



Conference of the States Parties to the United Nations Convention against Corruption

Open ended Intergovernmental Working Group on Asset Recovery

Seventeenth session –Vienna , 4-8 september 2023

Item 5 on Technical assistance

Algeria's efforts to recover proceeds of corruption offences

Challenges and prospects

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Vienna, 7 september 2023

Algeria's efforts to recover proceeds of corruption offences

Algeria



Signature date : 9 december 2003

Ratification date : 25 august 2004 (5th ratification)

Algeria as a country under review

Review cycle 1 :



NIGER (Reviewing country from the same region)



LATVIA (Other reviewing country)

Country visit : 14-16 mai 2013

Country report : published

Review cycle 2 :



KENYA (Reviewing country from the same region)



GHANA (Other reviewing country)

Country visit : 24-26 september 2019

Country report : Not published

Algeria as a reviewing Country

Review cycle 1 :

Reviewing Country for :



Switzerland (2012)



Egypte (2014)

Review cycle 2 :

Reviewing country for :



Togo (2022)



Impact of ratifying UNCAC and participating in peer review process :

In terms of prevention :

- Change in the perception of corruption
- Greater involvement of civil society actors
- Creation of specialized preventive bodies (ONPLCC/ HATPLCC)
- Strengthening the prerogatives of supervisory institutions
- Improvement of the preventive legal framework (anti-money laundering, public procurements, assets declaration, codes of conduct, beneficial ownership,...)
- Development and adoption of a comprehensive national anti-corruption strategy



Impact of ratifying UNCAC and participating in peer review process :

In terms of criminilization and law enforcement :

- Adoption of special anti-corruption law in accordance with UNCAC (2006)
- Creation of specialized anti-corruption courts (regional, national jurisdiction)
- Creation of specialized law enforcement body (OCRC)
- Strengthening prerogatives of law enforcement authorities
- protection of witnesses, experts and victims

Impact of ratifying UNCAC and participating in peer review process :

In terms of international cooperation :

- Use of UNCAC as legal basis for mutual legal assistance and extradition
- Ratification of a large number of bilateral treaties(*) and inclusion of UNCAC provisions related to international cooperation and assets recovery (Bosnia and Herzegovina, China, France, Koweit, Portugal, Republic of Korea, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Vietnam)
- Promotion of international cooperation (bilateral treaties, cooperation with international and regional specialized institutions,...)

* Algeria ratified 72 bilateral treaties in criminal and civil mutual legal assistance

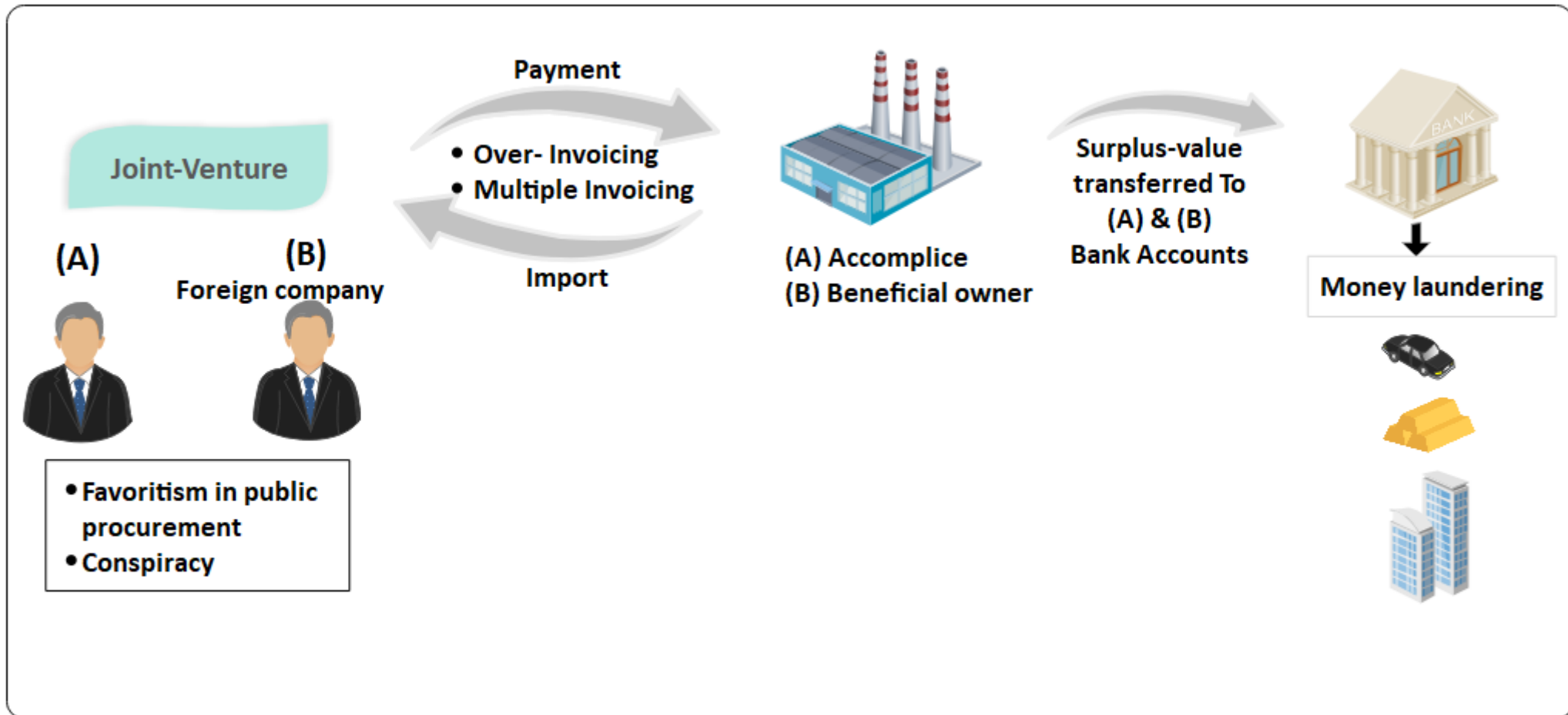


Impact of ratifying UNCAC and participating in peer review process :

In terms of asset recovery

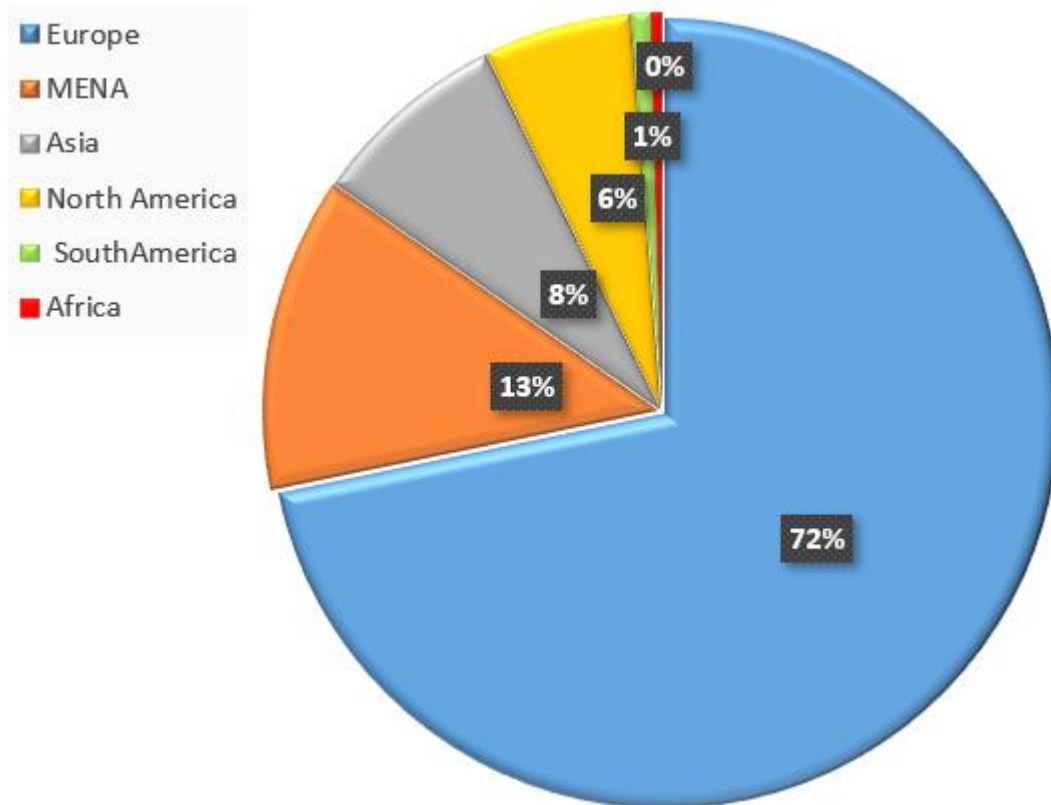
- Inclusion of UNCAC provisions in the domestic law :
- Widest measure of cooperation in prevention, detection and transfer of proceeds of crime (Art. 52)
- Measures for direct recovery of property (Art. 53)
- Mechanisms for recovery of property through international cooperation in confiscation, NCB (Art. 54)
- International cooperation for purposes of confiscation (Art. 55)
- Special cooperation (Art. 56)

Example of connection between corruption and trade based money laundering

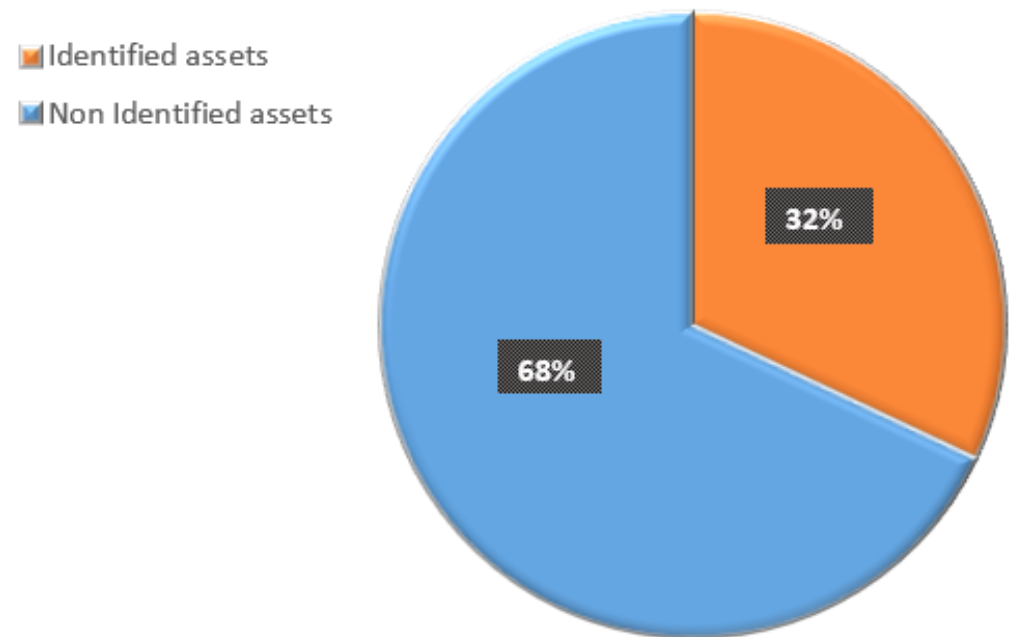


Localisation and Identification of assets

Assets Localisation



Assets Identification





Main reasons of refusals and delays

- Incompleteness of requests (formalities, supporting materials, translation,...)
- Dual criminality (exchange regulations)
- Absence of bilateral agreements



Barriers to assets recovery

- Lack of proactive actions in the country of location
- Difficulties in identifying and verifying beneficial ownership of suspected corruption proceeds
- Difficulties in proving the link between assets and criminal offence



Measures taken to improve international cooperation and assets recovery

- Direct dialogue with requested authorities (France, Luxembourg, Spain, Switzerland, USA)
- Intensifying international cooperation through F.I.U
- Informal dialogue
- Centralization of procedures (requests) before specialized Courts
- Use of ICT (Central data base of MLA and proceeds of crime, electronic transmission of requests)
- Coordination committee under the authority of Prime Minister
- Training for prosecutors, examining judges and law enforcement officials



Technical assistance :

Assistance provided to the HATPLCC to implement UNCAC :

- Developing national strategy (2023-2027) : **UNDP** (ACIAC, singapore Global center , seoul policy center), **UNODC** , **World Bank**, **OECD**.

Perspectives and expectations:

- STAR** • Bilateral dialogue with location countries
- Enhancing operational capacity of national authorities (management of assets declarations, and further enhancing national inter-agency coordination.
- GlobE Network** • Operational tools for secure and fast exchange of information, direct dialogue, trainings

Thank you!

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