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THROUGH THE 2022 ANNUAL REPORT

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# ACHIEVEMENTS OF THE HIGH AUTHORITY FOR TRANSPARENCY, PREVENTION AND COMBATING CORRUPTION THROUGH THE 2022 ANNUAL REPORT

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## ABSTRACT

This study aims to shed light on the High Authority for Transparency, Prevention and Combating Corruption as an independent constitutional institution established to promote the principles of transparency, integrity and accountability in the management of public funds, and to reduce the phenomenon of corruption, which is one of the pillars upon which the rule of law is built. The establishment of this institution came in response by the constitutional founder to the international and regional conventions ratified by Algeria, which urge in their content the necessity of reducing the phenomenon of corruption. This was reinforced by the constitutional amendment of 2020, which included many provisions that enshrine the principles of transparency, integrity and accountability in the management of public funds and property. The High Authority for Transparency, Prevention and Combating Corruption was established pursuant to Articles (204-205), granting it broader powers than those previously granted to the National Authority for the Prevention of Corruption. Within the framework of the powers granted to the High Authority, the annual report for the year 2022 was issued, which included many of the Authority's achievements in combating corruption, which warrant citing it.

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## KEYWORDS

Corruption, Authority, Body, Powers, Annual Report

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## CITATION

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## Introduction.

Corruption is considered a serious phenomenon that threatens the stability and security of societies, due to its impact on development policies. In order to reduce this phenomenon, Algeria has sought to harmonize the legislative system with international standards by developing an arsenal of legal texts that would strengthen it. integrity and transparency in the management of general affairs, and the establishment of the principles of good governance, Algeria having ratified various international and regional anti-corruption agreements, including the African Union Convention on Preventing and Combating Corruption, which Algeria ratified on April 10, 2006, and the United Nations Convention against Corruption, ratified on April 19, 2004. Then the Arab Anti-Corruption Agreements of September 8, 2014.

Since Algeria joined these conventions, it has worked to fulfill its international obligations by implementing their content and working to reform its legal and institutional system to combat corruption. This reflects the political will of the authorities to reduce this phenomenon.

This will was reinforced by the 2020 constitutional amendment, which included gains, especially in the ethics of public life and the fight against corruption, as it stipulated in its preamble Algeria's commitment and adherence to working to combat corruption in accordance with the measures stipulated in the various agreements ratified by Algeria. In addition to the many provisions included in the constitution that enshrine the principles of transparency, integrity and accountability in the management of public funds and property, the constitutional founder created the High Authority for Transparency, Prevention and Combating Corruption under Articles (204-205), granting it broader powers than those previously granted to the National Authority

for the Prevention and Fight against Corruption, which was established under Article 17 of Law No. 06-01 containing the amended and supplemented Law on the Prevention and Fight against Corruption, as the High Authority for Transparency, Prevention and Combating Corruption was upgraded from an advisory body to a supervisory institution enjoying administrative and financial independence, as Article 205 of the 2020 Constitution stipulated a set of tasks assigned to the High Authority for Transparency, Prevention and Combating Corruption, which constitute the foundations for drafting various laws and the regulations that would enhance the national system for combating corruption, and on this basis Law 22-08 was issued specifying the organization of the supreme authority, its composition and its powers.

**Therefore, the research problem statement revolves around the effectiveness of the High Authority for Transparency, Prevention and Combating Corruption in combating corruption in Algeria?**

## **Section 1: The legal system of the High Authority for Transparency, Prevention and Combating Corruption**

The Algerian legislator adopted a national strategy to combat corruption by creating the High Authority for Transparency, Prevention and Combating Corruption instead of the National Authority for the Prevention and Combating of Corruption. Accordingly, we will try to identify the institutional authority by defining its concept (1.1) and its formation (1.2).

### **1.1 An introductory to the High Authority for Transparency, Prevention and Combating Corruption**

#### **1.1.1 Definition of the High Authority for Transparency, Prevention and Combating Corruption**

The constitutional founder created the High Authority for Transparency Prevention and Combating Corruption under Article 204 of the 2020 constitutional amendment, which states: "*The High Authority for Transparency, Prevention and Combating Corruption is an independent institution.*" Accordingly, the authority is one of the oversight bodies that work to review and monitor the public financial expenditures of all financial institutions and then hold accountable public employees working in the public sector to ensure the transparency and credibility of this sector.

It is worth noting that the legislator had previously assigned this task to the National Authority for the Prevention and Combating of Corruption stipulated in the Law on the Prevention and Combating of Corruption No. 06/01 in Article 17 thereof. Thus, it is clear that the legislator has distinguished between the term "the Authority" which is used when it comes to authorities with advisory jurisdiction only, and the term "the Authority with advisory and/or supervisory jurisdiction" in addition to giving it a constitutional character and making it a constitutional institution to ensure its independence to protect it from any pressures that may be exerted on it while performing its duties.

#### **1.1.2 Characteristics of the High Authority for Transparency, Prevention and Combating Corruption**

By examining the legal texts, it becomes clear to us that the High Authority for Transparency, Prevention and Combating Corruption has a set of characteristics, which are:

✓ **Authoritarian nature:** It has the characteristic of authority, which is evident by replacing the term "authority" that was previously stipulated with the term "authority," which means granting it greater powers in making decisions, which is inferred from the text of Article 205 of the 2020 constitutional amendment.

✓ **Independence:** Article 204 of the 2020 constitutional amendment stipulated the independence of the supreme authority, as included in Article 2 of Law 22-08 "The supreme authority is an institution that enjoys a legal personality and financial and administrative independence." Classifying the authority as an independent administrative authority means that it is characterized by an administrative and authoritarian nature, i.e. it is independent of the three authorities in the state, and it continues to maintain its administrative organizational subordination to the executive authority within narrow limits in terms of naming its president and board of directors and amending its laws while maintaining complete independence for oversight work<sup>1</sup>.

✓ **Administrative nature:** Since the constitutional founder considered it an independent administrative authority, it is not subject to ministerial or governmental administrations or parliament, but it remains within the executive authority despite not being subject to the presidential or guardianship authority.

<sup>1</sup> Muhammad Juma Abdo: Corruption, its causes, phenomena, effects, and prevention, National Library, Benghazi, Libya, 2019, p. 47.

✓ Constitutional and supervisory nature: The Supreme Authority for Transparency is a constitutional administrative institution that aims to protect public funds and ensure their legitimate spending, far from corrupt practices<sup>1</sup>.

✓ The constitutional founder included it alongside the oversight institutions that came within the fourth chapter entitled Oversight Institutions, as the constitution allocated the fourth chapter to it, and this is the opposite of the National Authority for the Prevention and Combating of Corruption, which the constitutional founder included among the advisory institutions pursuant to the 2016 constitutional amendment<sup>2</sup>.

## **1.2 The composition of the High Authority for Transparency, Prevention and Combating Corruption**

In accordance with Article 16 of Law No. 22/08, which determines the organization and composition of the High Authority for Transparency, we note that the legislator adopted a new approach in the composition of the authority, contrary to what was included in the composition of the National Authority. This is to ensure complete independence between the High Authority and the Executive Authority. Accordingly, the latter will be able to exercise its duties without interference from any party.

The High Authority for Transparency, Prevention and Combating Corruption consists of two bodies:

### **a-The President of the High Authority for Transparency, Prevention and Combating Corruption:**

The President of the High Authority for Transparency, Prevention and Combating Corruption is appointed by the President of the Republic for a term of 05 years, renewable once. The President's term is incompatible with any electoral, functional or professional term. The President is considered the legal representative of the Authority and enjoys several powers, including:

- ✓ Preparing the draft national strategy for transparency, prevention and combating corruption, and ensuring its implementation and follow-up ;
- ✓ Preparing the draft work plan of the authority ;
- ✓ Preparing the draft internal regulations of the Supreme Authority ;
- ✓ Exercising peaceful authority over all users] Preparing the draft basic law for users of the Supreme Authority ;
- ✓ Managing the work of the Supreme Authority Council] Preparing the draft annual budget ;
- ✓ Preparing the draft annual report of the Supreme Authority and submitting it to the President of the Republic, after the Council has approved it ;
- ✓ Referring files that include facts that may be described as criminal to the regionally competent public prosecutor and those that may constitute management irregularities to the President of the Audit Council ;
- ✓ Developing cooperation with anti-corruption and anti-corruption bodies at the international level and exchanging information with them ;
- ✓ Periodically informing the Council of all reports or notifications that it has been notified of or notified of, and the measures taken in this regard.

### **b-The Council of the High Authority for Transparency, Prevention and Combating Corruption:**

The Council is chaired by the President of the High Authority for Transparency, Prevention and Combating Corruption and consists of 12 members appointed by presidential decree for a non-renewable term of 5 years.

The Council's composition includes:

- ✓ Three 3 members chosen by the President of the Republic from among independent national figures ;
- ✓ Three 3 judges, one from the Supreme Court, one from the Council of the State and one from the Audit Council, chosen respectively by the Supreme Judicial Council and the Council of Judges of the Audit Council
- ✓ Three 3 independent figures chosen, on the basis of their competence in financial and/or legal matters, their integrity and their experience in the field of preventing and combating corruption, respectively by the President of the Council of the Nation, the President of the National People's Assembly and the Prime Minister or the Head of Government, as the case may be

<sup>1</sup> Ahmed Bouraoui, Shahrazad Draji: Addressing Corruption in Algeria, New National Strategy for Combating Corruption (High Authority for Transparency, Prevention and Combating Corruption as a Model) Tabna Journal for Academic Scientific Studies, Volume 06, Issue 01, p. 145

<sup>2</sup> Gharbi Ahsan: The High Authority for Transparency, Prevention and Combating Corruption in Light of the 2020 Constitutional Amendment, Research Journal, Volume 6, Issue 1, 2021, p. 692

✓ Three 3 figures from civil society, chosen from among persons known for their interest in issues related to preventing and combating corruption, by the President of the National Observatory of Civil Society.

## **Section 2 : The role of the High Authority for Transparency, Prevention and Combating Corruption in combating corruption**

The High Authority for Transparency, Prevention and Combating Corruption aims to achieve the highest indicators of integrity and transparency in the management of public affairs, and in addition to the powers stipulated in Article 205 of the Constitution, it assumes the following powers:

### **2.1 The powers of the High Authority for Transparency, Prevention and Combating Corruption within the framework of the 2020 Constitutional Amendment**

According to the Article 205 of the 2020 Constitutional Amendment, the High Authority for Transparency, Prevention and combating Corruption shall undertake the following tasks:

- ✓ Develop a national strategy for transparency, prevention and fight against corruption, and ensure its implementation and follow-up ;
- ✓ Collect, process and communicate information related to its area of competence, and make it available to the competent authorities ;
- ✓ Notify the Audit Council and the competent judicial authority whenever it observes violations, and issue orders, if necessary, to the relevant institutions and agencies ;
- ✓ Contribute to strengthening the capacities of civil society and other actors in the field of combating corruption ;
- ✓ Follow up, implement and disseminate the culture of transparency, prevention and fight against corruption ;
- ✓ Express an opinion on the legal texts related to its area of competence] Participate in the training of employees of the agencies responsible for transparency, prevention and fight against corruption ;
- ✓ Contribute to the moralization of public life and promote the principles of transparency, good governance, prevention and fight against corruption.

### **2.2 Powers of the High Authority for Transparency, Prevention and Combating Corruption in combating corruption under Law No. 22-08**

The powers of the High Authority for Transparency, Prevention and Combating Corruption in combating corruption under Law No. 22-08 are :

- ✓ Collect, centralize, exploit and disseminate any information and recommendations that would help public administrations and any natural or legal person in preventing and detecting acts of corruption. ;
- ✓ Periodically evaluate the legal instruments related to transparency, prevention and combating corruption, and administrative measures and their effectiveness in the field of transparency, prevention and combating corruption, and propose appropriate mechanisms to improve them ;
- ✓ Receive declarations of assets and ensure their processing and monitoring ;
- ✓ Ensure coordination and follow-up of activities and work related to the prevention and combating of corruption that have been carried out, on the basis of periodic and regular reports supported by statistics and analyses and directed to it by the sectors and stakeholders concerned ;
- ✓ Establish an interactive network aimed at involving civil society and unifying and promoting its activities in the field of transparency, prevention and combating corruption ;
- ✓ Strengthen the rules of transparency and integrity in organizing charitable, religious, cultural and sports activities, and in public and private institutions by preparing and putting into effect appropriate systems for the prevention and combating of corruption ;
- ✓ Ensure the development of cooperation with regional and international bodies and organizations<sup>1</sup> ;
- ✓ The High Authority shall monitor the compliance of public administrations, local authorities, public institutions, economic institutions, associations and other institutions with the obligation to comply with the transparency, prevention and fight against corruption regulations ;
- ✓ When the High Authority observes, either on its own initiative or after being notified or notified, a violation of the quality and effectiveness of the procedures applied within public bodies, administrations, associations and institutions related to the prevention and detection of acts of corruption, it shall issue

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<sup>1</sup> Article 5 of Law No. 22-08 of 05/05/2022



recommendations with a view to taking the measures that would put an end to these violations within the period it specifies. The institutions and bodies concerned must submit a report to the Supreme Authority on the extent of compliance with these recommendations. In the event of no or insufficient response, the Supreme Authority shall issue an order to the institution or body concerned obligating it to implement the recommendations within a period not exceeding one year<sup>1</sup> ;

When the authority notices, on its own initiative or after being notified or notified, a breach of the rules relating to integrity, it can take the following measures:

- Issue an apology to the person concerned if the answers he provided are not useful
- Issue orders in the event of any delay in submitting the declarations, or shortcomings or inaccuracies in their content, or failure to respond to a request for clarification
- Notify the regionally competent public prosecutor in the event of failure to declare, after the person concerned has been notified or in the event of false declaration of assets.

✓ In the event of serious elements confirming the existence of unjustified wealth of the public employee, the High Authority for Transparency, Prevention and Combating Corruption may submit a report to the Public Prosecutor at the Sidi M'hamed Court in order to issue precautionary measures to freeze banking operations or seize assets for a period of three months by means of a judicial order issued by the president of the same court. The precautionary order shall be notified, with the knowledge of the prosecution and by all legal means, to the parties responsible for its implementation, and it shall be subject to objection before the same party that issued it within a period of five days from the date of its notification to the person concerned. The order containing the rejection of the objection shall be ;

✓ When the authority notices, on its own initiative or after being notified or notified, a breach of the rules relating to integrity, it can take the following measures:

- Issue apologies to the person concerned if the answers he provided are not useful
- Issue orders in the event of any delay in submitting the declarations, or shortcomings or inaccuracies in their content, or failure to respond to a request for clarification
- Notify the regionally competent public prosecutor in the event of failure to declare, after the person concerned has been notified or in the event of false declaration of assets ;

✓ Notify the regionally competent public prosecutor in the event of failure to declare, after the concerned party has been excused, or in the event of false declaration of property.

✓ In the event that there are serious elements confirming the existence of unjustified wealth for the public employee, the supreme authority may submit a report to the Public Prosecutor at the Sidi M'hamed Court with the aim of issuing precautionary measures to freeze banking operations or seize property for a period of three months by means of a judicial order issued by the President of the same court.

The precautionary order shall be notified, with the knowledge of the Public Prosecution and by all legal means, to the parties responsible for its implementation, and it shall be subject to objection before the same party that issued it within a period of five days from the date of its notification to the person concerned. The order containing the rejection of the objection shall be subject to appeal<sup>2</sup>.

✓ The High Authority for Transparency, Prevention and Combating Corruption shall notify the regionally competent public prosecutor when it finds facts that may be described as criminal, and shall notify the Audit Board if it finds acts that fall within its jurisdiction, and the authority shall provide the notified party with all documents and information related to the subject of the notification<sup>3</sup> ;

✓ The competent public prosecutor shall be notified by the High Authority for Transparency, Prevention and Combating Corruption when it finds facts that may be described as criminal, and the Audit Board shall be notified if it finds acts that fall within its jurisdiction, and the authority shall provide the notified party with all documents and information related to the subject of the notification ;

✓ The legislator has obliged public institutions and bodies, as well as any natural or legal person, public or private, to cooperate with High Authority for Transparency, Prevention and Combating Corruption and provide it with the information and documents it requests to carry out its duties, under penalty of the penalties prescribed for the crime of obstructing the proper course of justice<sup>4</sup> ;

✓ The decisions of the High Authority for Transparency, Prevention and Combating Corruption are subject to judicial appeal.

<sup>1</sup> Article 9 of Law No. 22-08 of 05/05/2022

<sup>2</sup> Article 11 of Law No. 22-08 of 05/05/2022

<sup>3</sup> Article 12 of Law No. 22-08 of 05/05/2022

<sup>4</sup> Article 13 of Law No. 22-08 of 05/05/2022

### **Section 3: Activating the role of the High Authority for Transparency, Prevention and Combating Corruption in combating corruption in light of the 2022 annual report**

After reviewing the legal system of the High Authority for Transparency, Prevention and Combating Corruption, and defining the constitutional and legal powers assumed by the High Authority, we turn to the efforts undertaken by the Authority in terms of field practice in order to prevent and combat corruption, in light of the report published by the High Authority in 2022.

#### **3.1.Receiving the declaration of assets is a fundamental pillar of transparency in public life:**

Law No. 22-08, under the Article 4, granted the authority the power to receive declarations of assets of public employees on a regular basis, to study and exploit the information contained therein and to cooperate with various public administrations to provide the necessary information. In this context, the High Authority for Transparency, Prevention and Combating Corruption was keen to establish operational mechanisms consisting of declaring assets, declaring conflicts of interest and declaring conflicts of interest. The number of those obligated to declare assets to the High Authority for Transparency, Prevention and Combating Corruption reached 137,689 declarants. As for preventing conflicts of interest and conflicts of interest, despite the existence of scattered provisions, they are insufficient and do not serve the purpose of limiting these situations. Therefore, it has become necessary to prepare regulatory texts that frame them<sup>1</sup>.

#### **3.2 Supporting efforts to prevent and combat corruption through international coordination and cooperation**

##### **3.2.1 Supporting efforts to prevent and combat corruption through international coordination and cooperation:**

The High Authority was keen to enhance and exchange information with the ministerial sectors and various national actors in the field of combating corruption by establishing partnership mechanisms, where a model for evaluating anti-corruption efforts in the public sector was adopted, and as a complement to the action plan outlined on adopting the South Korean model according to the national context, coordination with various state institutions and actors at the national level, and in order to complete the second phase of it, the High Authority, in partnership with the United Nations Development Program in Algeria, organized several activities entitled 2022, represented in:

A- Launching an international consultation to appoint an international expert: for the purpose of raising awareness and training for the steering committee responsible for adapting the South Korean model, which aims to evaluate anti-corruption efforts.

B- Organizing a training course on the components of the Anti-Corruption Efforts Assessment Tool (AIA) for the benefit of the Steering Committee: The High Authority, in coordination with the United Nations Development Program in Algeria, organized a five-day training course from September 18 to 22, 2022, which aimed to provide training in the field of techniques for adopting measurement indicators and methods for calculating them, classifying target institutions, and mastering techniques for drafting reports and how to publish them. A two-level course was held, the first directed at the benefit of the High Authority's executives over three days, and the second directed at all members of the steering committee over the remaining two days.

C- Organizing interactive workshops to adapt the model for evaluating anti-corruption efforts in the public sector according to national specificity: The High Authority organized three interactive workshops. The first workshop, from October 25 to 27, 2022, is considered the first step in structuring the standards, some indicators, and the calculation method using the Excel program. The workshop, from November 22 to 23, 2022, resulted in the development of a preliminary project for preparing indicators and how to measure them using the Excel program. This was followed by the third workshop on November 29, 2022, during which national indicators were prepared as a tool for evaluating anti-corruption efforts. It was proposed to name it the "Institutional Anti-Corruption Effectiveness Index" (Nazaha).

D- Concluding and activating cooperation agreements to enhance coordination with all actors in the field of preventing and combating corruption: The High Authority has concluded agreements with several ministerial sectors in order to enhance coordination in the field of preventing and combating corruption. In order to activate and implement these agreements, several meetings were held to develop annual work plans and follow up on their implementation (activating the agreement concluded with the Ministry of Youth and Sports - updating the agreement concluded with the Ministry of National Education - updating the agreement

<sup>1</sup>Annual Report 2022, issued by the High Authority for Transparency, Prevention and combating Corruption, p. 25.

concluded with the Ministry of Religious Affairs and Endowments - preparing to conclude an agreement with the Ministry of Higher Education and Scientific Research - activating the agreement concluded with the National Gendarmerie Command<sup>1</sup>.

### **3.2.2 International cooperation to acquire and exchange expertise and best practices:**

The High Authority participated in several international and regional events in 2022, including participation in the work of the government working groups of the United Nations Office on Drugs and Crime, as well as participation via videoconference in the work of the Implementation Review Team,<sup>2</sup> participation in the work of the International Experts Meeting on the Implementation of the Sharm El-Sheikh Declaration on Combating Corruption in Times of Emergency and Responding to and Recovering from Crises, organized by the Arab Republic of Egypt on 12 and 13/12/2022, and the High Authority also participated in the day organized by the Organization for Economic Cooperation and Development at the Algiers Hotel on 03/29/2022, and two executives from the former National Authority participated in the tenth meeting of the Leadership Team, which was held on 27-28 June 2022 in the Belgian capital, Brussels<sup>3</sup>.

### **3.3 Training and awareness activities are a pillar for spreading the culture of rejecting corruption and changing behavior.**

Within the framework of implementing Law No. 06-01 on the prevention and fight against corruption, especially its second chapter entitled "Preventive measures in the public sector", the authority has worked on developing action plans that include training and awareness activities, considering that they have a central axis in the process of preventing corruption, given their direct impact on the behavior of employees, as well as improving the knowledge of young people, students and stakeholders in civil society.

#### **3.3.1 Media and awareness days:**

In this context, the High Authority organized on 09/13/2022 a media visit at its headquarters for the benefit of the central directors and heads of state security at the General Directorate of National Security, during which a presentation was given to introduce the High Authority and to commend the efforts made by Algeria within the framework of implementing the United Nations Convention against Corruption. On the occasion of the celebration of the International Anti-Corruption Day, which falls on December 9 of each year, and in cooperation with the United Nations Development Program (UNDP) office, the High Authority organized this annual event by programming a study day entitled "Anti-Corruption Policy in Algeria and the Ethics of Public Life, Achievements and Prospects."

#### **A-Media and awareness days:**

In this context, the High Authority organized on 09/13/2022 a media visit at its headquarters for the benefit of the central directors and heads of state security at the General Directorate of National Security, during which a presentation was given to introduce the High Authority and to commend the efforts made by Algeria within the framework of implementing the United Nations Convention against Corruption. On the occasion of the celebration of the International Anti-Corruption Day, which falls on December 9 of each year, and in cooperation with the United Nations Development Program (UNDP) office, the High Authority organized this annual event by programming a study day entitled "Anti-Corruption Policy in Algeria and the Ethics of Public Life, Achievements and Prospects."

#### **B-Enriching the documentary balance of the High Authority and disseminating knowledge:**

In this regard, the National Authority - previously - issued two books on combating corruption in addition to issuing brochures to introduce the tasks and powers of the Supreme Authority created by virtue of the constitutional amendment of 2020. In the same context, a thematic working and thinking group was established, including a number of members of the Supreme Authority Council and its executives, pursuant to Decision No. 18 dated 11/17/2022, tasked with preparing the draft of the Supreme Authority Magazine.<sup>4</sup>

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<sup>1</sup> Annual Report 2022, issued by the High Authority for Transparency, Prevention and combating Corruption, pp. 50, 51.

<sup>2</sup> For more details, see the 2022 annual, Ibid, p. 50.

<sup>3</sup> Ibid, p. 54-55.

<sup>4</sup> Ibid, p.62.



**4. Reporting corruption is an effective tool in uncovering corruption cases:**

Reporting is among the most important mechanisms enshrined in international agreements and national legislation to reduce the spread of crime in all its forms. It constitutes a pivotal factor in the cycle of changing mentalities and behaviors in society, as it is one of the manifestations of citizenship and one of the most important pillars of existing collective responsibility. The authority has worked to establish an integrated reporting system through which it seeks to respond effectively to the reports it receives.

**4.1 The cell for processing and following up on reports and notifications :**

It aims to listen to the citizen as an essential element in the process of uncovering and reporting corruption. It also collects, centralizes and exploits the information received by it, which can contribute, on the one hand, to uncovering the factors that encourage the practice of corruption, and, on the other hand, to the periodic evaluation of the legal tools and administrative procedures aimed at preventing and combating corruption, and examining their effectiveness.

**4.2 Conditions for reporting corruption:**

In application of the provisions of Article 6 of Law No. 22-08, the authority requires that the notification or notice be written, signed and contain sufficient elements to identify the informant or notifier. In application of the same aforementioned article, the authority receives notifications from any natural or legal person through the various available means of notification, namely regular mail, e-mail and fax. The notification may also be made in person at the headquarters of the higher authority to submit the notification or notice.

**4.3 Reports and notifications:**

The High Authority published in its annual report for the year 2022 the report of the reports and notifications it received in 2022, where the total number of reports and notifications reached 551 reports and notifications. It was shown through data published in a table within the report published by the High Authority that out of a total of 551 reports, 187 reports were recorded in which the identity of the informant was not specified, equivalent to 34%, compared to 364 reports in which the identity of the informant was disclosed, equivalent to 66%. This high percentage reflects the citizen's awareness of the importance of reporting acts of corruption. On the other hand, it was recorded that despite the issuance of the President of the Republic's instructions regarding reports to deal with reports via anonymous messages, in addition to the provisions of Article 06 of Law 22-08, it was found that the informant is still, thanks to not disclosing his identity when reporting acts of corruption, since a significant percentage of the reports received were from unidentified persons. Because they fear the consequences that could result from disclosing it, in the absence of a law that protects them<sup>1</sup>

**Conclusions:**

From the above, it is clear that the legal system governing the supreme authority granted High Authority for Transparency, Prevention and Combating Corruption a prominent role in establishing the principle of transparency, prevention and combating corruption, which has spread in Algerian society. It seems that the role of the High Authority for Transparency, Prevention and Combating Corruption is more effective compared to the role assigned to the National Anti-Corruption Authority, which did not go beyond the advisory and awareness-raising role, despite some of the supervisory aspects carried out by the High Authority for Transparency, Prevention and Combating Corruption, but they are weak and ineffective.

Based on the above, we reach the following results:

- The High Authority for Transparency, Prevention and Combating Corruption is an independent constitutional oversight institution with authority
- The composition of the The High Authority for Transparency, Prevention and Combating Corruption is characterized by a diverse formation, as it includes judges and competent cadres in the accounting, financial and administrative fields, which allows this authority to perform the role for which it was established, which is to reduce the phenomenon of corruption.
- The High Authority for Transparency, Prevention and Combating Corruption was strengthened with broader and important powers, as it was promoted from an advisory body to a supervisory institution that has

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<sup>1</sup>Ibid p.71

the sovereign decision to exercise it, such as developing a national strategy for transparency, prevention and combating corruption, implementing it and following up on it.

- The High Authority for Transparency, Prevention and Combating Corruption has the power to issue orders in the event of a breach of transparency and compliance systems in all institutions in their broad sense, in general, local communities, the economic sector in its public and private sectors, religious and sports associations, and the legislator added other institutions, as these powers represent a qualitative leap in strengthening various measures related to the prevention of corruption in these institutions.

- The High Authority for Transparency, Prevention and Combating Corruption has the power to establish an interactive network aimed at involving civil society and unifying and promoting its activities in the field of transparency, prevention and combating corruption.

- The High Authority for Transparency, Prevention and Combating Corruption has the power to receive reports, complaints and information related to acts of corruption from any natural or legal person who has information, data or evidence related to acts of corruption, and it undertakes to verify their validity, and refers them, if necessary, to the competent authorities, and when they are subject to criminal description, it notifies the Public Prosecutor ;

- Giving the advisory role to the The High Authority for Transparency, Prevention and Combating Corruption with regard to enriching the legislation related to its organization ;

- The contribution of The High Authority for Transparency, Prevention and Combating Corruption in the process of framing and training the agents of the agencies responsible for transparency, prevention and combating corruption.

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