

Provisions on the Crime of Bribery and Its Combating in Algerian Legislation

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Abstract:

Bribery is considered one of the most significant criminal phenomena known to societies and nations since ancient times, contributing in one way or another to the weakening of their economies. This is because it is one of the most serious crimes that undermine the proper functioning of government agencies, as it results in a breach of trust between rulers and the ruled, and a violation of equality among citizens. The Algerian legislator, like modern legislations, sought to criminalize the various forms of bribery in the Penal Code (Articles 126-129). However, due to the complexity and evolution of this crime, the criminal provisions became insufficient to address its various forms. This prompted the legislator to reorganize the provisions relating to bribery crimes within the Law on the Prevention and Combating of Corruption, in order to keep pace with developments in the economic field and the new methods of this crime.

The rationale behind criminalizing this criminal act lies in the legislator's concern to protect the integrity of public office, which is a fundamental right for every organized society. Bribery involves an employee trading on their position and exploiting it for personal benefit. An

employee is legally obligated to perform their duties and has no right to receive payment from individuals in exchange for performing or omitting duties, in addition to the fact that bribery constitutes a harmful phenomenon of financial and administrative corruption in societies, involving the destruction of the community's financial resources.

Keywords: Bribery – corruption crimes – employee – public sector.

Introduction:

Bribery is among the criminal phenomena that have affected both ancient and modern societies. To combat this crime, the Algerian legislator, like legislators in other countries, enacted a set of legal provisions to shield state institutions from corruption and misuse of office. Initially, these provisions were included in the Penal Code under Order 66-156, which included the Penal Code. Later, a separate law was issued, recognizing the necessity of a dedicated law to confront the criminal phenomenon. This is reflected in Law 06-01 on the Prevention and Combating of Corruption, which repealed Articles 126 to 134 of the aforementioned Penal Code.

This study focuses on the legal framework of the crime of bribery, considering it an administrative corruption crime, attempting to answer a central question:

- How effective are the legal mechanisms established by the Algerian legislator to prevent and combat bribery?

With subsidiary questions including:

- What is the nature of the crime of bribery, and what are its characteristics?
- What are the institutional mechanisms for preventing and combating bribery in Algerian legislation?
- What preventive measures against bribery are provided under Law 06-01?

Due to the nature of the study and the questions raised, multiple methodologies were used to cover all aspects of the topic. We adopted the descriptive-analytical approach, which is prevalent in research aimed at analyzing the crime of bribery, identifying its elements, pillars, and various forms, and analyzing the national legal provisions addressing the crime, whether regarding criminal procedures or penalties for offenders.

Accordingly, the study is divided as follows:

Preliminary Section: The Concept of the Crime of Bribery

Bribery is a crime and a disease that undermines state institutions and their economies. The issuance of Algerian Law 06-01, dated February 20, 2006, relating to the prevention and combating of corruption, which regulates the provisions of bribery and other corruption crimes,

demonstrates awareness of its seriousness. Before examining prevention and combat methods, it is necessary to define its concept (First Requirement), its forms, and its pillars (Second Requirement).

Requirement One: Definition of Bribery

Branch One: Linguistic and Terminological Definition of Bribery

1. Linguistic Definition of Bribery:

Bribery derives from the word (Rishwa): " (al-Rashu), " (al-Marasha), and "" (al-Rashu: favoritism).

2. Terminological Definition of Bribery:

Bribery is defined as trading with public office or service, where an employee requests or receives a gift, benefit, or any advantage in any form in exchange for performing or omitting an official duty. Some define it as financial corruption, illicit commissions, or secret rewards in exchange for performing or refraining from performing a duty, linking it to the office or service for which the employee is remunerated under an agreement with the administration.

It is also defined as: "Behavior involving requesting, accepting, or receiving money or any other benefit by an employee or equivalent person, for themselves or others, in exchange for performing or refraining from performing a duty, with knowledge of such act," which is broader than the first definition, as it applies not only to public sector employees but also to those considered equivalent.

Branch Two: Procedural and Legal Definition of Bribery

The procedural definition of bribery according to the United Nations Convention against Corruption:

"A promise, offer, or giving of an undue advantage, directly or indirectly, to a public official or any person, for themselves or another, to perform or refrain from performing an act in the exercise of their duties."

The Algerian legislator defined bribery in Article 25 of Law 06-01 on the Prevention and Combating of Corruption:

"1. Anyone who promises, offers, or grants a public official an undue advantage, directly or indirectly, for themselves or another, to perform or refrain from performing a duty, shall be punished with imprisonment from two (2) to ten (10) years and a fine from 200,000 DZD to 1,000,000 DZD.

2. Any public official who requests or accepts, directly or indirectly, an undue advantage, for themselves or another, to perform or refrain from performing a duty, shall be punished with the same penalty."

Requirement Two: Distinguishing Bribery from Similar Crimes

Branch One: Distinction from Abuse of Influence

Article 32 of Law 06-01 criminalizes abuse of influence: "Anyone who promises, offers, or grants a public official or any other person an undue advantage, directly or indirectly, to induce them to use their actual or perceived influence to obtain an undue benefit, shall be punished. Any public official or person who directly or indirectly requests or accepts such an undue advantage to exploit influence shall also be punished."

Comparison with Article 25 shows that the material act in both crimes is similar: promising, offering, granting, requesting, or accepting an undue advantage. The distinction lies in:

- Bribery requires the offender to be a public employee or equivalent, while abuse of influence can be committed by any person.
- The purpose of bribery is the performance or omission of a duty, whereas abuse of influence aims to obtain an undue advantage.

Branch Two: Distinction from Misuse of Office

Similarities: both crimes involve positive or negative conduct, aim to obtain undue benefits, and require the offender to be an employee.

Differences: Misuse of office involves acts contrary to laws or regulations, and occurs by mere performance or omission of a duty without requesting or accepting an advantage as in bribery.

Branch Three: Distinction from Illegitimate Benefits

Article 35 of Law 06-01 addresses illegitimate benefits, occurring when an employee engages in a transaction they manage or supervise to obtain a benefit. The similarity with bribery lies in trading with the office. Differences: bribery requires only public employee status, while illegitimate benefits require authority over contracts or permissions.

Branch Four: Distinction from Unlawful Enrichment

Article 37 of Law 06-01 and Article 20 of the UN Convention on Corruption define unlawful enrichment as a significant increase in an employee's assets that cannot be reasonably justified compared to their lawful income. This crime presupposes public employee status and differs

from bribery in the composition of the criminal behavior, which involves elements such as disproportionate financial increases and inability to justify them.

Branch Five: Distinction from Receiving Gifts

Article 38 of Law 06-01 criminalizes receiving gifts, punishing both the public official and the gift giver. While similar to bribery in requiring employee status, the material act differs: in bribery, it involves requesting, accepting, or receiving an undue advantage, whereas in receiving gifts, it involves merely accepting a gift.

First Section: Institutional Mechanisms for Preventing and Combating Bribery

With the issuance of Law 06-01, the National Authority for the Prevention and Combating of Corruption was established, followed by Order 10-05, which created another body, the National Office for the Suppression of Corruption, tasked with the same mission.

First Requirement: The National Authority for the Prevention and Combating of Corruption

First Branch: The Legal Regime of the National Authority for the Prevention and Combating of Corruption

Within the framework of discussing the legal regime of the National Authority for the Prevention and Combating of Corruption, we will address the legal nature of the Authority, its composition, and the manner of its organization through the following points:

First: The Legal Nature of the National Authority for the Prevention and Combating of Corruption

Article 18 of Law 06-01 mentioned above and Article 02 of Presidential Decree 06-413 define the legal nature of this Authority. Through examining these provisions, the distinctive characteristics of this Authority can be identified.

1- The Authority as an Independent Administrative Authority

By referring to Article 18 of Law 06-01 and the provisions of Presidential Decree 06-413, the legal nature of the National Authority for the Prevention and Combating of Corruption becomes clear, as it is an independent administrative authority. It is endowed with genuine and independent decision-making power, aimed at regulating economic and financial activity, combining both management and oversight functions. It is not included within the traditional administrative hierarchy based on the division of public administration into central and decentralized administration, nor is it a public institution or a judicial body. It is independent

of the government and not subject to its oversight, nor is it subject to any form of hierarchical or supervisory control.

2- Enjoyment of Legal Personality and Financial Independence

Pursuant to the aforementioned articles, the Authority has been granted financial independence. What is noticeable in these provisions is that the legislator sought to emphasize the financial independence of the Authority by stipulating its legal personality in addition to its financial autonomy. The Authority also enjoys legal capacity to litigate.

3- Subordination of the Authority to the President of the Republic

Despite the legislator's explicit stipulation of the Authority's independence and its enjoyment of legal personality and financial independence, these features are undermined by making the Authority subordinate to the President of the Republic, as the head of the executive authority.

Second: Composition of the National Authority for the Prevention and Combating of Corruption

Chapter Two of Presidential Decree No. 12-64 provides for its composition. It consists of the following bodies:

1. The President of the Authority
- 2- The Council of Vigilance and Evaluation

Third: Organization of the National Authority for the Prevention and Combating of Corruption

Article 06 of Presidential Decree 06-413 provides for the structures assisting the Authority in carrying out its missions, namely:

1- General Secretariat:

Headed by a Secretary-General subject to the authority of the President of the Authority, tasked under Article 07 of Presidential Decree 06-413, as amended and supplemented by Presidential Decree 12-64, with:

- Activating, coordinating, and evaluating the work of the Authority's structures.
- Ensuring the implementation of the Authority's work program.
- Coordinating activities related to the preparation of the annual report project and summaries of the Authority's activities in coordination with department heads.
- Ensuring administrative and financial management of the Authority's services.

According to Article 16 of Presidential Decree 06-413, the Secretary-General also serves as the secretary of the Council of Vigilance and Evaluation.

2- Department in Charge of Documentation, Analysis, and Awareness:

This body was formerly referred to under Article 06 of Presidential Decree 06-413, as amended and supplemented, as the “Directorate of Prevention and Awareness.” The department is entrusted with the tasks set forth in Article 12 of Presidential Decree 06-413, all of which aim at raising awareness of the risks of corruption crimes, researching their causes, and identifying means of addressing them. In the absence of provisions specifying the department’s composition and operational rules, Article 19 of Presidential Decree 06-413 assigns the Authority the task of preparing its internal regulations governing internal operations.

3- Department in Charge of Processing Declarations of Assets:

This department was established pursuant to Presidential Decree 12-64 and assigned tasks that were originally under the competence of the Directorate of Analysis and Investigations, in accordance with Article 13 of Presidential Decree 06-413, as amended and supplemented. The department carries out the tasks set forth in Article 13 thereof. In the absence of provisions defining its composition and operational procedures, Article 19 of Presidential Decree 06-413 entrusts the Authority with determining internal operational procedures.

4- Department of Coordination and International Cooperation:

Established under Article 03 of Presidential Decree 06-413, without addressing its composition or operational procedures. This department undertakes the tasks stipulated in Article 13 bis of Presidential Decree 06-413, as amended and supplemented.

Second Branch: Powers of the National Authority for the Prevention and Combating of Corruption

In order to fulfill the purpose of its establishment, as set out in Article 17 of Law 06-01 on the Prevention and Combating of Corruption, as amended and supplemented—namely the implementation of the national strategy in the field of combating corruption—the Authority is entrusted with the tasks specified in Article 20 of the same law.

Despite the explicit stipulation of the Authority’s role in both preventive and anti-corruption aspects, Presidential Instruction No. 03 of 2003 limited the Authority’s tasks to preventive activities at the national and international cooperation levels, while assigning the Central Office for the Suppression of Corruption the task of combating administrative corruption.

To assist it in carrying out its missions, Article 20 of Law 06-01 authorizes the Authority to request documents or any information that may help uncover acts of corruption from public or private sector administrations, institutions, and bodies, or from any natural or legal person,

under penalty of criminal liability in case of refusal. If the Authority identifies evidence with criminal characterization, it refers the file to the Minister of Justice, who in turn notifies the competent Public Prosecutor to initiate public prosecution.

By virtue of its subordination to the President of the Republic, the Authority is tasked with preparing an annual report submitted to the President of the Republic, evaluating activities related to the prevention and combating of corruption, identifying observed shortcomings, and proposing recommendations.

Second Requirement: The Central Office for the Suppression of Corruption

First Branch: Legal Nature of the Central Office for the Suppression of Corruption

By reviewing Articles 02, 03, and 04 of Presidential Decree 11-426, the distinguishing characteristics of this body become apparent.

First: The Office as a Central Operational Judicial Police Service

This characteristic is stipulated in Article 02 of Presidential Decree 11-426. The Office is tasked with searching for and detecting crimes within the framework of combating corruption and is considered a body under judicial supervision. Most of its members are judicial police officers and agents affiliated with the Ministries of National Defense and Interior. Its primary mission is to investigate corruption crimes and refer perpetrators to the judiciary.

Second: Subordination of the Central Office for the Suppression of Corruption to the Minister of Finance

Despite the judicial nature of the tasks assigned to the Office and its subordination to the judiciary, the legislator undermined the principle of neutrality by attaching the Office to the Minister of Finance.

Third: Lack of Legal Personality and Financial Independence

Despite its assigned missions and role in suppressing corruption, the Office remains financially subordinate to the Minister of Finance and does not enjoy legal personality or financial independence.

Second Branch: Composition and Organization

First: Composition of the Central National Office for the Suppression of Corruption

Pursuant to Article 06 of Presidential Decree 11-426, the Office consists of:

- Judicial police officers and agents affiliated with the Ministry of National Defense.
- Judicial police officers and agents affiliated with the Ministry of Interior and Local Communities.

- Public agents with proven competence in the field of combating corruption.
- Technical and administrative support staff.

Second: Organization of the Central Office for the Suppression of Corruption

Articles 10 to 18 address provisions relating to the organization of the Central Office for Combating Corruption. It consists of the following bodies:

- 1- Director General
- 2- Secretariat
- 3- Directorate of Investigations
- 4- Directorate of General Administration

Third Branch: Tasks of the Central Office for the Suppression of Corruption and Its Operational Procedures

First: Tasks of the Central Office for the Suppression of Corruption

These are stipulated in Article 05 of Presidential Decree 11-426 and include:

- Collecting all information that enables the detection and combating of corruption acts, centralizing and exploiting such information.
- Collecting evidence and conducting investigations into corruption incidents and referring perpetrators to the competent judicial authority.
- Developing cooperation and coordination with anti-corruption bodies and exchanging information during ongoing investigations.
- Proposing any measure that may preserve the proper conduct of investigations undertaken by competent authorities.

Second: Operational Procedures of the Central Office for the Suppression of Corruption

Given the nature of its tasks, the legislator considered, under Article 19 of Presidential Decree 11-426, that its members must operate in accordance with the rules of the Code of Criminal Procedure and Law 06-01. They may use all means provided for in the Code of Criminal Procedure (Article 20 CCP), and may seek assistance from judicial police officers and agents affiliated with other judicial police bodies, while informing the Public Prosecutor at the competent court of operations conducted within its jurisdiction.

Second Section: Preventive Measures against the Crime of Bribery under Law 06-01

These are a set of preventive measures and solutions in both the public sector (First Requirement) and the private sector (Second Requirement), regulated by the legislator in Law 06-01 on the Prevention and Combating of Corruption.

First Requirement: Preventive Measures in the Public Sector

First Branch: Rules to Be Observed in the Recruitment of Public Sector Employees and in Managing Their Professional Careers

Article 03 of Law 06-01 includes a set of rules that must be observed during recruitment to ensure respect for and integrity of public office, including:

First: Adopting Objectivity in the Appointment and Promotion of Employees

The necessity of adhering to objective principles and standards in appointing and promoting employees, efficiency, merit, competence, and integrity, as violating these principles constitutes a form of discrimination and a violation of the long-established constitutional principle of equality in access to public office. Therefore, priority should be given to competence and qualification and adopting competitive methods in public employment. This principle is affirmed in Article 07 of Presidential Decree 04-128.

Second: Adopting Objectivity in Selecting Candidates for Senior Positions

Taking appropriate measures in selecting and training individuals nominated for public positions that are by nature vulnerable to administrative corruption crimes, thereby ensuring the appointment of competent and conscientious employees.

Third: Ensuring Adequate Salary and Compensation for Employees

Providing adequate salaries and sufficient compensation to meet employees' needs so that they are not compelled to trade their office in any form.

Fourth: Programming Training Programs Warning against the Risks of Administrative Corruption Crimes

Preparing appropriate educational and training programs to ensure public employees perform their duties properly, ethically, and soundly.

Fifth: Measures Taken in Dealing with the Public to Prevent Administrative Corruption Crimes

- 1- Adopting procedures and rules enabling the public to access information related to organizational structures, operations, and administrative decision-making (the principle of administrative transparency).
- 2- Simplifying administrative procedures.
- 3- Publishing awareness information on the risks of corruption in public administration through responses to citizens' petitions and complaints.

4- Providing reasons for administrative decisions issued against citizens' interests and clarifying methods of appeal.

Second Branch: Codes of Professional Ethics

Codes of ethics serve as a law and a guiding framework for employees, requiring adherence to their principles. They are behavioral rules defining the framework that ensures proper and ethical performance of public functions, pursuant to Article 07 of Law 06-01. They promote integrity, honesty, and a sense of responsibility among employees and elected officials. The legislator emphasized, for certain sensitive sectors such as the judiciary, the necessity of safeguarding them against corruption crimes by adopting professional codes of ethics, recognizing their importance. In the same context, Article 08 of the same law obliges employees to inform their hierarchical authority of any conflict between their private interests and the public interest that may affect their normal performance of duties, under penalty of judicial accountability.

Third Branch: Declaration of Assets

According to Article 04 of Law 06-01, this measure refers to the obligation of public officials to declare their assets at the beginning of their employment following their appointment or at the beginning of their electoral mandate, and to renew the declaration after any significant increase in their financial assets, as well as at the end of the electoral mandate or upon termination of service.

1- Officials Required to Declare Assets before the First President of the Supreme Court

These include: the President of the Republic, members of Parliament, the President and members of the Constitutional Council, the Head of Government and its members, the President of the Court of Auditors, the Governor of the Bank of Algeria, ambassadors, consuls, governors, and judges.

2- Officials Required to Declare Assets before the National Authority for the Prevention and Combating of Corruption

These include presidents and members of elected local popular assemblies, with publication through posting on the notice board at the headquarters of the municipality or province, as applicable, within one month.

According to Article 13 of Presidential Decree 06-413, which determines the composition, organization, and operational procedures of the National Authority for the Prevention and Combating of Corruption, as amended and supplemented by Presidential Decree 12-64, the

Department for Processing Asset Declarations receives, processes, and classifies asset declarations submitted by public agents stipulated in Article 06(2) of Law 06-01, in order to assess whether judicial intervention is necessary.

3- Officials Required to Declare Assets before the Supervisory Authority

These constitute the final category provided for in Article 06 of Law 06-01, which referred the determination of declaration procedures to regulatory provisions. They are divided into two categories:

- a- Public officials occupying senior positions and functions
- b- Other employees

This category is determined by decision of the authority responsible for public service, and declarations are submitted to the supervisory authority to which they are subject.

In this context, the decision dated April 2, 2007, issued by the Director General of Public Service, established the list of public agents required to declare their assets.

Third: Content of the Asset Declaration

According to Article 05 of Law 06-01 and Articles 1, 2, and 3 of Presidential Decree 06-414 dated November 22, 2006, which defines the asset declaration form, the declaration includes an inventory of all immovable and movable assets owned by the public official and their minor children in Algeria, whether held jointly, or abroad.

According to Article 03 of Presidential Decree 06-414, the asset declaration is prepared in two copies signed by the employee and the receiving authority, with one copy delivered to the employee. The decree specifies the declaration form, which includes identity data and information defining the nature of the declaration, whether at the beginning of office or mandate, at its end, or upon renewal.

Fourth: Sanction for Failure to Declare or False Declaration of Assets

Under Article 36 of Law 06-01, the Algerian legislator provides for criminal liability for any public official legally subject to the obligation to declare assets who fails to do so deliberately after two months from legal notification, or in cases of incomplete, incorrect, or false declarations.

Second Requirement: Preventive Measures in the Private Sector

Article 13 of Law 06-01 sets out these provisions, consisting of measures that must be observed in the private sector to prevent the spread of bribery. In addition to observing efficiency and merit criteria in recruitment, similar to the public sector, and adopting codes of professional

ethics ensuring integrity and proper conduct at work, there is also the obligation to declare conflicts of interest as provided for in Article 08 of Law 06-01 on the Prevention and Combating of Corruption.

It is necessary to strengthen cooperation between the bodies responsible for detecting and suppressing corruption crimes and the concerned private-sector entities. Such cooperation contributes significantly to combating the crime of bribery, to the extent that when a case of administrative corruption is detected, it can be automatically addressed before it spreads.

– Encouraging the application of good commercial practices by institutions among themselves as well as in their contractual relations with the State.

– Preventing the misuse of procedures governing private-sector entities.

– Internal auditing of the accounts of private institutions.

Conclusion

In conclusion, the crime of bribery constitutes a serious scourge that has affected both the public and private sectors without exception. This phenomenon has taken on a dangerously escalating trend in Algeria, to the point that it has become an accepted administrative practice for many. As a result, it became imperative to adopt a purposeful national strategy across all sectors to eradicate this crime. However, although the legislative framework resulting from the State's strategy for the prevention of and fight against crime is, to a large extent, comprehensive in confronting this criminal phenomenon—particularly in terms of the legal mechanisms established by the legislator to combat bribery and prevent it, in addition to the institutional mechanisms—the lack of effectiveness in the performance of these institutions in combating and preventing the crime of bribery is due to the deprivation of the elements of neutrality and administrative and financial independence, in addition to the control of the executive authority, represented by the President of the Republic, over the appointment of their members and the termination of their functions.

Footnotes

(1) See: Ahmed bin Abdullah bin Saud Al-Faris, *Criminalization of Corruption in the United Nations Convention (A Comparative Study)*, Master's thesis, College of Graduate Studies, Department of Criminal Justice, Naif Arab University for Security Sciences, Riyadh, 2008, p. 10.

(2) See: Moussa Boudhan, *The Legal System for Combating Bribery*, Dar Al-Huda, Algeria, 2010, p. 10.

- (3) See: Adel Mestari, “The Crime of Passive Bribery (Public Employee) under Law No. 06-01 on the Prevention and Fight against Corruption,” *Judicial Ijtihad Journal*, Issue 05, September 2009, issued by the Laboratory of the Impact of Judicial Ijtihad on Legislative Movement, Mohamed Khider University, Biskra, p. 166.
- (4) See: Bouazza Nadira, “The Crime of Bribery under Law No. 06-01 on the Prevention and Fight against Corruption,” National Conference on Corporate Governance as a Mechanism to Reduce Financial and Administrative Corruption, Mohamed Khider University, Biskra, 6–7 May 2012, p. 30.
- (5) See: Ahmed bin Abdullah bin Saud Al-Faris, *Criminalization of Corruption in the United Nations Convention (A Comparative Study)*, previous reference, p. 10.
- (6) Law No. 06-01, dated 20 February 2006, relating to the prevention of and fight against corruption, published in Official Gazette No. 14, dated 8 March 2006, supplemented by Order No. 10-05 dated 16 August 2010, published in Official Gazette No. 49 dated 29 August 2010, and amended and supplemented by Law No. 11-15 dated 2 August 2011, published in Official Gazette No. 44 dated 10 August 2011.
- (7) Order No. 66-156 dated 8 June 1966, containing the Penal Code, published in Official Gazette No. 49.
- (8) Law No. 06-01 on the prevention of and fight against corruption, previously cited.
- (9) Law No. 06-01 on the prevention of and fight against corruption, previously cited.
- (10) See: Ben Bachir Wassila, *The Phenomenon of Administrative and Financial Corruption in the Field of Public Procurement in Algerian Law*, Master’s thesis, Faculty of Law and Political Science, Department of Public Law, Mouloud Mammeri University, Tizi Ouzou, Academic Year 2013–2014, p. 67.
- (11) See: Ben Bachir Wassila, previous reference, p. 64.
- (12) Law No. 06-01 on the prevention of and fight against corruption, previously cited.
- (13) Order No. 66-156 containing the Algerian Penal Code, previously cited.
- (14) See: Ahsan Bousqi’a, *Concise Guide to Algerian Special Criminal Law*, Vol. 2, 15th ed., Dar Houma, Algeria, 2014, p. 123.
- (15) See: Haha Abdelali, *Legal Mechanisms for Combating Administrative Corruption in Algeria*, PhD dissertation, Faculty of Law and Political Science, Department of Public Law, Mohamed Khider University, Biskra, Academic Year 2012–2013, p. 119.
- (16) See: Haha Abdelali, previous reference, p. 120.

(17) Law No. 06-01 on the prevention of and fight against corruption, previously cited.

(18) United Nations Convention against Corruption, issued pursuant to General Assembly Resolution No. 58-04 dated 21 October 2003, entered into force in 2005.

(19) See: Haha Abdelali, previous reference, p. 208.

(20) See: Ahsan Bousqi'a, *Concise Guide to Algerian Special Criminal Law*, previous reference, p. 107.

(21) See: Haha Abdelali, previous reference, p. 202.

Index of Sources and References

First: Books

A. Specialized books

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2. Moussa Boudhan, *The Legal System for Combating Bribery*, Dar Al-Huda, Algeria, 2010.

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2. Abdel Rahman Khalfi, *Criminal Procedures in Algerian and Comparative Legislation*, Dar Balqis for Publishing, Algeria, 2015.
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2. Law No. 06-22 dated 20 December 2006 amending the Code of Criminal Procedure, Official Gazette No. 84 dated 24 December 2006.

C. Orders

1. Order No. 66-155 dated 8 June 1966 containing the Code of Criminal Procedure, Official Gazette No. 48 dated 10 June 1966, as amended and supplemented.
2. Order No. 66-156 dated 8 June 1966 containing the Penal Code, Official Gazette No. 49.

D. Decrees

1. Presidential Decree No. 04-128 dated 19 April 2004 approving, with reservation, the United Nations Convention against Corruption.
2. Presidential Decree No. 06-413 on the composition and organization of the National Authority for the Prevention of and Fight against Corruption.

3. Presidential Decree No. 06-414 dated 22 November 2006 defining the model for the declaration of assets.
4. Presidential Decree No. 10-236 dated 7 October 2010 on public procurement.
5. Presidential Decree No. 11-426 dated 8 December 2011 defining the composition, organization and functioning of the Central Office for the Suppression of Corruption.
6. Presidential Decree No. 12-64 dated 7 February 2012 amending Presidential Decree No. 06-413.
7. Presidential Decree No. 13-03 dated 13 January 2013.

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1. Decision issued by the Presidency of the Republic dated 2 April 2007 determining the list of public officials required to declare their assets, published in Official Gazette No. 25 dated 18 April 2007.