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Pathology of the National Legal System for Combating Economic Corruption in the Islamic Republic of Iran in Comparison with International Standards and Presentation of a Comprehensive Legal Framework for Countering Economic Corruption

1. Marzieh. Afshari¹: Department of Criminal Law, Ahv.C., Islamic Azad University, Ahvaz, Iran
2. Sajad. Akhtari^{2*}: Assistant Professor, Department of Law, Aba.C., Islamic Azad University, Abadan, Iran
3. Isa. Bani-Naeimeh³: Department of Criminal Law and Criminology, Ka.C., Islamic Azad University, Karaj, Iran

*corresponding author's email: Sajad.akhtari@iau.ac.ir

ABSTRACT

Economic corruption is one of the most complex challenges in contemporary governance, and its adverse effects on sustainable development, social justice, and public trust in the Islamic Republic of Iran have become increasingly evident. Despite the enactment of numerous laws—including the Law on Promoting Administrative System Health, the Law on Punishing Disruptors of the Economic System, and the Anti-Money Laundering Law—Iran's legislative framework for combating economic corruption lacks the necessary coherence, transparency, and effectiveness. Using a descriptive-analytical method and relying on library resources and international instruments, this article examines the structural and functional deficiencies of the national legal system for combating economic corruption in Iran and compares it with international standards, including the United Nations Convention against Corruption (UNCAC), also known as the Mérida Convention. Findings reveal that fragmentation of laws, multiplicity of law-making authorities, conceptual ambiguities, and weak enforcement mechanisms are among the most significant barriers to the effectiveness of this system. Finally, the article proposes a comprehensive model—consisting of consolidation of laws, establishment of an independent national anti-corruption authority, strengthening financial transparency, and protecting corruption whistleblowers—as practical strategies to enhance Iran's legal framework for combating economic corruption.

Keywords: *Economic corruption, Iranian legal system, criminal and non-criminal prevention, Mérida Convention, law reform, criminal policy.*

Introduction

Economic corruption is one of the major challenges that directly affects the economic, social, and political structures of any country. In Iran, economic corruption is recognized as one of the primary factors contributing to decreased economic efficiency, weakened governmental institutions, and the creation of social inequalities. According to various reports, economic corruption has jeopardized public trust in governmental institutions and has



reduced both domestic and foreign investment (1). In Iran, corruption has severe negative consequences not only economically but also socially, and therefore, combating it has become an urgent necessity (2).

In this regard, the Islamic Republic of Iran has taken several measures in recent years to enact anti-corruption laws and regulations. However, implementation challenges—such as inadequate oversight, lack of transparency in administrative processes, and legal complexities—have prevented existing laws from effectively combating economic corruption (3). This study analyzes the pathology of these laws and compares them with international anti-corruption standards, aiming to identify weaknesses and propose legal reforms for Iran (4).

International anti-corruption standards, particularly the conventions and guidelines of the United Nations and the Organisation for Economic Co-operation and Development (OECD), are considered important global instruments for combating corruption. Iran, by joining some of these conventions and attempting to harmonize its domestic laws with international standards, has taken steps toward reducing economic corruption. Nevertheless, challenges remain in the effective implementation of these laws, which require further analysis and reform (5).

The present research provides a comparative examination of Iran's legal system and international anti-corruption standards. This comparison will help identify strengths and weaknesses within Iran's legal framework and analyze the extent of its alignment with international principles. In particular, comparative analysis can offer solutions for improving Iran's legal mechanisms and reducing economic corruption (6).

Given the ongoing challenges in combating economic corruption, this study seeks to present a comprehensive legal model capable of effectively addressing corruption. This model may include reforms to existing laws, strengthening supervisory institutions, and enhancing transparency in governmental and economic processes (7). The purpose of this model is to establish an efficient and transparent legal system that can manage and substantially reduce economic corruption at multiple levels.

Overall, the findings of this study may serve as an effective step toward reforming and strengthening Iran's legal system in combating economic corruption. This research can also contribute to greater transparency in legal and executive processes and play a significant role in achieving developmental goals and improving Iran's economic conditions (8).

Theoretical Foundations and the Conceptual Framework of Corruption in Iran's High-Level Policy Documents

Economic corruption is one of the major issues that directly affects the economic, social, and political structures of any country. In Iran, economic corruption is considered one of the main causes of reduced economic efficiency, weakened governmental institutions, and increased social inequalities. According to various reports, economic corruption undermines public trust in state institutions and reduces domestic and foreign investment (9). Corruption in Iran not only has serious economic consequences but also substantial social impacts, making it an urgent issue requiring immediate attention (2).

In recent years, the Islamic Republic of Iran has taken steps toward establishing anti-corruption laws and regulations. However, implementation difficulties—such as insufficient oversight, lack of transparency in administrative processes, and legal complexities—have prevented these laws from effectively countering economic corruption (10). This research examines the structural pathology of these laws and compares them with international anti-corruption standards, seeking to identify weaknesses and propose legal reform strategies for Iran (4).

International anti-corruption norms, particularly those found in United Nations conventions and OECD guidelines, are key global tools for addressing corruption. Iran has joined some of these international instruments and has attempted to align its domestic legal framework with global standards. Nevertheless, challenges remain in effectively implementing these laws, necessitating further analysis and reform (4).

The present study conducts a comparative analysis of Iran's legal system and international anti-corruption standards. This comparison will identify strengths and weaknesses within Iran's legal structure and assess the extent of its compliance with international norms. Moreover, comparative legal analysis can provide practical recommendations for improving Iran's anti-corruption mechanisms and reducing economic corruption (11).

Given the challenges associated with combating economic corruption, this study aims to develop a comprehensive legal model capable of effectively confronting corruption. This model may encompass reforms to existing laws, reinforcement of supervisory bodies, and the enhancement of transparency in economic and governmental processes (1). The objective is to establish a transparent and effective legal system that can manage and reduce economic corruption across all levels.

Methodology

This research employs a documentary and comparative analytical approach. Data are collected through a thorough examination of Iran's domestic laws and regulations, international instruments related to combating economic corruption, and interviews with legal and judicial experts. Subsequently, using comparative analysis, Iranian laws are compared with international anti-corruption standards to identify strengths and weaknesses within the Iranian legal system. Overall, through content analysis, the study compares existing mechanisms in Iran with those of other countries and offers recommendations for reforming and improving Iran's legal framework for combating economic corruption.

Results and Findings

Pathology of the Existing Legislative and Structural System

Despite the strong foundations contained in Iran's high-level policy documents, the operational system for combating corruption faces profound structural and functional deficiencies that significantly undermine its effectiveness. One major challenge is the weakness of supervisory systems, which prevents many anti-corruption laws and regulations from being properly implemented. Oversight institutions in Iran face issues such as insufficient resources, lack of adequate independence, and weak inter-agency coordination—factors that limit their capacity to detect and counter corruption (1). In addition, administrative complexity and bureaucratic structures create numerous points of contact where corruption may spread. These complexities result in a lack of transparency and coherence in decision-making and executive processes, thus providing favorable conditions for corruption (3). Consequently, despite strong legal principles in high-level documents, the performance of the executive system is severely affected by structural and functional weaknesses (2).

Legislative Inflation and Fragmentation

One of the greatest obstacles to effectively combating corruption is the absence of a comprehensive, unified law and, instead, the existence of numerous dispersed, overlapping, and sometimes contradictory regulations. Laws

such as the Islamic Penal Code (regarding bribery, embezzlement, and illegal appropriation), the Law on Aggravating Punishment for Perpetrators of Bribery, Embezzlement, and Fraud, the Law on Punishing Disruptors of the Country's Economic System, the Anti-Money Laundering Law, and the Law on Promoting Administrative Health and Combating Corruption each cover different parts of the anti-corruption framework. This fragmentation leads to several harmful consequences:

a) Ambiguity and conflict: Different definitions of corruption, inconsistent penalties, and varying procedures across laws create opportunities for contradictory interpretations and exploitation of legal gaps. In many cases, these inconsistencies allow corruption-related concepts to be interpreted differently, enabling offenders to take advantage of legal loopholes (9).

b) Difficult implementation and oversight: For the judiciary and oversight bodies, coordinating the enforcement of such a large and fragmented set of laws is extremely challenging and leads to confusion among officials and citizens alike. The dispersion of legal provisions and lack of a unified framework complicate oversight and prolong enforcement—especially when laws operate in parallel and independently (11).

c) Reduced deterrence: A potential economic offender, when confronted with a complex and fragmented legal system, may perceive more opportunities to find escape routes than when faced with a unified, clear, and stringent law. This situation reduces the judiciary's effectiveness and the overall deterrent power of the anti-corruption legal system (10).

Overall, it is essential for Iran's legal system to move toward drafting a comprehensive and unified anti-corruption law so that the country may more effectively combat corruption and improve the legal, executive, and supervisory foundations (6).

Multiplicity of Responsible Institutions and Absence of a National Coordinating Authority

Similar to legislative fragmentation, the executive structure also suffers from a multiplicity of institutions, each operating with limited mandates to combat corruption. The General Inspection Organization, the Supreme Audit Court, the Headquarters for Combating Economic Corruption, the Secretariat of the High Council for Anti-Money Laundering, and the Headquarters for Combating Smuggling of Goods and Currency are only some of these bodies. This structural multiplicity results in several major issues:

a) Overlapping duties and duplication: In many cases, the jurisdiction of these institutions overlaps, leading to wasted resources, redundant activities, and sometimes harmful organizational competition. Such overlap creates confusion among executive bodies and reduces the effectiveness of anti-corruption enforcement. Simultaneous involvement of multiple institutions in similar fields diminishes overall efficiency (12).

b) Lack of a unified strategy: Each of these bodies operates under its own laws and internal regulations, and there is no integrated national strategy for preventing, detecting, and combating corruption. For example, the General Inspection Organization focuses on administrative oversight, while the Supreme Audit Court monitors budget execution; yet neither has the capacity to define a comprehensive nationwide strategy. This lack of coordination results in fragmented operations rather than a unified anti-corruption system (3).

c) Reduced accountability: In a fragmented structure, responsibility for failures can easily be dispersed among various institutions, leaving no single authority accountable for systemic inefficiencies. This situation also complicates scientific evaluation of institutional performance, as responsibilities become diluted and operational failures are difficult to attribute (1).

Overall, for effective combat against economic corruption, it is crucial to establish a national coordinating authority capable of supervising and directing anti-corruption activities. Such an entity could unify existing institutions under a single strategic framework, eliminate duplication, strengthen oversight, and significantly increase the efficiency of anti-corruption efforts (7).

Weakness in Preventive Approaches and Overreliance on Criminal Enforcement

Iran's criminal policy toward economic corruption is largely reactive and focused on punitive measures after the offense occurs. However, global experience and international frameworks demonstrate that the most effective anti-corruption strategies prioritize preventive measures. Although Iran's legal system includes some preventive mechanisms, these mechanisms are either insufficient or poorly implemented.

a) Monitoring and control of financial and banking operations: Despite the existence of the Anti-Money Laundering Law and its executive regulations—such as Article 18, which requires obligated persons to establish anti-money laundering units—the banking sector remains one of the main channels used to launder proceeds of corruption. Weak oversight by the Central Bank, incomplete implementation of customer identification requirements, and the complexity of financial transactions make tracing illicit funds difficult. Banks continue to face challenges in ensuring transparency and accurate monitoring of transactions, which significantly undermines anti-corruption efforts (5).

b) Oversight of officials' assets: The Law on Investigating the Assets of Officials and Authorities of the Islamic Republic of Iran is an important step toward ensuring asset transparency. However, the lack of transparency in reviewing asset declarations and the absence of public reporting regarding the results significantly reduce the law's effectiveness. As a result, instead of functioning as a strong deterrent, it becomes a routine administrative procedure (8).

c) Transparency in government contracts and public procurement: The absence of a comprehensive, transparent, and publicly accessible system for tenders, auctions, and government contracts creates opportunities for rent-seeking, collusion, and corruption. Without such a system, oversight becomes difficult, and the likelihood of corruption increases substantially—particularly when access to information on government contracts is limited (13).

Overall, the weakness of preventive approaches and the predominant reliance on punitive measures in Iran's legal system have allowed economic corruption to persist on a large scale. This approach requires fundamental revision so that preventive measures may replace reactive policies, enabling a more effective and efficient fight against corruption (2).

Discussion

The Iranian Legal System in the Mirror of the United Nations Convention against Corruption (UNCAC/Mérida)

The Mérida Convention, to which the Islamic Republic of Iran has also acceded, is the most comprehensive international instrument for combating corruption and serves as a key benchmark for evaluating national legal systems. Comparing Iran's status with the requirements of this Convention reveals the depth of existing shortcomings (4, 7).

A major part of the Convention is devoted to "preventive measures." Article 5 obliges States Parties to establish and implement effective, coordinated anti-corruption policies and practices. It also emphasizes the need to create

one or more “bodies or persons specialized in the prevention of corruption” that enjoy the necessary independence to perform their functions without undue influence. As analyzed in the previous section, due to the multiplicity of institutions and the absence of a single independent coordinating authority, Iran’s legal system diverges significantly from this core requirement of the Convention (1, 9). Moreover, Articles 7 to 13 of the Convention stress transparency in the public sector, codes of conduct for public officials, transparency in public procurement, financial transparency, and the participation of civil society. In Iran, these areas are also confronted with serious implementation weaknesses: many of these principles have not been properly operationalized, and oversight bodies frequently suffer from resource constraints and structural shortcomings that prevent full compliance with these obligations (3, 11).

Another chapter of the Convention focuses on “criminalization and law enforcement.” It obliges States Parties to criminalize a wide range of conduct, including bribery of national and foreign public officials, embezzlement, abuse of functions, trading in influence, and money laundering. Although Iranian law covers many of these offenses, legislative fragmentation and ambiguity in certain concepts have hindered the effective implementation of this part of the Convention (6, 10). These challenges typically stem from a lack of coordination between executive and legislative bodies, which in turn prevents anti-corruption efforts from progressing effectively and achieving their intended objectives (14).

The Convention also devotes an entire chapter to “international cooperation” and Chapter V to “asset recovery.” These two chapters are of particular importance because modern economic corruption is a transnational phenomenon. A coherent domestic legal system and a strong national authority are essential preconditions for making effective use of the Convention’s mechanisms for international cooperation, extradition of offenders, and recovery of assets plundered from the country (5). In Iran, internal structural weaknesses have limited the country’s capacity to engage efficiently with the international mechanisms envisaged in the Convention. The lack of coordination among state institutions, insufficient transparency in executive processes, and deficiencies in oversight systems have prevented Iran from fully benefiting from these international capacities (13).

Drafting and Enacting a “Comprehensive Anti-Corruption Law”

The first and most fundamental step in combating economic corruption is to move from legislative plurality to legislative unity. At present, multiple laws in Iran address corruption-related issues in a fragmented and uncoordinated manner. The Islamic Consultative Assembly (Parliament) should, by consolidating, revising, and systematizing all existing scattered provisions, draft and enact a single “Comprehensive Anti-Corruption Law.” This law must possess several essential features, which are outlined below (3, 4).

a) **Comprehensiveness:** The law should provide integrated coverage of all dimensions of anti-corruption policy—from prevention to detection, investigation, prosecution, trial, punishment, and asset recovery. Such comprehensiveness would ensure that all forms of corruption, whether petty or grand, are addressed within a unified and coherent framework. In particular, all responsible institutions—ranging from judicial bodies to executive agencies and oversight organizations—must act in a coordinated manner under clearly defined mandates (9).

b) **Conceptual clarity:** One of the problems with the current dispersed legislation is the lack of clarity in defining instances of economic corruption. A comprehensive anti-corruption law must provide precise and explicit definitions of all forms of economic corruption, including petty and grand corruption, rent-seeking, trading in influence, and conflicts of interest. This would prevent arbitrary interpretation and facilitate the fair application of the law and

transparent legal decision-making. Conceptual clarity can also play a preventive role, as individuals will clearly understand which behaviors constitute corruption and what consequences they may face (14).

c) Proportionality of sanctions: One essential aspect of combating corruption is the establishment of sanctions proportionate to the nature and gravity of the offense. The comprehensive law must determine deterrent and proportionate penalties for each type of offense. These penalties should range from substantial financial sanctions to social disqualifications and effective custodial sentences for corrupt actors and their accomplices. A scientifically grounded approach to sanctioning is particularly critical in cases of large-scale and systemic corruption, where robust deterrence is necessary (10).

d) Focus on prevention: A significant section of the law should be devoted to preventive mechanisms. This part needs to incorporate effective measures to enhance transparency in the public sector, implement e-government, and manage conflicts of interest. It should also strengthen supervisory and executive institutions to ensure transparency in economic activities and to prevent the emergence of corruption-prone structures. Transparency and conflict-of-interest management can substantially reduce high-level corruption and increase public trust in governmental systems (2, 12).

Overall, the enactment and implementation of a “Comprehensive Anti-Corruption Law” can systematically and effectively organize Iran’s anti-corruption efforts. Such a law should function as a holistic, preventive, and deterrent instrument to reinforce the country’s oversight and judicial systems and to transform the fight against corruption into a broad and effective national movement (7).

Establishing an “Independent National Anti-Corruption Organization”

To overcome the problems arising from institutional multiplicity and lack of coordination in anti-corruption efforts, establishing a single national, independent, and powerful body is essential. Currently, various institutions in Iran are entrusted with combating corruption, but due to fragmentation and lack of coordination, their effectiveness has diminished. Creating an independent national organization could resolve these problems and enhance the efficiency of anti-corruption measures (1, 9). This organization should possess the following characteristics:

a) Independence: To handle corruption cases effectively, the organization must be structurally and financially independent from the three branches of government. Such independence will enable it to address corruption at all levels—whether in the public or private sector—without political or inter-branch pressure. The head of this organization should be appointed through a transparent, cross-branch procedure to avoid any dependence on political power centers. This independence is particularly important when dealing with grand and systemic economic corruption (15).

b) Broad powers: The organization must have extensive powers across various areas of anti-corruption activity. These powers should include prevention, education, detection, investigation, and, in some cases, prosecution (e.g., operating as a specialized prosecutorial authority). Such authority would enable the organization to act comprehensively and systematically—from early preventive stages to final enforcement actions—against corrupt actors. Its powers should also cover the examination of officials’ assets, oversight of governmental financial processes, and the conduct of transparent investigations in corruption cases (4).

c) Coordinating authority: All anti-corruption activities in the country should be carried out under the supervision and coordination of this organization to prevent overlapping mandates and duplicative efforts. A single coordinating authority would reduce redundancy and significantly enhance the effectiveness of anti-corruption initiatives at the

national level. This organization could play a key role in liaising with other oversight, judicial, and executive bodies to ensure that all institutions move toward the common goal of effectively combating corruption (12).

The establishment of such an organization could fundamentally transform how Iran addresses economic corruption, turning the process into a more orderly, coordinated, and efficient system (1).

Systematic Strengthening of Transparency and Accountability

Transparency is the most effective antidote to corruption. As a principle, it can play a crucial role in preventing economic corruption and weakening corruption-prone structures, and it must be legally and practically embedded across all public and private institutions. Transparency in decision-making, resource allocation, and law enforcement can substantially reduce corruption and strengthen public trust (2). To this end, the following measures must be legally mandated and effectively implemented:

a) Full and public implementation of the Law on Investigating Officials' Assets: Asset declarations submitted by high-ranking officials should be made publicly and online accessible to citizens. This measure would increase public oversight of officials' assets and help prevent economic corruption. Changes in officials' wealth must also be transparently disclosed to the public to avert misuse and corrupt practices. In many democratic systems with strong oversight mechanisms, such transparency is regarded as a key tool for preserving public trust (8).

b) A comprehensive and transparent public procurement platform: All governmental transactions—from the announcement of tenders to contract conclusion and final payment—should be recorded and monitored within a single, transparent, and publicly accessible system. This platform should be available online to all stakeholders to prevent corruption in financial and administrative processes and to facilitate public oversight and institutional accountability. All financial procedures and government contracts should be transparently registered in this system and be traceable to enable continuous monitoring (16).

c) Guaranteeing the right of free access to information: The Law on Dissemination and Free Access to Information must be fully implemented, and existing obstacles to citizens' and media access to non-confidential information should be removed. In particular, the law should guarantee free access to information related to public affairs, budgets, and government expenditures. Enhancing access to information and increasing transparency in this field will help prevent financial abuses and corruption and will empower the public to exercise more effective oversight over decision-making and executive processes (2).

Establishing a Comprehensive System for the Protection of Whistleblowers

Many major corruption cases are exposed by insiders within the system. Without legal protection, such individuals will not accept the risks associated with whistleblowing. Therefore, the law must establish a robust protective framework to safeguard whistleblowers from the risks arising from disclosure and to encourage them to report corruption (13). This framework should include at least the following elements:

a) Protection of identity: One of the most important requirements is ensuring the confidentiality of whistleblowers' identities. They must be confident that their identities will not be revealed and that no negative consequences will follow. Identity protection serves as a strong incentive for insiders to disclose corruption.

b) Occupational and legal protection: Whistleblowers must be protected against retaliatory measures such as dismissal, demotion, or criminal prosecution. Such safeguards create a safe environment for individuals to report

corruption without fear of adverse consequences. Occupational and legal protections should be specifically guaranteed by law to prevent any form of harm or reprisal against whistleblowers.

c) Provision of incentives: Financial rewards for disclosures that lead to the detection of corruption and the recovery of assets can further motivate insiders to report wrongdoing. These incentives should be clearly and transparently provided for in the law so that individuals can benefit from them and so that they can function as an effective tool for reducing corruption.

Implementing these measures can significantly strengthen the anti-corruption system and empower individuals to resist corruption and contribute effectively to its exposure.

Conclusion

Economic corruption in the Islamic Republic of Iran remains one of the most significant obstacles to sustainable development and the realization of social justice. Despite legislative efforts and the presence of multiple institutions tasked with combating corruption, the current system has been unable to address this issue effectively due to fragmented laws, a multiplicity of executive bodies, and weak coordination among institutions. Furthermore, the Iranian legal system, with its greater focus on reactive rather than preventive approaches and the inadequate implementation of preventive mechanisms, lacks the necessary efficiency. These shortcomings have allowed economic corruption to persist as a major national challenge, inflicting serious damage on economic and social structures.

To overcome these problems, structural and legal reforms must be carried out across several key areas. Drafting a “Comprehensive Anti-Corruption Law,” establishing an “Independent National Anti-Corruption Organization,” institutionalizing transparency across all domains of governance, and creating a “Whistleblower Protection System” are four essential steps toward combating corruption in Iran. These reforms can transform anti-corruption efforts from an exhausting and fragmented struggle into a systematic and intelligent movement, paving the way for realizing the justice-oriented ideals of the Islamic Revolution and restoring public trust.

Recommendations

1. **Draft and enact a comprehensive anti-corruption law:** To effectively combat economic corruption, all dispersed and multiple existing laws in this field must be consolidated, systematized, and thoroughly revised. The comprehensive anti-corruption law should cover all aspects of prevention, detection, investigation, prosecution, adjudication, punishment, and recovery of proceeds of corruption.
2. **Establish an independent national anti-corruption organization:** To address the issue of institutional multiplicity and lack of coordination, a unified, independent, and powerful national body should be established. This organization must have broad powers in all areas of anti-corruption activity and effectively supervise and coordinate all related actions.
3. **Institutionalize transparency at all levels of governance:** Transparency is a fundamental principle in combating corruption. It is recommended that laws and mechanisms for transparency—including those related to government transactions, public procurement, and officials’ assets—be fully implemented, and that relevant information be made accessible to the public.
4. **Strengthen and protect whistleblowers:** To encourage individuals to report corruption and expose large-scale cases, a comprehensive system for the protection of whistleblowers must be designed and

implemented. This system should include protection of identity, occupational and legal safeguards, and financial incentives for effective disclosures.

5. **Develop e-government and digital oversight systems:** To reduce corruption in administrative and financial processes, the government must move decisively toward expanding e-government. Digital oversight systems should be used effectively to monitor government transactions, contracts, and public procurement, thereby preventing corruption in these high-risk areas.

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Authors' Contributions

All authors equally contributed to this study.

Declaration of Interest

The authors of this article declared no conflict of interest.

Ethical Considerations

All ethical principles were adhered in conducting and writing this article.

Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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