



## International and National Anti-Corruption Mechanisms

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### **Abstract:**

*This research study examines the international and national mechanisms for preventing and combating corruption, analysing the legislative and institutional frameworks at global and Algerian levels. The first section addresses international mechanisms, particularly the 2003 United Nations Convention against Corruption, which established unified standards for criminalisation, international cooperation and asset recovery. The second section focuses on Algeria's national system, particularly Law No. 06-01 and the bodies specialising in corruption prevention and control, and highlights areas of alignment with international commitments. The third section evaluates the effectiveness of these mechanisms, exploring prospects for development through enhanced transparency, digitisation, strengthened judicial cooperation and civil society involvement in oversight and accountability.*

*The research concludes that combating corruption is a comprehensive process requiring strong political will and continuous institutional and structural reforms to ensure integrity and good governance, and to achieve sustainable development.*

**Keywords:** *Corruption, prevention, international legislation, good governance, transparency, Algeria.*

# Mécanismes internationaux et nationaux de lutte contre la corruption

## **Résumé :**

*Cette étude examine les mécanismes internationaux et nationaux de prévention et de lutte contre la corruption, en analysant les cadres législatifs et institutionnels aux niveaux mondial et algérien. La première partie traite des mécanismes internationaux, en particulier la Convention des Nations Unies contre la corruption de 2003, qui a établi des normes unifiées en matière de criminalisation, de coopération internationale et de recouvrement d'actes. La deuxième partie se concentre sur le système national algérien, en particulier la loi n° 06-01 et les organismes spécialisés dans la prévention et le contrôle de la corruption, et met en évidence les domaines d'alignement avec les engagements internationaux. La troisième section évalue l'efficacité de ces mécanismes et explore les perspectives de développement grâce à une transparence accrue, à la numérisation, au renforcement de la coopération judiciaire et à la participation de la société civile à la surveillance et à la responsabilisation.*

*La recherche conclut que la lutte contre la corruption est un processus global qui nécessite une forte volonté politique et des réformes institutionnelles et structurelles continues afin de garantir l'intégrité et la bonne gouvernance, et de parvenir à un développement durable.*

**Mots clés :** Corruption, prévention, législation internationale, bonne gouvernance, transparence, Algérie.



## Introduction

Corruption is one of the most dangerous phenomena threatening the stability of modern states due to its profound impact on the economy, administration and social justice. It undermines trust between citizens and institutions, hinders sustainable development and limits the effectiveness of good governance. Since the end of the twentieth century, the international community has recognised the seriousness of this transnational phenomenon, prompting the adoption of international agreements, legislative measures, and institutional mechanisms to confront it. The most notable of these is the United Nations Convention against Corruption of 2003, which established a comprehensive framework for international cooperation in the areas of prevention, criminalisation, and asset recovery.

Against this backdrop, Algeria has endeavoured to align its legal system with international standards by enacting Law No. 06-01 on 20 February 2006 concerning the prevention and combating of corruption, establishing the National Authority for the Prevention and Combating of Corruption, and enhancing oversight and accountability mechanisms. However, despite these efforts, there are still gaps in terms of practical implementation and coordination among national bodies. This necessitates an objective evaluation of the effectiveness of these mechanisms and their integration with international commitments.

This leads us to pose the following research question:

To what extent are international and national mechanisms effective in preventing and combating corruption, and how can they be improved?

**Research Plan:**

**Section One:** International Mechanisms for Preventing and Combating Corruption

**Section Two:** National Legislative and Institutional Mechanisms for Preventing and Combating Corruption

**Section Three:** Evaluating the Effectiveness of Anti-Corruption Mechanisms and Prospects for Their Development

**1. International Mechanisms for Preventing and Combating Corruption**

Corruption is a global phenomenon that threatens state stability, necessitating international cooperation to eradicate it, as it is no longer an issue confined to national borders. Technological advancements and globalisation have facilitated the cross-border movement of funds resulting from corruption, thereby complicating efforts to combat it. Therefore, countries must adopt comprehensive, multifaceted methodologies to confront corruption effectively, alongside developing legislation and coordinating criminal policies. International organisations play a prominent role in supporting global anti-corruption efforts through specialised programmes and cooperation mechanisms.

**1.1. Legislative Mechanisms**

Before identifying the international mechanisms for combating corruption, it is worth considering the views of



some scholars on corruption. Some legal scholars argue that there is no consensus on the definition of corruption, which may be attributed to its broad usage in political and administrative contexts, and its reflection in other sectors and trends<sup>1</sup>.

From this standpoint, organisations have sought to categorise types of corruption in political and administrative fields, subsequently establishing penalties for corruption crimes and preventive measures.

Countries operate within the framework of international agreements that establish the legal basis for combating corruption, obligating them to comply with the provisions of these agreements. These agreements fall into two categories: regional agreements, which reflect trends in specific geographical areas, and universal agreements, issued under the auspices of the United Nations. This subsection will therefore address legislative mechanisms for combating corruption, divided into two categories. The first category will discuss regional agreements as a fundamental step in addressing corruption. The second category will focus on the UN Convention against Corruption, which clearly indicates that the United Nations has concentrated on describing the global situation of corruption and establishing legal mechanisms to combat it<sup>2</sup>.

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1- Aamer Khayyat, "The Concept of Corruption, International Projects to Combat Corruption, and the Call for Political and Economic Reform in Arab Countries," Arab Organization for Combating Corruption, Arab Science House, Lebanon, 2006, p. 48.

2- Dawood Khairallah, 'Corruption as a Global Phenomenon and Mechanisms for Controlling It', Arab Future Magazine, November 2004, Centre for the Study of Arab Unity, Beirut, p. 437.

### *1.1.1. Regional Agreements for Combating Corruption*

The Eastern Europe and Central Asia Anti-Corruption Network, established in 1998, is a regional anti-corruption programme bringing together national governments from over 20 countries in the region, as well as governments from the Organisation for Economic Co-operation and Development (OECD) and representatives from civil society and the business sector. International organisations and financial institutions also play an active role in the network's activities. The network's primary goal is to support participating countries in their fight against corruption by providing a regional forum to enhance anti-corruption activities, exchange information, establish best practices and coordinate donor efforts<sup>3</sup>.

The Joint Anti-Corruption Initiative, launched in 1999 by the Asian Development Bank and the OECD, includes 44 member economies in the Asia-Pacific region. The initiative comprises three main work streams: the Law Enforcement Network, the Public Integrity Network and the Business Integrity Network. The Law Enforcement Network was established in 2015 and has met three times. It brings together law enforcement practitioners who are directly involved in investigating and prosecuting foreign bribery and related crimes in the Asia-Pacific region. It provides a forum to enhance the capabilities of these practitioners in combating corruption by building their expertise, equipping

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<sup>3</sup>- UNODC Global Network, accessed 4 May 2025. <https://globenetwork.unodc.org/globenetwork/en/network/anti-corruption-law-enforcement-networks-and-organizations.html>



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them with new tools, and helping them to develop professional networks and communications<sup>4</sup>.

### **American Convention Against Corruption:**

Enhancing transparency and accountability within government institutions in order to reduce the prevalence of political and administrative corruption among public officials.

It establishes a common legal framework obligating member states to adopt and enact strict anti-corruption laws within their domestic legislation.

It enhances international cooperation by facilitating the exchange of information and legal assistance in cross-border crimes that are difficult for a single country to prosecute.

Protecting whistleblowers and ensuring they are not subject to retaliation from criminal organisations.

Recovering stolen assets through effective legal mechanisms and the exchange of confidential information among member states.

### **Evaluation of the Convention:**

The American Convention Against Corruption is considered an important step in strengthening international cooperation to combat corruption. It includes a set of preventive measures and criminalises acts of bribery, incitement and complicity in both their negative and

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<sup>4</sup>- The Organisation for Economic Co-operation and Development (OECD) has joined the Asian Development Bank (ADB) in the ADB-OECD Anti-Corruption Initiative for the Asia-Pacific region. This initiative was discussed at a workshop on combating corruption in Asian and Pacific economies in 1999. It was accessed on 8 April 2025 at 23:00.

positive forms. It also criminalises the illegal use of public office and concealing property derived from previous crimes. Furthermore, it calls for the criminalisation of another category of offences within the framework of developing and aligning legislation for the purposes of the convention, primarily concerning the illegal use of public office.

### **European Convention:**

The 19th Conference of European Justice Ministers took place in Malta, and its recommendations were reaffirmed at the 21st and 22nd sessions. In response, the Ministerial Committee established an anti-corruption programme. In November 1996, a decision was issued mandating the establishment of a criminal convention that criminalises acts of corruption. At the Strasbourg Summit (1997), heads of state recommended the creation of international legal instruments to combat corruption.

Furthermore, Article 2, paragraph 3 of Decision No. 195, issued by the European Council on 25 June 1997, emphasises the necessity of punishing officials involved in corruption cases<sup>5</sup>.

Article 67 of the Treaty on European Union, 'Preventing and combating crime', states that 'every European crime is a serious and cross-border crime'.

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<sup>5</sup>- The Convention was drawn up on the basis of Article K.3(2)(c) of the Treaty on European Union, concerning the fight against corruption involving officials of the European Communities or officials of the Member States of the European Union (OJ C 195, 25 June 1997, pp. 2-11).



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The treaty further emphasises the seriousness of corruption and money laundering crimes across the European Union<sup>6</sup>.

The ministerial decision of 29/97 was a significant turning point, establishing twenty principles for combating corruption, including:

- Implementing effective measures to prevent corruption and raise awareness of its dangers.
- ensuring the criminalisation of both national and international corruption and punishing its perpetrators.
- Enhancing the independence of bodies responsible for investigating corruption cases.
- Seizing the proceeds of corruption and promoting international cooperation in combating it.

In 1998, the Ministerial Committee issued Decision 98/07, allowing for the formation of the Group of States Against Corruption (GRECO). This group aims to improve its member states' capacity to combat corruption by monitoring their commitments in this area.

### **African Union Convention on Preventing and Combating Corruption:**

The convention aims to enhance cooperation among African states to combat corruption, ensuring good governance, the rule of law and respect for human rights through coordinated and unified efforts. It builds upon previous initiatives such as the 1990 Declaration on Global

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<sup>6</sup>- The African Union Convention on Preventing and Combating Corruption (1996). Accessed on 11/04/2025 at 20:11: <https://www.nazaha.gov.kw/nazaha/agreement>.

Changes, the 1994 Cairo Agenda for Action, and the 1996 Action Plan to Combat Impunity<sup>7</sup>.

**Motivations for concluding the convention:**

- The negative impact of corruption on political, economic and social stability in Africa.
- The need to address the root causes of corruption and adopt unified policies to combat it.
- The adoption of legislation and preventive measures to protect African communities from corruption.

Based on decisions made at African summits, particularly the Lusaka Conference of Heads of State (2001) and the Durban Declaration (2002), there was a call for the establishment of a coordinated mechanism to combat corruption effectively.

Consequently, the need for an African Convention to Combat Corruption emerged, with the aim of enhancing transparency and accountability across the continent.

**Arab Convention:**

The Arab Convention Against Corruption is a regional Arab agreement that aims to activate Arab and international efforts to combat and address corruption, as well as to facilitate international cooperation in combating corruption crimes. It also encourages individuals and civil society organisations to actively participate in preventing and combating corruption.

This convention criminalises corruption in both the public and private sectors, including bribery, abuse of power, illicit enrichment, money laundering and obstruction of justice. It

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<sup>7</sup>- African Union Convention on Preventing and Combating Corruption, 1996



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establishes preventive measures against corruption, including adopting systems to enhance transparency, periodically reviewing relevant legislation and administrative measures aimed at preventing and combating corruption and preventing conflicts of interest.

The convention also focuses on law enforcement cooperation among member states, through the exchange of information about corruption crimes, conducting investigations, providing technical assistance and holding joint training programmes.

The convention was drafted at the General Secretariat of the Arab League in Cairo, Arab Republic of Egypt, in 2010. It was approved by the Arab Interior and Justice Ministers' Councils at a joint meeting held at the Arab League's General Secretariat in Cairo in the same year. It came into force on 29 June 2013 after being ratified by seven Arab countries.

The State of Kuwait signed the Convention on 21 December 2010 and ratified it under Law No. 92 of 2013, thereby approving the Arab Convention Against Corruption<sup>8</sup>.

### ***1.1.2. United Nations Convention Against Corruption:***

Adopted in 2003, this convention is one of the most important tools that sovereign states use to organise a common interest that concerns the international community. The United Nations is responsible for preparing international agreements related to organising the common interests of the international community and presenting

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<sup>8</sup>- <https://www.nazaha.gov.kw/nazaha/agreement> The website was accessed on 04/11/2025 at 20:11

them to member states for accession. As the international community is unified in its goal of combatting corruption, which represents a vital interest, it prepared the United Nations Convention Against Corruption<sup>9</sup>.

The aims of the Convention are to enhance effective measures for preventing and combating corruption, and to promote international cooperation and technical assistance in this area. The convention also seeks to instil principles of integrity, accountability and good governance with regard to public funds and assets.

### **Implementation and international cooperation strategies:**

Member states are committed to establishing effective anti-corruption policies and regularly evaluating relevant legislation and administrative procedures to ensure their effectiveness.

The convention promotes judicial cooperation among member states to combat corruption at all levels.

It encourages countries to collaborate with international and regional organisations to develop legal and preventive measures.

Adopted by the United Nations General Assembly on 31 October 2003, the convention reflects the importance of international efforts in combating corruption, with wide participation from countries and organisations.

## **1.2. Institutional Mechanisms**

Corruption has become a focal point for many international organisations, both governmental and non-governmental, due to its serious impact on societies and

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<sup>9</sup>- The United Nations Convention was adopted on 31/10/2003.



economies. This focus has emerged from growing awareness of the substantial risks posed by this phenomenon and the pressing need for global efforts to mitigate it.

Consequently, international institutions have begun to prioritise good governance and transparency principles as a means of combatting corruption and enhancing integrity. These institutions fall into two categories: governmental and non-governmental. Some operate at a global level, while others are limited to regional activities. Some organisations have a general focus on various issues, while others concentrate on specialised fields according to the nature of their work.

### ***1.2.1. The Role of International Governmental Organisations in Combating Corruption***

International organisations vary in their functions and objectives, so it is only natural that the means and mechanisms they use to achieve these functions differ. As activities related to combating corruption and establishing good governance touch on many aspects of the institutional development process, it is logical that many organisations interested in development and trade play a prominent role in combating corruption.

### ***1.2.2. The International Criminal Police Organization (Interpol):***

Interpol is considered one of the United Nations' agencies, operating under its auspices and supervision. It was established by a United Nations General Assembly resolution. Created by a group of states to oversee a common interest, it is granted recognised autonomous

jurisdiction to operate in relation to the international community and its member states.

### **Responsibilities and jurisdiction of Interpol:**

Its responsibilities include exchanging information relating to transnational organised crime with the criminal police centres of member states. It also collects and organises data about foreign individuals involved in criminal acts, compiling important documents about criminals to share with the police forces of member states.

Interpol was founded on 7 September 1923 at the conclusion of the five-day International Police Conference in Vienna. Originally named the International Police Committee, it was renamed Interpol in 1923<sup>10</sup>.

### **International Criminal Police Commission (ICPC):**

Interpol provides law enforcement agencies worldwide with support in investigations, expertise, and training, focusing on three primary areas of transnational crime: terrorism, cybercrime, and organised crime. Its extensive authority encompasses nearly all types of crimes, including crimes against humanity, child pornography, drug trafficking and production, political corruption, intellectual property violations, and white-collar crimes. The agency also facilitates cooperation among national law enforcement institutions through criminal databases and communication networks. Interpol's mission includes issuing its famous 'Red Notices', which are based on arrest warrants issued by a judicial system in one country for suspects classified as 'wanted persons', with the aim of facilitating their

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<sup>10</sup>- Interpol, accessed on 07/04/2025.  
<https://en.wikipedia.org/wiki/Interpol>.



apprehension. Contrary to popular belief, Interpol itself is not a law enforcement agency<sup>11</sup>.

## **The World Bank**

The World Bank was established at the Bretton Woods Conference in July 1944, a year before the end of the Second World War. Delegates from forty-four countries gathered at the United Nations Monetary and Financial Conference, which was held at the Mount Washington Hotel in Bretton Woods, New Hampshire. The conference aimed to establish a framework for international economic cooperation and post-war reconstruction. John Maynard Keynes (the UK Treasury advisor) and Harry Dexter White (the US Assistant Secretary of the Treasury) provided intellectual leadership for the conference.

From the World Bank's perspective, corruption is an abuse of public power, particularly when it leads to funds being diverted into illicit channels. This is considered the greatest threat to a country's sustainable development. The bank assists countries in leveraging loans to repair war-damaged infrastructure and advance sustainable development<sup>12</sup>.

The bank has developed a strategy to help countries confront corruption, which it describes as the 'cancer of corruption'. These strategies aim to help countries transition from organised corruption to an environment characterised

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11- <https://ar.wikipedia.org/wiki/> The site was accessed on 04/11/2025 at 20:3

12- Fouad Abdullah Al-Ammar, 'Work Ethics and the Behaviour of Public Service Workers and Their Supervision from an Islamic Perspective', 1st edition, Islamic Development Bank, 1999, p. 99.

by good governance, rather than to completely eradicate corruption.

Although the conference resulted in the establishment of two institutions, the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (World Bank), the creation of the World Bank was not its primary focus. Most of the time and effort was dedicated to activities concerning the IMF under Harry Dexter White's leadership, while the World Bank Committee only began working in the final days of the conference. The World Bank's establishment agreement, principally drafted by John Maynard Keynes, included the reconstruction of war-ravaged economies and the promotion of economic development in developing countries<sup>13</sup>.

### **International Monetary Fund (IMF):**

The IMF is an international financial institution headquartered in Washington, D.C., with 190 member countries.

### **Objectives:**

The IMF combats corruption by monitoring economic and financial policies worldwide. It focuses on two main areas:

1. Improving the quality of its member countries' economies through financial assistance and activities such as collecting statistics and providing resources during financial crises<sup>14</sup>. The IMF also monitors how countries allocate funds related

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<sup>13</sup>- Access the website at 22:00 on 07/04/2025.  
[https://en.wikipedia.org/wiki/Interpol\\_13](https://en.wikipedia.org/wiki/Interpol_13)

<sup>14</sup>- Access the website at 22:00 on 10/04/2025.  
<https://ar.wikipedia.org/wiki/>



to loans and tracks spending on economic and investment projects.

2. It oversees funds through international bank transfers and their primary sources.

## **2. The Legal and Institutional Framework for Combating Corruption in Algeria**

Despite the numerous challenges and obstacles faced from various domestic and international parties, the Algerian legislator has made significant strides in combating and preventing corruption. In line with international agreements, several laws have been enacted since the 2003 convention was signed, and these will be addressed in the first subsection<sup>15</sup>.

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<sup>15</sup>- The legal framework for combating corruption in Algeria is primarily inspired by the United Nations Convention Against Corruption and regional agreements ratified by Algeria. It mainly revolves around:

High Authority for Transparency and Prevention of Corruption and its Combat (<https://hatplc.dz/legislative>).

- the United Nations Convention Against Corruption.
- the African Union Convention on Preventing and Combating Corruption.
- the Arab Convention Against Corruption.
- Law No. 06-01 relating to the prevention and combating of corruption;
- Order No. 07-01 on cases of incompatibility and special obligations for certain positions and jobs
- Presidential Decree No. 06-414, which specifies the model for the declaration of assets.
- Presidential Decree No. 06-415, which specifies the modalities for the declaration of assets for public agents.

Law No. 05-01 on the prevention and combating of money laundering and terrorism financing.

Executive Decree No. 13-318: Procedures for detecting, locating and freezing funds and other assets in the context of combating the financing of terrorism.

## 2.1. National Legislative and Institutional Mechanisms for Combating Corruption

The legislator provided justifications for enacting a separate law to prevent and combat corruption. This law addresses several important political, legal and economic issues.

- 1) Algeria's ratification of the United Nations and African Union Conventions Against Corruption under Presidential Decrees 04/128 and 06/137, dated 19 April 2004 and 10 April 2006 respectively. Thus, Algeria became internationally committed to implementing these provisions, towards which the Algerian legislator has worked through national legislation<sup>16</sup>. The country has taken several legislative measures to combat corruption, including ratifying relevant international agreements and enacting Law 06-01 concerning anti-corruption<sup>17</sup>.
- 2) Adoption of a policy for the prevention and combating of corruption, as set out in Article 1 of the Anti-Corruption Law<sup>18</sup>.
- 3) The legislator's focus on public officials was not arbitrary, but central to the subject of the anti-corruption law. The legislator adopted the principle that prevention is better than cure, implementing

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Bank of Algeria Regulation No. 12-03: Prevention and Combating of Money Laundering

<sup>16</sup>- Dr Lahlouh Deraji, 'Analytical Study of the Provisions of Law No. 06-01 Related to the Prevention and Combating of Corruption', Algeria, p. 4.

<sup>17</sup>- Qumairi, H. (2022). 'The Effectiveness and Efficiency of Anti-Corruption Mechanisms in Algeria.' *Al-Bayan Journal for Legal and Political Studies*, 7(1), pp. 187-199.

<sup>18</sup>- Same reference



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effective precautionary measures such as asset declaration and oversight of fund movements by certain financial bodies.

- 4) Subsequently, Algeria ratified the Arab Convention to combat corruption, adopted in Cairo, under Presidential Decree 14/249.
- 5) The United Nations Convention of 2003 was ratified under Decree 02/55 dated 5 February 2002. The Algerian legislator issued Ordinance 10/05 on 26 August 2010, amending and supplementing Law 06/01 concerning the Central Office for the Suppression of Fraud. This law was also amended by Law 11/05<sup>19</sup>.
- 6) Recent constitutional amendment: In 2020, the Algerian legislator amended the constitution, allowing significant progress to be made in enhancing integrity and transparency both domestically and internationally through the added legal provisions. The legislator also issued Decree 22/08 concerning the National Authority for Transparency and amended the Code of Criminal Procedure.
- 7) Reorganisation of the Court of Auditors: To enhance oversight of public funds, the Court's work has been reactivated by granting it additional powers. Unlike the previous national authority, it is considered an independent constitutional institution, organised and defined by law.
- 8) Establishment of a special fund for recovered embezzled assets: Under the 2021 Finance Law, the

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<sup>19</sup>- Constitution of Algeria, Amendment 2020.

aim of this fund is to recover assets embezzled as a result of corruption crimes.

### ***2.1.1. Specialised Bodies for Combating Corruption***

There are several bodies in Algeria that are tasked with combating corruption, the most prominent of which are:

- 1) National Authority for the Prevention and Combating of Corruption:
- 2) This authority develops strategies and maps corruption risks. It was established following the 2016 constitution.
- 3) Central Office for the Suppression of Corruption:
- 4) This office was established under Article 24 bis of Law No. 06-01 concerning the prevention and combating of corruption, as amended and supplemented.
- 5) The office serves as an operational central authority for the judicial police and is responsible for investigating and documenting crimes within the framework of combating corruption.
- 6) It is placed under the Ministry of Justice, Keeper of the Seals, and operates independently in its work and management. Its headquarters are located in Algiers<sup>20</sup>.
- 7) It combats corruption by investigating corruption cases<sup>21</sup>.
- 8) Establishment of the High Authority for Transparency and Prevention of Corruption:

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<sup>20</sup>- Accessed on 10/04/2025 at 21:00. <https://www.google.com/search>

<sup>21</sup>- Law No. 06-01 relating to the prevention and combating of corruption, as amended and supplemented.



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- 9) This independent body has significant legal powers aimed at safeguarding individuals' rights and freedoms and promoting the rule of law. Its role has been expanded by granting it more effective powers<sup>22</sup>.
- 10) It also investigates corruption crimes and informs the relevant authorities about corruption cases.
- 11) National Committee for Assessing Money Laundering and Terrorism Financing Risks:
- 12) Its mission is to develop policies to combat the phenomena of corruption and terrorism.
- 13) Despite efforts made, Algeria's anti-corruption mechanisms face several challenges. Despite the existence of these bodies, laws and allocated funds, challenges remain in terms of preventing and combating corruption.

### ***2.1.2. The Jurisdiction of the Criminal Judge in Disputes Regarding Public Procurement Contracts:***

Public economic transactions rely on the use of public funds, and administrative contracts, including public procurement contracts, involve substantial sums of money. This creates fertile ground for the embezzlement of public

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<sup>22</sup>- Accessed on 10/04/2025 at 21:00.

Law No. 06-01 relating to the prevention and combating of corruption, as amended and supplemented. (<https://www.google.com/search>). On 10 May 2023, Mr Bouaziz Mohand Akli, Director of Studies at the Central Office for Combating Corruption, gave a lecture entitled 'The Experience of the Central Office for Combating Corruption in Investigating Complex Corruption Crimes: Investigation and Seizure of Criminal Proceeds' as part of the 'Money Laundering Crimes and Parallel Financial Investigations' training course for judicial police officers of the General Directorate of National Security.

funds and illicit enrichment. In order to protect public funds and combat administrative corruption, legislators have criminalised certain economic practices, particularly within the realm of administrative contracts.

Law 06-01, concerning the prevention and combating of corruption, as amended and supplemented, includes specific provisions regarding administrative and public procurement contracts, considering the latter the comprehensive model for administrative contracts in Algeria. The law emphasises that public procurement procedures must be based on the principles of transparency and fair competition.

In this context, Article 9 of Law 06-01 stipulates the following: 'The procedures in place for public procurement must be based on the principles of transparency and fair competition, as well as objective criteria. These principles must ensure the following:<sup>23</sup>

- The publicity of information related to public procurement procedures
- The prior preparation of participation and selection conditions
- Objective and precise criteria for making decisions regarding public procurement contracts
- The exercise of all means of appeal in case of non-compliance with public procurement rules

Regarding the liability of legal entities for corruption crimes, which fall under the jurisdiction of the criminal judge, the Anti-Corruption Law No. 06-01 directs us to the Penal Code. Articles 26 and 27 specify crimes relating to administrative contracts and public procurement, including:

- a) The offence of favouritism.

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<sup>23</sup>- Refer to Public Procurement Law 23/12 and Decree 247/15.



- b) The offence of abusing the influence of public officials<sup>24</sup>.

The 2020 Constitution recently reinforced the role of the High Authority for Transparency and Prevention of Corruption, as set out in Articles 204 and 205 of Chapter Four, 'Oversight Institutions'. The following table illustrates Algeria's status on the corruption control index and the governance quality index for 2011, 2016 and 2021.

## **2.2. Challenges and Prospects for Enhancing the Fight Against Corruption in Algeria**

Algeria faces several challenges in its fight against corruption, including legal and technical issues, as well as political factors. We will address these challenges in the first section and explore ways to enhance the effectiveness of anti-corruption efforts in the second section.

### ***2.2.1. Challenges and Obstacles***

- 1) Weak independence: Many bodies suffer from a lack of independence and resources to perform their duties properly.
- 2) Selective politics: there are concerns that anti-corruption campaigns may lead to score-settling and affect officials' performance of their duties.
- 3) Weak judicial independence: This may result in ineffective anti-corruption efforts due to overlapping powers between the executive and legislative branches.

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<sup>24</sup>- See Article 26 of Law No. 06-01 relating to the prevention and combating of corruption.

### ***2.2.2. Ways to Enhance the Effectiveness of Anti-Corruption Efforts***

To combat and prevent corruption more effectively, several measures can be taken, including:

- 1) Strengthening the independence of national anti-corruption bodies. This includes providing financial and legal support, ensuring their funding and equipping them with adequate human and material resources.
- 2) Enhancing transparency: This can be achieved by solidifying the principles of good governance, providing access to information and coordinating with all security agencies through digitisation<sup>25</sup>.
- 3) Judicial reform: ensuring judicial independence to enable the judiciary to prosecute corruption cases without fear of influential figures in the executive or legislative branches.
- 4) Enhancing community participation: Engaging civil society and citizens in anti-corruption efforts by raising awareness and fostering a community conscience.
- 5) Enhancing international cooperation in recovering embezzled funds and exchanging security information.

### **3. Evaluating the effectiveness of anti-corruption mechanisms and prospects for their development.**

Significant outcomes have been achieved in the implementation of anti-corruption mechanisms, particularly

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<sup>25</sup>. Fawzia Ben Othman, 'Legitimacy and Building Good Governance in the Algerian Constitution', *Academic Scientific Studies Journal*, Issue 01, Year 2023, ISSN 2661-7633/EISSN 2716-8883, p. 1314.



in the suppression of corruption crimes and the recovery of funds at both the international and national levels. Additionally, rights and public freedoms have been protected and public interest maintained, as recognised by certain international organisations. This will be addressed in the first and second subsections of Section Three.

### **3.1. Evaluating the effectiveness of international and national mechanisms**

The effectiveness of these mechanisms in tackling corruption is a key indicator of the success of legal and institutional efforts to address this issue. Despite progress being made through international agreements and national legislation, the practical implementation of these mechanisms still faces numerous challenges. Continuous evaluation and analysis are required to identify the strengths and weaknesses of the anti-corruption system.

Evaluating the effectiveness of these mechanisms is a crucial step in assessing whether policies and legislation are achieving their preventive and punitive objectives. In recent years, countries and international organisations have expressed increasing interest in enhancing transparency and accountability. However, results vary between the national and international levels.

At an international level, the 2003 United Nations Convention Against Corruption has helped to establish a comprehensive legal framework for the prevention and criminalisation of corruption, as well as for international cooperation and asset recovery. The Convention has facilitated tangible progress in coordinating the efforts of member states, particularly through the implementation

review mechanism overseen by the United Nations Office on Drugs and Crime (UNODC). Periodic reports have demonstrated improvements in the exchange of legal and criminal information between countries. However, weak commitment to recommendations by some countries and insufficient financial and technical resources continue to pose a challenge to the actual implementation of the convention's provisions<sup>26</sup>.

At the national level, Algeria has taken significant steps to enhance the legal and institutional framework for combating corruption. These steps include Law No. 06-01, dated 20 February 2006, concerning the prevention and combating of corruption. This law was later amended and supplemented to align with international commitments. The National Authority for the Prevention and Combating of Corruption was established to coordinate the efforts of various government bodies. These mechanisms have raised legal awareness of the risks of corruption and promoted a culture of integrity in public administration<sup>27</sup>.

However, there are still a number of challenges in practice, including weak coordination among oversight bodies, a lack of transparency in public procurement and limited access to information, all of which hinder the effectiveness of preventive oversight. Furthermore, civil society and the media's participation in monitoring policy implementation is relatively limited compared to countries with better international transparency indicators<sup>28</sup>.

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<sup>26</sup>- Presidential Decree 23-314 establishing the High Commission for Digitalisation and defining its tasks, organisation and operation.

<sup>27</sup>- United Nations, United Nations Convention Against Corruption, New York, 2003, Articles 63–64.

<sup>28</sup>- Official Gazette of the Algerian Republic, Law No. 06-01, 20 February 2006, relating to the prevention and combating of corruption.



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Therefore, evaluating the effectiveness of these mechanisms highlights the need for greater integration between the international and national frameworks, for example by strengthening judicial cooperation, developing digital monitoring systems and implementing the principle of accountability in the management of public funds. It is also recommended that mechanisms for periodic policy evaluation be enhanced and that results be disseminated to the public, thereby reinforcing trust between citizens and institutions.

#### Subsection Two: Prospects for Developing Anti-Corruption Efforts

Current political and technological transformations necessitate new approaches to combating corruption that go beyond traditional methods. The success of any national or international system in addressing this phenomenon depends on its ability to adapt to new developments and utilise modern tools to ensure transparency and integrity in public affairs. Therefore, it is important to explore ways of enhancing anti-corruption mechanisms in line with the requirements of good governance.

International and national experiences demonstrate that combating corruption is not merely a legal endeavour, but an ongoing process requiring the constant renewal of means and methods in accordance with political, technological and economic changes. As corruption takes new and varied forms, it is essential to shift from traditional punitive approaches to a comprehensive approach focusing on prevention, governance, transparency, and community accountability.

At an international level, modern efforts are leaning towards using digital technology to combat corruption, such as electronic transparency systems, open government data platforms and electronic reporting applications. The United Nations Convention Against Corruption recommends that member states adopt modern technical means to develop public administration systems and facilitate access to information<sup>29</sup>. Organisations such as Transparency International and the Organisation for Economic Co-operation and Development (OECD) support governments in adopting digital governance policies to improve the integrity of public financial management<sup>30</sup>.

At the national level, Algeria needs to improve integration between oversight bodies and judicial institutions, activating mechanisms for coordination and information exchange to ensure the effective monitoring of corruption crimes. Furthermore, the widespread adoption of digital processes in public procurement is essential for reducing bribery and nepotism. It is also crucial to involve civil society and the media in monitoring the implementation of public policies, as stipulated by Law No. 06-01 concerning the prevention and combating of corruption<sup>31</sup>.

Promoting education on integrity and transparency is fundamental to future efforts, as a culture of anti-corruption must be integrated into educational curricula and

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<sup>29</sup>- Transparency International, Corruption Perceptions Index 2023, Berlin, 2024.

<sup>30</sup>- United Nations, United Nations Convention Against Corruption, New York, 2003, Articles 10 and 13.

<sup>31</sup>- OECD, Public Sector Integrity: A Framework for Assessment, Paris, 2020. Official Gazette of the Algerian Republic, Law No. 06-01, 20 February 2006, relating to the prevention and combating of corruption, Issue 14, 2006.



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administrative training to reinforce responsibility and citizenship values among future generations. Supporting the independence of oversight and judicial bodies by ensuring they have adequate funding and freedom to perform their duties without interference is also advisable.

Developing anti-corruption efforts requires a comprehensive national vision based on political will, effective accountability, the utilisation of modern technology and continuous international cooperation, in order to achieve a more transparent and accountable public administration which will have a positive impact on sustainable development and institutional stability.

## **Conclusion:**

Combating corruption requires significant efforts combining strict legislation, independent oversight bodies and an active civil society. International experience shows that agreements and international mechanisms provide a strong foundation for guiding national policies. However, actual commitment to implementing these mechanisms and achieving coordination among national bodies is the critical factor for the success of any anti-corruption strategy.

The Algerian experience confirms that enhancing effectiveness requires the ongoing development of legal and institutional frameworks, increased transparency and accountability, support for digitisation, and the fostering of a culture of integrity and citizenship. Continuous international cooperation and the exchange of experiences

and information are also fundamental to efficiently combating corruption.

Therefore, combating corruption is not merely a legal or administrative endeavour, but an ongoing process requiring periodic evaluation and the flexibility to adapt to political and technological developments. It must also be integrated with all local and international actors. The success of these efforts directly impacts sustainable development, institutional stability and public trust in the state.

### **Results:**

Combating corruption is a matter of great importance at both the international and national levels, with most countries working to tackle it through various preventive and punitive measures. Corruption has spread and crossed international borders since the last century, particularly in developing countries.

After identifying cases of corruption involving public officials, politicians and individuals with financial power and influence, international entities have focused on combating corruption in the agreements made among them. This has compelled member states to enact anti-corruption legislation and engage with international organisations to exchange security information, emphasising the need for international cooperation in fighting corruption.

Algeria has made significant progress in strengthening the legal and institutional framework for tackling corruption, particularly following the recent constitutional amendment. However, challenges remain, particularly with regard to the independence and powers of oversight bodies. Success in this battle requires genuine political will and comprehensive reforms to enhance transparency and legal



accountability. The legislator is currently working on this through the digitisation of all sectors and the establishment of independent institutions to combat corruption.

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