


International and Regional Agreements and Their Role in Combating Corruption

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Abstract:

This study analyzes how UNCAC (2003) and regional agreements combat corruption and facilitate asset recovery. It examines the integration between global and regional legal frameworks, using Algeria's legislative reforms as a primary model. The research concludes that while these treaties provide essential transparency tools, their impact depends on overcoming political and institutional obstacles.

Keywords: Anti-Corruption; UNCAC 2003; Asset Recovery; International Cooperation; Legislative Reform.

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1. INTRODUCTION

countries alone; it extends across various political and economic systems, threatening the principles of transparency, integrity, and the rule of law. Over time, corruption has become increasingly complex and interconnected, crossing national borders and linking to international financial and economic networks. This evolution has compelled the international community to adopt coordinated and collective action to combat corruption and mitigate its effects.

In this context, the United Nations has played a leading role in establishing the foundations of international cooperation in the fight against corruption. This was achieved through the adoption of the United Nations Convention against Corruption (UNCAC) in 2003, the first legally binding international instrument to address corruption comprehensively. The Convention marked a new phase of cooperation among states in areas such as prevention, investigation, and the recovery of assets derived from corrupt practices, by setting unified legal standards that State Parties strive to adhere to.

Alongside international efforts, regional agreements have played a complementary and supportive role in enhancing cooperation among neighboring states or those sharing common geographic or cultural characteristics. These agreements have established legal mechanisms that enable the exchange of information, the criminalization of corruption-related acts, the recovery of stolen assets, and the facilitation of judicial cooperation. Such efforts have contributed to the creation of a regional framework that reinforces the broader international approach to combating corruption.

Building on the importance of coordination between the international and regional levels in addressing the phenomenon of corruption, this study aims to analyze the role of international and regional conventions in combating corruption and recovering criminal proceeds. It seeks to do so by examining their provisions, reviewing the mechanisms of cooperation they establish, and assessing the extent to which these instruments complement one another in this field. From this perspective, emerges the central research

question that the study seeks to address: What role do international and regional conventions play in combating corruption and recovering criminal proceeds?

To address this question, the analytical method has been adopted through the examination and analysis of the most relevant conventions, as well as a comparison of their content and mechanisms, with the aim of identifying their contribution to establishing an effective legal system for international and regional cooperation in the fight against corruption.

To achieve this objective, the subject will be addressed through two main sections. The first section focuses on the United Nations Convention against Corruption (2003), as it represents the most prominent international reference framework in this field, with particular attention to its provisions on international cooperation and the recovery of proceeds of corruption. The second section examines the role of regional conventions in combating corruption by reviewing selected regional models (Arab, African, European, and American) and analyzing the cooperation mechanisms, they establish to address this transnational phenomenon.

2.The Adoption of the United Nations Convention against Corruption (2003)

The United Nations Convention against Corruption marked a international treaty aimed at combating corruption through both national and international cooperation. The Convention was adopted at the United Nations Conference held in Mexico City in 2003 and entered into force on 14 December 2005, after ratification by a sufficient number of countries.

The United Nations General Assembly in New York had approved the Convention under Resolution No. 99/18 issued on 25 October 1999. The Convention was opened for signature from 9 to 15 December 1999 in Mexico, and also in December 1998 at the UN headquarters in New York. It consists of a preamble and 50 articles, recognizing the negative impact of corruption on sustainable development, emphasizing the importance of the principles of the rule of law, accountability, transparency, integrity, and respect for human rights standards¹.

The adoption of this Convention stems from the fact that corruption is considered one of the greatest challenges to sustainable development, as it

negatively affects political and economic systems worldwide. The concept of corruption has evolved from being a local issue to an international one, requiring cooperation among states to combat it. In fact, in the early 1990s, corruption was seen as a sporadic problem in certain countries. However, with globalization and the cross-border movement of funds and individuals, corruption has become a global phenomenon. Many countries have experienced economic crises due to widespread corruption within state institutions, leading to a decline in social and economic development and widening the gap between .

The Convention provides a comprehensive legal framework addressing multiple aspects of anti-corruption efforts, ranging from prevention and criminal sanctions to asset recovery and the promotion of international cooperation. It paved the way for enhanced collaboration among states, emphasizing that corruption knows no borders and that combating it requires cooperation among governments at the international level.

Since its entry into force in 2005, nearly 190 countries have become parties to the Convention, including Algeria, which has adopted numerous domestic policies and measures to implement its provisions².

Consequently, the period following the adoption of this Convention in 2003 marked the beginning of a new phase of joint efforts to combat corruption globally. The international community established comprehensive legal and legislative foundations for fighting corruption, making this Convention a turning point in efforts aimed at protecting sustainable development and promoting integrity worldwide.

2.1 Objectives of the Convention and Challenges Faced

In this section, we will address the objectives of the Convention followed by the challenges encountered:

2.1.1 Objectives of the United Nations Convention against Corruption:

The Convention identifies a set of criminalized acts that require State Parties to adopt specific measures to combat and eliminate them, such as money laundering, bribery of foreign public officials and officials of international organizations, embezzlement, misappropriation, or illicit transfer of property. The Convention obliges State Parties to implement coordinated anti-corruption policies and strategies, emphasizing civil society participation and reflecting the principles of the rule of law and sound management of public affairs and property. It also promotes integrity,

transparency, accountability, and mandates periodic assessment of the impact and effectiveness of these policies.

Additionally, the Convention established subsidiary bodies to achieve its objectives, including the Conference of the States Parties, which in turn created subsidiary mechanisms such as the Implementation Review Group, the United Nations Office on Drugs and Crime (UNODC), and the Mechanism for the Review of Implementation of the Convention. This mechanism operates based on key principles, particularly transparency.

It also emphasizes efficiency and integrity, while providing opportunities to share best practices, address challenges, avoid conflicts, enforce sanctions, identify difficulties faced by State Parties in implementing the Convention, follow technical procedures, and promote constructive cooperation³.

The United Nations Convention against Corruption plays a crucial role in combating corruption, providing a framework and setting standards, policies, and practices at the national, regional, and international levels. The Convention aims to⁴:

- Promote and strengthen measures to prevent and combat bribery more effectively.

- Facilitate and support international cooperation and technical assistance in the field of anti-bribery, through awareness-raising activities and the development of specialized programs.

- Reinforce the principles of integrity, accountability, and sound management of public affairs and property.

A review of the Convention's provisions⁵ reveals that it contains several chapters and articles addressing corruption at both national and international levels:

Chapter One: Prevention of Corruption

This chapter encourages states to adopt policies that enhance transparency within governmental systems.

Defining the Measures to Ensure Corruption-Free Public Institutions

Chapter Two: Offenses and Sanctions

The Convention identifies corruption-related crimes such as bribery, embezzlement of public funds, and money laundering. It calls upon states to enact national legislation that criminalizes these acts and prescribes appropriate penalties.

Chapter Three: Cooperation in Criminal Investigations

The Convention encourages states to cooperate in the investigation

and prosecution of corruption-related crimes. Such cooperation includes the exchange of evidence, extradition of offenders, and assistance to judicial authorities in other countries.

Chapter Four: Asset Recovery

The Convention promotes cooperation among states in the recovery of funds misappropriated as a result of corruption. It facilitates the restitution of stolen assets through legal and financial mechanisms, such as financial transfers and international court systems.

Chapter Five: Law Enforcement and Human Rights Protection

The Convention emphasizes the fair and transparent application of the law, while respecting human rights during the prosecution of individuals involved in corruption cases.

Chapter Six: Awareness and Education

The Convention encourages states to conduct awareness campaigns and educate citizens about the dangers of corruption and methods of prevention. It also promotes ethical values and principles that combat corruption at all.

2.1.2 Challenges Faced by the United Nations Convention against Corruption

To ensure effective implementation by member states, monitoring and oversight mechanisms were established. An "Experts Committee" evaluates the progress made by states in implementing the provisions of the Convention. State Parties are required to submit periodic reports detailing the measures taken to combat corruption. The Convention also promotes the exchange of experiences among member states through conferences, seminars, and field visits, aiming to build the capacity of countries, particularly those lacking the necessary resources or expertise, in the field of anti-corruption⁶In this context, States are committed to:

- Providing periodic reports on the implementation of the provisions of the Convention.
- Amending national legislation to ensure compliance with the Convention's requirements, such as criminalizing bribery and money laundering.
- Strengthening international cooperation by exchanging information and enhancing collaboration with other States in corruption-related investigations.
- Protecting whistleblowers and witnesses by establishing legal mechanisms to safeguard individuals who report cases of corruption.

Challenges in Implementing the Convention

Despite the establishment of these mechanisms and the strong legal framework provided by the Convention to combat corruption, its implementation has faced numerous challenges, including:

Disparity in Political Will: Political will is one of the most influential factors affecting the successful implementation of the Convention. While some countries demonstrate strong commitment to fighting corruption, others are not ready to carry out genuine reforms due to personal political interests or the dominance of political systems. The lack of political will in many countries remains a major obstacle, negatively affecting the Convention's effectiveness.

Legal and Legislative Differences between Countries: Legal and legislative systems vary across countries, making it difficult to apply unified anti-corruption standards. Some countries lack strong domestic anti-corruption laws, while others have lenient laws that may inadvertently support certain corrupt practices. These gaps directly hinder the Convention's ability to hold corrupt officials accountable effectively.

Weak Implementation and Monitoring Mechanisms: The Convention requires effective enforcement mechanisms to combat corruption. However, in many countries, domestic institutions are weak or lack the necessary expertise and resources, which undermines the effective application of the Convention. Judicial institutions, including courts and anti-corruption bodies, may face significant operational and capacity challenges.

Challenges in International Cooperation: The Convention seeks to enhance cross-border cooperation, but significant obstacles exist, such as inconsistencies among national justice systems and reluctance from some States to exchange information effectively. Corruption that transcends national borders, including money laundering and illicit transfers, is difficult to combat without proper coordination among countries with differing policies.

Corruption in the Private Sector: The Convention aims to promote transparency in the private sector, as private companies may engage in corruption through bribery or manipulation of government contracts. Nonetheless, implementing effective measures in the private sector remains challenging, especially in countries with weak regulatory oversight over corporate activities.

Entrenched Corruption in Social and Political Systems: In some countries, corruption is deeply embedded in political and social culture. For example, bribery may be considered an acceptable means of obtaining services or preferential treatment under complex bureaucratic systems. In such cases, the Convention's effectiveness is limited, as socially accepted corrupt practices impede the cultural change needed to combat corruption.

Economic and Financial Challenges: Weak economic conditions in many countries also hinder the Convention's implementation. Nations experiencing economic crises may find it difficult to eliminate corruption, as doing so requires radical reforms that may conflict with important economic interests. Furthermore, corruption may serve as a tool for political and economic elites to protect their interests under difficult conditions.

Control over Officials and Influencers: Corrupt officials with significant political or economic influence are difficult to hold accountable. Particularly when they belong to powerful political or economic strata or possess networks that shield them from legal accountability, the Convention cannot achieve full effectiveness, as these individuals can obstruct accountability measures.

Weak Reporting and Protection Mechanisms: Although effective mechanisms for reporting corruption are crucial, many countries lack robust systems to protect witnesses and whistleblowers. In some cases, whistleblowers face threats or retaliation for reporting corruption, reducing the Convention's effectiveness and encouraging the persistence of corrupt.

Challenges in Public Awareness: Effective implementation requires comprehensive public awareness of corruption risks and the importance of adhering to relevant laws and regulations. The lack of awareness campaigns, education programs, and a civic culture promoting anti-corruption efforts contributes to the continuation of corruption within societies and diminishes the Convention's overall impact⁷.

3. Algeria's Strategy for Adopting the United Nations convention against Corruption

Algeria, like other countries, suffered from corruption across all levels and sectors (firstly). Therefore, it was among the pioneering countries to ratify this convention and cooperate with the United Nations, as well as with other international and regional governmental and non-governmental organizations, to combat corruption in all its forms. Algeria

also worked on updating its entire legislative framework after adopting the convention.

3.1 The Reality of the Corruption Crisis in Algeria

Algeria, like other countries with authoritarian systems, experienced widespread corruption, particularly in cases where political forces influenced the issuance of laws and regulations to serve narrow personal or collective interests. This affected the conduct of policies and strategic decisions. Some scholars noted that, at a certain period in Algeria's history, corruption became the rule rather than the exception, as the system relied on it to remain in power, leading to a deterioration of democracy and creating a state of political chaos⁸.

The period of President Abdelaziz Bouteflika's rule is considered one of the most corrupt periods in Algeria's history, as corruption was fueled by violence and government decisions that supported the continuity of the authoritarian regime, alongside the absence of accountability mechanisms⁹. In 2006, Algeria ranked low on the **Corruption Perceptions Index** published by **Transparency International** in Berlin, scoring 3.1 out of 10. The country also refused to host UN experts, citing non-interference in its internal affairs, and declined to provide any information or programs to the UN Convention against Corruption conference held in Doha. This stance contradicts and conflicts with the mechanisms established by the United Nations Convention¹⁰.

This led to a popular movement demanding a radical change in the system and the removal of corrupt officials. The movement began in 2019 with the aim of achieving comprehensive reform of the Algerian system and uprooting corruption, but this requires genuine efforts and strong political will from both sides: the people and the authorities, as emphasized in the preamble of the United Nations Convention against Corruption, which affirms that the fight against corruption cannot be undertaken by one party alone, but is a joint, multi-party process.

Algeria was considered one of the most corrupt countries, ranking 105th globally in 2018 according to the analytical report of **Transparency International**, due to administrative corruption across various sectors, the opacity surrounding the Algerian economy, and the lack of judicial independence. However, in recent years, after the amendments made to the Constitution in 2020, Algeria has reaffirmed its genuine determination to implement the measures it committed to under the United Nations Convention against Corruption¹¹.

3.2 Updating the Algerian Legislative System after Adopting the UN Convention

Algeria ratified the United Nations Convention against Corruption, adopted by the UN General Assembly in New York on 31 October 2003, with reservations, by virtue of Presidential Decree No. 04-128, dated 29 Safar 1425 AH, corresponding to 19 April 2004¹². This ratification stemmed from the firm conviction of the country's senior authorities that corruption is a serious criminal phenomenon capable of threatening social peace, affecting the state's structure, and obstructing development programs. Thus, the need to combat it became urgent socially, economically, and nationally.

It should be noted that Algeria was among the pioneering countries in ratifying this convention. Following its accession, Algeria promptly adapted its legislation and institutions to align with the provisions of the convention, aiming to:

-Amendproceduralrules:

This involved introducing new methods in investigation and inquiry, inspecting corruption-related crimes, and establishing specialized judicial bodies to handle corruption cases, commonly known as judicial poles. Additionally, the statutes of limitation were reconsidered to prevent offenders from escaping punishment, and the territorial jurisdiction of judicial police officers was expanded.

-Amendment of substantive rules:

Several substantial amendments were introduced to the Penal Code in the areas of criminalization and penalties, establishing criminal liability for legal persons, enhancing international cooperation, and facilitating asset recovery. A series of legal texts were issued, most notably: Law No. 06-01 concerning the prevention and fight against corruption¹³,

Among the most important texts amending and supplementing it are:

Ordinance No. 10-15 issued on 16 Ramadan 1431 (26 August 2010), supplementing Law No. 06-01 dated 21 Muharram 1427 (20 February 2006) on the prevention and fight against corruption;

Law No. 11-15 issued on 2 Ramadan 1432 (2 August 2011), amending and supplementing Law No. 06-01 dated 21 Muharram 1427 (20 February 2006) on the prevention and fight against corruption;

Ordinance No. 07-01 dated 11 Safar 1428 (14 March 2007) concerning conflicts of interest and obligations specific to certain positions and offices.

Several other laws related to corruption crimes were also enacted, including, for example:

Law No. 05-01 on the prevention and fight against money laundering and terrorism financing¹⁴, And also the order 05-06 on the fight against smuggling¹⁵.

-Institutional Updates:

This was achieved by establishing new mechanisms to combat corruption, such as the Financial Inquiry Processing Unit, the National Authority for the Prevention and Fight against Corruption, and the Central Office for the Suppression of Fraud. These new bodies were created to support traditional institutions previously in place, such as the Court of Auditors and the General Inspectorate of Finance¹⁶

In parallel with the judicial control services across their various branches, as well as with different central and local administrative institutions and services, it becomes clear that the United Nations Convention against Corruption plays a significant role in raising awareness and motivating states to work collectively to eliminate this phenomenon. It also attempts to limit its effects by institutionalizing mechanisms for the recovery of criminal proceeds within the framework of international cooperation. In fact, the convention has been a major driving force behind the conclusion of regional agreements between countries, consolidating and supporting this cooperative approach.

4. Conclusion of Regional Anti-Corruption Agreements

Regional agreements have greatly contributed to strengthening international and national efforts to prevent and combat corruption. They regulate relations between countries within the same geographical area that share similar interests across cultural, intellectual, political, economic, and social domains.

In this context, we will examine the African Union Convention on Preventing and Combating Corruption and the Arab Convention on Combating Corruption (First Branch), followed by the American and European agreements on anti-corruption (Second Branch).

4.1 The African Union Convention on Preventing and Combating Corruption and the Arab Convention on Combating Corruption

In this branch, we will address the general aspects of both the African Union Convention on Preventing and Combating Corruption (firstly) and the Arab Convention on Combating Corruption (secondly).

4.1.1 The African Union Convention on Preventing and Combating Corruption

the beginnings of this convention trace back to the Global Partnership for Africa meeting held in Washington on February 23, 1999. The meeting aimed to discuss mechanisms for African cooperation in fighting corruption and to develop legal and technical frameworks to combat it at the continental level. After extensive discussions, the outcomes of the meeting were embodied in the African Union Convention on Preventing and Combating Corruption, which was adopted in Mozambique on July 11, 2003, and entered into force on August 5, 2006. Algeria ratified this convention by Presidential Decree No. 06-137¹⁷.

We will review the objectives of the convention and the principles to which the states are committed:

Objectives of the Convention:

According to Article 2 of the convention, it aims to achieve several key objectives, which include:

- Encouraging the States Parties to establish effective mechanisms to prevent corruption in Africa, including monitoring, punishing, and eliminating it. These mechanisms also encompass combating crimes related to corruption in both the public and private sectors.
- Strengthening cooperation between states to ensure the effectiveness of measures taken to combat corruption and related offenses, thereby enabling the enforcement of deterrent sanctions.
- Coordinating policies and legislation among the States Parties to unify and integrate efforts to combat corruption at the continental level, ensuring effective joint action.
- Promoting social and economic development by removing obstacles that hinder the enjoyment of economic, social, and cultural rights, as well as civil and political rights.
- Providing an appropriate environment to enhance transparency and accountability in the management of public affairs, contributing to better governance and fostering trust between governments and citizens¹⁸.

Principles Committed to by the States Parties:

To implement the objectives set forth, the States Parties to the convention commit to respecting a set of principles, which include:

- **Respect for democratic principles:** Including popular participation, the rule of law, and good governance, which form the foundation for establishing a sustainable democratic environment.
- **Respect for human rights:** In accordance with the African Charter on Human and Peoples' Rights and other relevant international human rights instruments, ensuring the protection of individuals' fundamental rights under all circumstances.
- **Promotion of transparency and accountability:** In the management of public affairs, contributing to the prevention of corruption and enhancing the effectiveness of public policies.
- **Promotion of social justice:** To ensure balanced social and economic development. This includes combating acts of corruption and related crimes, and standing against impunity.
- **Right to a fair trial:** States Parties commit to guaranteeing the right to a fair trial for anyone accused of corruption or related offenses, ensuring the provision of minimum safeguards in accordance with the African Charter on Human and Peoples' Rights and other relevant international instruments¹⁹.

Through an analysis of the principles emphasized in Article 3 of the African Union Convention on Preventing and Combating Corruption, it is evident that the convention sought to integrate two key themes into a single text: **good governance and anti-corruption**. This article represents an attempt to balance encouraging governing institutions to adopt anti-corruption policies while ensuring that these policies are based on democratic and sound governance principles.

Combining good governance and anti-corruption:

The convention places great importance on good governance by stressing the need to establish specialized bodies that actively combat corruption at the level of member states. It also emphasizes aligning domestic legislation with the provisions of the convention to ensure the coherence of measures across all member states, thereby enhancing the capacity to tackle corruption in a unified and effective manner.

Commitment to periodic reporting:

One of the most important points addressed by the convention is the obligation of member states to submit regular reports on the progress made in combating corruption. These reports are submitted periodically to the African Union Council, ensuring transparency and accountability at the continental level. This system acts as a form of regional oversight that

strengthens cooperation among states in fighting corruption, as it assesses each country's commitment to implementing anti-corruption measures and the effectiveness of their efforts.

Regional oversight:

This mechanism serves as effective regional supervision aimed at ensuring that member states adhere to anti-corruption policies and work within a framework of joint efforts to eradicate corruption and promote good governance. Regular reporting contributes to building international credibility, encourages member states to improve their performance in this area, and demonstrates their commitment to the principles established by the convention²⁰.

4.2 The Arab Convention on Combating Corruption

In this section, we will address the definition of the convention and its objectives:

4.2.1 Introduction to the Arab Convention on Combating Corruption

The League of Arab States has undertaken numerous attempts and initiatives to prevent and combat corruption. The first of these initiatives was through the **Arab Cooperation and Expertise Agreement**, adopted in 1983. The purpose of this agreement was to strengthen cooperation among Arab countries in exchanging information and expertise, as well as providing judicial assistance in combating corruption and bribery.

This was followed in 1995 by the **Security Agreement among the Gulf Cooperation Council (GCC) states**, which focused on combating crime through the exchange of information and expertise, and the extradition of criminals between member states. However, the most prominent agreement in this field is the **Arab Convention on Combating Corruption**, adopted on **December 21, 2010, in Cairo, the capital of the Arab Republic of Egypt**. The convention comprises **35 articles** and takes into account all the cooperation mechanisms outlined in the **2003 UN Convention against Corruption**, including mutual legal assistance, extradition of criminals, confiscation and recovery of assets, and conducting joint investigations²¹.

The convention focused on enhancing cooperation among Arab states in the field of combating corruption, emphasizing the necessity of continuous collaboration between member states in all areas related to anti-corruption efforts, such as enforcing and controlling crimes, providing mutual legal assistance, confiscating funds derived from corruption, and implementing

judicial rulings issued by member states. The convention considered effective cooperation among member states as one of its primary objectives.

4.2.2 Objectives of the Convention:

The objectives and principles of the convention can be summarized in light of Articles 2 and 3, including:

- Strengthening preventive measures to combat and detect corruption, with a focus on prosecuting perpetrators of corruption in all its forms.
- Enhancing Arab cooperation in preventing corruption, detecting it, and recovering assets and revenues linked to corruption.
- Promoting integrity, transparency, and accountability across various sectors.
- Affirming the principle of equality among states in sovereignty and respecting the territorial integrity of states.
- Non-interference in the internal affairs of member states.
- Rejecting the exercise of jurisdiction by one state over another that does not have original jurisdiction.

In addition to the above, the convention aims to strengthen cooperation among Arab oversight bodies through the exchange of viewpoints, expertise, and ideas. It also seeks to support and develop the work of supreme audit institutions to improve efficiency, increase expertise, and encourage active participation of individuals and institutions in monitoring government performance²².

Regarding the concept of financial oversight, it is considered one of the most prominent forms of supervision imposed on public institutions. This oversight is conducted by specialized financial bodies and authorities, whose mission is the continuous monitoring of public officials' financial performance to ensure the protection of public funds from embezzlement or unlawful exploitation. Financial oversight aims to guarantee transparency and the efficient use of public resources, thereby helping to combat corruption and achieve good governance within governmental institutions. Accordingly, the Arab Convention against Corruption represents an important step toward strengthening Arab cooperation in combating corruption and mitigating its negative effects on Arab societies. Through mechanisms such as exchanging expertise, providing mutual legal assistance, and cooperating in asset recovery, the convention seeks to establish an effective anti-corruption framework across Arab states, while also enhancing the role of financial oversight in protecting public funds and improving the efficiency of supervisory bodies throughout the region.

The American and European Conventions on Combating Corruption

In this section, we will examine the American convention on combating corruption (first) followed by the European conventions established in this field (second).

-The American Convention on Combating Corruption

The American Convention on Combating Corruption (the Inter-American Convention against Corruption) is considered the first international treaty specifically dedicated to combating corruption. It was adopted on March 29, 1996, and entered into force on March 6, 1997. The convention aims to enhance cooperation among member states in fighting corruption, encompassing a set of mechanisms and procedures that contribute to both the prevention and suppression of corruption at regional and international levels²³.

The convention includes two main mechanisms for cooperation among the State Parties, which are:

- The Extradition Mechanism:

The convention emphasizes the necessity of effective cooperation between the State Parties regarding the extradition of criminals involved in corruption cases. It stipulates that corruption offenses are considered crimes covered by all extradition treaties concluded by the State Parties, meaning that individuals accused of corruption can be extradited between countries even if no direct agreement exists between the concerned states. This includes laws facilitating the extradition of persons accused of corruption to the countries requesting them to face justice.

Furthermore, corruption offenses are recognized as serious crimes subject to severe penalties, and they must be addressed at the international level to ensure that perpetrators cannot escape accountability.

-The Cooperation Mechanism in Combating and Prosecuting Corruption:

The convention stresses the importance of cooperation between states in pursuing corruption cases, calling for the exchange of information and data related to investigations and legal proceedings. Cooperation also includes providing technical support and training to law enforcement agencies in different countries to enhance their ability to detect and prevent corrupt practices.

The convention facilitates joint investigations between states in corruption-related cases, including financial investigations regarding

proceeds obtained through corrupt activities. Through this collaboration, the states aim to build a network of legal and administrative mechanisms that strengthen their capacity to combat corruption more effectively. It also improves coordination between judicial authorities in the State Parties and facilitates the exchange of evidence and testimonies.

Overall, this convention represents a significant step toward reinforcing collective commitment to fighting corruption at the international level. It helps establish a legal environment that encourages joint action among states against this destructive phenomenon.

The American Convention against Corruption has adopted two primary approaches to monitor the implementation of its provisions by the State Parties. These approaches aim to ensure that states comply effectively with the convention's provisions and work to enhance transparency in the measures undertaken²⁴.

- **Holding the Conference of the State Parties:** The Conference of the State Parties is considered one of the main mechanisms for monitoring the implementation of the convention. This conference includes representatives from all State Parties to the convention, which currently numbers 33 countries.

The conference is held periodically to discuss updates on the implementation of the convention and to exchange experiences among member states regarding the best practices for combating corruption. It also addresses challenges that countries may face in applying the convention's provisions, in addition to proposing solutions and recommendations to improve cooperation among states in this field.

During the conference, the reports submitted by states on the extent of their compliance with the convention are reviewed, and proposals for development and corrective measures are presented if necessary²⁵.

- **Committee of Experts:** The Committee of Experts consists of a group of independent specialists appointed by the State Parties to the convention. These experts are reputable and possess deep technical and legal expertise in the field of anti-corruption.

The committee serves as the body responsible for conducting a detailed technical analysis of how the State Parties implement the provisions of the convention.

It focuses on analyzing the policies and procedures adopted by countries to combat corruption, including the legal and regulatory measures taken to

prevent corruption and enhance transparency in the management of public funds.

The committee submits periodic reports on the extent of compliance by the states and provides recommendations to improve implementation. These recommendations may include areas such as strengthening oversight institutions or amending national legislation to align with the standards of the convention²⁶.

Through these two mechanisms, the international community is able to monitor the actual implementation of the convention, contributing to the achievement of its main objectives, which are centered on combating corruption at the regional level.

4.3 European Anti-Corruption Conventions

The European Union has enacted several regional conventions on anti-corruption to strengthen cooperation among member states and ensure the implementation of effective strategies to curb this phenomenon. The most prominent of these conventions include:

- The Criminal Law Convention on Corruption:

The Criminal Law Convention on Corruption was signed in Strasbourg on 27 July 1999 and entered into force on 1 July 2002. An additional protocol was appended on 15 May 2003 to enhance the effectiveness of the convention.

This convention focused on a set of controls and obligations that State Parties must adopt to ensure effective anti-corruption measures. Among these controls are 27 :

- Comprehensive focus on criminal policy aimed at protecting society from corruption. This includes the adoption of appropriate legislation that criminalizes corruption and sets strict penalties for offenders, alongside preventive measures designed to curb the spread of corruption before it occurs.
- Recognition of the importance of international cooperation among State Parties, as the convention emphasizes the need for coordination and joint efforts between member states in combating corruption. This is considered essential to ensure effective anti-corruption measures at both regional and international levels. The underlying principle is that effective anti-corruption efforts require the exchange of information and expertise, as well as coordinated action across borders.

- The Civil Law Convention on Corruption:

The Civil Law Convention on Corruption was also signed in Strasbourg, on 4 November 1999, and entered into force on 1 November 2003.

This convention aims to establish common rules linking civil law and corruption, addressing corruption from a civil law perspective, focusing primarily on the damages that corruption can inflict on individuals and society.

The convention emphasizes compensation for damages resulting from corruption-related offenses and urges State Parties to adopt legal measures enabling individuals or entities affected by corruption to obtain fair restitution.

It also seeks to develop legal mechanisms through which civil claims can be brought against individuals or entities involved in corruption, thereby promoting justice and transparency, while also limiting the rights of those engaged in corrupt activities²⁸.

Through these two agreements, the European Union aims to achieve coordination among its member states in combating corruption, both through criminal cooperation and civil compensation, reflecting joint efforts to reduce corruption at all levels.

5. CONCLUSION

The fight against corruption represents one of the fundamental challenges facing countries in their pursuit of consolidating good governance, achieving sustainable development, and strengthening the rule of law. This study, through the analysis of the United Nations Convention Against Corruption and related regional agreements, has shown that the international legal framework for combating corruption has developed significantly in terms of comprehensiveness and effectiveness. Nonetheless, a gap still exists between legal texts and practical implementation, especially in national contexts with complex political and institutional characteristics, as is the case in Algeria.

The study produced several key findings, which can be summarized as follows:

- The United Nations Convention Against Corruption is an integrated international legal instrument combining preventive, deterrent, and cooperative elements, making it a unified international reference in this field.
- Regional agreements (African, Arab, European, and American) aim to address corruption in accordance with the specificities of each region;

however, they mostly complement the UN Convention in terms of objectives and mechanisms.

- The Algerian experience demonstrates a notable commitment to the international anti-corruption system, particularly through ratification of relevant international conventions, amendments to several legal texts, and the establishment of specialized supervisory institutions.

Based on the above, the study proposes a set of recommendations to enhance the effectiveness of anti-corruption efforts, as follows:

- Activate political will to combat corruption by ensuring judicial independence, fortifying regulatory bodies, and applying accountability without selectivity.
- Enhance the effectiveness of mechanisms for recovering looted assets through the development of relevant national legislation, improving coordination with competent foreign authorities, and actively engaging in international cooperation initiatives.
- Actively involve civil society and the media in monitoring corruption, foster a culture of accountability and transparency, and provide legal protection for whistleblowers.

6. Endnotes

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³Ibid., p.45.

⁴ According to Article 1 of the United Nations Convention against Corruption

⁵ United Nations Convention 2003, full text available at the following website: www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50024_A.pdf

⁶ United Nations Convention, 2003, op.cit.

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²⁶*Ibid.*, p. 75.

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