

مكافحة جريمة الرشوة واستغلال النفوذ بموجب القانون الدولي العام

Combating the crime of bribery and abuse of influence under public international law

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ملخص:

شهدت فترة التسعينيات تطوراً كبيراً في مكافحة الرشوة واستغلال النفوذ، فقد أثارت القضية اهتمام الأكاديميين على مدى العقدين الماضيين، وتم نشر العديد من الدراسات المتعلقة بالمكافحة الدولية للرشوة واستغلال النفوذ. وعليه تهدف الدراسة إلى إلقاء الضوء على هذه الظاهرة و التي أصبحت آفة متنامية في جميع الدول بسبب آثارها السلبية على تنمية المجتمعات و احترام حقوق الإنسان، كما أنها ظاهرها ذات آثار سلبية على الجوانب الاجتماعية والاقتصادية والسياسية تتطلب مكافحتها تضافر جهود مؤسسات الدولة الواحدة، وضرورة تعاون الدول فيما بينها للحد من الفساد الإداري والمالي، ولهذا عملت الاتفاقيات الدولية لمكافحة الفساد في رفع الالتزامات السياسية لمكافحة الرشوة، وعيّنت المعايير والممارسات الدولية الأساسية لمعالجة هذه الآفة.

وتكمن أهمية الدراسة في الترابط بين ظاهرة الرشوة واستغلال النفوذ والمشاكل السياسية، الاقتصادية، الاجتماعية، القانونية، البيئية، وحتى الأخلاقية التي تسببها هذه الظاهرة.

كلمات مفتاحية:

الرشوة واستغلال النفوذ، هيئة الأمم المتحدة، مكافحة الفساد، قانون مكافحة الفساد، اتفاقية الأمم المتحدة لمكافحة الفساد، فرع الفساد والجرائم الاقتصادية.

Abstract:

The 1990s witnessed a great development in the fight against bribery and the abuse of influence, the issue has aroused the interest of academics over the past two decades, and many studies have been published on the international fight against bribery and the abuse of influence.

Accordingly, the study aims to shed light on this phenomenon, which has become a growing scourge in all countries due to its negative effects on the development of societies and respect for human rights, as it is a phenomenon with negative effects on social, economic and political aspects that require the concerted efforts of the institutions of one state, and the need for state cooperation. Among them, to reduce administrative and financial corruption, and for this reason, international anti-corruption conventions have raised political commitments to combat bribery, and set the basic international standards and practices to deal with this scourge.

The importance of the study lies in the correlation between the phenomenon of bribery and the abuse of influence with the political, economic, social, legal, environmental, and even ethical problems that this phenomenon causes.

Key words: *bribery and abuse of influence crimes, United Nations agency, anti-corruption, anti-corruption law, United Nations Convention against Corruption, Corruption and Economic Crimes Branch.*

Introduction

The 1990s witnessed a great development in anti-corruption measures, especially the crime of bribery and abuse of influence, and it developed into a truly international movement to eradicate this phenomenon and its harmful effects on development and human rights.

Over the past two decades, this topic has aroused the interest of academics, and numerous studies have been published relating to the international fight against the crime of bribery and abuse of influence.

Therefore, this study aims to define and understand this issue as well as its scope. Then analyzing the current situation and identifying the most important international initiatives to combat corruption in general and the crime of bribery and abuse of influence in particular.

In view of the increasing and exacerbation of cases of bribery, many international organizations have shown interest in participating in the fight against it. The literature also confirms that the United Nations Convention against Corruption is the basic international document for combating all types of corruption, which was adopted in 2003, and the number of countries that have signed it so far is 144, however, despite the importance of the document, it still faces many shortcomings, including the lack

of direct sanctions on non-compliant states, and the difficulty in accessing data. There is also a difference in the application of the agreement between theory and work in the field. In addition, there are obstacles in some cases that require cooperation in combating corruption and technical assistance provided by member states.

From the above, the study tries to answer the following problem: **How did international law contribute to combating the crime of bribery and abuse of influence?**

1. Defining and Classification of the crime of bribery and abuse of influence

First of all, it is necessary to establish a definition of the term in order to understand the diversity of definitions surrounding the topic of "bribery and abuse of influence". According to the authors, it seems difficult to come to a unanimous definition. It is a "flexible concept" whose meaning differs according to individual interpretations. Therefore, there is no legal definition of the term that can generate international consensus. Interpretation of this idea also depends on the cultural context of each region. For example, giving gifts in exchange for services is an acceptable activity in some countries, but it may be unethical and unacceptable behavior in others¹.

1.1. Defining the crime of bribery and abuse of influence

Three approaches are used to define bribery and abuse of influence: legal norms, public interest, and market rules: The first, To be based on the rules that criminalize unlawful behavior committed by public officials while carrying out their duties, Second: The concept of public interest is based on practices that are inconsistent with the principles of democracy and the principle of equality among citizens, and finally: The third approach to explaining bribery and abuse of influence depends on an economic model, bribery and abuse of influence is represented as an exchange between private and public actors².

The main objective of these informal transactions is to maximize job-related gains and obtain additional financial gain for public employees. The phenomenon of bribery and the abuse of influence in state institutions have crept up, which undermines citizens' confidence in public institutions, thus posing a threat to their stability and social cohesion. It seems difficult to put a comprehensive definition and ban on the term corruption, and even the United Nations Convention against does not contain a definition of bribery and abuse of influence³.

Corruption can have different manifestations depending on the geographical area. In many developing countries, it has become a common and routine phenomenon inherent in the functioning of state institutions and the people.

Bribery and abuse of influence is defined in Article 2 of the Council of Europe Civil Law Convention on Corruption: "For the purposes of this convention, it is: " To seek, offer, grant or accept, directly or indirectly, an unlawful commission or any other undue advantage affecting The normal practice of a required function or behavior from the recipient of an unlawful commission, an undue advantage, or a promise of such an undue advantage"⁴.

It is also defined as follows: " the practice aimed at proposing offers, promises, gifts, gifts, or any advantages, without right, directly or indirectly, to obtain them from a trustee of the public authority, responsible for a public service mission, whether he performs or abstains from performing An act of his job, mission, mandate, or facilitation through his mission or mandate"⁵ .

1.2. Classification of the crime of bribery and abuse of influence

There are differences according to the criteria and conditions of the crime of bribery and abuse of influence place by The United Nations Convention against corruption:

- According to the public or private sectors;
- National or international;
- Active or passive crime of bribery and abuse of influence;
- Specific type of crime of bribery and abuse of influence, (theft of property, embezzlement or other illicit use of property, influence peddling, abuse of office, illicit enrichment, laundering of the proceeds of crime, concealment, hindering the proper functioning of justice, accounting offenses)⁶:

1.2.1. Public corruption and private crime of bribery and abuse of influence

Public crime of bribery and abuse of influence is the first to be defined in major international texts, notably the OECD "Convention on Bribery of Foreign Public Officials in International Transactions" (1997). It is a corruption pact between a private agent and a public official. As for private corruption, it is a corruption pact between two private agents, it is defined in particular by the framework decision of the Council of Europe on the "fight against corruption in the private sector" of 2002.

1.2.2. National and international crime of bribery and abuse of influence

National crime of bribery and abuse of influence is an act of corruption between two officials from the same country; it is generally mentioned in the penal codes of the countries concerned. International crime of bribery and abuse of influence is an act of corruption committed between two agents belonging to different countries.

The countries criminalizing international corruption are those which have ratified one of the international anti-corruption conventions (OECD or United Nations for example).

1.2.3. Active and passive crime of bribery and abuse of influence

Active bribery of domestic public officials is defined in the Council of Europe Criminal Law Convention on Corruption as follows: “The act of offering, or giving, directly or indirectly, any undue advantage to one of his public officials, for himself or for someone else, so that he does or refrains from doing an act in the exercise of his functions”.

Passive crime of bribery and abuse of influence means, on the contrary, according to the definition of the Council of Europe criminal convention: “The act of a public official of soliciting or accepting, directly or indirectly, an undue advantage for himself or for another person or entity, in order to do or to refrain from doing an act in the exercise of his official functions”⁷.

The Council of Europe agreement is similar to the agreements of the European Union and the Organization for Economic Co-operation and Development in that “The crime of bribery and abuse of influence is based on a unilateral act, even if the success of the corruption involves the accomplishment or contribution of two wills”⁸.

The European Union Convention against Corruption targets both positive and negative corruption of EU and national officials in member states.

The agreement and the first protocol annexed to the Convention on the protection of the financial interests of the European Communities consider that “the crimes of corruption and corruption are two completely independent crimes, consisting mainly of unilateral acts”⁹.

Article 3 of the European Convention defines crime of bribery and abuse of influence as follows: “An intentional act, against any person, by means of a promise or by giving, directly or by the intervention of a third party, an advantage of any kind that is responsible for it or for a third party, so that it accomplishes or refrains from doing the same, in contradiction with his official functions, with an act of his work or an act in the exercise of his work.

"According to article 2, passive crime of bribery and abuse of influence includes" the intentional act of an official, directly or through the interference of third parties, seeking or obtaining advantages of any kind, for himself or for a third party, or to accept the promise, and to order him not to perform, in a manner incompatible with his official functions, an act of his work or an act in the exercise of his function”¹⁰.

2. International mechanisms to fight crime of bribery and abuse of influence

Over the past two decades, there has been a truly international movement against corruption and the efforts of governments and international organizations to launch initiatives targeting this problem.

Including the World Bank, the International Monetary Fund, the United Nations, the European Union, the European Bank for Reconstruction and Development, the World Trade Organization, the World Trade Organization, and Economic Cooperation and Development Between 1996 and 2007, many anti-corruption agreements were adopted, seven of whom participated in The idea that this fight should be based on criminal law and the criminalization of corrupt behavior.

2.1. United Nations conventions against corruption¹¹

The United Nations Convention against Corruption is the most important document to combat corruption internationally. The United Nations Convention against Corruption was signed in 2003 and entered into force in December 2005, and now includes 144 member states.

The large number of signatories defines the convention as an international anti-corruption document with a wider scope. The anti-corruption convention is based on four pillars: “prevention, criminalization, international cooperation, and asset recovery”. Asset recovery provisions are one of the main reasons for its success and global acceptance, as the United Nations Convention against Corruption represents the first international agreement that stipulates "an obligation to return confiscated assets."

However, the agreement suffers from some weaknesses. The criticisms raised mainly relate to the non-binding nature of some provisions, the absence of oversight, and direct consequences for countries that are not members of the convention. This undermines the value of some of its rulings and thus prevents the pursuit of its main goal of combating corruption¹².

It contains provisions on transparency and refers specifically to “effective public access to information”: Article 13 - Community Participation: Each State Party shall take appropriate measures, within the limits of its capabilities and in accordance with the principles. Domestic law, to enhance the effective participation of people and groups outside the public sector, such as civil society, non-governmental organizations and communities of people, in preventing corruption and in combating this phenomenon, as well as to increase public awareness of the existence of corruption, its causes, danger and the danger it represents.

His participation should be strengthened by measures consisting in particular of¹³:

- Increasing transparency in decision-making processes and enhancing public participation in these processes;
- Ensure effective public access to information;
- Carrying out media activities that encourage zero tolerance of bribery and abuse of influence, as well as public education programs, especially in schools and universities;

- Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information related to corruption.

This freedom may be subject to certain restrictions, which however must be provided by law and are necessary:

- Respect the rights or reputation of others;
- Protecting national security,
- public order, public health or public morals.

In the case of the United Nations Convention against Corruption, some of the provisions contained in it do not have a mandatory status and include not compelling signatory states to criminalize certain behaviors - for example, trading in influence. It is also important to note that there is no obligation to criminalize acts of corruption committed by private companies in the private sector, which is characterized by globalization and privatization and prefer links between the public and private sectors. Thus, increasing tolerance for private corruption can make combating corruption in the public sector more complex¹⁴.

Due to the government's preventive policies towards the private sector adopted by developed countries, "the severity of the number of provisions has been greatly reduced to accommodate the divergent views of the member states." Thus, the United Nations Convention against Corruption is trying to attract the largest number of signatories, even if that requires relaxing some of its provisions.

Having said that, the main criticisms are related to the lack of monitoring mechanisms regarding the implementation of provisions and the lack of direct sanctions for member states that do not comply.

The absence of such mechanisms could render the international instrument ineffective and cause failure of public policy¹⁵.

2.2.Convention against Corruption of Foreign Public Officials in International Commercial Transactions – 1999¹⁶:

On November 21, 1997, the member states of the Organization for Economic Cooperation and Development and five non-member states adopted this agreement along with the relevant comments. Its goal is to fight corruption in international business transactions and help create a level playing field for all businesses.

According to the agreement, companies: (...) must improve the transparency of their activities in combating corruption and extortion. These measures may include general obligations against corruption and extortion, and disclosure of the management systems that the company adopts to fulfill these obligations.

The company should also encourage openness and dialogue with the public to enhance awareness and cooperation in combating corruption and extortion (...)¹⁷.

2.3. International institutions (International Chamber of Commerce, World Bank): Guidelines of the International Finance Corporation:

2.3.1. The International Finance Corporation (IFC):

Headquartered in Washington, is a member of the World Bank Group. It encourages the private sector to invest in a sustainable manner in developing countries in order to reduce poverty and improve the living conditions of the population. Founded in 1956, the International Finance Corporation is the largest multilateral lender of loans and equity investments in private sector companies in developing countries.

It strives to promote sustainable development primarily by financing private sector projects, assisting private companies in emerging markets by raising funds in international financial markets and providing advice and technical assistance to companies and governments. IFC has produced stringent environmental guidelines for the projects it finances.

Without directly addressing the issues of corruption, bribery and abuse of influence, these guidelines played an institutional role in concerns about donor influence and inspired the Equalization Principles¹⁸.

2.3.2. The World Bank's Anti-Corruption Plan – 1996:

At the World Bank's annual meeting in 1996, Bank President James D. Wolfensohn's "corruption case" is in front of the corporation's shareholders, for the first time, corruption was clearly placed on the agenda of multilateral institutions. Several developments have been made, the most important of which are¹⁹:

- Launching more than 600 anti-corruption programs in nearly 100 countries.
- Consider public sector management elements in more than 40% of World Bank lending operations.
- Establishing strict rules for World Bank staff regarding financial information.
- Establish an ethics alert system within the World Bank, active support for the United Nations Convention against Corruption.
- Approval of the Extractive Industries Transparency Initiative (EITI).
- Leadership in combating money laundering and terrorist financing.
- The public identification of companies known to be involved in corruption cases, and the exclusion of more than 200 companies and individuals from financing.

The World Bank's anti-corruption policy prioritizes three areas²⁰:

- Preventing fraud and corruption in the funded projects and programs.
- Provide responses to countries that request assistance.
- Contributing to international efforts to combat corruption.

The World Bank Institute's Anti-Corruption Program helps countries diagnose problems and create specific action plans. Every two years, the World Bank Institute proposes, for 200 countries, global governance indicators that measure the level of corruption through the following five governance components:

- Accountability for political, civic and human rights measures.
- Political instability and violence: Measures the likelihood of violent threats or significant changes in government, including terrorism.
- Governance Effectiveness: measures bureaucratic skills and the quality of public service.
- Organizational Quality: measures the impact of unfavorable market policies.
- State of law: measures the quality of contract implementation, the efficiency of the police and judiciary, as well as the likelihood of crimes and violence.

2.4. Transparency International Progress Tools:

Founded in 1993, Transparency International (TI) is a leading civil society organization dedicated to fighting corruption. Currently with 90 national divisions around the world, TI's headquarters are located in Berlin²¹.

The NGO has produced a number of anti-corruption tools and partnered with large companies.

It publishes an annual: The Report International Integrity Charter for Transparency - 1993 addresses two main concerns:

- Providing companies with the means to refrain from paying bribes by giving them assurances that their competitors will not also pay bribes and that public procurement agencies will work to combat all forms of corruption, including extortion, and to act transparently as scheduled;
- Enabling public authorities to reduce the high cost of corruption and its harmful effects on procurement²².

2.5. NGOs and civil societies:

Fighting corruption, and bribery and abuse of influence, is not limited to international organizations and their treaties and conventions. The importance of the participation of non-governmental organizations and civil societies through their activities, as they monitor the government and ensure those citizens' rights are respected, enable them to ensure a sustainable democracy and present an activist vision different from that of political parties.

Their independence also guarantees their motivation to defend public interests, and these organizations have in-depth knowledge of the causes and consequences of

corruption specific to the social and political context. NGOs can also provide relevant information on remedies against bribery and abuse of influence.

They can also, through public awareness campaigns, put pressure on political actors to bring about radical reforms. They also have better regional experience than "elite and distant experts". Transparency International is a case in point. Its main objective is "to curb corruption by mobilizing a global coalition to promote and strengthen international and national integrity systems." The work of its national branches, which are present in many countries, aims mainly to educate the public and governments of the consequences of bribery and abuse of influence on development.

In addition, they can act as advisors to governments by providing their expertise on ways to implement principles of transparency and integrity at all levels of government.

Despite the contribution these organizations can make, they do not always have freedom of expression. On the contrary, they are often subject to repression, and civil societies and NGO members are seen as political opponents who promote foreign interests²³.

3. The limits of the international fight against bribery and abuse of influence

The fight against bribery and abuse of influence is very difficult and requires the efforts of all concerned. Several factors contribute to its complexity as it is linked to many other issues related to financial governance. Participating in the fight against the crime of bribery and abuse of influence also means that you participate in combating money laundering and terrorist financing, and in an effort to recover assets that were obtained illegally, particularly those acquired by corrupt political leaders. Consequently, legislators and law enforcement agencies must consider all of these issues in order to ensure effective anti-corruption efforts²⁴.

Despite the efforts of interested parties, many authors question the effectiveness of the fight against the crime of bribery and abuse of influence.

3.1. Desire and Participation of States

In fact, the international fight against bribery and abuse of influence does not depend solely on the efforts of international organizations, as states must, on their part, design and adapt them to their national context. Therefore, this struggle depends mainly on the willingness of states to ensure the implementation of their obligations, and it is believed that these lacks of design is the main reason for the ineffectiveness of anti-corruption reforms and the failure of contemporary anti-corruption reforms, and for this reason the reporting and conviction rates for corruption cases remain very low²⁵.

3.2. Adaptability of Initiatives:

Another criticism of the international initiatives to combat bribery and abuse of influence indicates that the strategies used do not reflect the reality of the country in which they are applied, because the assessment tools used are not adapted to the context of each country, and therefore, the same anti-corruption strategies exist in many countries, and the most common approach is to "use toolkits provided by the international community in line with what is appropriate for all." This lack of adaptability to the adopted strategies undermines their effectiveness.

The desire to emulate anti-corruption measures in developed countries (which are often apolitical in nature) does not make it possible to adopt them in developing countries that exhibit high political corruption.

Corruption, and bribery and abuse of influence in developed countries often appear in "individual cases of breaching the rule of integrity." In contrast, in developing countries, bribery and abuse of influence is the result of a pattern of social organization characterized by the unjust distribution of public goods²⁶.

Moreover, mainstreaming anti-corruption initiatives prevents actors from focusing on the social and cultural characteristics of a particular country, contemporary anti-corruption reforms are ineffective due to an error in identifying the factors that contribute to corruption in the context of countries with systemic corruption. In many developing countries that exhibit high rates of bribery and abuse of influence, it is not considered a disease, but rather the rule and is not defined as an exception, but as an integral part of social interactions. And government and other law enforcement officials in these countries also show little willingness to fight it²⁷.

Reports show that acts of bribery and abuse of influence in these countries go unpunished. Those who report such actions are at great risk. Moreover, individuals in these countries share the idea that if they do not take advantage of the bribe offered to them, then someone else will inevitably accept it.

Therefore, although effective laws exist, in some circumstances, few actors tend to enforce them. Regardless of the rationale behind corrupt behavior, lawmakers must first identify the underlying causes of corruption and then adapt their measures accordingly²⁸.

3.3. Cooperation in the fight against crime of bribery and abuse of influence

The scale of bribery and abuse of influence transcends national borders, and its complexity requires a generalized battle involving multiple actors. The latter should also be able to fight it at the international level; several international organizations have adopted legislative documents aimed at harmonizing anti-corruption laws within member countries.

However, the existence of many agreements appears to complicate the pursuit of consolidation of effort, and national actors may be confused about making decisions on compliance with these legislative documents.

While these international organizations share the same goal of fighting bribery and abuse of influence, there is also no mutual cooperation aimed at pursuing a unified legislative approach. Especially since these entities "are involved in the arena of global governance, which is an arena that contains divergent interests and various geopolitical realities."

The inconsistency between the agreements can lead to differentiation in national approaches to tackling corruption. This can, for example, complicate the extradition process in foreign bribery cases that require standardized procedures.

Besides the need of cooperation between international organizations, some authors have also noted competition between them, and the emergence of new forms of interactions that are said to result from encroachment on mandates and policies. These interactions can be seen as attempts to legitimize and award new contracts in a "competitive international environment".

Competition between organizations can occur when there is an overlap of skills and interests on the ground. This creates a dynamic characterized by the desire to dominate the other. However, the phenomenon of acquiring material resources can lead organizations to take ineffective or undesirable decisions that enable them to achieve their goals²⁹.

As a result, the primary objective of addressing a particular issue may lose its relevance in favor of organizational interests. It is interesting to see if these dynamics can also appear in the fight against corruption. Having many players on the field can create a desire to outperform others in order to attract more contracts.

4. The effects of bribery and abuse of influence on human rights and the state law:

The crime of bribery and abuse of influence threatens democratic institutions and human rights, and leads to negative economic and social impacts.

4.1.A threat to democratic institutions and human rights:

More than two hundred years ago, the preamble to the Declaration of the Rights of Man and of the Citizen of 1789 clearly indicated that "ignorance, forgetting or contempt for human rights are the only causes human rights, general woes and government corruption". The affirmation of human rights has already presented itself as a way to fight corruption.

There is a deep contradiction between respect for human rights and bribery and abuse of influence, because the latter is a phenomenon that "goes hand in hand with

discrimination and inequality, especially in the courts", and corruption breaks the law, relation of reciprocity and reciprocity, and in this sense destroys individual relations. Corruption is the opposite of human rights³⁰.

It threatens the rule of law because it undermines its central pillars of the separation of powers and the institutionalization of human rights, bribery and abuse of influence seeps into the heart of the state and undermines citizens' confidence in public institutions and threatens their stability and social cohesion³¹.

In this sense, bribery and abuse of influence poses a serious threat to democracy and corruption destroys the trust that makes the representation mechanism possible, thus distorting democracy and weakening the rule of law.

Bribery and abuse of influence challenges the legitimacy of authority and discredits the political class, depriving them of the possibility of demanding efforts from the population. A devastating phenomenon of bribery and abuse of influence is widespread in countries where the rules of good governance are little or not respected at all.

According to at least one legal commentator, it is a fear-based phenomenon, whether the fear results from economic, social or other considerations. These concerns stem from the shortcomings of democracy, particularly in terms of economic justice.

In this sense, in the absence of a democratic redistribution of wealth, individuals are naturally willing to allocate resources informally on their own account.

4.2.Economic and social impacts of bribery and abuse of influence:

The devastating effects of bribery and abuse of influence are manifold, and the economic and social costs of corruption are widely recognized today, although it can be difficult to measure precisely³².

The many negative impacts of bribery and abuse of influence on resource allocation and redistribution should be briefly enumerated:

First, an unlawful act of corruption can generate significant costs in protecting its clandestine nature, secondly, by increasing uncertainty and the cost of legal transactions, bribery and abuse of influence reduces investment and slows growth. Corruption can distort the government's role in allocating resources by skewing the public spending structure in favor of projects that make it easier to accept bribes and undermine priority programs³³.

Bribery and abuse of influence distorts the state's role in redistribution and facilitates tax fraud and tax evasion, by restricting public revenue, it taxes increasingly prohibitively small numbers of taxpayers.

Another consequence of corruption is the deterioration of the quality of services provided and goods purchased or controlled by departments.

In systems where the search for rent turns out to be more profitable than productive labor, the distribution of talent is poor and the elite tend to resort to unproductive activities, which have harmful consequences for social surplus and growth.

Corrupt payments in international markets have dire consequences within the country concerned. The first is to create a “culture of corruption in companies that then tends to resort to it in the internal market”³⁴.

Conclusion:

The contemporary international struggle against corruption includes a large number of international organizations, including the World Bank, the International Monetary Fund, the United Nations, the European Union, the European Bank for Reconstruction and Development, the World Trade Organization, and the Economic Organization.

In addition, civil societies and NGOs, such as Transparency International, work in developing countries to increase public awareness of the negative consequences of the crime of bribery and abuse of influence, and to encourage political reforms.

However, one document in particular has received the most international support, the United Nations Convention Against Corruption, which aims to coordinate national efforts to combat bribery and abuse of influence by developing a document with a global reach. Its content focuses on prevention and criminalization measures, international cooperation and asset recovery.

Despite the efforts of many international actors and the establishment of conventions and treaties such as the United Nations Convention presented above, the international fight against corruption has been defined as ineffective.

Although their impact on contemporary societies, anti-corruption initiatives and international efforts are still limited and insufficient to have the desired effects in developing countries in particular.

The international community agrees that the consequences of bribery and abuse of influence can be catastrophic for economic, social and political development and a significant cause of poverty and deterioration of livelihoods.

Professionals working in the Corruption and Economic Crime Branch of the United Nations Office on Drugs and Crime face difficulties and obstacles in performing their duties. Their experiences and perceptions of corruption are ignored and their efforts remain hidden behind institutional rhetoric and academic work.

Based on the results of our research, it is possible to formulate three recommendations:

- Officials from member states and national political actors should be made aware of what the United Nations Office on Drugs and Crime is doing in their countries. Therefore, the Corruption and Economic Crime Branch should take initiatives aimed at sensitizing public officials to the content of the Anti-Corruption Agreement, and these programs can also be beneficial in terms of the organization's ability to attract funding.

- Increasing the number of regional advisors to answer questions related to combating bribery and abuse of influence.

- Involving NGOs, and making use of the expertise of existing NGOs in this field. Their position allows them to gain in-depth knowledge of the causes and consequences of corruption specific to the national social and political context, and to exert pressure on political actors to bring about reforms.

However, they can only participate in the UNCAC compliance review process if invited by representatives of the country under review.

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