

Combating Money Laundering and Terrorism Financing in Algerian Law

مكافحة تبييض الأموال وتمويل الإرهاب في القانون الجزائري

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ABSTRACT:

ملخص باللغة العربية:

Money laundering and terrorist financing crimes are complex offenses that pose a serious threat to the security of individuals and societies both domestically and internationally. As a result, the Algerian legislature has deemed combating them a strategic necessity with multiple dimensions. He subsequently issued several legal and regulatory texts. Examples include Law 25-10, which amends and supplements Law No. 05-01 on the Prevention and Combating of Money Laundering and Terrorist Financing, This reflects the legislature's responsiveness to international and national developments, ensuring that the legal framework remains effective and appropriate for combating these serious and complex crimes.

تعد جرائم تبييض الأموال وتمويل الارهاب من الجرائم المعقدة التي تشكل تهديداً خطيراً على أمن الأفراد والمجتمعات داخلياً وخارجياً، لذا فإن المشرع الجزائري اعتبر مكافحتها بمثابة ضرورة استراتيجية متعددة الأبعاد، قام على إثرها بإصدار العديد من النصوص القانونية والتنظيمية، كالقانون 10-25 الذي يعدل ويتمم القانون رقم 01-05 المتعلق بالوقاية من تبييض الأموال وتمويل الإرهاب ومكافحتهما، وهو ما يدل على استجابة المشرع للمستجدات الدولية والوطنية، وحتى يضمن أن الإطار القانوني يظل فعالاً وملائماً لمكافحة هذه الجرائم الخطيرة والمعقدة.

Keywords: Money laundering; Terrorism financing; Combating; Freezing procedures; Seizure of funds.

الكلمات المفتاحية: تبييض الأموال؛ تمويل الإرهاب؛ مكافحة؛ إجراءات التجميد؛ حجز الأموال.

Introduction:

Crime is a social phenomenon that evolves and adapts to its surrounding circumstances. Often, forms of crime reflect the developments occurring within human societies. In ancient societies, crime was largely associated with survival, struggles over resources, and power conflicts. Consequently, crimes during this period included murder, theft, kidnapping, physical assaults, and the concealment of illicit profits from trade or illegal activities by integrating them into seemingly legitimate economic activities, among other offenses frequently linked to violations of a particular system, whether social or economic.

Crimes of all types have therefore evolved over the ages in parallel with the development of human societies themselves, influenced by social, economic, cultural, and technological factors. With each advancement, the methods used to commit these crimes have changed. Among the most responsive to these changes are economic and financial crimes, including money laundering and terrorist financing¹, which are considered some of the most dangerous offenses threatening national and global security. Consequently, most states have sought to combat these serious crimes by various means, whether substantive or procedural.

For example, the Algerian legislator has stipulated in numerous legal texts the necessity of combating these serious crimes and protecting the national economy from any practices

1 Article 1 of Law No. 05-01 dated 27 Dhu al-Hijjah 1425 (February 6, 2005), relating to the prevention and combating of money laundering and terrorist financing, as amended and supplemented, defines money laundering (Official Gazette No. 11, February 9, 2005, p. 3). Article 3 establishes that terrorist financing is committed by any natural or legal person, by any means—direct or indirect—knowingly providing or collecting funds from illicit sources with the intent to finance or commit acts classified as terrorism or sabotage under Articles 87 bis to 87 bis 10 of the Penal Code.

that may pose a threat or danger¹. The aforementioned crimes have witnessed significant and alarming developments, increasing the speed, ease, and diversity of their methods, multiplying emerging patterns, intensifying their severity, complicating tracking and tracing processes, and making the pursuit of perpetrators more difficult.

Like other legal systems, the Algerian legislator has enacted various legal mechanisms to confront and prevent the crimes of money laundering and terrorist financing in line with international standards. It has amended existing legal provisions and introduced new ones. This leads us to pose the following question: How effective are the substantive and procedural mechanisms enacted by the Algerian legislator to combat the crimes of money laundering and terrorist financing?

To address this issue, the analytical and descriptive methods will be employed in this study. The analytical method will be used to examine and critique both old and newly enacted legal texts, while the descriptive method will be applied when discussing the phenomena of money laundering and terrorist financing. The goal is to arrive at an answer to the posed question and to assess the adequacy of the existing mechanisms, as well as to propose new mechanisms. Continuous study of these crimes will help develop new combating tools capable of addressing the risks they pose.

This study will follow a two-part structure: the first part titled "Substantive Combat of Money Laundering and Terrorist Financing Crimes in Algerian Law," and the second part titled

1 Safeguarding the State's Economic System Against All Practices of Financial and Administrative Corruption: Article 9, last paragraph, of the Constitutional Amendment ratified by referendum on November 1, 2020 (15 Jumada al-Awwal 1442 AH / December 30, 2020), issued by Presidential Decree No. 20-442, published in Official Gazette No. 82 (December 30, 2020), and amended by Law No. 26-04 signed March 26, 2026, published in Official Gazette No. 22 (March 26, 2026).

"Procedural Combat of Money Laundering and Terrorist Financing Crimes in Algerian Law."

Section One: Substantive Combat of Money Laundering and Terrorist Financing Crimes in Algerian Law

Among the most important principles underpinning the rule of law is the principle of criminal legality¹, which serves as a protective shield for public freedoms and a fundamental guarantee of the supremacy of law. The substantive combat of money laundering and terrorist financing crimes constitutes a basic and essential building block in the overall fight against these offenses, and it reflects a clear political will to adhere to international conventions.

The continuous evolution of money laundering and terrorist financing crimes demonstrates the capacity of criminal activities to adapt to global developments, necessitating rapid responses from governments and international institutions to confront these crimes. To this end, Algeria has adopted a set of substantive rules, including, by way of example:

First: The Substantive Combat of Money Laundering and Terrorist Financing Crimes in the Penal Code and International Conventions

The term "money laundering," also known as "laundering of proceeds"², is a relatively modern concept. It began to be used

1 "No crime, nor punishment or security measure without law": Article 1 of Order No. 66-156 dated 18 Safar 1386 AH (June 8, 1966), including the Penal Code, published in Official Gazette No. 49 (June 11, 1966), p. 702, as amended by Law No. 24-06 dated 19 Shawwal 1445 AH (April 28, 2024), published in Official Gazette No. 30 (April 30, 2024); "This law is based on principles of legality, fair trial, and respect for human dignity and rights": Article 1 of Law No. 25-14 dated 09 Safar 1447 AH (August 3, 2025), including the Code of Criminal Procedure, published in Official Gazette No. 54 (August 13, 2025).

2 Naïm Salama Al-Qadi and others, *Banks and Money Laundering Operations*, Journal of the College of Baghdad for Economic Sciences, Al-Balqa Applied University, Issue 33, Iraq, 2012, p. 353:

in the United States between the 1920s and 1930s, referring to unlawful activities conducted by mafia gangs. These gangs used their illicit proceeds to purchase gold, real estate, companies, and other assets to confer legitimacy upon them¹. Generally, although the circumstances surrounding money laundering operations or the stages they go through may vary, their common objective is to conceal or disguise the criminal origin of illicit proceeds by integrating them into legitimate financial and economic channels².

The term "money laundering" in law (Black's Law Dictionary) refers to the process of recycling assets originating from illicit sources through lawful credit channels to conceal their criminal origin. This process is a consequence of the growth of shadow economies and organized crime, which include human trafficking, arms trafficking, cross-border smuggling, cyber piracy, trafficking in strategic materials, and antiquities trafficking; Abdel Halim Ben Badah, *Objective Mechanisms for Combating the Crime of Money Laundering in Algerian Legislation*, Journal of Legal Studies, Dr. Moulay Tahar Saida University, Algeria, Volume 09, Issue 01, June 2022, p. 80.

- 1 Farid Nashif, *The Crime of Money Laundering from the Perspective of Algerian Legislation*, Journal of Rights and Freedoms, Mohamed Khider University of Biskra, Algeria, Volume 10, Issue 01, April 23, 2022, p. 752, citing: Mohammed Yahya Muhassina, *The Crime of Money Laundering in Arab Legislation*, Scientific Symposium, Methods of Combating Money Laundering, Amman, 2001, p. 01; The shadow economy is considered the pivotal source of illicit assets subjected to laundering operations for the purpose of legitimization, as it encompasses all unreported productive activities and suspicious financial transactions conducted outside the state's regulatory framework: Mubarak Lassalous, *Electronic Money Between Restraint and Encouragement of Money Laundering Crime*, New Economy Journal, Algerian Digital Economy Research Lab, Khemis Miliana University, Algeria, Issue 0, December 2009, p. 156, citing: Khalaf bin Suleiman bin Saleh Al-Namri, *Economic Crimes and Their Impact on Development in the Islamic Economy*, Youth University Foundation, Alexandria, 1999, p. 06.
- 2 Bakhouya Driss, *The Crime of Money Laundering and Its Combating in Algerian Law (A Comparative Study)*, Doctoral thesis submitted for the degree of Doctorate in Private Criminal Law, Faculty of Law and Political Science, Abu Bakr Belkaid University, Tlemcen, Academic Year 2011-2012, p. 55.

As for Algerian legislation, the crime of money laundering is addressed beginning from Article 389 bis to Article 389 bis 7 of the Penal Code¹, which constitute the legal basis for criminalizing this offense. The patterns of criminal activity in its material element are diverse, as different legislations have not agreed on specific forms. Both the Vienna Convention and the Algerian legislature have identified three forms of money laundering operations: the transfer of funds, disguising or concealing their true nature, and possession, acquisition, or use of such funds².

A close reading of Article 389 bis reveals that the crime of money laundering is necessarily predicated on a predicate offense through which 'criminal proceeds' are acquired. The perpetrator then seeks to launder these proceeds with full knowledge of their illicit origin; this constitutes the mental element (*mens rea*) of the crime, characterizing it as an intentional offense. Consequently, the mere existence of unintentional fault or negligence is insufficient for its commission. Rather, it requires general criminal intent, grounded in knowledge of the funds' illicit source and a criminal will directed toward the act of laundering. Furthermore, this specific intent (*dolus specialis*) is defined by the perpetrator's deliberate purpose to mislead or obstruct justice,

1 Article 389 bis (Order No. 66-156, 2004) defines money laundering as the transfer or handling of assets to conceal their illicit origin, nature, or ownership, knowing they are criminal proceeds. It also criminalizes aiding the original crime, participating in related offenses like complicity or conspiracy, and acquiring, possessing, or using such assets with knowledge of their illegal source.

2 Khloufi Khadouja, Louni Farida, *The Elements of the Crime of Money Laundering in Algerian Legislation*, Journal of the Research Professor for Legal and Political Studies, Faculty of Law, University of Algiers 01, Algeria, Volume 2, Issue 8, 2017, p. 602.

thereby preventing the tracing of proceeds through concealment and disguise¹.

Furthermore, the legislator emphasized in Article 2 of Law No. 23-01, amending and supplementing Law No. 05-01 related to money laundering and terrorist financing and their combating, that the crime of money laundering exists independently of the predicate offense, even if the perpetrator of the predicate offense is not convicted². The legislator prudently expanded the scope of criminalization by not linking the commission of the money laundering offense to the predicate crime, nor to the conviction of its perpetrator.

Since the crimes of money laundering³ and terrorist financing⁴ are serious offenses whose risks extend beyond the

1 Amina Tazir, *The Crime of Money Laundering in Algerian Legislation – Between Repression and Prevention*, Journal of Humanities and Social Studies, University of Oran 02, Algeria, Issue 10, June 2019, p. 297.

2 Law No. 23-01 dated 16 Rajab 1444 AH, corresponding to February 7, 2023, published in the Official Gazette of the People's Democratic Republic of Algeria, No. 08, dated February 8, 2023, amends and supplements Law No. 05-01 dated 27 Dhu al-Hijjah 1425 AH, corresponding to February 6, 2005, relating to the prevention and combating of money laundering and terrorist financing.

3 For more information on money laundering in Arab and Western legislations and international agreements, refer to: Mohammed Abdullah Saeed Ali Al-Naqbi, "Money Laundering and International Efforts to Combat It", Al-Mufakkir Journal of Legal and Political Studies, Djilali Bounaama University, Khemis Miliana, Algeria, Volume 04, Issue 02, July 2021, pp. 96 and following.

4 One of the earliest provisions to define terrorism in Algerian law is Article 1 of Legislative Decree No. 92-03, dated 3 Rabi' al-Thani 1413 AH, corresponding to September 30, 1992, concerning the fight against sabotage and terrorism, published in the Official Gazette of the People's Democratic Republic of Algeria, No. 70, dated October 1, 1992, page 1817; Abdel Razak Yekhllef, *Requirements for an Effective System to Combat Money Laundering and Terrorist Financing – A Study of International Efforts and How to Benefit from Them in Algeria*, doctoral thesis submitted for a PhD in Economic Sciences and Management Sciences, specializing in Money and Finance, Faculty of Economic Scien-

borders of a single state, it has become imperative to establish agreements and treaties between countries in this regard. International cooperation is essential to confront these grave crimes. Various studies have highlighted the interconnectedness of contemporary crime patterns, which has rendered organized crime the primary financier of terrorism. Criminal proceeds have thus become a crucial resource without which terrorist activities cannot persist¹.

Accordingly, Algeria has ratified a number of international agreements², including, by way of example, the four foundational international conventions upon which the Financial Action Task Force (FATF) has built its recommendations. These include the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, known as the Vienna Convention of 1989, the Palermo Convention of 2000 - also known as the United Nations Convention against Transnational Organized Crime- and Algeria has also ratified

-ces, Management and Commercial Sciences, University of Algiers 03, Academic Year 2011-2012, p. 17: Terrorist financing is the provision of financial or in-kind resources to terrorist entities – whether from lawful or unlawful sources – to enable them to carry out their operations and achieve their objectives; Boulaich Tayeb, Qasmiya Mohamed, *Combating the Crime of Terrorist Financing at the International and National Levels*, Laboratory of Legal, Family and Administrative Development Studies and Research, University of M'sila, Algeria, Volume 02, Issue 05, December 1, 2017, p. 54.

- 1 Kattous Hamid, *A Study on the Effectiveness of the System for Combating Money Laundering and Terrorist Financing in Algeria*, doctoral thesis submitted for the degree of Doctor of Science in Management Sciences, specializing in Money and Finance, Department of Management Sciences, Faculty of Economic Sciences, Commercial Sciences, and Management Sciences, University of Algiers 03, Academic Year 2018-2019, p. 29.
- 2 Presidential Decree No. 2000-445 dated 27 Ramadan 1421 AH (December 23, 2000) ratifies, with reservations, the International Convention for the Suppression of the Financing of Terrorism adopted by the UN General Assembly on December 9, 1999. Published in the Official Gazette of Algeria, No. 1, January 3, 2001, p. 10.

the United Nations International Convention for the Suppression of the Financing of Terrorism (2002), as well as the United Nations Convention against Corruption (2003), known as the Mérida Convention¹.

It is widely agreed that international cooperation is indispensable in combating these serious crimes. The absence of cooperation among states necessarily leads to difficulties in tracing laundered funds and allows offenders to evade judicial prosecution.

Second: Substantive Combat of Money Laundering and Terrorist Financing Crimes in Specialized Laws

In 2005, Algeria enacted its first specialized legal framework to combat money laundering and terrorist financing crimes through Law No. 05-01, which has been amended and supplemented several times; the latest amendment being Law No. 25-10 dated July 24, 2025². This recent amendment includes a set of legal provisions through which the Algerian legislator aimed to keep pace with ongoing developments to achieve effective combat against various financial crimes that threaten society, the national economy, and the global economy³.

1 National Strategy for preventing and combating Money Laundering and Terrorist Financing (2024-2026), National Committee for assessing the risks of Money Laundering, Terrorist Financing and the Financing of the proliferation of weapons of mass destruction, p. 01, available at the following website:

https://www.interieur.gov.dz/images/la_strategie_nationale_AR.pdf,
(Accessed: March 24, 2026, at 23:24).; Katouche Hamid, op. cit., pp. 07-08.

2 Law No. 25-10 dated 28 Muharram 1447 AH, corresponding to July 24, 2025, published in the Official Gazette of the People's Democratic Republic of Algeria, No. 48, dated July 24, 2025, amends and supplements Law No. 05-01 dated 27 Dhu al-Hijjah 1425 AH, corresponding to February 6, 2005, relating to the prevention and combatting of money laundering and terrorist financing.

3 Article 2 of Law No. 25-10—the aforementioned law—amended and supplemented Article 4 of Law No. 05-01 by introducing a set of terms,

The legislator strengthened the penalties imposed on perpetrators of these serious crimes and issued a series of legal provisions that contribute to the proper implementation of the mechanisms established for their combat. In addition, several other laws were enacted, including, by way of example, the law issued in 2006 concerning the prevention and combating of corruption¹.

Section Two: Procedural Combat of Money Laundering and Terrorist Financing Crimes in Algerian Law

Although substantive combat of money laundering and terrorist financing crimes is important, it remains insufficient on its own. Other complementary means must exist to achieve better results. Here, we refer to the procedural combat mechanisms, which will be addressed in this section.

First: Procedural Combat within the Framework of the New Code of Criminal Procedure

Algeria has established a set of procedures to combat money laundering and terrorist financing crimes in line with the nature of these offenses. This is demonstrated by the Algerian

including: virtual assets, financing of the proliferation of weapons of mass destruction, as well as several other terms such as non-profit organizations (NPOs), associations, and others; Mostafa Salem Abd Bakhit, Samer Saadoun Al-Amiri, *The Role of Money Laundering in Terrorist Financing*, Al-Mufakkir Journal, Faculty of Law and Political Sciences, Mohamed Khider University of Biskra, Algeria, Volume 15, Issue 02, May 30, 2020, p. 135, citing: Marius-Christian Frunza, *Introduction to the Theories and Varieties of Modern Crime in Financial Markets*, 1st edition, Academic Press, 2015, p. 13.

- 1 Executive Decree No. 25-101 (March 12, 2025) on freezing/seizing funds to combat terrorist financing and WMD proliferation; Executive Decree No. 25-103 (March 12, 2025) on registration/removal from the national terrorist list; Regulation No. 24-03 (July 24, 2024) on preventing money laundering, terrorist financing, and WMD proliferation; Decision (July 3, 2025) on combating these crimes among dealers in precious stones and metals; Law No. 06-01 (February 20, 2006) on preventing and combating corruption.

legislator's departure from certain general rules applied in some procedures. The legislator expanded territorial jurisdiction in the investigation and inquiry procedures carried out by the judicial police to cover the entire national territory¹.

The legislator also facilitated search procedures, as the provisions of Article 76 of the Code of Criminal Procedure No. 25-14 do not apply when it comes to money laundering and terrorist financing crimes. Moreover, searches, inspections, and seizures may be conducted at any residential or non-residential premises at any hour of the day or night, based on prior written authorization from the competent public prosecutor when these two crimes are involved.

Furthermore, the investigating judge may also conduct any search or seizure operation during the day or night, anywhere within the national territory, or order the competent judicial police officers to carry out such operations, in accordance with Article 78 of the aforementioned Code of Criminal Procedure No. 25-14.

In addition to the aforementioned procedures, crimes of money laundering and terrorist financing allow the competent authorities to take a range of measures, such as extending the detention period for consideration² and extending provisional imprisonment³. Furthermore, based on authorization from the competent public prosecutor, interception of correspondence, voice recording, and photography may be conducted if the necessities of investigation in flagrante delicto crimes or preliminary investigations so require.

1 Article 24 of Law No. 25-14 extends the territorial jurisdiction of judicial police officers to the entire national territory for investigating specialized crimes, notably money laundering and terrorism, due to their transnational nature and procedural complexity.

2 According to Article 83 of Law No. 25-14, which includes the Code of Criminal Procedure, the extension can be granted three times.

3 Article 205 of Law No. 25-14, which includes the Code of Criminal Procedure.

Among the powers of the public prosecutor in dealing with money laundering and terrorist financing crimes, for the purpose of investigations¹, is the authority to prohibit the suspect from leaving the national territory². The prosecutor may also freeze and/or seize assets, funds, and illicit proceeds resulting from the commission of one or more money laundering or terrorist financing offenses³.

Such precautionary measures may include partial or total freezing and/or seizure of the property and funds of the suspect, as well as those of related persons for whom there is strong evidence that these constitute criminal proceeds related to the offenses under investigation. This is in accordance with Article 50 of the Code of Criminal Procedure No. 25-14⁴.

Second: Proactive Procedural Combat of Money Laundering and Terrorist Financing Crimes

The fight against money laundering and terrorist financing crimes in Algeria represents a fundamental pillar of modern criminal policy. Combatting these offenses is no longer limited to a specific type of mechanism but has evolved into an integrated system aimed at finding effective methods to combat these serious crimes. In addition to the previously mentioned

1 Article 114 of Law No. 25-14, which includes the Code of Criminal Procedure

2 Article 49 of Law No. 25-14, which includes the Code of Criminal Procedure.

3 Article 2, fifth paragraph, of Executive Decree No. 25-103 defines freezing and/or seizure as a preventive measure imposing a temporary ban on all transactions involving funds and payment means. It also includes placing assets owned or controlled by listed persons or entities under temporary custody or supervision, based on a competent authority's decision, for the duration of the listing.

4 Article 32 bis 4 of Law No. 25-10 states that anyone who willfully refuses to implement precautionary measures by the specialized authority or judicial bodies shall face six months to one year imprisonment and/or a fine of 500,000 to 1,000,000 DZD, without prejudice to harsher penalties.

mechanisms, this section will address proactive mechanisms, including:

- The proactive procedure known as "Know Your Customer" (KYC). Banks, financial institutions, and similar entities are required to verify the identity and address of all natural and legal persons before opening any account, passbook, safekeeping of securities or valuables, leasing of safe deposit boxes, or establishing any other business relationship. This verification must be conducted through valid, required documents on a periodic basis. Furthermore, all necessary measures must be taken to identify the beneficial owner of any type of transaction, whether insurance contracts or business relationships, as well as to identify those who have actual control over a legal person or any other legal arrangements¹.
- Among the proactive measures to prevent the occurrence of the crime is the obligation of natural or legal persons to report suspicions when there is evidence of suspected money laundering or terrorist financing operations. An example of this is the role of the Financial Intelligence Unit (FIU) in reporting financial information to security and judicial authorities, especially when the observed facts are subject to criminal prosecution. This requires the FIU, where appropriate, to forward the related case file to the competent public prosecutor and to take necessary measures to prevent and detect all forms of money laundering and terrorist financing².

1 Article 7 of Law No. 05-01, Articles 7 and 7 bis of Law No. 25-10 (which amends Law No. 05-01), and Article 47 of Regulation No. 24-03 require institutions to implement an automated real-time monitoring system. This system verifies, at both the start of business relationships and during occasional transactions, that clients and beneficial owners are not listed on terrorism-related sanctions, in accordance with UN Security Council decisions and the national sanctions list.

2 Article 4 of Executive Decree No. 22-36, dated 1 Jumada al-Thani 1443 AH, corresponding to January 4, 2022, which defines the tasks, organization, and functioning of the Financial Intelligence Unit, published

- Within the framework of strengthening these measures, the legislator has enhanced international cooperation. The competent authorities are required, either automatically or upon request and promptly, to exchange information with foreign competent bodies, provided that such information is exchanged confidentially and in accordance with the applicable legal safeguards, while respecting the principle of reciprocity and the fundamental principles of the legal system in Algeria. This facilitates proactive action through international networks to prevent money laundering and terrorist financing crimes¹.
- Despite all these mechanisms identified in this study, cooperation among various individuals and institutions, especially financial ones, as well as domestic and international bodies, remains essential to achieving effective combat.

Conclusion:

The crimes of money laundering and terrorist financing are among the most serious economic and financial offenses due to the severe threat they pose to the stability of legal and

in the Official Gazette of the People's Democratic Republic of Algeria, No. 3, dated January 9, 2022, page 12; Salsabil Ben Smail, *Criminal Liability of Financial Institutions*, doctoral thesis in Public Law, specialization: Economic Public Law, Department of Law, Faculty of Law and Political Sciences, University of Ghardaia, Algeria, Academic Year 2020-2021, p. 58; Ben Tali Al-Sharif, Bout Mohamed, *Legal Mechanisms to Combat the Crime of Money Laundering and Terrorist Financing in Algerian Legislation*, Academy of Social and Human Sciences, Hassiba Ben Bouali University of Chlef, Algeria, Volume 12, Issue 05, July 24, 2020, p. 253.

- 1 Articles 2 and 3 of Executive Decree No. 20-398 (December 26, 2020) establish the National Committee for the Assessment of Risks related to money laundering, terrorist financing, and proliferation of weapons of mass destruction. Among its tasks is proposing measures to align national laws with recommendations from regional and international bodies. (Official Gazette No. 80, December 29, 2020).

economic systems. Consequently, they have received extensive attention from both national and international legislations, which have sought to establish effective substantive and procedural mechanisms to combat them. Similarly, the Algerian legislator has enacted a set of mechanisms to fight these two crimes. Through our study of these mechanisms, several conclusions and recommendations can be drawn, including:

- The Algerian legislator has given special attention to the crimes of money laundering and terrorist financing by issuing a series of legal and regulatory texts, incorporating specific provisions in the Code of Criminal Procedure No. 25-14 to ensure integration between substantive and procedural aspects, and ratifying a number of international conventions aimed at combating these crimes.
- The legislator expanded the scope of criminalization by considering money laundering as an independent offense that does not rely on the conviction of the perpetrator of the predicate crime, which was a commendable approach.
- The Algerian legislator granted broad investigative powers to the judicial police, including the use of special investigative methods.
- Departure from general rules governing searches due to the severity of these crimes and concerns over the loss of evidence.
- Empowerment of the competent judicial authorities to issue orders for freezing and seizing suspected funds to preserve evidence and prevent money laundering.
- Establishing a set of proactive measures to prevent the commission of money laundering and terrorist financing crimes.
- Giving special attention to cooperation among various individuals, institutions, and bodies, both domestically and internationally.

Based on the above, several recommendations can be proposed, including:

- Intensifying awareness campaigns about the risks of these crimes to increase reporting of any suspicion of commission or facilitation of money laundering and terrorist financing.
- Providing technical, technological, and financial training for personnel responsible for handling money laundering and terrorist financing cases to facilitate timely detection of such crimes.
- Training specialized judges in financial matters to expedite case adjudication.
- Ensuring effective field coordination between internal and external supervisory and judicial bodies to enable timely information exchange, facilitating the freezing and recovery of funds, as well as the arrest and extradition of criminals.
- Updating laws to keep pace with current technological developments, particularly concerning virtual digital transactions.

List of Sources and References:

1- Scientific Theses:

- Abdel Razak Yekhlef, *Requirements for an Effective System to Combat Money Laundering and Terrorist Financing – A Study of International Efforts and Their Application in Algeria*, Doctoral thesis in Economic and Management Sciences, specialization: Money and Finance, Faculty of Economic Sciences, Management and Commercial Sciences, University of Algiers 03, Academic Year 2011-2012.
- Bakhouya Driss, *The Crime of Money Laundering and Its Combating in Algerian Law (A Comparative Study)*, Doctoral thesis submitted for the degree of Doctorate in Private Criminal Law, Faculty of Law and Political Science, Abu

Bakr Belkaid University, Tlemcen, Academic Year 2011-2012.

- Kattous Hamid, *A Study on the Effectiveness of the System for Combating Money Laundering and Terrorist Financing in Algeria*, Doctoral thesis in Management Sciences, specialization: Money and Finance, Department of Management Sciences, Faculty of Economic Sciences, Commercial Sciences, and Management Sciences, University of Algiers 03, Academic Year 2018-2019.
- Salsabil Ben Smail, *Criminal Liability of Financial Institutions*, Doctoral thesis in Public Law, specialization: Economic Public Law, Department of Law, Faculty of Law and Political Science, University of Ghardaia, Algeria, Academic Year 2020-2021.

2- Scientific Articles:

- Abdel Halim Ben Badah, "Objective Mechanisms for Combating Money Laundering Crime in Algerian Legislation," *Journal of Legal Studies*, Dr. Moulay Tahar Saida University, Algeria, Volume 09, Issue 01, June 2022.
- Amina Tazir, "The Crime of Money Laundering in Algerian Legislation – Between Repression and Prevention," *Journal of Humanities and Social Studies*, University of Oran 02, Algeria, Issue 10, June 2019.
- Ben Tali Al-Sharif & Bout Mohamed, "Legal Mechanisms to Combat Money Laundering and Terrorist Financing Crimes in Algerian Legislation," *Academy of Social and Human Sciences*, Hassiba Ben Bouali University of Chlef, Algeria, Volume 12, Issue 05, July 24, 2020.
- Boulaich Tayeb & Qasmiya Mohamed, "Combating the Crime of Terrorist Financing at the International and National Levels," *Laboratory of Legal, Family and Administrative Development Studies and Research*, University of M'sila, Algeria, Volume 02, Issue 05, December 1, 2017.

- Farid Nashif, "The Crime of Money Laundering from the Perspective of Algerian Legislation," *Journal of Rights and Freedoms*, Mohamed Khider University of Biskra, Algeria, Volume 10, Issue 01, April 23, 2022.
- Khloufi Khadouja & Louni Farida, "Elements of the Crime of Money Laundering in Algerian Legislation," *Journal of the Research Professor for Legal and Political Studies*, Faculty of Law, University of Algiers 01, Algeria, Volume 2, Issue 8, 2017.
- Mohammed Abdullah Saeed Ali Al-Naqbi, "Money Laundering and International Efforts to Combat It," *Al-Mufakkir Journal for Legal and Political Studies*, Djilali Bounaama University, Khemis Miliana, Algeria, Volume 04, Issue 02, July 2021.
- Mostafa Salem Abd Bakhit & Samer Saadoun Al-Amiri, "The Role of Money Laundering in Terrorist Financing", *Al-Mufakkir Journal*, Faculty of Law and Political Sciences, Mohamed Khider University of Biskra, Algeria, Volume 15, Issue 02, May 30, 2020.
- Mubarak Lassalous, "Electronic Money Between Restraint and Encouragement of Money Laundering Crime", *New Economy Journal*, Algerian Digital Economy Research Lab, Khemis Miliana University, Algeria, Issue 0, December 2009.
- Naïm Salama Al-Qadi et al., "Banks and Money Laundering Operations", *Journal of the College of Baghdad for Economic Sciences*, Al-Balqa Applied University, Issue 33, Iraq, 2012.

3- Legal Texts:

- **Constitution:**

- Constitutional Amendment ratified by referendum on November 1, 2020, dated 15 Jumada al-Awwal 1442 AH, corresponding to December 30, 2020, issued by Presidential

Decree No. 20-442, published in the Official Gazette No. 82, December 30, 2020; amended by Law No. 26-04, signed on March 26, 2026, published in Official Gazette No. 22, March 26, 2026.

- ***Laws, Orders, and Presidential Decrees:***

- Order No. 66-156 dated 18 Safar 1386 AH, corresponding to June 8, 1966, containing the Penal Code, published in Official Gazette No. 49, June 11, 1966, page 702; amended and supplemented by Law No. 24-06 dated 19 Shawwal 1445 AH, corresponding to April 28, 2024, published in Official Gazette No. 30, April 30, 2024.
- Legislative Decree No. 92-03 dated 3 Rabi' al-Thani 1413 AH, corresponding to September 30, 1992, on combating sabotage and terrorism, published in Official Gazette No. 70, October 1, 1992, page 1817.
- Presidential Decree No. 2000-445 dated 27 Ramadan 1421 AH, corresponding to December 23, 2000, ratifying with reservations the International Convention for the Suppression of the Financing of Terrorism, adopted by the UN General Assembly on December 9, 1999, published in Official Gazette No. 1, January 3, 2001, page 10.
- Law No. 05-01 dated 27 Dhu al-Hijjah 1425 AH, corresponding to February 6, 2005, relating to the prevention and combating of money laundering and terrorist financing, published in Official Gazette No. 11, February 9, 2005, page 3; amended and supplemented.
- Law No. 06-01 relating to the prevention and combating of corruption, signed February 20, 2006, published in Official Gazette No. 14, March 8, 2006, page 4; amended and supplemented.
- Law No. 23-01 dated 16 Rajab 1444 AH, corresponding to February 7, 2023, published in Official Gazette No. 8, February 8, 2023; amending and supplementing Law No. 05-01 dated 27 Dhu al-Hijjah 1425 AH.

- Law No. 25-10 dated 28 Muharram 1447 AH, corresponding to July 24, 2025, published in Official Gazette No. 48, July 24, 2025; amending and supplementing Law No. 05-01 dated 27 Dhu al-Hijjah 1425 AH.
- Law No. 25-14 dated 09 Safar 1447 AH, corresponding to August 3, 2025, including the Code of Criminal Procedure, published in Official Gazette No. 54, August 13, 2025.

- **Executive Decrees, Regulations, and Decisions:**

- Executive Decree No. 20-398 dated 11 Jumada al-Awwal 1442 AH, corresponding to December 26, 2020, establishing the National Committee for the Assessment of Risks Related to Money Laundering, Terrorist Financing, and the Financing of the Proliferation of Weapons of Mass Destruction, and defining its tasks, organization, and functioning, published in Official Gazette No. 80, December 29, 2020.
- Executive Decree No. 22-36 dated 1 Jumada al-Thani 1443 AH, corresponding to January 4, 2022, defining the tasks, organization, and functioning of the Financial Intelligence Unit, published in Official Gazette No. 3, January 9, 2022, page 12.
- Executive Decree No. 25-101 signed March 12, 2025, published in Official Gazette No. 18, March 13, 2025, page 3, concerning procedures for freezing and/or seizing funds within the framework of preventing and combating terrorist financing and proliferation of weapons of mass destruction.
- Executive Decree No. 25-103 signed March 12, 2025, published in Official Gazette No. 18, March 13, 2025, page 15, specifying the procedures for registration in and removal from the national list of terrorist persons and entities, and the resulting effects.
- Regulation No. 24-03 relating to the prevention and combating of money laundering, terrorist financing, and the financing of the proliferation of weapons of mass destruction,

signed July 24, 2024, published in Official Gazette No. 58, August 22, 2024, page 21.

- Decision dated 7 Muharram 1447 AH, corresponding to July 3, 2025, establishing the system for prevention and combating of money laundering, terrorist financing, and financing of the proliferation of weapons of mass destruction concerning dealers in precious stones and metals, published in Official Gazette No. 57, August 24, 2025, page 14.

4- Websites:

- National Strategy for preventing and combating Money Laundering and Terrorist Financing (2024-2026), National Committee for assessing the risks of Money Laundering, Terrorist Financing and the Financing of the proliferation of weapons of mass destruction, p. 01, available at the following website: https://www.interieur.gov.dz/images/la_strategie_nationale_AR.pdf, (Accessed: March 24, 2026, at 23:24).