



International Legislation, Treaties and Regional Conferences The Egyptian Mission to Combat Corruption



**Minister Plenipotentiary
Dr. Muhammad Abd al-Salam Al-Shahed**
Director of the Anti-Corruption Unit at the Ministry of Foreign Affairs

Fighting corruption is of great importance in the context of all nations' quest to build a state of law that adopts democracy and good governance as an indispensable approach to achieving development and prosperity. Many countries have realized the significance of addressing the corruption phenomenon as one of the priorities of their national policies, so they have enacted legislation for combating corruption in its various forms through concluding bilateral and multilateral agreements for this purpose. At the national level, Egypt was not isolated from these trends and it built the modern national state, with combating corruption and maintaining public money representing an integral part of its constitutional and legal system. Egypt also joined the regional and international agreement frameworks related to combating corruption, and made remarkable efforts and initiatives which reflected its strong will to combat corruption.

Realizing the importance of combating corruption within the framework of the comprehensive development process and building the state can be fully achieved by looking at the areas of fighting corruption and its role in the various development aspects. From an economic point of view, fighting corruption is one of the most important means used by all countries to protect public funds and utilize them in achieving sustainable development. In terms of politics, the fight against corruption is one of the most important pillars of the rule of law and good governance, as it consolidates the principles of equality before the law and forbids using public office for obtaining unlawful rights. It also promotes accountability, transparency and the sanctity of public funds to support good governance. Concerning the social aspect, combating corruption contributes to providing equal opportunities to the society members and raising the spirit of honest competition among them to enable them achieve their aspirations through facilitating the means of promotion, opening the channels of social mobility and providing the channels of honest competition.

Given this background of the growing awareness of the importance of combating corruption in the context of the development efforts, many countries have taken the initiative to enact legislation that would enable them to address the corruption phenomenon in an effective manner. They have also developed awareness plans to educate the various segments of the society and familiarize them with the harmful effects of corruption on development, social welfare and national stability as well as the ways of resisting it and instilling aversion to it in all citizens.

In addition, many countries have concluded regional and international treaties aimed at strengthening cooperation among them for combating corruption. These treaties include the United Nations Convention against Corruption, as the only legally binding

global instrument against corruption, which was adopted by the United Nations General Assembly on October 31, 2003 through resolution No. 58/4, and which entered into force on December 14, 2005. This Convention covers the main areas of preventive measures, criminalization and law enforcement, international cooperation, asset recovery, technical assistance and information exchange. It covers many different forms of corruption, such as bribery, abuse of power, abuse of position and various acts of corruption in the private sector. One of the most prominent features of this Convention is the inclusion of a special chapter on asset recovery, with the aim of returning assets to their rightful owners, including the countries from which they were illegally taken. The majority of UN member states (189 countries) have acceded to this Convention. At the regional level, there is the African Union Convention to Prevent and Combat Corruption, which entered into force on August 5, 2006, with 45 African states being parties to it and the Arab Anti-Corruption Convention ratified by more than 12 Arab countries to date. It should be noted that Riyadh, capital of the Kingdom of Saudi Arabia, hosted the fourth conference of the Arab Anti-Corruption Convention in March 2022. One of the most important resolutions of the conference was the adoption of a mechanism for reviewing implementation of the Arab Anti-Corruption Convention to establish a participatory approach in the Convention implementation efforts, based on collective follow-up by the states parties at the country level to enhance those efforts.

At the national level, the Egyptian legislative and institutional structure reflected the Egyptian determination to combat corruption in all its forms. Article 218 of the 2014 Constitution of Egypt stipulates: The state is committed to combating corruption, and the law identifies the competent supervisory bodies and

agencies, which shall coordinate with one another to combat corruption and promote the values of integrity and transparency. This aims to ensure the proper performance of public office, the protection of public funds as well as developing and following up implementation of the national anti-corruption strategy in partnership with other relevant bodies and agencies, in the manner regulated by law. In application of this stipulation, the Egyptian legislator has set some laws for regulating the work of bodies and agencies specialized in the field of preventing and combating corruption and developed a legislative system, identifying many of the corruption crimes stated in the United Nations Convention against Corruption. The most important laws are the Penal Code promulgated by Law No. 58 of year 1937 and its amendments, Law No. 54 of 1964 on regulating the Administrative Control Authority and its amendments stated in Law No. 207 of 2017 as well as the Central Agency for Organization and Administration Law No. 118 of 1964 and its amendments. More laws include the Illicit Profit Law No. 11 of 1968 amended by Law No. 62 of 1975, the Central Auditing Organization Law No. 144 of 1988 and its amendments and the Money Laundering Law No. 80 of 2002 and its amendments by Law No. 36 of 2014. Many other laws cover the offenses under the United Nations Convention against Corruption based on the protection of public funds and the public office against corruption as well as monitoring and tracking the money obtained from criminal acts.

At the institutional level, the most important law enforcement and anti-corruption agencies in Egypt are the Administrative Control Authority, the Central Auditing Organization, the Public Prosecution, the Ministry of Interior, the Anti-Money Laundering and Terrorist Financing Combating Unit, the General Authority for Financial Control and the General Organization for Export and Import Control. The National Coordination Committee for Combating Corruption was established by Prime Minister's Decision No. 2890 of 2010 as amended by Decision no. 493 of 2014, chaired by the Prime Minister and comprising a number of ministers as members. They include the Minister of Local and Administrative Development, the Minister of Justice, President of the Administrative Prosecution Authority, President of the Administrative Control Authority, and representatives from the Ministry of Interior, the Ministry of Foreign Affairs, General Intelligence, the Central Auditing Organization, the Anti-Money Laundering Unit and the Public Prosecution. The Anti-Corruption Coordination Subcommittee of the National Coordination Committee for Combating Corruption was established by virtue of Prime Minister's Decision No. 1022 of 2014, headed by Chairman of the Administrative Control Authority. It also comprises representatives from the Ministry of Interior, the Ministry of Local and Administrative Development, the Ministry of Foreign Affairs, the Ministry of Justice, the Public Prosecution, the General Intelligence, the Administrative Control Authority, the Central Auditing Organization, the Administrative Prosecution Authority and the Anti-Money Laundering Unit.

At the executive level, the competent authorities have jointly developed the Egyptian National Anti-Corruption Strategy, after extensive coordination and consultation. Its first phase was previously implemented during the period 2014 - 2018; while its second phase covered the period 2019 - 2022. The strategy addresses laying foundations for understanding the dangers of corruption and facing them by the society, with the support of an administrative body that upholds the values of transparency, integrity and effectiveness. The strategy detailed the objectives, executive procedures, programs and mechanisms that ensure achieving its goals, including supporting the capabilities and independence of anti-corruption agencies as well as promoting the transparency and integrity values in the various state institutions. This aims to achieve Egypt's Vision 2030 and to implement the international and regional conventions including the UN Convention against Corruption and both the Arab and African Anti-Corruption Conventions to which Egypt has acceded.

Out of its belief in the importance of training and capacity building for forming fully qualified and efficient cadres to enable

them to perform the anti-corruption tasks assigned to them, the Administrative Control Authority established the Egyptian Anti-Corruption Academy. The Academy serves as the main academic institute specialized in spreading knowledge, raising awareness and providing training in the field of anti-corruption as well as the formation of human cadres specialized in this field at the national, regional and international levels. The Egyptian Anti-Corruption Academy performs its great mission diligently to make a remarkable contribution to strengthening the national efforts of combating corruption as well as to impart Egypt's great experiences in this field to the Arab and African countries. In addition, the Academy represents an important addition to the Egyptian external role in one of the most serious areas for all developing countries, topped by African countries.

Within the multilateral frameworks, Egypt took the initiative to join the international and regional agreement frameworks aiming to combat corruption, particularly the United Nations Convention against Corruption and both the Arab and African Anti-Corruption Conventions, and Egypt assumed a remarkable role in enhancing cooperation in those frameworks. These tireless Egyptian efforts culminated in hosting the ninth session of the Conference of the States Parties to the United Nations Convention against Corruption, held in Sharm El-Sheikh in December 2021. This conference embodied international consensus on the importance of Egypt's position in the international arena in general and its role in the fight against corruption in particular. The conference issued the Sharm El-Sheikh Declaration entitled "Strengthening Multilateral International Cooperation in the Field of Combating Corruption during Emergencies, Times of Crisis and Recovery." It also adopted some resolutions aimed at strengthening international cooperation in the fight against corruption, including the resolution on following up implementation of the political statement entitled: "Preventing and Combating Corruption and Strengthening International Cooperation: Follow-up on the Special Session of the United Nations General Assembly on Corruption" presented to the conference by Egypt, the UAE, Peru and Colombia. There is also the resolution entitled "Strengthening implementation of the United Nations Convention against Corruption at the regional level" presented by Egypt and other countries.

At the African level, Egypt hosted the fourth annual general assembly of the Africa Association of Anti-Corruption Authorities and the first Forum of African Anti-Corruption Authorities in June 2019 in Sharm El-Sheikh. Finally, the Administrative Control Authority was elected president of the Africa Association of Anti-Corruption Authorities in the elections that took place on the sidelines of the Fifth Annual General Assembly of the Association, held in Burundi in June this year. This embodied the belief of African countries in the leading role assumed by Egypt at the level of strengthening African cooperation in the field of combating corruption, and the great experiences in this field imparted by Egypt to African countries.

At the Arab level, Egypt actively participated in the successive sessions of the Conference of the States Parties to the Arab Anti-Corruption Convention, the last of which was the fourth session held in Riyadh, Saudi Arabia in March this year. One of its most important resolutions was the adoption of a mechanism for reviewing implementation of the Arab Anti-Corruption Convention to establish a participatory approach in the Convention implementation efforts, based on collective follow-up by the states parties at the country level to enhance those efforts.

The world countries will not be able to achieve their development goals in their various aspects without establishing the principles of integrity, transparency and the rule of law, which is only realizable through exerting great efforts at the country level to combat corruption and enhance international cooperation in combating corruption. There is no doubt that Egypt with its position, role and accumulated experiences in this important field has a lot to offer to all countries in its region and the whole world.

Combating corruption contributes to providing equal opportunities to the society members and raising the spirit of honest competition among them to enable them achieve their aspirations through facilitating the means of success, opening the channels of social mobility and providing the channels of honest competition

The Egyptian Anti-Corruption Academy performs its great mission diligently to make a major contribution to strengthening the national efforts of combating corruption as well as to impart Egypt's great experiences in this field to the Arab and African countries. In addition, the Academy represents an important addition to the Egyptian external role in one of the most serious areas for all developing countries, topped by African countries