assessment of the body's role in preventing and combating bribery-related offences. While certain shortcomings may affect its performance, the body nonetheless plays a significant and undeniable role, which could be further strengthened if the identified deficiencies are addressed.^{xviii}

1.2. The Central Office for the Repression of Corruption

Algeria's accession to international conventions on combating corruption necessitated establishing effective mechanisms to prevent and address this phenomenon. In this context, the legislator provided for creating the Central Office for the Repression of Corruption as a practical and operational body intended to reinforce and complement the role

of the National Body for the Prevention and Fight Against Corruption.

1.2.1. Establishment of the Central Office for the Repression of Corruption

The Algerian legislator stipulated the creation of this office within the provisions of Ordinance No. 10/05, which amends and supplements the provisions of Law No. 06/01 on the prevention and fight against corruption. Article 24 bis of this law states:

"A Central Office for the Repression of Corruption shall be established and shall be responsible for the investigation and inquiry into corruption offences."^{xix}

Article 2 of the same decree provides:

"The Central Office for the Repression of Corruption shall be placed under the authority of the Minister in charge of Finance and shall enjoy independence in its operations and functioning."^{xx}

These two articles reveal that the Algerian legislator has explicitly designated the office as an independent entity entrusted with judicial police functions in anti-corruption. This designation reflects the significant role and elevated status granted to the office, highlighting its importance as a specialised body tasked with uncovering corruption offences through a dedicated institutional framework.^{xxi}

1.2.2. Composition of the Central Office for the Repression of Corruption

The Central Office for the Repression of Corruption is composed of the following:

- Officers and agents of the judicial police affiliated with the Ministry of National Defence;

- Officers and agents of the judicial police affiliated with the Ministry of the Interior and Local Authorities;
- Public officials with proven expertise in the field of combating corruption.

Where necessary, the office may also draw upon officers of the judicial police from other judicial police departments. The decree further stipulates that the judicial police officers and agents assigned to duties within the office remain subject to the legislative, regulatory, and statutory provisions applicable to them. Their number is determined by a joint decision of the Minister of Finance and the relevant minister referring here to either the Minister of Defence or the Minister of the Interior, as the case may be.

These provisions establish that the Central Office for the Repression of Corruption functions as a specialised division of the judicial police, excluding technical and administrative support staff or public officials who possess specific qualifications enabling them to serve as members of this office.

This structure reflects the high degree of trust vested in the judicial police in the domain of anti-corruption enforcement. Trust can only be earned through concerted efforts and concrete results achieved in combating criminal activity. This trust ultimately justifies the establishment of a specialised office exclusively dedicated to corruption-related offences.^{xxii}

1.2.3. Functions of the Central Office for the Repression of Corruption

The legislator has entrusted the office with investigative powers concerning corruption offences. Article 24 bis of Ordinance No. 10/05, dated 26 August 2010, which supplements Law No. 06/01 on the Prevention and Fight Against

Corruption, states that a Central Office for the Repression of Corruption shall be established and assigned the task of investigating and inquiring into corruption offences.

Furthermore, Article 5 of Presidential Decree No. 11/426 defines the office's responsibilities as follows by the legislative framework in force:

- The office is tasked with investigating and inquiring into corruption offences. It is an operational body, not an advisory one, and is responsible for combating corruption by conducting investigations and identifying offences by the Code of Criminal Procedure;
- Collecting and centralising all information that may help uncover and combat acts of corruption, exploiting this information, and referring the perpetrators to the competent judicial authorities;
- Gather evidence and conduct investigations into specific acts of corruption, enhance cooperation and support with anti-corruption bodies, exchange information during ongoing investigations, and propose measures that may preserve the integrity of ongoing inquiries. It also promotes, develops, and coordinates the work of police and gendarmerie units in the field of major economic and financial crime;
- Preparing studies and participating, alongside various public and private bodies and international organisations, in designing preventive and repressive strategies and tools to confront criminal activity. This is explicitly provided for in Article 14, paragraph 4, of Presidential Decree No. 11/426.
- **Conducting follow-up investigations** related to corruption offences, combating fraud and money laundering, and preparing procedural case files to detect

crimes and propose solutions to the growing incidence of corruption. This includes addressing entrenched corruption within various economic sectors and its detrimental impact on numerous public projects.

From the above, it is clear that the tasks of investigation and inquiry are entrusted to the **Directorate of Investigations**, whose mandate involves explicitly conducting searches and investigations to combat corruption-related offences.^{xxiii}

2. Preventive Measures in Recruitment and Transparency in the Administration's Dealings with the Public

In addition to official institutions, Algeria has also relied on unofficial bodies to curb corruption. These non-governmental organisations have taken the form of two key institutions dedicated to the prevention and fight against corruption. Accordingly, this section will address the role of civil society in the first subsection, the role of the media in the second, and the third, the professional ethics obligations imposed by the Algerian legislature on public employees to ensure the proper functioning of institutions.

2.1. The Role of Civil Society in Combating Corruption

Civil society refers to the various voluntary organisations and entities established through the free will of their members to protect and defend their interests. These include, for example, non-governmental organisations (NGOs), political parties, and cultural associations.

Today, civil society is considered one of the fundamental pillars of any democratic society. It is also regarded as one of the most important national mechanisms for protecting public funds. Civil society plays a key role by actively contrib-

uting to development and advancing progress through mobilising its resources to serve society as a whole, particularly in a manner that targets financial and administrative corruption.^{xxiv}

2.1.1. The Current State of Civil Society in Combating and Confronting Corruption

Civil society is accountable before the state, and both parties must apply its reference bodies and any comprehensive accountability system. This is considered one of the key foundations of genuine democracy, good governance, and the strengthening of anti-corruption efforts. To illustrate this reality, we will address two primary levels: the performance of political parties and the associative movement in combating corruption.^{xxv}

1) The Performance of Political Parties in Combating Corruption:

- The discussion on political parties' performance in addressing corruption directly leads us to consider their various functions. Political parties carry out a range of public functions that are standard to all parties, regardless of whether they are in power or opposition. These functions include political recruitment, organising opposition, political socialisation, interest aggregation, mobilisation, and assuming governance responsibilities. Each role allows the party to engage in anti-corruption efforts, particularly by organising opposition and uncovering potential corruption within state institutions, provided the opposition is strong and effective.^{xxvi}

2) The Performance of Community Movements in Combating Corruption:

- Trade union institutions represent a genuine transformation of grassroots administration, given their close alignment with citizens' concerns and aspirations. Their central importance is particularly evident in remote regions, where state institutions and political parties often fail to provide adequate representation or organisation. Consequently, associations become the primary space for citizens to raise their issues and concerns.^{xxvii}

3) The Role of Civil Society in Combating Corruption

Leaving the responsibility for fighting corruption solely in the hands of the state is ineffective. Therefore, the involvement and contribution of civil society is essential. Researchers emphasise that civil society constitutes one of the most important global, regional, and local levels of mechanisms for combating corruption. This is achieved by developing a suitable framework that facilitates the engagement of civil society movements in anti-corruption efforts. Such a framework should include legal measures and financial incentives to activate the role of institutions in fighting corruption.

Several key elements contribute to the activation of this role, including:

- Building a comprehensive and diverse information base on corruption and its various risks;
- Contributing positively to the development of an appropriate legal system that enables trade union activities to operate freely and without pressure from the ruling elite;

- Advocating for governments to disclose information on corruption cases, thereby contributing to public awareness of corruption issues;
- Proposing reform measures to governments, taking the initiative and exerting pressure to implement reform programmes;
- Exposing and denouncing corruption by monitoring and evaluating all activities of the country's public and private sectors and preparing reports to oversee the enforcement of national and international anti-corruption laws and agreements while identifying and exposing corrupt individuals.^{xxviii}

Corruption only breeds more corruption. Civil society, too, is called upon to reform itself by improving its operations and structures, and it aspires to achieve transparency in its management. Civil society institutions are subject to increasing public scrutiny, and pressures on such organisations will likely intensify as their involvement in political issues grows.

2.2. The Role of the Media in Combating Corruption

The media plays a fundamental role in confronting corruption and combating this phenomenon, which has become widespread in our societies. This is primarily through exposing what is hidden, as corruption generally occurs in secrecy. Media outlets, whether print, audio, or visual, are regarded as the fourth estate, serving as a popular authority that expresses the conscience of society and protects its local interests. Accordingly, it bears significant responsibility in the fight against corruption and in confronting this grave affliction.

The media possesses important social and economic power and plays a significant role in shaping public opinion. It must play a vital role in socially condemning corruption and corrupt individuals and spreading a culture of resistance to this phenomenon. The society holds a deterrent force if it employs appropriate means. The role of the media in preventing corruption is evident through the publication of news reports and opinion columns that discuss corruption cases, as well as through radio and television programmes that debate these issues. Such coverage disrupts the influence of influential figures responsible for abuses of power. In many cases, this pressure has led to the resignation of government officials or the withdrawal of candidates from electoral processes.^{xxix}

The role of the media in combating bribery is reflected in the following:

- Organising public awareness campaigns to support anti-corruption efforts;
- Highlighting obstacles to improving governmental performance and exposing legal loopholes exploited by those who engage in bribery;
- Publishing reports from seminars and conferences that address the issue of bribery;
- Conducting thorough and consistent follow-ups on bribery cases to reach definitive solutions;
- Promoting transparency by exposing suspicious administrative practices and giving the issue of bribery the utmost importance.^{xxx}

In addition, the media helps prevent bribery through the concerted efforts of media outlets, state institutions, and relevant authorities. This cooperation supports the media in exposing this scourge, aiming to defend the nation's princi-

ples, safeguard its structure, and confront anything threatening social security.

However, this cannot be achieved unless channels of constructive dialogue are opened to enable society members to understand the risks and harms of corruption in all its forms. It is equally essential to emphasise the principle of media awareness, which serves as a key strategy for eliminating this dangerous phenomenon. This must be accompanied by establishing legislative, regulatory, and oversight principles.^{xxxi}

2.3. Codes of Professional Ethics and Asset Declaration

Within the Law on the Prevention and Fight Against Corruption framework, the Algerian legislature incorporated codes of conduct for public officials and asset declaration requirements as part of the preventive measures in the public sector. Given the role each plays in combating the crime of bribery, this subsection will examine both components in turn.

2.3.1. Codes of Professional Ethics

Codes of ethics for public officials serve a role analogous to that of law within society. Within every profession, there exists what is known as a code of conduct intended to define the standards of proper professional behaviour expected of public employees to uphold integrity and honesty. Such codes significantly reduce the likelihood of bribery and unethical practices.

Article 7 of Law No. 06/01 affirms this principle by stating:

"The State, elected councils, local authorities, public institutions and bodies, as well as public enterprises engaged in economic

activities, shall work to promote integrity, honesty, and a sense of responsibility among their employees and elected representatives."

As a practical application of this provision, public officials must inform their superior authority in cases where a conflict arises between their private interests and the public interest or where such a conflict is likely to affect the expected performance of their duties. Failure to disclose such a conflict renders the employee liable to the sanctions outlined in Article 8 of Law No. 06/01.

Given that the judiciary is considered one of the most esteemed functions of the state and a fundamental pillar of government entrusted with upholding justice and the rule of law, the legislator, recognising the critical importance of integrity within this sector, went beyond the general provisions of Article 7. Article 12 of Law No. 06/01 emphasises the need to support the judiciary with a dedicated code of professional ethics.^{xxxii}

2.3.2. Asset Declaration

The Anti-Corruption Law requires all public officials to declare their assets. It also obliges every elected representative to disclose the property they own at the beginning of their electoral term. This obligation is outlined in paragraph one of Article 4 of Law No. 06/01, which states:

"In order to ensure transparency in political life and public affairs, protect public property, and uphold the integrity of persons entrusted with public service, every public official shall be required to declare their assets."

1) Content of the Asset Declaration

The asset declaration is a binding obligation imposed on any individual exercising public authority to disclose all assets and investments in their possession to the relevant au-

thorities. This entails submitting a comprehensive statement of their financial status to identify any illicit gains added to their wealth. The declaration serves as a tool to hold them accountable for any income received unlawfully, whether for themselves or others, as well as for any increase in their wealth or that of their spouse or minor children disproportionate to their legitimate financial resources.^{xxxiii}

The Algerian legislator has adopted a broad definition of **assets in paragraph (w) of Article 2 of Law No. 06/01**, which states:

"Assets are all types of property, whether tangible or intangible, movable or immovable, material or immaterial, as well as documents or legal instruments evidencing ownership of such property or rights related thereto."^{xxxiv}

2) Authorities Receiving Asset Declarations and Legal Deadlines

According to Article 6 of Law No. 06/01 on the Prevention and Fight Against Corruption:

"Asset declarations by the President of the Republic, members of Parliament, the President and members of the Constitutional Council, the Prime Minister and government members, the President of the Court of Auditors, the Governor of the Bank of Algeria, ambassadors, consuls, and governors shall be submitted to the First President of the Supreme Court and published in the Official Gazette of the People's Democratic Republic of Algeria within two months following the date of their election or assumption of office."

"Declarations by presidents and members of elected local popular councils shall be submitted to the designated authority and made public by being posted on the notice board of the relevant municipality or wilaya within one month."

"Judges shall submit their asset declarations to the First President of the Supreme Court. The procedures for asset declarations by other public officials shall be determined by regulation."^{xxxv}

3) Breach of the Asset Declaration Obligation

A breach of the obligation to declare assets may take two forms:

- Complete failure to submit a declaration, or
- Partial or incomplete declaration of assets.

Any individual who commits such a breach is liable to be punished for the offence of non-declaration or false declaration of assets by the provisions of Article 36 of Law No. 06/01 on the Prevention and Fight Against Corruption.^{xxxvi}

Conclusion

Through this article, we have analysed the various preventive mechanisms for combating the crime of bribery as outlined in Law No. 06/01 on the Prevention and Fight Against Corruption and arrived at the following conclusions:

- Asset declarations should not be limited to the public official concerned but must also extend to their spouse and adult children.
- The obligation to declare assets should be periodic at fixed intervals rather than triggered solely by increases in financial holdings.
- The role of the National Body for the Prevention and Fight Against Corruption must be activated effectively, ensuring its complete independence from the ex-

ecutive authority and reinforcing its real and practical impact.

- A specialised judiciary with high levels of integrity and competence in corruption-related offences should be capable of issuing well-founded verdicts based on understanding the increasingly sophisticated methods used in financial crimes.

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