



Algeria's Efforts Towards Compliance with International Standards on Combating and Preventing Corruption Crimes in Light of the 2020 Constitutional Amendment

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Abstract:

In light of the **2020 constitutional amendment**, enacted pursuant to **Presidential Decree No. 20-442**, the Algerian constitutional framers sought to address the constitutional shortcomings that had characterized previous texts regarding Algeria's position on compliance with international standards in the field of combating and preventing corruption-related crimes. This effort reflects the principles of the **rule of law in its modern sense**, one of whose fundamental pillars is the existence of a constitutional document serving as the primary legal reference from which all other legal norms derive their legitimacy and validity, in accordance with the principle of the hierarchy of legal norms, including international standards.

Furthermore, the **2020 constitutional amendment** strengthened the Algerian constitutional framework for combating corruption by constitutionalizing the principle of **legal certainty**. This principle requires, first, the harmonization of national legislation with international legal standards in fulfillment of Algeria's international obligations and in order to ensure legal certainty. Second, it necessitates the adaptation of domestic legal provisions to the international conventions ratified by Algeria in a manner consistent with constitutional principles and the specific characteristics of Algerian society.

Keywords: Constitutional Amendment of 2020, Corruption Crimes, Prevention of Corruption, Rule of Law, Legal Certainty, International Standards, Constitutionalization, Algeria.

Résumé :

À la lumière de la révision constitutionnelle de 2020, promulguée en vertu du décret présidentiel n° 20-442, les auteurs de la Constitution algérienne ont cherché à remédier aux lacunes constitutionnelles qui caractérisaient les textes antérieurs concernant la position de l'Algérie sur le respect des normes internationales en matière de lutte contre les infractions liées à la corruption et de prévention de celles-ci. Cet effort reflète les principes de l'État de droit au sens moderne du terme, dont l'un des piliers fondamentaux est l'existence d'un texte constitutionnel servant de référence juridique première, dont découlent la légitimité et la validité de toutes les autres normes juridiques, conformément au principe de la hiérarchie des normes juridiques, y compris les normes internationales.

En outre, l'amendement constitutionnel de 2020 a renforcé le cadre constitutionnel algérien de lutte contre la corruption en inscrivant dans la Constitution le principe de sécurité juridique. Ce principe exige, d'une part, l'harmonisation de la législation nationale avec les normes juridiques internationales afin de respecter les obligations internationales de l'Algérie et d'assurer la sécurité juridique. D'autre part, il nécessite l'adaptation des dispositions juridiques nationales aux conventions internationales ratifiées par l'Algérie, d'une manière compatible avec les principes constitutionnels et les spécificités de la société algérienne.

Mots-clés : amendement constitutionnel de 2020, infractions de corruption, prévention de la corruption, État de droit, sécurité juridique, normes internationales, constitutionnalisation, Algérie.



Introduction

International and regional efforts to combat corruption constitute the general framework within which the subject of this study is situated, particularly with regard to international and regional conventions as mechanisms for combating corruption. This research paper, entitled “Algeria’s Efforts toward Compliance with International Standards on Combating and Preventing Corruption Crimes,” seeks to examine this issue from a legal perspective.

The purpose of this paper is to address the following legal question:

What is the normative status of international conventions on combating and preventing corruption crimes within the Algerian legal system?

To answer this question, the study is divided into two main sections. The first section examines the legal treatment of corruption crimes and corruption prevention mechanisms. The second section analyzes the legal adaptation and harmonization of national legislation with international legal standards concerning the fight against and prevention of corruption crimes.

1. The Legal Treatment of Corruption Prevention and Combating Corruption in the Algerian Legal System

Algerian legislation has addressed the issue of preventing and combating corruption crimes, both through the fundamental legal framework represented by the 2020 constitutional amendment and through lower-ranking legal

texts related to corruption prevention and anti-corruption efforts.

1.1. Within the Supreme Legal Text

The Algerian constitutional framers, through the 2020 Constitution, addressed the issue of preventing and combating corruption, both in the **Preamble of the Constitution**, in the form of general provisions, and within the **main body of the Constitution**, through specific provisions. This approach differs from that adopted in the previous constitutional text, which did not address the issue with the same degree of detail and emphasis.

1.1.1 Based on the Provisions of the Constitutional Preamble

Paragraph 12 of the Constitution's Preamble was introduced¹ to confer a fundamental and constitutional character upon the issue of preventing and combating corruption in all its forms, on the one hand. On the other hand, it also emphasizes the international dimension of this constitutional commitment, considering that the fight against corruption has become one of the primary concerns of the international community.

This development prompted the Algerian constitutional framers in 2020 to grant the issue a prominent status, both as a subject of law in general and as one of the fundamental principles receiving constitutional protection and attention in particular.

Accordingly, the wording of Paragraph 12 reflects the determination of the 2020 constitutional legislator to uphold

¹ Paragraph 12 of the Constitution's Preamble states: "Algeria expresses its commitment to working towards the prevention and combating of corruption in accordance with the international conventions it has ratified."



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Algeria's commitment to preventing and combating corruption within the framework of international conventions and agreements.

This introduction constituted a clear and explicit expression of the constitutional framers' intention to incorporate **international conventions and treaties as international legal standards** within the hierarchy of legal norms, provided that they satisfy the requirements of validity, legitimacy, and binding force necessary for a legal norm to form part of the State's legal system².

The **2020 constitutional amendment** further reinforced Algeria's explicit position regarding the integration of international conventions and treaties into the national legal order through the introduction of **Paragraph 24 of the Preamble**³.

This paragraph emphasizes Algeria's commitment to aligning with international and regional standards relating to peace, human rights, and development, while remaining consistent with the specific characteristics and fundamental values of Algerian society, and ensuring full harmony with its national choices.

The issue of **preventing and combating corruption** falls within the scope of the aforementioned paragraph, as it constitutes a fundamental prerequisite for development in all its dimensions and a genuine guarantee for the protection of

² Ahcen Rabahi, *The Principle of Hierarchy of Legal Norms in the Algerian Legal System*, PhD thesis in Public Law, Faculty of Law, University of Algiers, 2005/2006, p. 75.

³ Paragraph 24 of the Constitution's Preamble states: "Algeria, committed to peace, human rights, and development, directs its foreign policy... in accordance with the purposes and principles of the United Nations, the African Union, and the League of Arab States."

rights and freedoms. It is recognized in international instruments, as well as in various conventions, agreements, and treaties ratified by States and incorporated into their constitutions and fundamental laws.

Consequently, corruption prevention and anti-corruption efforts should be regarded as one of the fundamental principles deserving a distinguished legal status within the supreme constitutional document. The **2020 constitutional amendment** addressed this concern, beginning with the Preamble of the Constitution, which forms an integral part of the constitutional text. Accordingly⁴, the general provisions contained therein relating to the prevention and combating of corruption enjoy the same constitutional value as the other provisions of the Constitution, which will be examined subsequently.

1.1.2. Based on the Provisions of the Main Body of the Constitution

Within the same context of our study, the remaining provisions of the Constitution address the issue of **preventing and combating corruption crimes** in a more specific manner. These provisions are embodied in the form of constitutional articles distributed throughout the various chapters and sections of the constitutional text.

Through these constitutional provisions, the Algerian constitutional framers sought to establish a comprehensive legal framework aimed at promoting integrity, transparency, accountability, and the protection of public funds, while strengthening mechanisms for the prevention, detection, and punishment of corruption-related offenses. Such provisions reflect the constitutional commitment to combating

⁴ See the final paragraph of the 2020 amended Constitution's Preamble.



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corruption as a fundamental requirement for good governance, the rule of law, and sustainable development.

These provisions address the issue of **corruption prevention indirectly** through the provisions of **Part One of the Constitution**, which contains the general principles governing Algerian society. Within this framework, the constitutional framers referred to several forms of corruption in a clear, distinctive, and innovative manner.

This is evident, first, in **Chapter Two, entitled “The People,” particularly Article 9**, where **paragraph 5** was introduced to constitutionalize the **principle of transparency**⁵, in line with the broad reforms affecting various institutions and sectors.

In addition, amendments were made to **paragraph 8 of Article 9**, reaffirming the commitment to continuing legal and institutional reforms aimed at protecting and cleansing the national economy from all forms of corruption. In this regard, the Constitution criminalizes the **smuggling of capital abroad**, considering it a form of financial and economic corruption that must be effectively combated⁶.

Beyond Article 9, **Article 11** refers to other manifestations of corruption, including **feudal practices, nepotism, regionalism, dependency, and the establishment of relationships based on exploitation and influence**. This prompted the constitutional legislator to adopt more precise and stringent language. This is illustrated by the replacement of the expression “*institutions may not engage in...*” found in the previous constitutional text with the stronger formulation

⁵ It states: “...ensuring transparency in the management of public affairs...”

⁶ In contrast to the previous constitutional text, point 08 was amended by adding the phrase: “...capital flight...”

“institutions shall refrain from...”, thereby providing a more direct and explicit prohibition of such practices.

Another constitutional innovation introduced by the **2020 amendment** is found in **Article 10**, which aims to strengthen the role of **civil society** in participating in the management of public affairs⁷. This provision constitutes one of the most significant developments in the field of anti-corruption reforms, given the close relationship between civil society and its effective role in supporting the competent authorities in preventing and combating corruption.

This role is further reflected in **Article 205(1)**, which outlines the functions of the **High Authority for Transparency, Prevention and Combating of Corruption**. Paragraph 4 specifically provides that the Authority shall contribute to strengthening the capacities of civil society and other stakeholders involved in the fight against corruption. This provision highlights the constitutional recognition of civil society as a key partner in promoting transparency, integrity, and accountability within public governance⁸.

Consequently, one of the institutional mechanisms introduced to prevent and combat corruption in its various forms is **civil society organizations**, whose role is based on setting priorities, identifying needs, and implementing the necessary measures to address them through legally established instruments such as authorizations, notifications, and administrative decisions, while ensuring proper coordination among the relevant actors.

⁷ See Article 10 of the Constitution.

⁸ Ibrahim Daoud, *Sustainable Development in Local Communities*, lectures delivered to first-year Master students (Public Law specialization), University of Boumerdès, Faculty of Law, 2015/2016, p. 49.



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The aforementioned provision is complemented by another constitutional rule related to the prevention and combating of corruption, namely the recognition of the **normative status of electoral law** within the State's legal hierarchy. Electoral law enjoys a constitutional value closely linked to the Constitution itself with regard to the representation of the people and the selection of their representatives as a fundamental component of the State⁹. Accordingly, the electoral process constitutes a constitutional mechanism that contributes to preventing and combating corruption by enabling citizens to choose the most suitable individuals for public office, thereby reducing the spread of political, ethical, and administrative corruption.

With regard to **Chapter Three, entitled "The State,"** several new provisions were introduced that fall within the scope of anti-corruption measures. Among them is **Article 24**, which was amended by the 2020¹⁰ constitutional revision. The article now contains five paragraphs, of which the first and third paragraphs were newly introduced, the fourth paragraph was amended, while the second and fifth paragraphs remained unchanged.

An examination of the content of Article 24 reveals that the Algerian constitutional framers addressed some of the most significant manifestations of corruption, particularly **political and administrative corruption**, and established mechanisms to combat them. In this respect, the Constitution prohibits the

⁹ Article 12/02 of the Constitution states: "...There shall be no limits to the representation of the people except as provided by the Constitution and the Electoral Law..."

¹⁰ In contrast to the previous constitutional text under Article 23, which contained three paragraphs.

creation of any public office or position intended to serve private interests or to become a source of personal enrichment rather than serving the public interest. Such practices are likely to create situations of **conflict of interest**, which constitute one of the major sources of corruption in public administration and governance.¹¹

The Constitution also introduced a new requirement, namely the **declaration of assets by individuals exercising functions and responsibilities related to State authorities and institutions**. This requirement is consistent with **Article 8 of the United Nations¹² Convention against Corruption (UNCAC)**, which promotes integrity, transparency, and accountability among public officials.

It should be noted that the safeguards provided for in **Article 24 of the 2020 constitutional amendment** are largely consistent with the provisions of the international anti-corruption framework, representing an additional step toward compliance with international standards in this field.

Similarly, **Article 25** refers to preventive mechanisms and measures aimed at limiting the spread of corruption, including **influence peddling and abuse of authority**. Unlike the previous constitutional text, which only referred to the abuse of authority under Article 24 of the 2016 constitutional amendment, the 2020 Constitution expressly added the concept of **influence peddling** as a distinct form of corruption requiring constitutional attention.

¹¹ This provision is included in Article 7 of the United Nations Convention against Corruption (preventive measures), particularly concerning conflicts of interest.

¹² Article 8 of the United Nations Convention against Corruption, within the chapter on preventive measures (Code of Conduct for Public Officials), includes the obligation of asset declaration, which was later incorporated into Article 24/04 of the 2020 constitutional amendment.



The extensive reforms concerning corruption prevention and anti-corruption efforts introduced by the **2020 Constitution** also extended to **Article 26**¹³, which relates to administrative action as a fundamental expression of transparency and respect for legality.

In this regard, the constitutional legislator strengthened the institutional position of the administrative authority by enshrining constitutional principles such as **administrative neutrality and impartiality**. Formally, these principles were incorporated into the chapter dealing with the general principles governing Algerian society, under the section entitled "The State." Substantively, they reflect the understanding that the absence of administrative corruption constitutes one of the essential foundations of the modern rule-of-law State and a prerequisite for its continuity. Furthermore, the administrative function forms an integral part of the State's functions, aimed at implementing public policies within the framework of major national balances and in accordance with the principle of administrative legality.

Article 27, concerning public services, is also directly linked to the proper functioning of public administration and the provision of public services in a fair, equitable, and non-discriminatory manner. Elevating the rules governing public services to the constitutional level strengthens anti-corruption mechanisms, given that public services form part of the State's institutional framework and constitute the

¹³ See Article 26 of the Constitution.

structural foundation of the administrative system in particular¹⁴.

Turning to **Part Two of the Constitution**, which deals with **fundamental rights, public freedoms, and duties**, an examination of its provisions reveals the close relationship between the protection of rights and freedoms on the one hand, and the prevention and combating of corruption on the other. These two issues are complementary and should not be viewed separately, since the spread of corruption in all its forms inevitably leads to the erosion and violation of rights and freedoms, undermines the principles of justice and equality, weakens public confidence in institutions, and hinders the effective realization of the rule of law.

the violation of rights and freedoms and undermines public order. Consequently, the **2020 constitutional amendment** strengthened the provisions relating to rights and freedoms by introducing a broader set of legal rules containing new safeguards and mechanisms, the most important of which include:

- **The binding nature of constitutional provisions relating to rights and freedoms upon all public authorities and institutions.**
- **The imposition of limitations on the exercise of freedoms where necessary for the preservation of public order and the protection of national constants and fundamental values.**
- **The constitutionalization of the principle of legal certainty and the requirement of clarity in legislation concerning the protection, guarantee, and recognition of rights and freedoms.**

¹⁴ Unlike the previous constitutional text, which did not address the issue of public service.



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The reforms aimed at preventing and combating corruption were also extended to the field of **associations and political parties**, through the introduction of restrictions and conditions governing their activities in order to ensure that they operate in the public interest and remain free from all forms of dependence on private interests or foreign entities.¹⁵ Furthermore, **Article 66**, concerning the right to work, was amended through the introduction of **paragraph 8**, which entrusts the law with determining the conditions under which employees may be requisitioned for purposes related to the public interest, within the broader framework of combating corruption and safeguarding the public good. New provisions were also introduced in the chapter dealing with **duties**, particularly those relating to taxation. Six complete paragraphs were devoted to the principles and conditions governing tax collection, including:

- **The principle of equality in taxation**, without exception or discrimination, while allowing the law to determine cases of total or partial tax exemption.
- **The constitutional principle of legality in taxation**, requiring that taxes be imposed and collected in accordance with the law.
- **The principle of citizenship**, whereby the payment of taxes constitutes a duty incumbent upon every Algerian citizen.
- **The principle of non-retroactivity of taxation**, preventing taxes from being applied retroactively.

¹⁵ See Article 34 of the Constitution.

- **The criminalization of practices that undermine equality among taxpayers**, particularly through acts of tax evasion and tax fraud.¹⁶

With regard to **Part Three of the Constitution**, entitled “**The Organization and Separation of Powers**,” its provisions also illustrate the relationship between the public authorities of the State and the need to intensify cooperation among them in combating manifestations of corruption, particularly political corruption.

Among the provisions concerning the **Executive Branch**, **Article 87(1)** of the Constitution, which sets out the conditions for candidacy for the office of President of the Republic, requires under **paragraph 11** that presidential candidates declare their movable and immovable assets, both within and outside the country. This requirement serves as an important transparency mechanism in the prevention of corruption.

The President of the Republic also plays a role in preventing and combating corruption through his constitutional authority to issue **presidential ordinances and decrees** relating to anti-corruption policies and measures.

Likewise, the role of the **Prime Minister** in combating and preventing corruption is reflected in his responsibility to ensure the proper functioning of public administration and public services, thereby contributing to transparency, efficiency, and accountability within the public sector.¹⁷

2. Based on the Provisions of the Constitutional Text Itself

Within the same context of our topic, the remaining provisions of the Constitution address the issue of the prevention and combating of corruption offenses in a more

¹⁶ See Articles 53 and 57 of the Constitution.

¹⁷ See Article 82 of the Constitution.



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specific manner. These provisions appear in the form of legal articles distributed throughout the various chapters and sections of the constitutional text.

These provisions relate indirectly to the prevention of corruption through the rules contained in Chapter One, which sets out the general principles governing Algerian society. Within this framework, several forms of corruption are addressed in a clear, distinctive, and innovative manner by the Algerian constitutional legislator. This is evident first in Chapter Two, entitled *The People*, particularly Article 9, where paragraph 5 was introduced to constitutionalize the principle of transparency, in line with the broad reforms affecting various institutions and sectors.

In addition, amendments were made to paragraph 8 as confirmation of the continuation of legal and institutional reforms aimed at protecting and purifying the national economy from all forms of corruption by criminalizing capital flight and considering it a form of financial and economic corruption that must be combated.

Beyond Article 9, Article 11 refers to other manifestations of corruption, including feudal practices, favoritism, regionalism, dependency, and the establishment of relations of exploitation and influence. This prompted the constitutional legislator to adopt stronger and more precise language. This is reflected in the replacement of the expression "institutions may not engage in..." found in the previous constitutional text with the expression "institutions shall refrain from..." as a direct and explicit means of deterring such practices.

Another constitutional provision was introduced through the 2020 constitutional amendment, namely Article 10, which

seeks to activate the role of civil society in participating in the management of public affairs. This provision is considered one of the most significant innovations among the reforms concerning anti-corruption efforts, due to the close relationship between civil society and its effective role in supporting the competent authorities in preventing and combating corruption.

This is further illustrated in Article 205(1), where the Algerian constitutional legislator enumerates the functions of the *High Authority for Transparency, Prevention and Fight against Corruption*. Paragraph 4 states that this authority contributes to strengthening the capacities of civil society and other stakeholders involved in combating corruption.

Accordingly, civil society organizations constitute one of the newly established institutional mechanisms for combating corruption and confronting its various forms. These organizations operate by setting priorities, identifying needs, implementing the necessary procedures to achieve them, utilizing the legal instruments provided for that purpose—such as authorizations, notifications, and decisions—and ensuring proper scheduling and coordination among the relevant actors.

The aforementioned article is followed by another constitutional provision related to the prevention and combating of corruption. This provision highlights the normative status of electoral law within the legal hierarchy of the State, granting it constitutional value equivalent to that of the Constitution with respect to the representation of the people and the selection of their representatives. Consequently, elections constitute a constitutional mechanism for preventing and combating corruption, as they enable citizens to choose the most suitable person for public



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office, thereby reducing the spread of political, ethical, and administrative corruption.

With regard to Chapter Three, entitled *The State*, several new provisions were introduced within the framework of combating corruption. Among them is Article 24, which was amended by the 2020 constitutional revision. The article now consists of five paragraphs: the first and third paragraphs were newly introduced, the fourth was amended, while the second and fifth remained unchanged.

An examination of Article 24 reveals that the Algerian constitutional legislator addressed some of the most significant forms of corruption, namely political and administrative corruption, and established mechanisms to combat them. These mechanisms include prohibiting the creation of any public office or position intended to serve private interests or generate personal enrichment rather than the public interest, thereby preventing situations of conflict of interest.

A new requirement was also introduced, namely the declaration of assets by individuals exercising functions and responsibilities within State institutions and authorities. This requirement is consistent with Article 8 of the **United Nations Convention against Corruption**. Consequently, the safeguards set forth in Article 24 of the 2020 constitutional amendment are largely consistent with the provisions of the Convention, representing an additional step toward aligning national legislation with international standards in this field.

Article 25 also refers to preventive mechanisms and measures aimed at limiting the spread of corruption, including influence peddling and abuse of authority. Unlike the previous constitutional text, the concept of influence

peddling was expressly added to the abuse of authority already provided for under Article 24 of the 2016 constitutional amendment.

The broad reforms in the field of anti-corruption and corruption prevention continued under the 2020 constitutional framework through amendments to Article 26 concerning administrative action as a cornerstone of transparency and legality.

The constitutional legislator strengthened the institutional position of the administrative authority by establishing constitutional principles such as administrative neutrality and impartiality. Formally, these principles are enshrined in the chapter containing the general principles governing Algerian society, specifically in the section entitled *The State*. Substantively, they recognize that the absence of administrative corruption constitutes one of the fundamental pillars of the rule of law in its modern conception and ensures its continuity. Administrative functions are considered an integral part of the State's responsibilities in implementing public policy while respecting the fundamental national balances and the principle of administrative legality.

Article 27 concerning public services is also directly related to the proper functioning of the administration and the fair, equitable, and non-discriminatory delivery of public services. Elevating the rules governing public services to the rank of constitutional norms strengthens anti-corruption mechanisms, since public services form part of the State's institutional framework and constitute the foundation of the administrative system.

Turning to Chapter Two of the Constitution, entitled *Fundamental Rights, Public Freedoms and Duties*, it becomes clear that there is a complementary relationship between the



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protection of rights and freedoms and the prevention and combating of corruption. These two dimensions cannot be separated, as the spread of corruption in all its forms inevitably leads to the violation of rights and freedoms and undermines public order. For this reason, the 2020 constitutional amendment strengthened the provisions relating to rights and freedoms through the introduction of new legal mechanisms and safeguards, including:

- The binding nature of constitutional provisions relating to rights and freedoms on all public authorities and institutions.
- The establishment of limitations on the exercise of freedoms when required to preserve public order and protect national constants.
- The constitutionalization of the principle of legal certainty and the requirement that legislation concerning rights and freedoms be clear and precise.

The reforms aimed at preventing and combating corruption also extended to associations and political parties through the introduction of rules and conditions designed to ensure that their activities serve the public interest and remain free from dependence on private interests or foreign entities.

Article 66 concerning labor was also amended through the introduction of paragraph 8, which entrusts the law with determining the conditions under which employees may be requisitioned for purposes of public interest, within the broader framework of combating corruption.

New provisions were also introduced in the chapter concerning duties, particularly those relating to taxation. Six

paragraphs were devoted to the principles and conditions governing tax collection, including:

- The principle of equality in taxation without exception or discrimination, while allowing the law to determine cases of total or partial exemption.
- The principle of constitutional legality in tax collection.
- The principle of citizenship, whereby tax payment is considered a duty incumbent upon every Algerian citizen.
- The principle of non-retroactivity of taxation.
- The criminalization of practices that undermine equality among taxpayers, including tax evasion and tax fraud.

As for Chapter Three of the Constitution, entitled *The Organization and Separation of Powers*, it also illustrates the relationship between the public authorities of the State and their coordinated efforts to combat manifestations of political corruption.

Among the provisions relating to the executive branch is Article 87(1), which sets out the conditions for candidacy to the office of President of the Republic. Paragraph 11 requires presidential candidates to declare their movable and immovable assets both inside and outside the country. The President also exercises authority through the issuance of ordinances and presidential decrees relating to the prevention of corruption offenses.

The Prime Minister's role in combating corruption is likewise reflected in his responsibility to ensure the proper functioning of the public administration and public services.

Furthermore, the 2020 constitutional amendment expanded the scope of anti-corruption measures by criminalizing certain acts and conduct committed by the



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President of the Republic or the Prime Minister and classifying them as acts of high treason. It also established a High Court of State to adjudicate such cases.

With regard to the legislative branch, numerous provisions relate to the prevention and combating of political corruption among members of Parliament, given that Parliament exercises the legislative function, which constitutes an essential component of the State's political functions. These provisions include:

- The lifting of parliamentary immunity in the event of judicial proceedings against a member of Parliament for acts unrelated to parliamentary duties.¹⁸
- The loss of a parliamentary mandate if the conditions required for holding office are no longer fulfilled or have been violated.
- The incompatibility between a parliamentary mandate and other public functions.
- The deprivation of a member or deputy of his or her mandate due to misconduct.

Parliament also contributes to anti-corruption efforts through its powers of financial oversight over the Government, as provided for in Articles 115, 155, and 156 of the Constitution, considering that the mismanagement of public funds by public authorities constitutes a form of political and financial corruption. Parliament's role is further reflected in its legislative powers under Article 139, particularly in relation to public procurement and financial, economic, and tax matters.

¹⁸ See Article 112/07 of the Constitution.

Likewise, under Article 140, Parliament adopts organic laws governing public authorities, the electoral system, and various strategic sectors related to State sovereignty and public order.

The judiciary also plays a vital and effective role in preventing and combating corruption, particularly following the strengthening of judicial powers under the 2020 constitutional amendment. National judges are now required to apply ratified treaties and conventions, including the **United Nations Convention against Corruption**, which has been ratified by Algeria.

Moreover, the constitutionalization of the High Court of State under Article 183 resulted from serious abuses committed by former ministers and senior officials. The 2020 constitutional legislator addressed these shortcomings by establishing a mechanism aimed at deterring such practices.

In addition, Chapter Four, entitled Oversight Institutions, provides the institutional framework for bodies responsible for oversight in general, including the Constitutional Court, the Court of Auditors, and the Independent National Authority for Elections. It also encompasses institutions specifically tasked with preventing and combating corruption, foremost among them the High Authority for Transparency, Prevention and Fight against Corruption.¹⁹

In this regard, the 2020 constitutional amendment contributed to elevating the rules governing the anti-corruption body to the rank of constitutional norms by establishing a specific legal framework for the High Authority for Transparency, Prevention and Fight against Corruption. This was achieved through several reforms introduced in

¹⁹ See Article 130 of the Constitution.



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Chapter Four concerning the High Authority for Transparency and the Fight against Corruption, namely:

- The creation of a dedicated section on the High Authority for Transparency, Prevention and Fight against Corruption within the structure of the Constitution, with an entire chapter devoted to it.
- The transformation of its legal nature from an advisory body into an oversight institution, thereby enhancing its normative status within the institutional framework of the State.
- Granting it a fundamental and constitutional character by recognizing it as a supreme constitutional authority.
- Expanding its powers and responsibilities at all levels pursuant to Article 205 of the Constitution.²⁰

As for the chapter relating to consultative bodies, it defines the framework for cooperation and coordination among the various consultative bodies, public authorities, constitutional institutions, administrative entities, and judicial authorities in matters relating to the prevention and combating of corruption offenses.

1.2. Under Subordinate Legal Texts

Numerous legal instruments relating to the prevention and combating of corruption have been adopted, whether enacted by Parliament through ordinary legislation or issued by the President through ordinances and presidential decrees.

²⁰ Article 171 introduced by the 2020 constitutional amendment

2.1. Presidential Legislation through Presidential Decrees for the Prevention and Combating of Corruption Offenses

In fulfillment of Algeria's international commitments through the alignment of its legislation with international standards, and as part of the broader process of consolidating the rule of law in the field of anti-corruption, Algeria intensified its efforts at both the international and regional levels. This is reflected in the issuance of several presidential decrees ratifying international conventions in this area, among which the most important are the following:

1.2.1. Ratification of the United Nations Convention against Corruption through Presidential Decree No. 04-128

National legislation concerning the prevention and combating of corruption offenses within the Algerian legal system developed in parallel with major international developments in this field. In this context, the United Nations Convention against Corruption (UNCAC) was adopted by the United Nations²¹ General Assembly as an international legal instrument whose provisions governments and States are expected to observe and whose standards they are encouraged to incorporate into their domestic legal systems. Accordingly, Algeria ratified the Convention through Presidential Decree No. 04-128, thereby affirming its commitment to implementing international anti-corruption standards and adapting its national legislation to comply with the requirements and principles established by the Convention. This ratification represented a significant step toward strengthening the legal and institutional framework

²¹ Previously entrusted to the National Authority for the Prevention and Combating of Corruption under Article 202 of the Constitution



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for the prevention and combating of corruption within the Algerian legal order.

This is the approach adopted by Algeria, which ratified the United Nations Convention against Corruption with reservations through Presidential Decree No. 04-128.²²

1.2.2. Ratification of the African Union Convention on Preventing and Combating Corruption through Presidential Decree No. 06-137

The African Union Convention on Preventing and Combating Corruption, adopted in Maputo on 11 July 2003, was ratified by Algeria on 10 April 2006 ²³through Presidential Decree No. 06-137.

1.2.3. Ratification of the Arab Convention against Corruption through Presidential Decree No. 14-249

The Arab Convention against Corruption, adopted in Cairo, Egypt, on 21 December 2010, was ratified by Algeria through Presidential Decree No. 14-249 of 8 December 2014, published in the Official Gazette.

Algeria has also ratified other international instruments related to the prevention and combating of corruption, including the United Nations Convention against Transnational Organized Crime, adopted by the United Nations General Assembly on 15 November 2000 and ratified by Algeria, with reservations, through Presidential Decree

²² Constitutional amendment of 2016 (Constitution of 1996), regarding the powers of the National Authority for the Prevention and Combating of Corruption under Article 203.

²³ United Nations Convention against Corruption, New York, 31/10/2003.

No. 02-55 of 5 February 2002, published in Official Gazette No. 09.

1.3. Ordinary Parliamentary Legislation Relating to the Prevention and Combating of Corruption

National legislation concerning the prevention and combating of corruption may be divided into general legal provisions and special legal provisions.

1.3.1. The General Legislative Framework for the Prevention and Combating of Corruption

The Algerian legislative framework for corruption prevention has evolved into a comprehensive body of legal texts governing this phenomenon. These laws were enacted by the legislative authority within the scope of its constitutionally granted powers and in implementation of constitutional provisions.

Several of these legislative instruments are referenced in the preamble of Law No. 06-01 on the Prevention and Fight against Corruption, including:

- Organic Law No. 04-11 establishing the Basic Statute of the Judiciary.
- Ordinance No. 97-09 containing the Organic Law on Political Parties.
- Ordinance No. 66-133 establishing the General Civil Service Statute.
- Ordinance No. 66-155 containing the Code of Criminal Procedure.
- Ordinance No. 66-156 containing the Penal Code, as amended and supplemented.
- Ordinance No. 75-59 containing the Commercial Code.



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- Law No. 79-07 containing the Customs Code, as amended and supplemented.
- Law No. 84-17 relating to Finance Laws.
- Law No. 90-21 relating to Public Accounting.
- Ordinance No. 96-22 concerning the repression of violations of legislation and regulations governing foreign exchange and the movement of capital to and from abroad.
- Ordinance No. 97-04 relating to the Declaration of Assets.
- Ordinance No. 03-11 concerning Currency and Credit.
- Law No. 05-01 on the Prevention and Fight against Money Laundering and the Financing of Terrorism, as amended and supplemented.

In addition, there are other legislative texts relevant to anti-corruption efforts that are not expressly cited in the preamble of the Anti-Corruption Law, including:

- Ordinance No. 03-03 relating to Competition.
- Law No. 04-08 concerning the Conditions for the Exercise of Commercial Activities.

1.3.2. The Special Legislative Framework for the Prevention and Combating of Corruption

This framework is embodied in Law No. 06-01 on the Prevention and Fight against Corruption, which constitutes the principal legal instrument specifically dedicated to combating corruption and preventing its occurrence.

From a legal analytical perspective, Law No. 06-01 may be examined from two angles:

A. Formal Analysis

1. Analysis of the Legal References (Preambular Citations)

The references cited in the preamble of the law serve as legal foundations intended to support the validity and legality of the legislative text. They also justify the legislator's competence to enact the law²⁴.

The preamble contains several categories of legal references, including:

- The constitutional standard, represented by the provisions of the Constitution.
- The international standard, represented by the United Nations Convention against Corruption (UNCAC).
- Various organic laws, ordinary laws, and presidential ordinances.

Regarding the legislative process reflected in the preamble, several procedural steps can be identified:

- The promulgation of the law by the President of the Republic, as indicated at the beginning of the text and confirmed by the presidential signature at the end.
- Consultation of the Council of State.
- Approval of the law by Parliament.
- Publication in the Official Gazette, in accordance with Article 73 of Law No. 06-01.

2. Quantitative Analysis

Law No. 06-01 consists of 72 articles distributed across six chapters, covering various aspects of corruption prevention and anti-corruption measures.

²⁴ Presidential Decree No. 04/128 dated 19/04/2004, Official Gazette No. 26, p. 12.



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Among these chapters, Chapter One contains the General Provisions and Principles, which define the objectives of the law, namely:²⁵

- Strengthening measures aimed at preventing and combating corruption at both the national and international levels.

Within this chapter, the legislator also provides a set of definitions for key concepts relevant to anti-corruption efforts, including:²⁶

- Public official;
- Foreign public official;
- Official of a public international organization;
- Entity;
- Property;
- Proceeds of crime;
- Freezing or seizure;
- Confiscation;
- Predicate offense;
- Controlled delivery;
- Convention;
- Authority.

Among these concepts, the most significant is the notion of corruption, which constitutes the central concept around which the entire legal framework of Law No. 06-01 is structured. The definition and regulation of corruption serve

²⁵ Presidential Decree No. 06/137 dated 10/04/2006, Official Gazette No. 24, p. 04.

²⁶ Law No. 06-01 dated 20/02/2006, Official Gazette No. 14, amended and supplemented by Ordinance No. 10-05 and Law No. 11-05.

as the foundation for the preventive, institutional, and punitive mechanisms established by the law.²⁷

Corruption

No comprehensive definition of the term “**corruption**” is provided under the provisions of **Law No. 06-01**. Instead, the Algerian legislator limited himself to defining corruption as **all offenses provided for in Chapter Four of the Law**.²⁸

To better understand the concept of corruption, it may be examined from three perspectives: **linguistic, doctrinal, and legal**.

1. Linguistic Definition

In the Arabic language, *fasād* (corruption) is the opposite of *ṣalāh* (integrity or rectitude)²⁹. The verb *fasada* means “to become corrupt” or “to deteriorate.” Corruption therefore denotes the opposite of reform and soundness. Likewise, *mafsadah* (harm or corruption) stands in contrast to *maṣlahah* (public interest or benefit), while *ifsād* (causing corruption) is the opposite of *iṣlāh* (reform).

2. Doctrinal Definition

From a doctrinal perspective, corruption has been defined as the disappearance of the proper form or condition of a thing after it has existed. In other words, it denotes a state of deterioration or disorder occurring after a condition of integrity.

²⁷ Attallah Bouhamida, *Legal Texts – From Preparation to Implementation*, Office of University Publications, Algeria, p. 46

²⁸ See Article 1 of Law No. 06-01

²⁹ Addition of the term “Office” under paragraph “N” of Article 02 of Ordinance No. 10-05



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Accordingly, the concept of corruption is used to describe situations of dysfunction affecting both tangible and intangible entities. Such dysfunction may occur in political, administrative, economic, or financial systems and institutions³⁰.

3. Legal Definition

From a legal standpoint, international standards reveal considerable diversity regarding the meaning of corruption.

The **United Nations Convention against Corruption (UNCAC)** adopts an indirect and inferential approach rather than providing an explicit definition of corruption. This is because the Convention does not contain a specific legal definition or a comprehensive formulation of the concept. Instead, it focuses on criminalizing various acts and practices constituting corruption.

This approach first appeared during the drafting process of the Convention and was ultimately retained in its final text. Consequently, the Convention identifies forms of corruption through the criminalization of conduct such as:³¹

- Embezzlement;
- Bribery;
- Money laundering;
- Abuse of functions and influence peddling;
- Other related corrupt practices.

Similarly, the **United Nations Convention against Transnational Organized Crime (2000)** addresses corruption through Article 8, where corruption is essentially associated with bribery-related conduct.

³⁰ See point (A) of Article 02 of Law No. 06-01

³¹ Ibn Manzur, *Lisan al-Arab*, Dar al-Maaref, Cairo, p. 3412

With regard to the **International Criminal Police Organization (INTERPOL)**, international standards concerning corruption in law enforcement agencies provide a broader conception of corruption. According to these standards, corruption may include:

- Promising, requesting, offering, or receiving property or benefits of value by military or civilian personnel in exchange for performing or refraining from performing official duties;
- Disclosing confidential or restricted information for personal gain;
- Any misuse of official authority for private benefit.³²

As for the **African Union Convention on Preventing and Combating Corruption**, Article 1 defines corruption as the acts, practices, and related offenses criminalized under the Convention, particularly those enumerated in Article 4 thereof.

Thus, while international legal instruments differ in their formulations, they generally converge on the idea that corruption encompasses a range of unlawful practices involving the abuse of entrusted power, public office, or influence for private gain, whether political, economic, financial, or personal.

1.3.3. The Specific Legislative Framework for the Prevention and Combating of Corruption

This framework is represented by **Law No. 06-01 on the Prevention and Combating of Corruption**, which constitutes a special legal standard dedicated to addressing corruption

³² Abdelali Hacha, *Legal Mechanisms for Combating Administrative Corruption in Algeria*, PhD thesis, University of Mohamed Khider Biskra, 2012/2013, p. 19.



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offenses and preventive measures. The legal analysis of Law No. 06-01 can be approached from two perspectives:

A. Formal Analysis

1) Analysis of the Preambular References

The references cited in the law constitute legal foundations intended to reinforce the validity and legality of the legal text, confer legitimacy upon it, and justify the legislative competence of its issuer.

These references are diverse and include:³³

- The **constitutional standard**, represented by the provisions of the Constitution.
- The **international standard**, represented by the **United Nations Convention against Corruption (UNCAC)**.
- Additional references to **organic laws, ordinary laws, and presidential ordinances**.

With regard to the procedures for drafting the legal text, the references indicate that the law was issued by the President of the Republic, whose authority appears at the beginning of the preamble and whose signature appears at the end of the legal text. The legislative process also involved consultation with the **Council of State** and approval by **Parliament**, as reflected in the final references. The law was subsequently published in the **Official Gazette** pursuant to Article 73 of Law No. 06-01.

2) Quantitative Analysis

Law No. 06-01 consists of **72 articles** distributed across **six chapters**, covering the following themes:

³³ Proposal to define corruption during the drafting of the international convention

General Provisions and Principles

Contained in **Chapter One**, these provisions outline the objective of the law, namely:

Strengthening measures aimed at combating corruption at both the national and international levels.

The legislator also introduced a number of concepts related to corruption prevention and anti-corruption efforts, including:

- Public official;
- Foreign public official;
- Official of an international public organization;
- Entity;
- Property;
- Proceeds of crime;
- Freezing or seizure;
- Confiscation;
- Predicate offense;
- Controlled delivery;
- Convention;
- Authority.

Among these concepts, the most significant is the concept of **corruption** itself.

Definition of Corruption

Under Law No. 06-01, the Algerian legislator did not provide a comprehensive definition of corruption. Instead, corruption is defined indirectly as:

All offenses provided for in Chapter Four of the Law.

To better understand this concept, corruption may be examined from linguistic, doctrinal, and legal perspectives.



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Linguistic Definition

In Arabic, corruption (*fasād*) is the opposite of righteousness or integrity (*ṣalāḥ*). The term refers to deterioration, spoilage, or deviation from a sound condition. Likewise, *mafsadah* (harm or corruption) is the opposite of *maṣlahah* (public interest or benefit).

Doctrinal Definition

From a doctrinal perspective, corruption refers to the disappearance of the proper form or order of a thing after its existence. It signifies a state of disorder affecting both material and immaterial entities. Such disorder may affect political, administrative, economic, and financial systems.

Legal Definition

At the international level, there is no single universally accepted definition of corruption. International instruments have adopted different approaches:

- The **United Nations Convention against Corruption (UNCAC)** does not provide a specific definition of corruption. Instead, it adopts an indirect and inferential approach by criminalizing various corrupt practices without defining corruption itself. This approach first appeared during the drafting process of the Convention and was ultimately retained in the final text through references to acts such as:
 - Bribery,
 - Embezzlement,
 - Money laundering,
 - Abuse of functions and influence.

- The **United Nations Convention against Transnational Organized Crime (2000)** addresses corruption in a narrower sense by associating it primarily with bribery, particularly under Article 8.
- The **International Criminal Police Organization (INTERPOL)** defines corruption in the context of law enforcement standards through practices such as:
 - Promising, offering, soliciting, or receiving valuables by military or civilian personnel in exchange for performing or refraining from official duties;
 - Disclosing confidential information in return for personal gain.
- The **African Union Convention on Preventing and Combating Corruption** defines corruption in Article 1 as the acts, practices, and related offenses criminalized by the Convention, particularly those enumerated in Article 4.

Consequently, it becomes evident that the Algerian legislator, through Law No. 06-01, adopted the same approach used in both international and regional anti-corruption instruments, particularly the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption, by defining corruption through its manifestations and forms rather than through a comprehensive conceptual definition.

Legal Mechanisms and Preventive Measures

These mechanisms are set out in **Chapter Two**, entitled *Preventive Measures in the Public Sector*. This chapter contains all provisions relating to legal mechanisms employed within the public sector to combat corruption, including:



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- Recruitment procedures;
- Asset declaration requirements;
- Rules governing the conduct of public officials;
- Regulations concerning public procurement.

The second part of this chapter addresses corruption prevention in the **private sector**, through specific standards, procedures, and regulatory measures aimed at combating corruption offenses. It also promotes accounting transparency, civil society participation, and measures designed to combat money laundering.

Institutional Framework for Combating Corruption

The institutional framework is addressed in **Chapter Three** of Law No. 06-01 and centers on the **National Authority for the Prevention and Combating of Corruption**. The law establishes a specific legal regime governing the Authority, its legal nature, and its powers.

An additional chapter, **Chapter Three bis**, was later introduced through Articles 24 bis and 24 bis 1 of Ordinance No. 10-05. This amendment established the **Central Office for the Repression of Corruption** as an additional institutional mechanism alongside the National Authority for the Prevention and Combating of Corruption.³⁴

Criminalization, Penalties, and Investigation Methods

These matters are covered in **Chapter Four**, which identifies the various forms of corruption through the criminalized acts and practices enumerated therein. The

³⁴ Abdelali Hacha, same reference, p. 23

chapter also specifies the penalties applicable in accordance with legally established mechanisms and procedures.

Several provisions of Chapter Four were subsequently amended, particularly:

- Article 26(1), concerning the bribery of public officials, amended by Article 2(1) of Law No. 11-15;
- Article 29, concerning the embezzlement or unlawful use of property by a public official, amended by Article 2(2) of Law No. 11-15.

International Cooperation and Asset Recovery

These matters are addressed in **Chapter Five** of Law No. 06-01, which sets out all measures related to combating corruption through cooperation with States Parties to the **United Nations Convention against Corruption (UNCAC)**. Such cooperation is conducted within the framework of the principles of **reciprocity** and **judicial cooperation**, particularly in relation to investigations, prosecutions, and judicial proceedings.

Final Provisions: These provisions are contained in **Chapter Six**, which concludes the law by specifying the legal provisions repealed by Law No. 06-01, as well as the provisions that have been replaced or substituted.³⁵

In conclusion to the first section of this research paper, an examination of **Law No. 06-01** from a substantive perspective reveals that its provisions, together with the subsequent amendments introduced thereto, have been organized progressively in a clear and coherent manner. This structure ensures consistency between the form and the content of the legislation.

³⁵ Amendment of public procurement rules by introducing the integrity declaration as a key anti-corruption mechanism



In this regard, it is evident that the Algerian legislator has distinguished between:

- The measures adopted for the **prevention and combating of corruption at both the national and international levels;**
- The legal mechanisms designed to combat corruption and prevent corruption-related offenses in both the **public sector** and the **private sector;**
- The **institutional mechanisms** established to address corruption;
- The **repressive and punitive measures** intended to deter and sanction corrupt practices.

Accordingly, Law No. 06-01 provides a comprehensive legal framework that combines preventive, institutional, procedural, and punitive approaches to corruption, reflecting Algeria's commitment to aligning its domestic legal system with international anti-corruption standards.

2. Legal Qualification of the Harmonization of National Legislation with International Legislation on Combating Corruption and Preventing Its Offenses

This section addresses the most important aspects of conformity and divergence between Algerian national legislation and international standards on combating corruption and preventing its offenses.

2.1. National Legal Developments Related to Anti-Corruption: Between Harmonization and Divergence

A systematic comparison between national legal provisions and international standards highlights several points of convergence. Algerian law adopts international

definitions of bribery in both the public and private sectors. It also provides for asset recovery mechanisms through the criminalization of money laundering and proceeds of crime.³⁶

Furthermore, the national legal framework reinforces the principles of whistleblower protection and the role of civil society organizations. It also requires asset declaration for senior public officials, which aligns with international principles of financial transparency under the **United Nations Convention against Corruption (UNCAC)** and the **African Union Convention on Preventing and Combating Corruption (AUCPCC)**, although in a limited and selective manner.

However, several gaps remain in relation to international standards, notably the following:

2.1.1. Incomplete or Ambiguous Legal Provisions

Some areas remain insufficiently regulated, particularly:

- Financing of political parties;
- Financing of electoral campaigns;

These areas require more specific legislative frameworks, as recommended by international standards.

In addition, certain provisions of Law No. 06-01 have not been updated since 2006 to reflect emerging developments, such as:

- Protection of financial whistleblowers;
- Regulations on disclosure of beneficial ownership in companies.

³⁶ Forms of corruption: bribery, embezzlement, abuse of influence, abuse of office, conflict of interest, failure to declare assets, illicit enrichment, and covert political party financing.



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2.1.2. Weakness in Practical Enforcement

Despite the existence of legal provisions consistent with UNCAC standards, there remains a need to ensure effective implementation mechanisms, including:

- Prompt investigation of reported illicit enrichment cases;
- Effective prosecution procedures;
- Strong protection mechanisms for witnesses and whistleblowers.

2.1.3. Level of Institutional Independence

Although Article 204 of the Constitution provides for the independence of the High Authority for Transparency, Prevention and Combating Corruption, concerns remain regarding its actual autonomy. The fact that its president and members are appointed by the President of the Republic and the executive branch may raise questions about the effective separation of powers and institutional independence.

Several judicial and administrative decisions have emerged that reflect the evolving approach to combating corruption. At the level of the courts, an **Economic Criminal Court** has been established, with expanded jurisdiction and specialized chambers dedicated to combating economic crimes, including major corruption offenses.

The Constitutional Council has issued interpretations reinforcing the principle of prohibition of financial arbitrariness, and has considered certain administrative practices—such as the refusal to disclose political financial information—as contrary to the Constitution.

On the international level, various reports have been issued, including assessments by the **Group of States against**

Corruption (GRECO), which emphasize the need to improve transparency in political life. International organizations and civil society actors, such as **Transparency International**, as well as United Nations monitoring reports on the implementation of the **UNCAC**, regularly evaluate global anti-corruption progress.

In this regard, Algeria scored **34/100 in the Corruption Perceptions Index (2024)**, ranking it toward the lower end of global classifications. These reports indicate a slight improvement in institutional awareness and preventive measures, but also highlight persistent difficulties in effectively combating corruption at higher levels.

On the national level, the 2020 constitutional amendment has introduced renewed powers for institutions involved in anti-corruption efforts. It has strengthened cooperation between the **High Authority for Transparency, Prevention and Combating of Corruption** and judicial bodies. For instance, the Authority is now empowered to detect illicit enrichment cases directly and refer them to the judiciary.

The Constitution has also reinforced the role of the Constitutional Court in reviewing legislation related to transparency and anti-corruption. At the international level, the institutional framework has improved Algeria's representation in anti-corruption forums, potentially facilitating future accession to additional international treaties.

Overall, the 2020 Constitution has provided an additional impetus to the legal anti-corruption framework. However, its full effectiveness remains dependent on practical implementation, including the issuance of implementing legislation, the completion of institutional structures, and the appointment of specialized judges and officials.



Conclusion

In conclusion, this study highlights Algeria's efforts in the field of combating and preventing corruption. Although these efforts remain relatively recent, they reflect the State's commitment to aligning with international norms and standards related to anti-corruption.

The 2020 constitutional amendment represented a significant turning point, particularly through the constitutionalization of the **High Authority for Transparency, Prevention and Combating of Corruption**. Nevertheless, these efforts are still insufficient to achieve full compliance with international standards.

On this basis, the following recommendations are proposed to further develop and strengthen the anti-corruption framework:

Legal Level

It is recommended to continue adapting national legislation to international standards, particularly through:

- Enacting a dedicated law on the protection of whistleblowers;
- Strengthening the independence of the judicial authority responsible for corruption cases;
- Reinforcing penalties for illicit enrichment in line with global standards.

Institutional Level :

It is necessary to:

- Empower the High Authority with adequate technical and human resources;
- Improve coordination mechanisms between oversight institutions (such as the Court of Accounts, financial control bodies, and administrative integrity institutions);
- Train judicial and administrative personnel in transparency and good governance principles, in line with OECD standards.

International Level :

Algeria should further enhance cooperation with relevant international bodies in the field of anti-corruption, particularly through:

- Exchange of information and expertise;
- Judicial assistance mechanisms;
- Strengthening sustained regional and international cooperation frameworks.

Overall, while significant progress has been made, achieving full effectiveness in anti-corruption policies requires deeper structural reforms and stronger enforcement mechanisms.

References :

1. Paragraph 12 of the Constitution's Preamble states: "Algeria expresses its commitment to working towards the prevention and combating of corruption in accordance with the international conventions it has ratified."



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2. Ahcen Rabahi, *The Principle of Hierarchy of Legal Norms in the Algerian Legal System*, PhD thesis in Public Law, Faculty of Law, University of Algiers, 2005/2006, p. 75.
3. Paragraph 24 of the Constitution's Preamble states: "Algeria, committed to peace, human rights, and development, directs its foreign policy... in accordance with the purposes and principles of the United Nations, the African Union, and the League of Arab States."
4. See the final paragraph of the 2020 amended Constitution's Preamble.
5. It states: "...ensuring transparency in the management of public affairs..."
6. In contrast to the previous constitutional text, point 08 was amended by adding the phrase: "...capital flight..."
7. See Article 10 of the Constitution.
8. Ibrahim Daoud, *Sustainable Development in Local Communities*, lectures delivered to first-year Master students (Public Law specialization), University of Boumerdès, Faculty of Law, 2015/2016, p. 49.
9. Article 12/02 of the Constitution states: "...There shall be no limits to the representation of the people except as provided by the Constitution and the Electoral Law..."
10. In contrast to the previous constitutional text under Article 23, which contained three paragraphs.
11. This provision is included in Article 7 of the United Nations Convention against Corruption (preventive measures), particularly concerning conflicts of interest.

12. Article 8 of the United Nations Convention against Corruption, within the chapter on preventive measures (Code of Conduct for Public Officials), includes the obligation of asset declaration, which was later incorporated into Article 24/04 of the 2020 constitutional amendment.
13. See Article 26 of the Constitution.
14. Unlike the previous constitutional text, which did not address the issue of public service.
15. See Article 34 of the Constitution.
16. See Articles 53 and 57 of the Constitution.
17. See Article 82 of the Constitution.
18. See Article 112/07 of the Constitution.
19. See Article 130 of the Constitution.
20. Article 171 introduced by the 2020 constitutional amendment.
21. Previously entrusted to the National Authority for the Prevention and Combating of Corruption under Article 202 of the Constitution.
22. Constitutional amendment of 2016 (Constitution of 1996), regarding the powers of the National Authority for the Prevention and Combating of Corruption under Article 203.
23. United Nations Convention against Corruption, New York, 31/10/2003.
24. Presidential Decree No. 04/128 dated 19/04/2004, Official Gazette No. 26, p. 12.
25. Presidential Decree No. 06/137 dated 10/04/2006, Official Gazette No. 24, p. 04.
26. Law No. 06-01 dated 20/02/2006, Official Gazette No. 14, amended and supplemented by Ordinance No. 10-05 and Law No. 11-05.



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27. Attallah Bouhamida, *Legal Texts – From Preparation to Implementation*, Office of University Publications, Algeria, p. 46.
28. See Article 1 of Law No. 06-01.
29. Addition of the term “Office” under paragraph “N” of Article 02 of Ordinance No. 10-05.
30. See point (A) of Article 02 of Law No. 06-01.
31. Ibn Manzur, *Lisan al-Arab*, Dar al-Maaref, Cairo, p. 3412.
32. Abdelali Hacha, *Legal Mechanisms for Combating Administrative Corruption in Algeria*, PhD thesis, University of Mohamed Khider Biskra, 2012/2013, p. 19.
33. Proposal to define corruption during the drafting of the international convention.
34. Abdelali Hacha, same reference, p. 23.
35. Amendment of public procurement rules by introducing the integrity declaration as a key anti-corruption mechanism.
36. Forms of corruption: bribery, embezzlement, abuse of influence, abuse of office, conflict of interest, failure to declare assets, illicit enrichment, and covert political party financing