

International Standards for Combating Corruption in Algeria:

Legal Framework and Implementation Issues

المعايير الدولية لمكافحة الفساد في الجزائر: الإطار القانوني وقضايا التنفيذ

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ABSTRACT:

ملخص باللغة العربية:

Algeria's anti-corruption framework demonstrates substantial alignment with international instruments, including the UNCAC, the African Union Convention, and the Arab Convention, incorporated primarily through Law No. 06-01 and complementary legislative provisions. While this normative structure establishes a solid foundation for prevention, criminalization, asset recovery, and international cooperation, its operational effectiveness remains constrained. Key limitations include inadequate investigative resources, insufficient inter-agency coordination, procedural delays in cross-border

يعكس الإطار القانوني لمكافحة الفساد في الجزائر درجة عالية من التوافق مع الصكوك الدولية، بما في ذلك اتفاقية الأمم المتحدة لمكافحة الفساد، والاتفاقية الإفريقية، والاتفاقية العربية، التي تم دمجها أساساً من خلال القانون رقم 01-06 وأحكام تشريعية مكتملة. ورغم أن هذا الإطار المعياري يشكل أساساً متيناً للوقاية، والتجريم، واسترداد الأصول، والتعاون الدولي، فإن فعاليته الميدانية ما تزال محدودة. وتتمثل أبرز النقصان في ضعف الموارد التحقيقية، وانعدام التنسيق المؤسسي الفعال، وبطء الإجراءات

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cooperation, and socio-political factors that undermine public trust and participation. The study underscores the gap between legal commitments and practical enforcement, emphasizing the need for comprehensive reforms in legislative harmonization, institutional independence, technical specialization, whistleblower protection, and public engagement. Bridging this gap is essential for translating formal compliance into credible and measurable anti-corruption outcomes in Algeria.

Keywords: Anti-corruption; International standards; Legal framework; Law No. 06-01; Algeria.

في التعاون عبر الحدود، والعوامل الاجتماعية والسياسية التي تقوض الثقة والمشاركة العامة. وتؤكد الدراسة وجود فجوة بين الالتزامات القانونية والتطبيق العملي، مشددة على الحاجة إلى إصلاحات شاملة في توحيد التشريعات، وضمان استقلالية المؤسسات، وتطوير الخبرات الفنية، وحماية المبلغين، وتعزيز الانخراط المجتمعي، بما يضمن تحويل الالتزام الشكلي إلى نتائج ملموسة وذات مصداقية **كلمات مفتاحية:** مكافحة الفساد؛ المعايير الدولية؛ الإطار القانوني؛ القانون رقم 06-01؛ الجزائر.

Introduction:

Across contemporary governance systems, combating corruption has become a strategic priority for safeguarding public resources, reinforcing institutional legitimacy, and promoting sustainable development. At the global level, multilateral instruments such as the United Nations Convention against Corruption, the African Union Convention on Preventing and Combating Corruption, and the Arab Convention against Corruption have established binding obligations in the areas of prevention, criminalization, asset recovery, and international cooperation. These conventions underscore the recognition that corruption is not merely a domestic governance problem but a transnational phenomenon requiring legal harmonization and coordinated enforcement.

In Algeria, the ratification of these instruments and the enactment of Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption marked a decisive move toward aligning domestic law with international standards. The legislative framework incorporates key provisions from the UNCAC and related regional conventions, signaling a formal

commitment to transparency, accountability, and integrity in public life. However, experience has shown that the existence of a comprehensive legal framework does not guarantee its effective application. Persistent institutional, procedural, and socio-political obstacles continue to limit the operational impact of these norms.

This raises a central research question: **To what extent has Algeria succeeded in implementing its international anti-corruption commitments, and what are the principal legal, institutional, and practical constraints affecting their enforcement ?** The relevance of this question lies in the need to bridge the gap between de jure compliance and de facto effectiveness, ensuring that international obligations are matched by tangible improvements in governance practices.

To address this question, the study adopts a critical analytical approach, combining textual interpretation of relevant international and domestic legal provisions with an assessment of their institutional application in Algeria. Where relevant, comparative perspectives will be drawn from other jurisdictions facing similar implementation challenges.

THE FIRST TOPIC

The International and National Legal Framework for Combating Corruption

Efforts to combat corruption rest on a dual legal foundation: international standards that set binding obligations, and national legislation that adapts them to domestic realities. Instruments such as the UNCAC, the African Union Convention, and the Arab Convention provide a comprehensive framework for prevention, criminalization, asset recovery, and cooperation. Algeria has integrated these commitments through Law No. 06-01 of 20 February 2006 and related provisions in its Penal and Criminal Procedure Codes. This combined framework

forms the basis for anti-corruption policy, though its practical impact depends on effective institutional implementation

First Requirement:

International Standards for Combating Corruption

The international legal framework for combating corruption rests upon a series of binding instruments that collectively establish a coherent set of obligations for prevention, enforcement, and transnational cooperation. At the forefront stands the United Nations Convention against Corruption, adopted by the General Assembly on 31 October 2003 and entering into force in December 2005¹, which remains the most comprehensive and universally endorsed treaty in this domain. Its adoption reflected a heightened recognition that corruption constitutes not merely a domestic governance problem but a transnational threat capable of destabilizing political systems, distorting economic competition, weakening public trust, and obstructing sustainable development. The UNCAC's distinctiveness lies in its holistic architecture, which integrates criminalization provisions, preventive governance measures, asset recovery mechanisms, and robust international cooperation frameworks into a single binding legal instrument. Unlike earlier sectoral or regional treaties, it approaches corruption as a multidimensional phenomenon requiring coordinated action before, during, and after the commission of corrupt acts².

Under the UNCAC, States Parties undertake to criminalize a wide spectrum of corrupt practices, including bribery of both

1 United Nations Convention against Corruption, adopted by the General Assembly, Resolution 58/4, 31 October 2003, entered into force 14 December 2005

2 See the Preamble to the 2003 United Nations Convention against Corruption.

domestic and foreign public officials, embezzlement and misappropriation of public property, abuse of functions, illicit enrichment, laundering of proceeds, and obstruction of justice. These provisions are intended to ensure that such conduct is subject to prosecution regardless of jurisdictional boundaries, thereby closing legal loopholes that offenders might otherwise exploit¹. So far, the Convention's approach is not limited to punitive measures; it places equal emphasis on prevention as a long term safeguard. Member States are required to develop transparent public administration systems, strengthen merit based recruitment, ensure fair and competitive procurement procedures, adopt codes of conduct for public officials, and establish independent anti-corruption agencies with the authority and resources to operate free from political interference. This preventive dimension reflects the understanding that combating corruption effectively requires altering the institutional and normative environment that allows such practices to flourish ².

Equally innovative are the UNCAC's provisions on international cooperation, which acknowledge the inherently nature of many corruption cases. The Convention obliges States Parties to facilitate extradition, engage in joint investigations, exchange relevant information, and provide the broadest possible scope of mutual legal assistance. Of particular significance is its chapter on asset recovery, a pioneering development in international law that imposes a legal duty on States to trace, freeze, confiscate, and return illicitly acquired

1 United Nations Convention against Corruption, Chapter III: Criminalization and Law Enforcement (Articles 15–25) and Chapter IV: International Cooperation (Articles 43–50), General Assembly Resolution 58/4, 31 October 2003, entered into force 14 December 2005

2 Sadiki Nawal, *The Role of Transparency and Accountability in Confronting Local Corruption*, Madarat Journal of Political Studies, Volume 1, Issue 2, June 2020, p. 97.

assets to their country of origin¹. This mechanism is of special relevance to developing countries, where corruption often leads to the diversion of substantial public resources abroad, undermining domestic development priorities. For Algeria, the ratification of the UNCAC through Presidential Decree No. 04-128 of 14 April 2004 represented a formal alignment with these global standards, subsequently operationalized through national legislation such as Law No. 06-01 on the Prevention and Fight against².

Algeria's engagement with anti-corruption norms extends beyond the global framework to include commitments under regional treaties. At the continental level, the African Union Convention on Preventing and Combating Corruption, adopted in Maputo on 11 July 2003 and ratified by Algeria in 2006³, reinforces many of the UNCAC's provisions while introducing measures adapted to African governance challenges. These include explicit prohibitions on the diversion of public resources for partisan political purposes, stronger mechanisms for intra African asset repatriation, and an emphasis on combating illicit enrichment and influence peddling⁴. The AU Convention also situates anti-corruption measures within the broader African governance and development agenda, linking integrity in public

1 Idem p 98.

2 Presidential Decree No. 04-128 of 14 April 2004 ratifying the United Nations Convention against Corruption, Official Journal of the Algerian Republic, No. 26, 25 April 2004; Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, Official Journal of the Algerian Republic, No. 14, 8 March 2006.

3 African Union Convention on Preventing and Combating Corruption, adopted in Maputo, Mozambique, 11 July 2003, entered into force 5 August 2006; ratified by Algeria on 20 February 2006, Official Journal of the Algerian Republic, No. 44, 2 July 2006.

4 Wareth Mohamed, Corruption and its Impact on Poverty, with Reference to the Case of Algeria, Journal of Politics and Law, University of Ouargla, p. 82.

office to the promotion of stability, security, and sustainable economic growth across the continent¹. And at the Arab regional level, Algeria is a State Party to the Arab Convention against Corruption, adopted under the auspices of the League of Arab States in 2010 and entering into force in 2013, which it ratified in the same year. This instrument mirrors key aspects of the UNCAC, particularly the criminalization of bribery embezzlement, illicit enrichment, and money laundering, but also emphasizes enhanced judicial cooperation among Arab states, with a focus on extradition, evidence sharing, and asset recovery². Importantly, it underscores the role of education, public awareness, and civil society engagement in fostering a culture of transparency and integrity, recognizing that legal reforms must be accompanied by shifts in societal attitudes to achieve a long impact³.

Taken together, these overlapping commitments, global, continental, and regional, create a multilayered normative architecture that, in principle, strengthens Algeria's capacity to combat corruption. By engaging simultaneously in global and regional frameworks, Algeria can leverage diverse cooperation mechanisms, benefit from technical assistance, and participate in policy exchanges that reflect both universal principles and region-specific priorities⁴. Even so, this complex web of obligations also places significant demands on domestic

1 Ibidem.

2 Arab Convention against Corruption, adopted under the auspices of the League of Arab States in 2010, entered into force 29 June 2013; ratified by Algeria in 2013, Official Journal of the Algerian Republic, No. 41, 14 July 2013.

3 Arab Convention against Corruption, op. cit., Art. 4.

4 Barberi Mohamed El Amin, Krifar Mourad, *The Role and Importance of the Internal Control System in Reducing the Phenomenon of Financial Corruption with Reference to the Case of Algeria*, Journal of North African Economies, University of Chlef, Issue 12, 2012, p.61.

institutions, requiring legislative harmonization, adequate resourcing, and sustained political will to ensure effective implementation. While the formal incorporation of these standards into national law constitutes a critical step, the enduring challenge remains their translation into impartial and consistent practice, an issue that continues to shape the discourse on anti-corruption efforts within Algeria¹.

Second Requirement:

The Algerian Legal Framework for Combating Corruption

The domestic legal framework for combating corruption in Algeria reflects a deliberate effort to transpose international and regional obligations into binding national law. Central to this framework is Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, which was adopted in the aftermath of Algeria's ratification of the United Nations Convention against Corruption (Presidential Decree No. 04-128 of 14 April 2004), the African Union Convention on Preventing and Combating Corruption (Presidential Decree No. 06-371 of 1 April 2006), and the Arab Convention against Corruption (ratified in 2013). The legislative structure established by Law No. 06-01 represents a comprehensive codification of both substantive and procedural rules governing the criminalization², prevention, detection, and punishment of corruption related

1 Ibidem.

2 See: Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, Official Journal of the Algerian Republic, No. 14, 8 March 2006; Presidential Decree No. 04-128 of 14 April 2004 ratifying the United Nations Convention against Corruption, Official Journal of the Algerian Republic, No. 26, 25 April 2004; Presidential Decree No. 06-371 of 1 April 2006 ratifying the African Union Convention on Preventing and Combating Corruption, Official Journal of the Algerian Republic, No. 21, 2 April 2006; Instrument of Ratification of the Arab Convention against Corruption, Official Journal of the Algerian Republic, No. 41, 14 July 2013.

offenses. And from a substantive criminal law perspective, Law No. 06-01 criminalizes a broad range of conduct in line with Articles 15 to 25 of the UNCAC¹.

This includes active and passive bribery involving public officials (Articles 25 and 26 of the law)², embezzlement and misappropriation of public property (Article 29), abuse of office for personal gain (Article 33), illicit enrichment (Article 37), and laundering of proceeds of crime (Article 38)³. The scope of these provisions mirrors the obligations set forth in Article 15 (bribery of national public officials), Article 17 (embezzlement, misappropriation, or other diversion of property by a public official), and Article 20 (illicit enrichment) of the UNCAC. Moreover, the Algerian framework extends criminal liability to legal persons under Article 26 of the UNCAC, a significant step toward addressing corporate involvement in corrupt practices. On the preventive side, Law No. 06-01 incorporates measures inspired by Chapter II of the UNCAC and Article 7 of the AU Convention, mandating the establishment of transparent public procurement systems (Articles 9–12), the adoption of codes of conduct for public officials (Article 13), and the declaration of assets by certain categories of public servants (Articles 6 and 36). The National Body for the Prevention and Fight against Corruption (Organe National de Prevention et de Lutte contre la Corruption, ONPLC), created under Article 17 of the law, serves as the primary institutional mechanism for implementing preventive policies, conducting awareness campaigns, and

1 See also: Chapter III: Criminalization and Law Enforcement (Arts. 15–25), General Assembly Resolution 58/4, 31 October 2003, entered into force 14 December 2005.

2 See: Arts. 25–26, Official Journal of the Algerian Republic, No. 14, 8 March 2006.

3 See; Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, Arts. 29, 33, 37, and 38, Official Journal of the Algerian Republic, No. 14, 8 March 2006.

coordinating anti-corruption strategies across government agencies¹. The law also obliges public institutions to adopt internal control systems and integrity policies, reflecting the emphasis placed by Article 5 of the UNCAC on proactive anti-corruption policy frameworks²

Procedurally, the Algerian framework contains provisions designed to facilitate investigation and prosecution in line with international standards. Articles 48 to 55 of Law No. 06-01 establish investigative powers for judicial police officers and specialized anti-corruption units, with procedural guarantees consistent with the Algerian Code of Criminal Procedure³. The law also incorporates mechanisms for international judicial cooperation, allowing Algeria to give effect to mutual legal assistance requests, extradition demands, and asset recovery procedures, as required under Chapter IV and V of the UNCAC and Article 18 of the Arab Convention. Notably, Article 54 of Law No. 06-01 provides for the freezing and confiscation of assets obtained through corrupt activities, thus aligning with Article 31 of the UNCAC and Articles 16–17 of the AU Convention on asset recovery. And despite its formal compliance with international obligations, the Algerian legal framework faces challenges in its practical application. Scholars and practitioners have noted that while the legislative provisions

1 United Nations Convention against Corruption, Arts. 15, 17, 20, and 26, General Assembly Resolution 58/4, 31 October 2003, entered into force 14 December 2005; African Union Convention on Preventing and Combating Corruption, Art. 7, adopted 11 July 2003, entered into force 5 August 2006; Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, Arts. 6, 9–13, and 36, Official Journal of the Algerian Republic, No. 14, 8 March 2006.

2 Ibidem.

3 Arts. 48–55, Official Journal of the Algerian Republic, No. 14, 8 March 2006; Algerian Code of Criminal Procedure, Official Journal of the Algerian Republic, No. 50, 10 September 1966, as amended.

are broadly consistent with the UNCAC, AU, and Arab Conventions, their enforcement is often hindered by overlapping institutional mandates, insufficient resource allocation, and, in certain cases, political considerations that undermine prosecutorial independence¹. Furthermore, asset declaration mechanisms, although legally mandated, have been criticized for lacking rigorous verification and sanction systems, thereby diminishing their deterrent effect.

From a legal analysis perspective, Algeria's transposition of international anti-corruption norms into domestic law can be viewed as both comprehensive and ambitious. But, as established in comparative anti-corruption jurisprudence, legislative alignment with international standards does not automatically translate into effective deterrence or eradication of corrupt practices. The persistence of enforcement gaps underscores the necessity of complementing legal provisions with institutional strengthening, capacity building for investigative and prosecutorial bodies, and ensuring the independence and accountability of anti-corruption institutions. Without these structural reinforcements, the Algerian framework risks remaining a model of *de jure* compliance with limited *de facto* effectiveness, reflecting a broader tension between normative aspiration and operational reality in the domestic implementation of international anti-corruption standards².

THE SECOND TOPIC

Practical and Field Related Issues in the Implementation of International Standards

Since Algeria's legal framework reflects substantial alignment with international anti-corruption standards,

¹ Haha Abdelali, *Legal Mechanisms to Combat Administrative Corruption in Algeria*, PhD Thesis, University of Biskra, Algeria, 2012-2013 p32.

² Haha Abdelali, *op cit*, pp 33-34.

translating these norms into effective action faces numerous operational challenges. These include the complexities of handling corruption cases, limitations in technical investigative capacity, and gaps in institutional coordination. Socio-political factors, such as limited whistleblower protection and public mistrust, further constrain enforcement. Understanding these practical realities is essential to bridging the gap between formal commitments and tangible anti-corruption outcomes.

First Requirement:

Legal and Institutional Constraints

While Algeria's legal framework reflects a substantial alignment with the United Nations Convention against Corruption, the African Union Convention on Preventing and Combating Corruption, and the Arab Convention against Corruption, the effective implementation of these instruments encounters a series of structural and institutional constraints that significantly affect their practical impact. These issues are not unique to Algeria; comparative experience shows that the transition from *de jure* compliance to *de facto* enforcement is fraught with legal ambiguities, overlapping mandates, and capacity deficits. But, in the Algerian context, such challenges are compounded by specific constitutional, legislative, and institutional configurations that have a direct bearing on the enforcement of anti-corruption norms¹. One of the most prominent legal issues relates to the fragmentation and dispersion of anti-corruption provisions across multiple legislative instruments, including the Penal Code, the Code of

1 Abdellaoui Jawad *Criminal Confrontation with Corruption Crimes in Algeria*, Difficulties and Challenges Journal of Legal and Social Sciences, Ziane Achour University, Djelfa Issue One - Volume Four March 2012p 311.

Criminal Procedure, Law No. 06-01 on the Prevention and Fight against Corruption, public procurement regulations, and sector-specific integrity laws. While Article 65 of the UNCAC encourages States Parties to ensure coherence and compatibility between domestic legislation and the Convention, the Algerian framework often suffers from duplication and inconsistencies, particularly in the definition of corruption related offenses and the procedural rules applicable to their investigation. For instance, certain acts covered under Articles 15 and 19 of the UNCAC, such as abuse of functions, are criminalized domestically but with a narrower scope or more restrictive evidentiary requirements, which may hinder prosecution¹.

Institutionally, the ONPLC (Organe National de Prévention et de Lutte contre la Corruption), created under Article 17 of Law No. 06-01, is vested with a broad preventive mandate, including policy coordination, public awareness, and monitoring of asset declarations². But, its role in enforcement remains limited, with investigative and prosecutorial powers retained primarily by judicial police units under the Ministry of Justice and specialized economic and financial crime sections. This separation of functions, while intended to preserve due process, can lead to jurisdictional uncertainty and delays, especially when cases require inter-agency coordination or cooperation. And the absence of constitutionally entrenched guarantees for the ONPLC's operational independence has prompted concerns about its vulnerability to political influence, a factor that runs counter to Article 6(2) of the UNCAC, which

1 Idem, p312.

2 See: Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, Art. 17, Official Journal of the Algerian Republic, No. 14, 8 March 2006; United Nations Convention against Corruption, Art. 6(2), General Assembly Resolution 58/4, 31 October 2003, entered into force 14 December 2005.

calls for specialized bodies to be granted the necessary independence to enable them to carry out their functions effectively and free from undue influence.

Another structural challenge lies in the interface between domestic institutions and international cooperation mechanisms. Although Algeria has incorporated provisions on mutual legal assistance, extradition, and asset recovery consistent with Chapters IV and V of the UNCAC and Articles 18–20 of the AU Convention, practical engagement with foreign jurisdictions often encounters procedural and diplomatic obstacles. Delays in processing requests, the absence of streamlined communication channels, and differences in evidentiary standards can undermine the timely prosecution of transnational corruption cases¹. This is particularly problematic in the context of asset recovery, where Article 54 of the UNCAC requires swift provisional measures to preserve illicit assets before they are dissipated or transferred. Also from a governance perspective, the effectiveness of the Algerian institutional framework is further constrained by the limited availability of specialized training for prosecutors, investigators, and judges handling corruption cases². While Article 60 of the UNCAC emphasizes the importance of training and technical assistance, domestic implementation in this regard remains sporadic and heavily dependent on donor funded programs. The lack of institutionalized capacity building programs reduces the ability of the justice system to handle complex corruption cases involving sophisticated financial transactions, money laundering schemes, or the use of corporate vehicles for illicit enrichment. These legal and institutional constraints reveal a persistent gap between the normative framework and its operationalization.

1 Abdellaoui Jawad, op cit , p 313.

2 Idem, p 314.

Algeria has successfully transposed the substantive and procedural obligations of the UNCAC and related regional conventions into its domestic law, yet the enforcement architecture remains fragmented, under resourced, and susceptible to political and bureaucratic inertia. Bridging this gap requires not only legislative harmonization and institutional restructuring but also the embedding of integrity norms within the broader political and administrative culture, thereby ensuring that anti-corruption bodies are empowered to function with the independence, authority, and resources necessary to fulfill their mandates¹. Without such reforms, the Algerian anti-corruption regime risks being perceived as a primarily formalistic compliance exercise rather than an effective safeguard against corruption.

Second Requirement:

Practical and Field Related Issues

Beyond the structural and legal constraints identified in the previous section, Algeria's implementation of its international and regional anti-corruption commitments faces a series of practical and field level obstacles that significantly affect enforcement outcomes. These challenges are rooted in operational realities, socio-political dynamics, and resource limitations, which collectively impede the translation of legal obligations into effective preventive and punitive action. While international instruments such as the UNCAC (Articles 5, 6, 9, and 36), the AU Convention (Articles 7, 12, and 18), and the Arab Convention (Articles 4, 10, and 15) set forth clear standards for effective enforcement, the Algerian experience

1 Barkouk Youssef, *International cooperation in the field of criminal justice in the face of corruption crime*, Journal of Legal and Economic Studies, Volume 5, Issue 1, University of Sidi Bel Abbes, 2022 p 1366.

demonstrates that the practical application of these standards is often hindered by entrenched systemic factors¹

One of the most visible practical difficulties concerns the pursuit of corruption cases with transnational dimensions, particularly those involving bribery, offshore banking structures, and complex money laundering schemes. Article 51 of the UNCAC obliges States Parties to return assets acquired through corruption, and Articles 54 and 55 detail procedural measures for freezing and confiscating such assets. But, Algerian authorities have struggled to operationalize these obligations due to slow and cumbersome channels of mutual legal assistance, inconsistent application of Article 54's "swift preservation" requirement, and the absence of a permanent specialized asset tracing unit. In several high-profile cases, delays in securing foreign cooperation have resulted in the dissipation of funds before legal proceedings could take effect². Also another obstacle is the persistence of informal networks and patronage systems within the public sector, which can subtly undermine the impartial enforcement of anti-corruption laws. Even though Article 13 of the UNCAC calls for public participation and the promotion of integrity through civic engagement, in practice, many citizens perceive anti-corruption campaigns as selective or politically motivated. This perception erodes public trust and discourages cooperation with investigative authorities, particularly in the absence of strong whistleblower protection. Article 33 of the UNCAC and Article 10 of the Arab Convention mandate protection for reporting individuals, yet Algeria's current mechanisms remain underdeveloped and lack comprehensive procedural guarantees, leaving potential informants vulnerable to retaliation³. And on the operational

1 Barkouk Youssef, op cit , p 1368.

2 Idem , p 1369.

3 Barkouk Youssef, op cit , p 1369.

side, corruption investigations often demand advanced forensic, financial, and cyber investigative skills that are still in short supply. For example, dismantling a procurement related corruption scheme may require tracing the flow of funds through layered corporate entities, analyzing digital transaction records, and identifying beneficial ownership structures tasks that require specialized technical expertise. While Algeria has engaged in capacity building initiatives, many are donor driven and project specific, rather than embedded as continuous institutional programs. This contrasts with Article 60 of the UNCAC, which encourages sustained training and technical assistance to ensure lasting investigative capability¹.

Preventive measures in the field also face their own challenges. Public procurement, regulated under Articles 9–12 of Law No. 06-01 and in line with Article 9 of the UNCAC, remains vulnerable to manipulation through informal tender arrangements, opaque bidding processes, or the circumvention of competitive requirements under the guise of “emergency” procurement. Field audits, intended to detect such irregularities, are often carried out with limited manpower and without sufficient follow up, reducing their deterrent effect. Also the social and political environment itself can act as a barrier to the consistent application of anti-corruption norms. In societies where corruption has become normalized in certain administrative practices, legal reforms are often met with resistance, either through passive noncompliance or the adaptation of corrupt methods to circumvent new rules². This

1 Ibidem.

2 See again : Law No. 06-01 of 20 February 2006 on the Prevention and Fight against Corruption, Arts. 9–12, Official Journal of the Algerian Republic, No. 14, 8 March 2006; United Nations Convention against Corruption, Art. 9, General Assembly Resolution 58/4, 31 October 2003, entered into force 14 December 2005.

underscores the reality that the fight against corruption is as much a socio-political process as it is a legal one: norms and enforcement must be reinforced by changes in organizational culture, leadership commitment, and public expectations. From a critical perspective, the gap between Algeria's formal commitments and field level realities illustrates the core challenge of anti-corruption governance: while laws and international treaties provide the skeleton, effective enforcement requires the flesh of resources, political will, institutional independence, and public trust. Without strengthening these elements, Algeria's alignment with Articles 5, 6, and 36 of the UNCAC, and its regional counterparts, risks remaining an exercise in legal compliance rather than a driver of substantive change¹.

Conclusion:

The examination of Algeria's anti-corruption framework reveals a clear commitment to aligning domestic legislation with international standards, particularly through the ratification of key conventions such as the UNCAC, the African Union Convention, and the Arab Convention, and their incorporation into Law No. 06-01 and related legal instruments. But, despite this normative alignment, persistent legal, institutional, and operational gaps continue to limit the effectiveness of anti-corruption measures. These gaps are manifested in fragmented legislative provisions, limited investigative capacity, insufficient inter agency coordination, and socio-political constraints that undermine public trust and participation.

Addressing these challenges requires a set of targeted reforms that bridge the gap between de jure commitments and de facto implementation:

1 Ibidem.

1. Consolidate and streamline anti-corruption provisions within a coherent legal code, ensuring consistency with Articles 15–30 of the UNCAC on criminalization and law enforcement.
2. Strengthen the operational autonomy of anti-corruption bodies such as the ONPLC, in line with Article 6(2) of the UNCAC, to shield them from political interference.
3. Establish permanent training programs for investigators, prosecutors, and judges specializing in corruption cases, with emphasis on financial forensics, cybercrime, and asset recovery.
4. Develop expedited mutual legal assistance protocols and specialized asset tracing units to meet the time-sensitive requirements of Articles 54 and 55 of the UNCAC.
5. Enact comprehensive legislation implementing Article 33 of the UNCAC, providing clear safeguards and incentives for reporting corruption.
6. Foster a culture of integrity by encouraging civil society involvement and public awareness campaigns, as mandated under Article 13 of the UNCAC.

By implementing these measures, Algeria can move beyond formal compliance toward a more effective and credible anti-corruption regime, one capable of translating international commitments into concrete governance improvements. The success of such reforms depends on sustained political will, resource allocation, and the active participation of all stakeholders in building a transparent and accountable public sector.

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