

Preventive and Supportive Strategies in Combating the Crime of Corruption Based on Iranian Law and the Merida Convention

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Abstract

Corruption, with its devastating effects on various dimensions and at local, national, and international levels, necessitates control and counteraction. In this regard, the formulation of legal frameworks holds particular significance. Accordingly, the objective of this study is to examine preventive and supportive strategies in combating the crime of corruption, based on Iranian law and the United Nations Convention against Corruption (UNCAC). This study employs a descriptive-analytical method. The primary sources used in the research include the full text of the Merida Convention, Iranian legal and statutory documents, and scholarly articles and books approved and written in this field. The findings of the study, through a comparative analysis of Iranian domestic law and the Merida Convention, indicate that both systems are aligned and complementary in their preventive and supportive strategies. These strategies include performance reporting in the fight against corruption (at both governmental and public levels), preventing corruption in the private sector, supporting whistleblower networks, avoiding conflicts of interest, declaring assets by public officials, creating barriers to opportunities for committing corruption, increasing the likelihood of detecting and identifying corruption, and establishing a merit-based selection system. Nevertheless, to enhance their complementarity and coherence, it is necessary to repeal outdated and scattered legal documents and to draft and enact a comprehensive law on combating corruption. This law should be based on specialized principles and consider human rights and civil rights. Furthermore, to facilitate the implementation of the Convention against Corruption, it is essential to formulate the general policies of the system in this regard. The Expediency Discernment Council of the System should, in turn, address specific issues of the international community within the framework of the national interest. In this context, collaboration with academic and religious research centers to establish a dedicated institution for fundamental studies based on scientific principles concerning corruption, its roots, and its consequences—and for exploring appropriate solutions using religious teachings and the experiences of other societies—can contribute to a principled and sustainable resolution of this problem.

Keywords: crime, corruption, strategy, prevention of corruption, Iranian law, Merida Convention

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1. Introduction

The World Bank has likened the phenomenon of corruption to a “cancer” (Tavakoli, 2011), as corruption, like an infection, can destroy a society (Afzali, 2011). With a cancerous growth pattern, corruption gradually permeates social norms and culture everywhere (Rafi'pour, 2009). When corruption becomes a cultural norm, corrupt acts no longer appear shameful and are no longer viewed as deviant behaviors. Corruption disrupts the economic system and undermines social justice. It widens class divisions and increases poverty, and by eroding social trust, it puts the political legitimacy of the ruling authority at risk (USAID, 2000). As a result, with increasing strikes and internal unrest, it can lead to the overthrow of the political system. Furthermore, in such a weakened political and economic structure, it is not unlikely that foreign powers and adversaries may seek dominance over the country (Helne, 1972). Among the adverse consequences of corruption are increased social distrust and the escalating costs of governance. Therefore, addressing the issue of corruption and developing preventive strategies is considered vital from multiple analytical perspectives. This study adopts a comparative analytical perspective to examine anti-corruption strategies in Iranian law and the United Nations Convention against Corruption (UNCAC).

According to reports from Transparency International, no country is completely free of corruption (Transparency International Organization, 2011); however, the extent of corruption varies across countries (Rahnavard et al., 2010).

Although the Palermo Convention on combating transnational organized crime was adopted in 2000, the necessity for the Merida Convention, with a specific focus on the prevention of financial corruption, led to its adoption in 2003. Iran acceded to this convention on November 19, 2008 (Official Gazette of the Islamic Republic of Iran, No. 18563, Vol. 64, dated November 19, 2008). One of the main reasons for Iran's accession was the transnational expansion of corruption in the context of globalization and its impact on international interactions. Consequently, participation in the development of international legal norms through regional and global organizations is doubly essential for both domestic and international prevention and control of corruption. Iran's ratification of the Convention against Corruption (Merida) and the "Law on Promotion of Administrative Health and Combat Against Corruption" are considered two significant steps by the Iranian government in combating and controlling corruption.

Corruption is defined as "any act or omission committed by any natural or legal person, individually, collectively, or organizationally, deliberately and with the aim of obtaining any direct or indirect benefit or advantage for oneself or others, in violation of national laws and regulations, or causing harm or damage to public property, interests, resources, health, or security, or to a group of people, such as bribery and graft..." (Law on Promotion of Administrative Health and Combat Against Corruption, adopted October 29, 2011, Article 1, Clause A).

Although the Merida Convention does not explicitly define the term “corruption,” it provides more precise examples of corrupt practices compared to Iranian legal statutes. Crimes such as bribery, embezzlement, and money laundering are categorized as corruption under this Convention, and signatory states are required to criminalize these acts and take measures to combat them.

According to the Merida Convention, corruption is recognized as a transnational phenomenon affecting societies, particularly their economies, and thus requires international cooperation for its prevention or control. The United Nations Convention against Corruption introduces and implements a novel non-judicial mechanism based on internal oversight (through the adoption of new laws and regulations concerning corruption, the activity of competent domestic institutions for controlling and preventing corruption, and civil society and public participation). Alongside international mechanisms such as periodic reporting, oversight by competent international bodies, and international peer review, the Convention establishes a comprehensive and inclusive monitoring framework that combines both globalist and nationalist oversight approaches in the prevention and control of corruption.

A review of previous studies in this field shows that despite the abundance of research, the strategies for combating and preventing corruption in Iranian law and the Merida Convention have not been comparatively analyzed.

To understand the necessity and significance of this study, attention must first be paid to the current state of corruption in Iran. Based on domestic and international statistics and evidence, Iran ranks among the most corruption-prone countries in the world (Mauro, 2002). Iran's administrative system is deeply plagued by corruption (Khezri, 2007). According to annual reports from Transparency International, Iran has consistently ranked poorly in terms of administrative integrity (Afzali, 2011);

in 2011, 2014, 2017, and 2018, Iran ranked 120th, 136th, 130th, and 138th respectively out of 176 countries. Findings from domestic studies also align with international results; public perception of widespread corruption in Iranian society has been increasing over the past decade. According to reports from the "Center for Strategic Studies of the Presidency," public perception of corruption in 2009, 2010, 2012, and 2016 stood at 63%, 73%, 80%, and 88%, respectively (Jalili, 2018).

The historical scope of corruption in Iran is such that some researchers have categorized Iran among rentier states (Abrahamian, 2013; Katouzian, 2011, 2013). The rentier system and the exploitative mindset that followed during the Second Pahlavi era led to the normalization of bribery, commission-taking, favoritism, and corruption as common means of conducting affairs. A review of existing laws in the Islamic Republic period also indicates that the issues of corruption and administrative integrity have been of great concern to officials and legislators, as reflected in multiple legal texts, including the Constitution, the Islamic Penal Code, the Civil Liability Act, the Anti-Money Laundering Act, and the Law on Promotion of Administrative Health (Amiri et al., 2015).

The findings of this study may be valuable to educational institutions, researchers, scholars in jurisprudence and law, executive bodies, judges, lawyers, legal experts, and consultants. Based on these findings, suitable strategies can be proposed for the challenges related to combating and preventing corruption. Anti-corruption policymaking in Iran requires in-depth research, and the results of this study can be used by legislative bodies, the judiciary, and other relevant institutions.

This study employs a descriptive-analytical research method. The primary materials used in the research include the full text of the United Nations Convention against Corruption (Merida Convention), Iranian legal and statutory documents, and articles and books that have been enacted or written in this field. The researcher seeks to utilize library and software-based sources, relying on valid domestic and international legal foundations, particularly the provisions of the Merida Convention, to explain corruption prevention across its various dimensions and forms.

Preventive and Supportive Strategies in Iranian Law and the Merida Convention

Generally, three overarching strategies for combating and controlling corruption can be identified in Iranian legal and judicial frameworks and in the Merida Convention: (1) strengthening legal and technical capacities for combating corruption; (2) enhancing participation and cooperation in the fight against corruption; and (3) implementing preventive and supportive measures. This study focuses solely on the third category—preventive and supportive strategies in combating corruption.

Preventive and Supportive Strategy in Iranian Legal Provisions

Below are the main preventive and supportive strategies in combating corruption as reflected in Iranian legal frameworks and relevant provisions.

Performance Reporting in Anti-Corruption Efforts (at Governmental and Public Levels): One of the most fundamental strategic principles in combating economic corruption is financial transparency of institutions (Bertot et al., 2010). Even anti-corruption agencies must operate transparently and be subject to oversight. Financial corruption, particularly among white-collar criminals, has evolved into a complex and concealed offense with low detectability. However, internal reporting by institutions and organizations where corruption occurs significantly contributes to uncovering such crimes. Articles 9, 13, and 14 of the Law on Promotion of Administrative Health emphasize transparency and reporting of anti-corruption activities. However, the reporting of corruption should not be limited to governmental, judicial, and supervisory officials—it must also reach the public. Public disclosure of corruption enables civic oversight and builds public trust in the integrity of employees and protection of citizens' rights (Ebrahimi & Safaei Atashgah, 2015). Articles 3 and 25 of the Law on Promotion of Administrative Health are dedicated to public reporting of anti-corruption efforts.

Prevention of Corruption in the Private Sector: Given the multidimensional nature of corruption, addressing corruption in the private sector alongside governmental corruption is essential. Private sector corruption can distort markets and lead to unfair competition. The Law on Promotion of Administrative Health refers to combating corruption in the private sector in Clause (b) of Article 1 and Clause (d) of Article 2; however, unlike the Merida Convention, it does not offer practical mechanisms in this regard.

Protection of Whistleblower Networks: Supporting whistleblowers—including media, social networks, press, journalists, NGOs, and the general public—raises the cost of corruption and thereby reduces its occurrence (Dadkhodaei, 2013). Testimonies from such individuals are among the most critical tools for detecting economic crimes, which are otherwise complex and difficult to uncover. Given the difficulty of collecting evidence in such cases, whistleblowers must be protected

against potential physical and psychological harm so that they and their families feel safe enough to cooperate with the police and judicial authorities. Support for those promoting good and preventing wrongdoing in Article 8 of the Constitution can be interpreted as indirect support for whistleblower networks (Vakilian & Derakhshan, 2017). Articles 3, 17, and 26 of the Law on Promotion of Administrative Health address whistleblower protection. However, the proviso in Article 17 is problematic because it contradicts the “effective protection” required under the Merida Convention. It conditions the protection of whistleblowers—who are inherently at risk in economic crimes—on circumstances that may deter individuals from reporting corruption if they believe their disclosures may not be approved by competent authorities. Additionally, this provision neglects the protection of the whistleblower’s family and relatives. Consequently, fewer economic crimes are reported and uncovered, which undermines the judiciary’s performance in combating such offenses. This level of protection is, therefore, inadequate and insufficient.

Some attempts to draft whistleblower protection legislation have not yet materialized. For instance, the “Bill on Supporting Whistleblowers of Corruption” failed due to a lack of sufficient support in Parliament. The passage and implementation of a similar bill in the 11th Parliament in Fall 2020 also yielded no results due to fundamental deficiencies, such as the failure to define the whistleblower and maintain confidentiality, the absence of an obligation for the receiving authority to provide periodic reports on the status of received evidence, and other critical flaws (Tasnim News Agency, 2020).

Prevention of Conflict of Interest: A conflict of interest arises when a decision-maker’s personal interest is involved in their professional duties, possibly prompting actions like accepting bribes, gifts, or rewards in favor of their own benefit over institutional integrity (Michael & Andrew, 2001). Despite its importance, the concept of conflict of interest has not received proper recognition in Iran’s legal system, and the current regulatory approach is insufficient and fragmented (Vakilian & Derakhshan, 2017). Major legislative examples of conflict of interest prevention in Iran include: Article 141 of the Constitution of the Islamic Republic of Iran; the Legislative Bill Prohibiting Ministers, Parliamentarians, and Government Employees from Engaging in Government Transactions (adopted January 12, 1959); the Single Article Law Prohibiting Holding More Than One Job (adopted January 1, 1995); the Law Prohibiting Commission Payments in Foreign Transactions (adopted July 18, 1993); Article 18 of the Law on Promotion of Administrative Health and Combating Corruption; and the Conflict of Interest Bill (Fall 2019). The latter remains stalled in the legislative process (IRNA, 2020).

Asset Declaration by Officials: Asset declaration—whether to the public or specific authorities—can be a preventive tool against financial corruption. It allows authorities to investigate unusual increases in wealth and determine whether assets were obtained legally. Article 142 of the Constitution mandates the declaration of assets by the highest officials in the country to prevent corruption. However, the narrow scope of this oversight and the absence of specific legal procedures prompted proposals to address this gap. The legal precedent for asset declaration dates back to the law of March 10, 1959, which had limited preventive scope. Consequently, it became necessary to expand the legal reach of asset declarations (Hosseini, 2011). Based on this necessity, a proposal titled “Bill to Expand the Implementation Scope of Article 142 of the Constitution” was submitted, but it was rejected by the Guardian Council due to conflict with Article 142 and subsequently referred to the Expediency Discernment Council.

Key challenges and shortcomings in the current monitoring structure that hinder the full realization of the law’s objectives include:

- The law does not address the investigation of assets held by children not under guardianship, relatives, or close associates of the officials.
- The focus is restricted to the beginning and end of the official’s service term, excluding asset growth during their tenure. This loophole allows individuals to either withhold full disclosure or transfer assets to another name before their term ends.
- The enforcement mechanisms for failure to declare or for intentional or unintentional false declarations are vague, and there is no reliable system to verify the accuracy of declared information.

Making Corruption More Difficult to Commit: Corruption can be made more difficult through opportunity reduction and control of enabling tools (Ebrahimi & Safaei Atashgah, 2015; Najafi Abrandabadi, 2004, 2006). In this context, implementing the e-government plan and utilizing information and communication technology (ICT) to promote transparency

in procedures and decision-making processes plays a crucial role. Within Iranian domestic law, this is reflected in Clauses “b” and “c” of Article 8 of the Law on Promotion of Administrative Health and Combating Corruption, Clause “v” of Article 46, and Clause “d” of Article 82 of the Fifth Five-Year Development Plan Law (adopted January 5, 2011). According to Clauses “b” and “c” of Article 8, administrative process reform significantly reduces the conditions for corruption to flourish (Farajiha & Moghaddasi, 2013). Through ICT—especially computer networks—this reform minimizes direct contact between employees and clients, thereby decreasing opportunities for corruption (Khanali Pour Vajargah, 2011). Clause “v” of Article 46 of the Fifth Development Plan mandates the Registry Organization to establish legal property databases, digitalize all property transactions, and develop a secure national real estate transaction system. Clause “d” of Article 82 of the same law targets bribery between officials and foreign contractors, making collusion more difficult (Aqababaei et al., 2009).

Increasing the Probability of Detection and Identification of Corruption: This situational prevention technique sends a clear message to potential offenders that any criminal intent turned into action will be observed, controlled, and apprehended (Ebrahimi & Safaei Atashgah, 2015). In other words, oversight of certain behaviors and the visibility and traceability of criminal acts through information technology tools induce a fear of detection and public shaming, thus deterring potential offenders (Khanali Pour Vajargah, 2011). Supervision by relevant institutions is one of the key preventive measures (Shams-Nateri & Touselizadeh, 2011). Legal documents supporting this technique within Iran's legislative criminal policy include Articles 49 and 174 of the Constitution of the Islamic Republic of Iran, Article 4 of the Law on Implementation of Article 49 (adopted August 8, 1984), the Law on Establishment of the General Inspection Organization (adopted October 11, 1981), Articles 6, 9(a), 11, and 15 of the Law on Promotion of Administrative Health and Combating Corruption, the Executive Regulation of Article 26 (dated July 15, 2014), Clause “d” of Article 97, and Clause 4 of Section “k” of Article 221 of the Fifth Five-Year Development Plan. Despite the multiplicity of laws intended to improve the probability of detection, the absence of a designated preventive authority hinders effective outcomes. Bureaucracy and lack of transparency increase the risk of financial corruption {Langseth, 2008 #185487}. Thus, ensuring transparency through complete and accurate dissemination of information in economic operations and mechanisms is considered a technological situational prevention strategy (Tavasolizadeh, 2013).

Establishing a Merit-Based Selection System: Most economic corruption crimes are committed by white-collar criminals operating within governmental structures, under the guise of legal services. A merit-based selection system, as a primary prevention strategy, aims to shield society at large from the harms of corruption (Najafi Abrandabadi, 2006). Iran's legal framework for selection is fragmented and heavily focused on security and political concerns. Consequently, qualifications are often reduced to the absence of a criminal or security record, without thorough verification of competencies. This increases the likelihood of unqualified individuals occupying official positions, thereby creating a breeding ground for corruption.

Preventive and Supportive Strategies in the Merida Convention: According to Article 5 of the Merida Convention, the institution responsible for formulating anti-corruption policies is also charged with overseeing their implementation (Sadati, 2015). Article 1 of the Convention emphasizes non-criminal preventive strategies alongside criminal enforcement, and Clauses “a” and “b” underline prevention as a primary mechanism for controlling corruption (Safari, 2001). Below are the Convention's key preventive and supportive strategies:

Performance Reporting on Anti-Corruption Efforts (Governmental and Public Levels): Articles 8(4), 10(a and b), 13(2), and 9(2)(b) of the Convention address the reporting of anti-corruption performance. Article 8(4) mandates state parties to establish mechanisms to facilitate corruption reporting in accordance with national laws. Article 10(a) encourages transparency in accessing information regarding public officials' actions and decisions, provided this does not violate individual privacy. The rest of Article 10 recommends simplifying administrative procedures, enhancing access to decision-making bodies, and adopting regulations for direct public engagement. Article 13(2) calls for the protection of individuals submitting reports—including physical, professional, and legal protection—while Article 9(2)(b) designates the timely publication of government revenues and expenditures as a tool for public accountability.

Prevention of Corruption in the Private Sector: Corruption in the private sector also negatively affects public institutions. The consequences include the deterioration of business ethics, the erosion of fair market competition, declining quality of goods and services, and reduced economic investment (Navadeh Topchi, 2010). To prevent such outcomes, Article 12 of Chapter

V of the Convention proposes several measures for state parties: promoting auditing standards in the private sector; fostering cooperation between legal authorities and private entities; developing professional standards in private companies; ensuring transparency of corporate identity; and implementing deterrent sanctions against violators.

Protection and Encouragement of Whistleblowers: Articles 32 and 33 of the Convention focus on protecting witnesses and whistleblowers. Article 33 specifically obliges state parties to adopt legal measures to protect any individual who, in good faith and based on reasonable grounds, reports offenses defined in the Convention to competent authorities.

Prevention of Conflicts of Interest: Articles 5(5) and 7(4) address this strategy. Article 7(4) encourages state parties to promote transparency and prevent conflicts of interest through appropriate legal frameworks, while Article 8(5) highlights practical examples of how to mitigate such conflicts as a form of situational prevention.

Declaration of Assets by Officials: Article 8(5) of the Convention indirectly refers to asset declaration by high-ranking officials through the submission of statements. However, this is not required of all public employees and is recommended only for those in senior positions.

Making Corruption More Difficult to Commit: Articles 8(2), 9(1)(t and th), and 10 of the Convention illustrate techniques for increasing the difficulty of committing corruption. Article 8(2) calls for state parties to establish behavioral standards and rules to ensure proper performance in public service. Clauses “t” and “th” of Article 9(1) recommend mechanisms to ensure compliance with legal procedures and regulate procurement operations. Article 10 promotes transparency through reduced bureaucracy, regular publication of reports on corruption risks in public administration, and similar initiatives.

Increasing the Probability of Detection and Identification of Corruption: Articles 8(4, 6) and 9(1) of the Convention provide guidance for enhancing detection and oversight. Article 8(4) encourages state parties to facilitate corruption reporting by public officials, reinforcing the transparency principle and discouraging potential offenders through fear of exposure and arrest (Jafari, 2009). Article 8(6) and parts of Article 9(1) list various forms of monitoring and control mechanisms.

Establishing a Merit-Based Selection System: Article 7 of the Convention outlines the state's role in ensuring fair and lawful procedures for personnel recruitment. It emphasizes the need to appoint qualified individuals who have undergone the necessary training prior to assuming official duties. Thus, one of the core responsibilities of governments is to prepare a sound and equitable selection framework to ensure that qualified personnel are empowered to uphold administrative integrity and prevent corruption.

Comparative Analysis of the Merida Convention and Iranian Domestic Laws Based on Preventive and Supportive Anti-Corruption Strategies

Regarding the strategy of reporting anti-corruption performance (at both governmental and public levels), Articles 3, 9, 13, 14, and 25 of the *Law on the Promotion of Administrative Health in Iran* address this issue. Similarly, the Merida Convention references this in Article 8 (paragraph 4), Article 10 (paragraphs a and b), Article 13 (paragraph 2), and Article 9 (paragraph 2, section b).

In the area of preventing corruption in the private sector, the relevant provisions are Clause (b) of Article 1 and Clause (d) of Article 2 of the *Law on the Promotion of Administrative Health*. Corresponding provisions in the Merida Convention can be found in Article 12 (Chapter V).

The protection of whistleblower networks is emphasized in Article 8 of the Iranian Constitution, Articles 3, 17, and 26 of the *Law on the Promotion of Administrative Health*, and Articles 32 and 33 of the Merida Convention.

The strategy of preventing conflicts of interest is addressed in Iran's Article 141 of the Constitution, the *Single Article Law Prohibiting Holding More Than One Job* (adopted January 1, 1995), the *Legal Bill on Prohibiting the Involvement of Ministers, Parliament Members, and Government Employees in State Transactions* (adopted January 12, 1959), the *Law Prohibiting the Collection of Commissions in Foreign Transactions* (adopted July 18, 1993), Article 18 of the *Law on the Promotion of Administrative Health*, and the *Conflict of Interest Bill* (Fall 2019). The Merida Convention also refers to this in Article 7 (paragraph 4) and Article 5 (paragraph 5).

Asset declaration by public officials is mentioned in Article 142 of the Iranian Constitution and the *Law on the Examination of the Assets of Ministers and Government Employees*, adopted March 10, 1959, prior to the Islamic Revolution. The Merida Convention briefly addresses this in Article 8 (paragraph 5).

The strategy of making corruption more difficult to commit is reflected in Article 8 (paragraphs b and c) of the *Law on the Promotion of Administrative Health*, Article 46 (Clause v), and Article 82 (Clause d) of the *Fifth Five-Year Development Plan*

(adopted January 5, 2011). The Merida Convention addresses this in Article 8 (paragraph 2), Article 9 (paragraph 1, sections t and th), and Article 10.

The legal basis for increasing the probability of detecting and identifying corruption in Iranian law includes Article 49 of the Constitution, Article 4 of the *Law on the Implementation of Article 49* (adopted August 8, 1984), Article 174 of the Constitution, the *Law on Establishing the General Inspection Organization* (adopted October 11, 1981), and Articles 6, 9(a), 11, and 15 of the *Law on the Promotion of Administrative Health*. Also relevant are the *Executive Regulation of Article 26* (dated July 15, 2014), Article 97 (Clause d), and Article 221 (Section k, Clause 4) of the *Fifth Development Plan*. The Merida Convention refers to this strategy in Articles 8 (paragraphs 4 and 6) and 9 (paragraph 1).

The legal basis for establishing a merit-based recruitment system in Iranian law is found in the *Selection Law*, while the Merida Convention addresses this in Article 7.

Table 1. Legal Sources of Preventive and Supportive Anti-Corruption Strategies in Iranian Law and the Merida Convention

Preventive and Supportive Anti-Corruption Strategy	Legal Sources in Iranian Law	Legal Sources in the Merida Convention
Reporting anti-corruption performance (governmental and public)	Articles 3, 9, 13, 14, 25 of the <i>Law on Promotion of Administrative Health</i>	Article 8 (4), Article 10 (a & b), Article 13 (2), Article 9 (2b)
Preventing corruption in the private sector	Clause (b), Article 1; Clause (d), Article 2 of the <i>Law on Promotion of Administrative Health</i>	Article 12 (Chapter V)
Protection of whistleblower networks	Article 8 of the Constitution; Articles 3, 17, 26 of the <i>Law on Promotion of Administrative Health</i>	Articles 32, 33
Preventing conflicts of interest	Article 141 of the Constitution; Single Article Law (Jan 1995); Legal Bill (Jan 1959); Law on Foreign Commission (July 1993); Article 18; Conflict of Interest Bill (Fall 2019)	Article 7 (4), Article 5 (5)
Declaration of assets by officials	Article 142 of the Constitution; Law on Assets of Officials (March 1959)	Article 8 (5)
Making corruption more difficult to commit	Article 8 (b, c); Article 46 (v), Article 82 (d) of the <i>Fifth Development Plan</i>	Article 8 (2), Article 9 (1t & 1th), Article 10
Increasing probability of detection and identification	Article 49, Article 4 (1984), Article 174, Law of General Inspection Organization (1981); Articles 6, 9(a), 11, 15; Exec. Reg. Article 26 (2014); Article 97 (d), Article 221 (k, 4) of the <i>Fifth Development Plan</i>	Article 8 (4, 6), Article 9 (1)
Establishing a merit-based selection system	<i>Selection Law</i>	Article 7

Governments are well aware that corruption, as a transnational and global issue, carries severe and detrimental consequences. In this regard, an examination of Iran's trajectory, based on the annual reports of Transparency International, reveals a trend toward increased corruption. Consequently, various legal instruments have been developed in both Iranian law and international legal frameworks to combat corruption. The most significant laws addressing the control and prevention of corruption within the Iranian legal system include the following: the *Constitution*; the *Court of Audit Law* (1982); the *Law on the Implementation of Article 49 of the Constitution* (August 8, 1984); the *Law on Intensifying Punishment for Bribery, Embezzlement, and Fraud* (December 6, 1988); the *Law on Punishment of Disruptors of the Economic System* (December 19, 1990); the *Islamic Penal Code* (November 28, 1991); the *Law Prohibiting the Collection of Commissions in Foreign Transactions* (July 18, 1993); the *Law Prohibiting Holding More Than One Governmental Position* (January 1, 1995); the Supreme Leader's *Eight-Point Directive* (April 29, 2001); the *Law on Promotion of Administrative Health* (October 29, 2001); the *Anti-Money Laundering Law* (January 22, 2008); and the *Law on Publication and Free Access to Information* (August 22, 2009).

Broadly, three key strategies can be identified in Iran's legal and judicial system for combating and controlling corruption: (1) strengthening legal and technical capacities to fight corruption; (2) enhancing participation and cooperation in anti-corruption efforts; and (3) implementing preventive and supportive measures in the fight against corruption. Preventive and supportive actions in Iranian legal frameworks are implemented through laws that emphasize: the reporting of financial corruption; oversight of public procurement and financial management; prevention of corruption in the private sector; protection of witnesses, informants, and whistleblowers; public reporting of anti-corruption measures; safeguarding or strengthening the protection of victims or potential targets; prevention of conflicts of interest; declaration of assets by public officials; making the commission of corruption offenses more difficult; and increasing the likelihood of detection and identification of offenses.

The phenomenon of corruption transcends temporal and spatial boundaries; thus, efforts to combat these crimes are pursued internationally. International organizations have adopted three primary approaches in their anti-corruption policy agendas: the regulatory approach, the advisory approach, and the declarative approach. Among these, the *United Nations Convention against Corruption (UNCAC)*, also known as the *Merida Convention*, has established the most extensive rules and obligations for states in the fight against corruption. This convention, consisting of a preamble, eight chapters, and 71 articles, was adopted by the United Nations General Assembly in Resolution 58/4 dated October 31, 2003.

A comparative analysis of Iranian domestic law and the Merida Convention shows that both systems align and complement each other in preventive and supportive strategies, including: performance reporting on anti-corruption measures (at both governmental and public levels); prevention of corruption in the private sector; protection of whistleblower networks; prevention of conflicts of interest; asset declaration by public officials; making corruption more difficult to commit; increasing the probability of detection and identification of corruption; and establishing a merit-based recruitment system. Nevertheless, to reinforce the compatibility and complementary aspects of these strategies, it is essential to repeal and annul obsolete and fragmented legal instruments and to draft and enact a comprehensive anti-corruption law grounded in specialized principles and with consideration for human rights and civil liberties. Furthermore, to facilitate the implementation of the Convention, national macro-policies should be formulated. In this context, the *Expediency Discernment Council* must also incorporate international community concerns into national interests.

To effectively combat corruption, it is necessary to reform any laws that conflict with the principles of anti-corruption or with the provisions of the international *Convention against Corruption*, in order to establish a practical and supportive legal infrastructure and eliminate corruption-enabling environments. Undoubtedly, the enactment and reform of these laws should be informed by the experiences of other countries and the international standards set out in instruments such as the UNCAC. In this regard, cooperation between the government and academic and religious research institutions in establishing a center for foundational studies—grounded in scientific principles on corruption, its roots, and its consequences—and in the search for appropriate solutions using religious teachings and the experiences of other societies can contribute to a principled and sustainable resolution to the problem. Additionally, attention to jurisprudential studies on anti-corruption across various dimensions and aligning religious doctrines with the provisions of international legal instruments is an essential and indispensable aspect of this important and strategic domain.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Ethical Considerations

All procedures performed in this study were under the ethical standards.

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Conflict of Interest

The authors report no conflict of interest.

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