



AN ANALYTICAL READING OF THE POWERS OF THE NATIONAL AUTHORITY AND THE HIGH AUTHORITY FOR TRANSPARENCY, PREVENTION, AND COMBATING CORRUPTION IN LIGHT OF LAWS NO. 06-01 AND 22-08

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Received:20- 05- 2026

Accepted: 08- 08- 2026

Published: 22- 09- 2026

Abstract:

Due to the rise and spread of corruption cases, Algeria adopted a legal framework to prevent corruption and limit its harmful effects on institutions and society. Law No. 06-01 was a step because it established the framework for combating corruption and created the National Authority for the Prevention and Fight against Corruption. However, its role remained mostly consultative, limited to proposing policies, issuing recommendations, and supervising measures without enforcement powers. Under the 2020 Constitution, the High Authority for Transparency, Prevention and Fight against Corruption was created and regulated by Law No. 22-08, with powers in investigation, coordination, transparency, and oversight. Therefore, replacing the former authority reflects a qualitative shift toward a more effective and rigorous anti-corruption policy.

Keywords: Anti-Corruption; Powers; National Authority; High Authority; Transparency.

Introduction:

Corruption represents a persistent societal issue, both historically and in the modern context, fundamentally intertwined with human behavior. Throughout various civilizations and historical epochs, it has manifested universally; no community, irrespective of its developmental stage, has been wholly exempt from its influence. This observation underscores the notion that corruption transcends national boundaries, affecting all societies, whether they are emergent or advanced,

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thereby prompting urgent recognition and the implementation of comprehensive preventive and remedial measures to mitigate its effects. Addressing corruption necessitates coordinated action among all nations. In light of its increasing prevalence in recent years, the Algerian legislator has endeavored to establish a variety of legal frameworks to confront this challenge. Among the most pivotal of these initiatives was the introduction of Law No. 06-01 concerning the Prevention and Combatting of Corruption,¹ which followed Algeria's ratification of various international anti-corruption treaties promulgated by the United Nations, the African Union, and the League of Arab States.² Consequently, as part of the efforts directed at mitigating and preventing corruption, the legislator instituted the National Authority for the Prevention and Combatting of Corruption, assigning it a national mandate to implement a comprehensive strategy. This initiative was grounded in adherence to the stipulations of international and regional conventions aimed at addressing this issue, as reflected in the aforementioned law, which prioritized the formation of this authority. This is explicitly delineated in Article 17 of Law No. 06-01, which states: "A National Authority responsible for the prevention and combating of corruption is hereby established for the purpose of implementing the national strategy in the field of corruption." Acknowledging the importance of this entity in anti-corruption endeavors, the constitutional legislator reinforced its legal framework and elevated its status by codifying it in Article 202 of Law No. 16-01, part of the constitutional amendments of 2016,³ which asserts: "A National Authority for the Prevention of and Fight against Corruption (NAPFC) shall be established." This authority will function as an independent administrative body under the purview of the President of the Republic, thus bestowing constitutional legitimacy. It preserved the classification originally designated under Law No. 06-01. However, due to limitations within its authority in various respects, the Algerian legislator subsequently replaced it, in accordance with Presidential Decree No. 20-445 relating to the constitutional amendment,⁴ with the High Authority for Transparency and the Prevention of and Fight against Corruption (HATPFC), established under Law No. 22-08.⁵ The newly formed entity was endowed with complete autonomy to achieve its primary objective of eradicating corruption. This paper investigates whether the powers bestowed upon the NAPFC, as well as the HATPFC of and Fight against Corruption, function effectively as mechanisms for combating corruption, or if their efficacy is hindered by practical impediments.

The importance of this research resides in elucidating the distinctions in jurisdictional authority and powers conferred to the NAPFC as delineated in Law No. 06-01, in contrast to the HATPFC of and Fight against Corruption, which was



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established by the Algerian legislator via the 2020 constitutional revision and subsequently governed under Law No. 22-08 .

Thus, the primary objective of this study is twofold: firstly, to illustrate the constrained function of the National Authority in the realm of corruption prevention and combat, by analyzing its predominantly advisory role, the limited scope of its oversight capabilities, and the restrictions on its capacity to instigate public prosecution proceedings. Secondly, the research aims to investigate the extensive powers bestowed upon the HATPFC of and Fight against Corruption under Law No. 22-08. This entity represents a novel constitutional institution created under the Constitution of November 1, 2020, superseding the previous NAPFC. It is characterized by significantly enhanced powers in comparison to those previously allocated to the former authority, notably through its assignment of substantial supervisory responsibilities aimed at addressing and tackling corruption, in addition to its jurisdiction to refer all manifestations of corruption to the judicial system.

THE FIRST TOPIC: THE INADEQUACY OF THE FUNCTIONAL ROLES OF THE NATIONAL AUTHORITY FOR THE PREVENTION AND COMBATING OF CORRUPTION

In the latest constitutional amendment of 2016, the constitutional framers In the most recent constitutional amendment of 2016, the architects of the constitution reiterated the roles of the National Authority for the Prevention and Combating of Corruption, as previously established by Law No. 06-01 mentioned earlier. Specifically, the Authority was assigned the responsibility of formulating an extensive anti-corruption strategy within the larger context of reinforcing the rule of law and a governance framework based on legal principles. This underscores the advisory nature that predominantly characterizes its competencies. While officially designated as an institution addressing both the prevention and combatting of corruption, its actual function is predominantly limited to preventive measures rather than enforcement actions. Additionally, when the Authority deems certain circumstances may necessitate criminal prosecution, its function is restricted to merely informing the higher authorities, represented by the Minister of Justice, Keeper of the Seals.



FIRST REQUIREMENT: THE PREDOMINANCE OF THE ADVISORY NATURE OF THE FUNCTIONS OF THE NATIONAL AUTHORITY FOR THE PREVENTION AND COMBATING OF CORRUPTION

A prominent aspect that illustrates the supremacy of the advisory function over the powers of the National Authority for the Prevention and Combating of Corruption is the fundamentally consultative nature of its mandate. Despite being institutionally classified as a body accountable for both the prevention and combatting of corruption, its effective role is largely confined to preventive measures rather than punitive or prosecutorial actions. Its responsibilities are primarily limited to proposing a holistic anti-corruption policy that facilitates the realization of the rule of law principles, especially in fostering integrity and transparency in the administration of public affairs and finances. The Authority is also charged with providing guidance on corruption prevention to any individual or public or private organization, in addition to suggesting legislative or regulatory reforms.

Furthermore, its oversight capabilities remain significantly constrained, as its supervisory functions culminate solely in the preparation of reports directed to the President of the Republic, lacking the authority to initiate public prosecution proceedings. Thus, it exists merely as an advisory entity, whose role is restricted to offering recommendations and submitting proposals.

Firstly: The Advisory and Awareness-Raising Role of the National Authority for the Prevention and Fight against Corruption

In accordance with Article 20 of Law No. 06-01 previously mentioned, the National Authority for the Prevention and Fight against Corruption has been delegated a variety of advisory and awareness-focused responsibilities, which can be encapsulated as follows:

- Formulating a comprehensive anti-corruption strategy: A fundamental mandate of the Authority was the development of an all-encompassing policy aimed at preventing corruption. Its primary function was preventative, concentrating on the establishment of mechanisms and safeguards intended to thwart corruption offenses, rather than solely addressing them post-occurrence. This proactive approach aims to mitigate the detrimental repercussions engendered by such offenses, thereby highlighting the paramount significance of the policy framework to be devised by the Authority in curtailing the proliferation of corruption.



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- Providing guidance and recommending preventive strategies: The Authority was charged with delivering advice and recommendations to both public sector institutions and private organizations regarding efficacious methods of corruption prevention. This encompassed fostering collaborative efforts in the formulation of professional ethical codes, thus enhancing integrity, transparency, and accountability among public officials, while empowering private entities to conduct their operations more effectively. Furthermore, the Authority was authorized to propose legislative or regulatory initiatives designed to bolster the efficiency and efficacy of the anti-corruption framework.
- Implementing public awareness initiatives: The National Authority was responsible for organizing public awareness campaigns for citizens, which included training sessions and outreach programs aimed at elevating public consciousness regarding the risks and detrimental effects associated with corruption.
- Activating preventive anti-corruption mechanisms: The Authority was tasked with identifying factors that facilitate corruption within administrative procedures and practices, with the intention of issuing requisite recommendations for their eradication.
- Ensuring the coordination and oversight of field operations: The Authority held the responsibility for coordinating and monitoring operational activities based on regular periodic reports supported by statistical and analytical data related to the prevention and combat against corruption. It also aimed to strengthen intersectoral coordination, enhance collaboration with anti-corruption entities at both national and international levels, and promote research endeavors as well as the assessment of practical measures implemented in this domain.

Ultimately, the Authority presented an annual report to the President of the Republic that included an evaluation of initiatives aimed at preventing and combating corruption, along with identified deficiencies and any recommendations considered necessary. It is significant in this regard that the Algerian legislator did not stipulate the publication of the report submitted to the President in the Official Gazette or through media outlets, in contrast to the French legislator, who



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explicitly mandates the publication of the annual report in the Official Gazette. This practice similarly extends to independent administrative entities, such as the Competition Council and the Regulatory Authority for Postal and Electronic Communications, which disseminate their reports either in the Official Gazette or online, thereby facilitating public oversight.

- Provision of guidance and recommendation of preventive measures against corruption: The Authority offers guidance to institutions and organizations, whether in the public or private sector. Furthermore, it advocates for legislative or regulatory measures, thus augmenting the efficacy of the anti-corruption framework.
- The Authority is also authorized to collaborate with both sectors in formulating ethical codes for public officials and in fostering integrity, honesty, and a sense of accountability among public servants, while allowing private entities to execute their responsibilities in a proper and effective manner.
- Development of awareness programs: Through awareness campaigns and initiatives, the Authority may establish programs designed to educate the populace and enhance public understanding of the detrimental effects resulting from corruption.
- Gathering and leveraging all pertinent information that may aid in exposing acts of corruption: The Authority scrutinizes legislation, regulations, procedures, and administrative practices to pinpoint elements that foster corruption and to propose recommendations for their rectification.
- Activating mechanisms and procedures for the prevention of corruption: This is accomplished by ensuring the coordination and monitoring of field operations and direct actions based on periodic reports that are underpinned by statistics and analyses concerning the prevention and combat of corruption.⁶
- Additionally, the Authority supervises the enhancement of intersectoral coordination and collaboration with anti-corruption entities at both national and international levels. It also advocates for all endeavors related to research, field initiatives, and the assessment of measures executed in the realm of corruption prevention and control.⁷



Secondly: Limitations of the Supervisory Powers of the National Authority for the Prevention of and Fight against Corruption (NAPFC)

Pursuant to Article 20 of the referenced Law No. 06-01, the NAPFC has been endowed with specific supervisory or semi-supervisory capabilities, which the legislator aimed to enhance the efficacy of its functions. These capabilities were also designed to aid in the mitigation of corruption in its diverse manifestations, including the following:⁸

- Accumulating and employing all pertinent information that could assist in diminishing and preventing corrupt practices in their various forms, particularly by pinpointing elements that facilitate corruption within legislative and regulatory frameworks, as well as within administrative protocols and practices, to subsequently propose recommendations for their eradication.
- Regularly assessing legal frameworks and administrative actions intended to avert and address corruption in order to evaluate their effectiveness.
- Collecting evidence and conducting investigations into incidents related to corruption, predominantly with the collaboration of the Public Prosecution Service.

Nevertheless, it can be noted that the legislator did not endow the NAPFC with the requisite powers to combat corruption in a substantial or impactful manner. Its supervisory function effectively culminates in the generation of reports directed to the President of the Republic, lacking the authority to initiate public litigation through referral to the appropriate judicial entities. This clearly illustrates the constrained nature of the oversight assigned to it. In practice, it functioned as little more than an advisory entity, limited to issuing recommendations and suggestions.

It is also significant to highlight that the Algerian legislator did not mandate the publication of the reports submitted to the President of the Republic in the Official Gazette or via media outlets, in contrast to the French legislator, who explicitly required the annual report's publication in the Official Gazette. This policy extends to independent administrative authorities, such as the Competition Council and the Postal and Electronic Communications Regulatory Authority,



whose reports are made public either in the Official Gazette or online to facilitate public scrutiny.

SECOND REQUIREMENT: RESTRICTING THE AUTHORITY OF THE NATIONAL BODY FOR THE PREVENTION AND COMBATING OF CORRUPTION IN INITIATING PUBLIC PROSECUTION

When the National Authority for the Prevention and Combat of Corruption determines that specific facts may justify criminal prosecution, its function is solely to inform the higher authorities, particularly the Minister of Justice, Keeper of the Seals. This situation evidently underscores the limitations imposed on its jurisdiction in terms of initiating public legal actions. In this context, Article 22 of Law No. 06-01 stipulates: “When the Authority becomes aware of facts that may constitute a criminal offence, it shall refer the file to the Minister of Justice, Keeper of the Seals, who shall notify the appropriate Public Prosecutor to initiate public proceedings if deemed necessary.”

Thus, it is clear from this statute that the entity charged with the prevention and combating of corruption is obliged to alert the Minister of Justice whenever it uncovers facts indicative of a criminal nature. This notification may occur through two primary avenues:

- During the execution of its routine oversight responsibilities, especially through investigations, data collection, analysis, and subsequent application.
- Upon the receipt of asset declarations from locally elected officials, senior public servants, and employees in high-ranking positions, as well as those categorized by the Director of the Civil Service, allowing the Authority to scrutinize and utilize the information contained within these declarations.

Therefore, whenever the Authority discerns facts necessitating criminal prosecution, its role is limited to referring the issue to the higher authorities via the Minister of Justice, Keeper of the Seals. This reiterates the distinct limitation imposed on its capacity concerning the initiation of public proceedings, as corroborated by Article 22 of Law No. 06-01. Furthermore, it is evident that judicial prosecution is exclusively contingent upon the discretionary power of the Minister of Justice, on whom the initiation of public proceedings ultimately relies. Consequently, the agency tasked with preventing and combating corruption is



rendered a purely advisory entity devoid of any decision-making authority, which significantly diminishes the efficacy and breadth of its supervisory mandate.

THE FIRST TOPIC: EXPANSION OF THE POWERS OF THE HIGH AUTHORITY FOR TRANSPARENCY AND THE PREVENTION (HATPFC) AND FIGHT AGAINST CORRUPTION

In response to the limited authority previously granted to the National Authority for the Prevention and Combat of Corruption, and in light of the rising prevalence of corrupt practices in recent years, the Algerian legislative body established the HATPFC and Combat of Corruption. This organization was instituted to formulate a comprehensive anti-corruption strategy aimed at fostering the rule of law, within a framework of integrity and transparency in the management of public affairs and financial resources. The High Authority undertakes significant oversight responsibilities to effectively address corruption and fulfill its specified goals, concurrently referring all instances of corruption to the judicial system.

FIRST REQUIREMENT: THE ADVISORY AND SUPERVISORY ROLE OF THE HIGH AUTHORITY FOR TRANSPARENCY AND THE PREVENTION AND FIGHT AGAINST CORRUPTION (HATPFC)

Pursuant to Law No. 22-08 referenced above, the advisory and educational role of the HATPFC and Combating of Corruption encompasses the formulation of a comprehensive anti-corruption strategy that reflects the tenets of the rule of law, within a framework of integrity and transparency in the oversight of public affairs and resources. Additionally, it is empowered to provide recommendations on corruption prevention to any individual or public or private entity, as well as to suggest legislative or regulatory measures. The Authority wields considerable oversight authority. The legislature stipulates that all public institutions and entities, along with any individual or organization, whether public or private, are required to collaborate with the High Authority and supply the requisite information and documents necessary for its operations, under the risk of facing penalties for hindering the effective administration of justice.



Firstly: The Guidance Role of the High Authority for Transparency, Prevention of Corruption, and Combating Corruption

The advisory and educational function of the High Authority for Transparency, Prevention of Corruption, and Combating Corruption is evident through the following activities:

- The aggregation, centralization, application, and dissemination of information and recommendations aimed at supporting public administrations, as well as natural or legal entities, in their efforts to avert and identify corruption.
- Conducting periodic evaluations of the legislative frameworks pertaining to transparency, corruption prevention, and anti-corruption measures, while also assessing the effectiveness of administrative systems within these areas and suggesting appropriate strategies for improvement.
- Ensuring the coordination and supervision of initiatives related to corruption prevention and management, guided by regular reports that encompass statistics and analyses from relevant sectors and stakeholders.
- Creating an interactive network to engage civil society and to coordinate and augment its initiatives focused on transparency, corruption prevention, and anti-corruption efforts.
- Promoting the principles of transparency and integrity within philanthropic, religious, cultural, and athletic pursuits, as well as within public and private institutions, by developing and implementing necessary anti-corruption regulatory frameworks.
- Facilitating the formation of partnerships with regional and international organizations dedicated to corruption prevention and management.⁹
- Actively collaborating to establish a systematic framework for information sharing with international entities focused on combating corruption, alongside national authorities and departments involved in anti-corruption efforts.
- Compiling regular reports concerning the implementation of transparency measures and anti-corruption protocols in accordance with the provisions specified in relevant conventions.



Regarding the educational aspect of the Authority's responsibilities, it can be recognized through the formulation of programs aimed at instructing citizens and raising awareness about the detrimental effects of corruption.

Ultimately, the Authority presents an annual report to the President of the Republic that includes an evaluation of activities associated with corruption prevention and control, identifies observed shortcomings, and offers any recommendations it deems necessary.¹⁰

Secondly: The Supervisory Role of the High Authority for Transparency and the Prevention of and Fight against Corruption (HATPFC)

The supervisory authority of the HATPFC of and Fight against Corruption can be summarized as follows:

The reception, processing, and supervision of asset declarations: Public officials are obligated to disclose their assets to foster transparency in political activities and public affairs, safeguard public assets, and uphold the integrity of individuals entrusted with public responsibilities. However, not all public officials, as delineated in Article 2 of Law No. 06-01 concerning the Prevention of and Fight against Corruption, are required to submit an asset declaration to the HATPFC of and Fight against Corruption. Declarations related to the President of the Republic, members of Parliament, the Prime Minister, members of the Government, members of the Constitutional Court, the President of the Court of Accounts, the Governor of the Bank of Algeria, judges, and governors are directed to the First President of the Supreme Court. Conversely, the HATPFC of and Fight against Corruption is limited to supervising the asset declarations of presidents and members of elected local councils, as indicated in paragraph 2 of Article 6 of Law No. 06-01.

The legislation mandates that asset declarations be accurate and conform entirely to all legal requirements. Non-compliance may result in the public official being deemed culpable of asset non-disclosure or providing false information if the High Authority determines that the submitted declaration is inadequate or erroneous.

The High Authority is responsible for conducting administrative and financial investigations into cases of illicit enrichment concerning any public figure who is unable to justify a substantial increase in their financial holdings. Additionally, the High Authority is tasked with ensuring that public administrations, local authorities, and public institutions adhere to pertinent transparency and anti-



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corruption regulations while monitoring that economic entities, associations, and other organizations comply with established standards of transparency and anti-corruption practices.

When the High Authority for Transparency, Prevention, and Combating Corruption identifies breaches that undermine the integrity and effectiveness of procedures within public entities, administrative bodies, associations, and enterprises regarding the prevention and identification of corruption, it possesses the authority to issue recommendations mandating the execution of corrective actions to address such violations within a defined timeframe.¹¹

The High Authority for Transparency, Prevention, and Combating Corruption exercises its powers either independently or in response to reports or notifications from any individual or organization possessing relevant information, data, or evidence concerning corrupt practices. Pursuant to Article 6 of Law No. 22-08, the legislature stipulated that the legitimacy of such reports or notifications is contingent upon their written submission, proper signatures, and inclusion of all pertinent details regarding the alleged corruption. Furthermore, the identification of the reporting or notifying individual must be clearly established.

SECOND REQUIREMENT: GRANTING THE HIGH AUTHORITY THE POWER TO REFER ALL FORMS OF CORRUPTION TO THE JUDICIARY

In instances where the High Authority for Transparency, Prevention, and Combating of Corruption identifies breaches of integrity and transparency standards, it is authorized to inform the regionally competent Public Prosecutor following the procedural guidelines outlined in Article 10 of Law No. 22-08. Additionally, should there be substantial evidence indicating unjustified enrichment by a public servant, the High Authority is empowered to present a report to the Public Prosecutor at the Court of Sidi M'Hamed, aimed at securing precautionary measures. These measures may encompass the suspension of financial transactions or the confiscation of assets for a duration of three months, contingent upon a judicial decree issued by the President of that court. Consequently, the High Authority for Transparency, Prevention, and Combating of Corruption is now capable of directly apprising the Public Prosecution Service regarding facts and actions of a criminal nature. This represents a notable shift from the previous structure, wherein the National Body for the Prevention and Combating of Corruption was restricted to notifying the Minister of Justice about documented infractions, thereby relegating to him the authority to decide on the



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prosecution's suitability, which limited the institution's capacity to initiate criminal actions. Moreover, its supervisory powers have been augmented and are no longer limited to preventive measures such as providing proposals, opinions, and recommendations. It is now authorized to issue formal reprimands and warnings, oversee asset declarations, and directly refer cases it deems to involve criminal activity to the Public Prosecution Service without the need to consult the Minister of Justice, as was mandated under the previous regulations governing the former National Body for the Prevention and Combating of Corruption.

Conclusion:

It can be inferred that, in its endeavors to address corruption-related crimes, the Algerian legislature instituted an administrative oversight apparatus known as the HATPFC and Fight against Corruption. This autonomous entity was endowed with an array of administrative and advisory powers aimed at eliminating corruption offenses or, at the very least, significantly diminishing their prevalence, thus superseding the previous National Authority for the Prevention and Fight against Corruption.

Consequently, Law No. 22-08, which delineates the structure, composition, and authority of the HATPFC and Fight against Corruption, epitomizes the State's commitment to the eradication of corruption. It also illustrates that the efficacy of this newly established institution is largely contingent upon its capacity to devise a robust and coherent strategy for the prevention and suppression of corruption, which constitutes its principal mandate. Equally vital is the provision of complete institutional autonomy in the referral of cases to the judiciary. Its primary challenge resides in formulating a forward-thinking anti-corruption strategy that aims to reconstruct a social order predicated upon a definitive severance from corrupt practices.

Law No. 22-08 bestowed considerable powers upon the High Authority, enabling it to assume a pivotal role in the domain of corruption prevention and control. As a paramount oversight institution, its principal responsibilities encompass:

- Its integration among the oversight entities stipulated in Chapter IV of the 2020 constitutional amendment.



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- Executing administrative investigations, with the jurisdiction to issue directives that ensure the proper operation of public services and the effective realization of the principles of equality and transparency. Attaining these objectives necessitates the formation of robust mechanisms that promote ethical standards in administrative and financial governance within state institutions, as well as ensuring that the asset declaration system meets the objectives for which it was instituted.
- The entitlement to receive notifications or reports concerning corruption-related activities from any individual or legal entity. The law mandates that such reports be submitted in writing, identifying both the whistleblower and the pertinent facts related to corruption. Should the reported facts appear to constitute an act of corruption, the Authority is permitted to directly inform the Public Prosecutor and interact with the judiciary without intermediary procedures.
- The authority to create a civil society network by coordinating the activities of organizations working in the field of corruption prevention. This allows the institution to depend on a robust societal ally representing diverse segments of civil society in identifying and diagnosing violations.
- However, despite the more evolved regulatory framework governing the High Authority in contrast to the former National Authority, the escalating frequency and sophistication of corruption offenses necessitate further reinforcement of this mechanism through the following measures:
- Ensuring the complete independence of its members, free from oversight by any authority, whether institutional or functional. This may be accomplished by diversifying the composition and instituting criteria of competence, specialization, and professional experience for membership.
- Establishing a dedicated digital platform for reporting corruption offenses and submitting relevant declarations.



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- Promoting administrative decentralization through the establishment of local branches, thereby alleviating the operational burden on the central Authority in detecting and addressing corruption offenses.
- Granting the High Authority exclusive jurisdiction to receive and monitor asset declarations, without exception, encompassing all categories referenced in Article 6 of Law No. 06-01.

1- Law No. 06-01 of 20 February 2006 on the Prevention of Corruption and the Fight against It, Official Gazette of the People's Democratic Republic of Algeria, No. 14, 8 March 2006.

2- See the following international conventions:

- United Nations Convention against Corruption, adopted by United Nations General Assembly Resolution 58/4 at its fifty-eighth session, signed at the High-Level Political Signing Conference held in Mérida, Mexico, from 9 to 11 December 2003; ratified by Algeria pursuant to Presidential Decree No. 04-128 of 19 April 2004.
- African Union Convention on Preventing and Combating Corruption, adopted in Maputo on 11 July 2003; ratified by Algeria pursuant to Presidential Decree No. 06-137 of 10 April 2006.
- Arab Convention against Corruption, concluded in Cairo on 11 December 2010; ratified by Algeria pursuant to Presidential Decree No. 14-249 of 8 December 2014.

3- Law No. 16-01 of 6 March 2016 concerning the Constitutional Revision, Official Gazette of the People's Democratic Republic of Algeria, No. 14, 7 March 2016, amending and supplementing Law No. 08-19 of 15 November 2008, Official Gazette, No. 63, 16 November 2008, which amended and supplemented Law No. 02-03 of 10 April 2002, amending and supplementing the Constitution of 1996, approved by Presidential Decree No. 96-438 of 7 December 1996, Official Gazette, No. 76, 8 December 1996.

4- Presidential Decree No. 20-445 of 30 December 2020 concerning the promulgation of the 2020 Constitutional Amendment, Official Gazette of the People's Democratic Republic of Algeria, No. 82, 30 December 2020.

5- Law No. 22-08 of 5 May 2022 determining the organization, composition, and powers of the High Authority for Transparency, Prevention of Corruption and Combating Corruption, Official Gazette of the People's Democratic Republic of Algeria, No. 32, 14 May 2022. □

6- Rachid Zouaimia, "Observations on the Legal Status of the National Body for the Prevention and Fight against Corruption," *Critical Journal of Law and Political Science*, no. 1, Faculty of Law, Mouloud Mammeri University of Tizi Ouzou, 2008, p. 145.

7- Law No. 06-01, art. 20.

8- Ibid.

9- Asia Melaikia, "The High Authority for Transparency, Prevention and Combating Corruption in Light of Law No. 22-08," *Journal of Legal and Political Thought*, vol. 6, no. 2, Faculty of Law and Political Science, Amar Telidji University of Laghouat, 2022, p. 865.



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10- Rachid Zouaïmia, "The Legal Status of the High Authority for Transparency, Prevention and Combating Corruption," *Academic Journal of Legal Research*, Faculty of Law and Political Science, Abderrahmane Mira University of Béjaïa, 2023, p. 24.

11- Fatima Zahra Akkou, "The Effectiveness of the High Authority for Transparency, Prevention and Combating Corruption after the Issuance of Law No. 22-08," *Algerian and Comparative Public Law Journal*, vol. 8, no. 2, Faculty of Law and Political Science, Djillali Liabès University of Sidi Bel Abbès, 2022, p. 508.