

Electoral Crimes Under Ordinance No. 21-01 Incorporating the Organic Law on the Electoral System

الجرائم الانتخابية في ظل الأمر رقم 21-01 المتضمن القانون العضوي

المتعلق بنظام الانتخابات

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abstract:

Voting is a constitutional right enshrined in all successive Algerian constitutions, the most recent being the 2020 constitutional amendment, which reaffirmed this right in Article 56, This right has also been upheld in the organic laws governing the electoral system in Algeria from 1997 until the issuance of Ordinance No. 21-01 containing the Organic Law on the Electoral System, dated March 10, 2021. This ordinance regulates the electoral process and classifies violations of certain provisions as electoral crimes, prescribing criminal penalties for them. Accordingly, this study aims to identify the various forms of electoral crimes set forth in this organic law and the penalties associated with them. Furthermore, it seeks to evaluate the effectiveness of the current legal framework in achieving both general and specific deterrence.

Keywords: Electoral Crimes; Electoral Process; Legislative Elections; Presidential Elections.

الملخص:

الانتخاب هو حق دستوري كرسه جل الدساتير الجزائرية المتعاقبة، كان آخرها التعديل الدستوري لسنة 2020 الذي كرسه في المادة 56 منه، وقد أكد على هذا الحق القوانين العضوية المتعلقة بنظام الانتخابات في الجزائر منذ سنة 1997 إلى غاية سنة 2021 بصور الأمر رقم 21-01 المتضمن القانون العضوي المتعلق بنظام الانتخابات المؤرخ في 10 مارس سنة 2021، الذي نظم العملية الانتخابية واعتبر مخالفة بعض الأحكام الواردة فيه جرائم انتخابية أقر لها عقوبات جزائية، لذلك من خلال هذه الدراسة سنتولى تبيان صور الجرائم الانتخابية الواردة في هذا القانون

العضوي والعقوبات المقررة لها، ثم تبيان مدى فعالية النصوص الحالية في تحقيق الردع العام والخاص.

الكلمات المفتاحية: الجرائم الانتخابية؛ العملية الانتخابية؛ الانتخابات التشريعية؛ الانتخابات الرئاسية.

Introduction:

The Algerian legislator has established numerous legal safeguards to ensure the integrity, transparency, and credibility of the electoral process, guaranteeing its proper reflection of the people's will in choosing their representatives—whether in presidential, legislative, or local elections. The criminalization of acts that undermine the electoral process and the punishment of their perpetrators was first introduced in 1997 through Ordinance No. 97-07, dated 27 Shawwal 1417, corresponding to March 6, 1997, containing the Organic Law on the Electoral System.¹ Chapter Five of this ordinance, titled “Penal Provisions,” comprised 26 articles criminalizing conduct that disrupts the electoral process—whether during its preparation, voting, or vote counting.

Nevertheless, following each electoral process, candidates and political parties continued to raise concerns, contesting the fairness of the elections and demanding the strict enforcement of the penal provisions relating to electoral offenses.

This situation persisted for five years until 2021, when Organic Law No. 16-10 on the Electoral System was repealed by Ordinance No. 21-01, dated 26 Rajab 1442, corresponding to March 10, 2021, containing the Organic Law on the Electoral System.² This ordinance signaled the Algerian legislator’s genuine intent to criminalize acts that could undermine or obstruct electoral and referendum processes. Notably, for the first time, Chapter Eight was introduced under the title “Electoral Crimes,” comprising 38 articles (Articles 276 to 313). This marked a clear indication of the legislator’s determination to tighten controls on actions that may compromise the integrity and transparency of electoral processes.

This ordinance, defines the concept of an electoral crime as follows:

Any act punishable by law, regardless of its nature or the means by which it is committed, that undermines or obstructs electoral or referendum processes.

This study aims to examine the criminal protection established by the Algerian legislator to safeguard electoral processes. It further seeks to address the following central question:

To what extent can the current electoral legislation be considered effective in curbing violations that may occur at various stages of the electoral process?

To answer this question, the study is structured into two main sections:

- Section One: Examines the forms of electoral crimes stipulated in Ordinance No. 21-01 containing the Organic Law on the Electoral System, which is the legislation currently in force.
- Section Two: Focuses on the penalties prescribed for electoral crimes.

Section One: Forms of Electoral Crimes According to the Different Stages of the Electoral Process

Electoral crimes can be classified into three categories:

First Category: Crimes related to the preparatory stage of the electoral process.

Second Category: Crimes associated with the voting process and ballot counting.

Third Category: Other acts that the legislator has classified as electoral crimes.

First main title: Electoral Crimes Related to the Preparatory Stage of the Electoral Process

The legislator has reinforced this stage with a set of safeguards intended to uphold the legitimacy of elections and ensure their credibility as a true expression of the people's will. These safeguards impose obligations on all parties involved in the electoral process—whether voters or candidates—requiring them to comply with specific conditions. Any breach of these conditions is met with sanctions proportionate to the nature of the violation. The following is an examination and analysis of the legal

provisions set forth in Ordinance No. 21-01 on the Electoral System, which address electoral crimes during this phase. Through this framework, the legislator aims to close any loopholes and prevent irregularities during this critical stage, which lays the groundwork for the voting process, vote counting, and the announcement of results.

The preparation for elections proceeds through three main phases: voter registration, candidate nomination, and the election campaign.³

Accordingly, the discussion will focus on the forms of electoral crimes associated with each of these stages preceding the voting and counting processes, as follows:

First subtitle: Electoral Crimes Related to Voter Registration:

The Algerian legislator has defined crimes related to voter registration in Articles 278 to 283 and Article 309 of Ordinance No. 21-01. These offenses include the following acts:

1. Failure to Register on the Electoral Rolls:

According to Article 56 of the 2020 Constitutional Amendment, voting is a right granted to every citizen who meets the legal requirements. However, Article 54 of Ordinance No. 21-01, containing the Organic Law on the Electoral System, establishes voter registration as a duty for every citizen, male or female, who fulfills the legal conditions.

This obligation is further reinforced in Article 5 of the same ordinance, which affirms the provision in Article 54.

However, it is notable that neither of these provisions imposes any criminal sanction for non-compliance. Consequently, refusal or failure to register on the electoral rolls is not considered an offense. This renders Articles 54 and 55 devoid of their practical effect, as the obligation they establish becomes ineffectual. When a legal provision begins with the term “shall” or “must,” which denotes a mandatory requirement, any breach thereof should logically trigger a corresponding sanction. This, however, is absent in the Organic Law on the Electoral System. It would therefore be advisable for the legislator to reconsider this matter in order to confer legal weight and practical enforceability upon these two provisions.

2. Registration on More Than One Electoral Roll Using False Identities:

Article 56 of Ordinance No. 21-01 affirms that registration on more than one electoral roll is prohibited, except in the specific cases provided for in Article 57 of the same ordinance.

Violation of this provision entails a penalty for any individual who registers on more than one electoral roll using false names or fraudulent personal information, or who, at the time of registration, conceals a condition of legal incapacity prescribed by law.

This offense is classified as an intentional crime, requiring the existence of general criminal intent, comprising both knowledge and will. That is, the offender (the citizen) must be aware that they are already registered on an electoral roll, yet deliberately seeks to register again on another roll. If knowledge is absent, criminal intent is lacking, and consequently, the offense is not established. Notably, this crime does not require the presence of specific criminal intent; the general intent suffices.

3. Forgery or Attempted Forgery in the Issuance or Submission of a Registration or Deregistration Certificate:

This offense is stipulated in Article 279 of the aforementioned Ordinance No. 21-01. The certificate—whether a voter registration or deregistration certificate—is issued by the authorized official. This is a formal offense, meaning it is constituted upon the mere issuance or receipt of the certificate, regardless of any further consequences. It is classified as an intentional crime requiring the presence of general criminal intent, consisting of both knowledge and will.

4. Obstructing the Preparation of Electoral Rolls, Destroying, Concealing, Diverting, or Forging Electoral Rolls or Voter Cards:

This offense encompasses the acts enumerated in Article 280 of the same ordinance. The legislator employs various terms without clearly distinguishing between them. These acts include the following:

- Obstructing the preparation of electoral rolls.
- Destroying electoral rolls.
- Destroying voter cards.

- Concealing electoral rolls or voter cards.
- Diverting electoral rolls or voter cards.
- Forging electoral rolls or voter cards.

These are intentional offenses requiring general criminal intent, consisting of both knowledge and will, without the need for specific intent.

5. Disclosing or Providing a Copy of the National Voter Registry, the Municipal Electoral Roll, the Electoral Roll of a Diplomatic or Consular Center Abroad, or any Part Thereof to an Unauthorized Individual or Entity:

This offense involves handing over any of the aforementioned electoral documents to persons or bodies other than those legally authorized to receive them.

6. Unlawfully Registering, Attempting to Register, or Removing a Person's Name from an Electoral Roll Using False Declarations or Forged Certificates:

This crime includes both the act of improperly adding a name to or removing it from an electoral roll, as well as attempting to do so, through fraudulent statements or forged documents.

7. Tampering with or Attempting to Tamper with Electronic Data Processing Systems Related to Electoral Operations:

In such cases, the provisions of Articles 394 bis to 394 bis 7 of the Penal Code apply.

8. Failure to Update Registration Following a Change of Domicile:

This offense applies to any individual registered on an electoral roll who changes their domicile and fails to request deregistration from their former municipality and registration in the electoral roll of their new place of residence within three months of changing domicile, as stipulated in Article 60 of the same ordinance. Violation of this provision constitutes an electoral crime.

9. Crimes Related to Candidacy:

Crimes related to the candidacy process⁴ are defined in Articles 285, 301, and 312 of Ordinance No. 21-01. These offenses include the following:

9.1 Violation of the Provisions of Articles 178, 202, and 254 of the Organic Law:

These articles prohibit any voter from signing in support of more than one candidate list in local elections. Any breach of this rule subjects the offender to penalties. The same restriction applies to legislative and presidential elections, where granting more than one signature—whether to the same candidate, multiple candidates, or multiple lists—is not permitted. Violation of this provision exposes the perpetrator to sanctions under Article 301 of the same ordinance.

9.2 Loss of Electoral Mandate Due to Ineligibility:

According to paragraph 2 of Article 312 of Ordinance No. 21-01, an elected member of the Municipal People's Assembly, the Provincial People's Assembly, the National People's Assembly, or the Council of the Nation forfeits their seat if it is proven that they were ineligible to run for office.

9.3 Multiple Candidacies:

Article 285 of the same ordinance criminalizes standing as a candidate on more than one electoral list or in more than one electoral district in the same election.

9.4 Crimes Related to the Electoral Campaign Period:

The Algerian legislator has regulated the electoral campaign and subjected it to specific conditions set out in Chapter Three of Ordinance No. 21-01. Violations of certain provisions within this chapter give rise to criminal sanctions, in accordance with Articles 303 to 307, as well as Articles 288 and 311 of the same ordinance.

The electoral crimes related to the conduct of the electoral campaign⁵ are as follows:

- Conducting an Electoral Campaign Outside the Legally Prescribed Period: This offense is established under Article 74 of the ordinance.⁶
- Use of Hate Speech and Any Form of Discrimination: Pursuant to Article 75, any candidate or individual participating in the electoral campaign who engages in hate speech or any form of discrimination

is subject to the provisions of Articles 30 to 42 of Law No. 20-05 on the Prevention of Discrimination and Hate Speech.

- Use of Foreign Languages in the Electoral Campaign: This is prohibited under Article 76 of the ordinance.
- Use of Property or Resources Belonging to a Public or Private Legal Entity, Institution, or Public Authority for Electoral Campaign Purposes: This offense is governed by Article 83 of the ordinance.
- Use of Places of Worship, Public Institutions, Administrative Buildings, or Educational and Training Institutions of Any Type or Affiliation for Electoral Campaign Purposes: This is prohibited in any form, pursuant to Article 84 of the ordinance.
- Engaging in Any Gesture, Action, Conduct, or Behavior That Is Violent, Unlawful, Offensive, Dishonorable, Illegal, or Immoral by Any Candidate: This offense is addressed under Article 85 of the ordinance.
- Misuse of State Symbols: This crime is defined under Article 86 of the ordinance.
 - Financing or Receiving Funding in Violation of the Provisions Set Forth in the Organic Law: This offense is governed by Article 288 of the ordinance, which refers to the rules stipulated in Section One (Financing the Electoral Campaign) of Chapter Two (Financing and Oversight of the Electoral Campaign) under Chapter Three of Ordinance No. 21-01.
 - Commercial Advertising for Promotional Purposes During the Campaign Period: This is prohibited under Article 292 of the ordinance.
 - Failure to Submit an Electoral Campaign Financial Report or Submitting a Report That Is Rejected by the Electoral Campaign Finance Oversight Committee: This offense is established under Article 311 of the ordinance.

- Posting Electoral Posters Outside Designated Areas, Outside the Campaign Period, or Intentionally Damaging Posters Containing Information, Data, or Images: This is a punishable act under the provisions of the ordinance.

second subtitle: Electoral Crimes Related to the Voting Process

The offenses related to the voting process are stipulated in Articles 284 to 287, Article 291, and Articles 291 to 300 of Ordinance No. 21-01. These crimes concern the voting phase, the vote-counting phase, and the announcement of results.⁷ They are outlined as follows:

- Voting Intentionally Despite Loss of Voting Rights: This applies to individuals who cast a vote despite having lost their voting rights for any of the reasons prescribed by law.
- Voting by Impersonating a Registered Voter or Using a Fraudulent Registration Obtained Under False Identities or Misleading Personal Information: This offense involves casting a ballot under the name or identity of another registered voter or based on a registration obtained using false or fabricated information.
- Voting More Than Once Based on Multiple Registrations: This crime is committed by voting more than once in the same election through duplicate or multiple voter registrations.
- Carrying a Visible or Concealed Weapon Inside a Polling Station: This applies to any person other than members of the security forces who enter a polling station while carrying a visible or concealed weapon.
- Tampering With the Official Record, Ballots, or Results, or Deliberately Misreading a Voter's Name: This offense involves reducing or increasing the number of votes recorded in the official report, altering or damaging ballots, or intentionally reading a name different from the one written when receiving, counting, or verifying ballots by the person responsible for these tasks.

- Distribution of Any Campaign-Related Material by a Candidate, Through a Third Party, or on Their Behalf on Election Day: This offense concerns the dissemination of any document related to the electoral campaign by the candidate personally, by another person, or upon the candidate's instruction, on the day of voting.
- Obtaining or Diverting Votes, or Inducing One or More Voters to Abstain, Through False Information, Defamation, or Other Fraudulent Practices: This crime involves securing votes, diverting them, or pressuring voters to refrain from voting by spreading false news, making slanderous statements, or resorting to other deceptive actions.
- Disrupting the Operations of a Polling Station or Undermining the Exercise of the Right to Vote, the Freedom to Vote, or the Candidate's Right or Their Legal Representative's Right to Attend the Voting Process: This offense covers acts that disturb the functioning of a polling station, interfere with the right to vote, restrict voters' freedom of choice, or prevent a candidate or their legally authorized representative from observing the voting process.
- Refusal to Provide the Legally Authorized Representative of a Candidate or Candidate List With a Copy of the Municipal Electoral Roll, the Vote Counting Record, or the Municipal or Provincial Vote Aggregation Record: This offense occurs when an official withholds any of these documents from a duly accredited representative.
- Destruction of the Ballot Box During the Election: This crime involves damaging or destroying the ballot box during the voting process.
- Removal of the Ballot Box Containing Cast Votes That Have Not Yet Been Counted: This offense is committed by displacing a ballot box holding votes that are yet to be tallied.
- Compromising the Voting Process by a Member of the Polling Station or an Official Responsible for Safeguarding the Ballots During Counting: This crime arises when any polling station member or

assigned officer entrusted with overseeing ballot security disrupts the voting or counting process.

- Offering Cash, Gifts, or Promises Thereof to Influence Voting: This offense involves providing monetary or in-kind donations, or making pledges to offer such rewards, in an attempt to sway voters.
- Offering Public or Private Employment or Other Personal Benefits to Influence One or More Voters in the Exercise of Their Voting Rights: This offense involves promising jobs or other specific advantages with the intent of swaying voters' choices.
- Obtaining or Attempting to Obtain Votes, Either Directly or Through an Intermediary: This includes any action aimed at securing votes, whether personally or via a third party.
- Inducing One or More Voters to Abstain from Voting Using the Same Means: This crime covers attempts to discourage voters from participating in the election through similar methods.
- Accepting or Requesting Donations, Gifts, or Promises of Benefits: This offense pertains to voters who seek or agree to receive money, gifts, or other advantages in exchange for their votes.
- Pressuring, Influencing, or Attempting to Influence a Voter's Choice Through Threats: This includes intimidating a voter by threatening dismissal from their job or exposing them, their family, or their property to harm.

third subtitle: Other Acts Classified as Electoral Crimes by the Legislator

These acts are defined in Articles 276 and 277 of Ordinance No. 21-01, containing the Organic Law on the Electoral System. The offenses are as follows:

- Obstructing, Hindering, or Willfully Refusing to Execute Decisions Issued by the Independent Authority: This offense involves any

intentional act aimed at preventing, delaying, or refusing to comply with decisions issued by the Independent National Electoral Authority.

- Insulting Members of the Independent Authority During the Exercise of Their Duties or on the Occasion of Their Performance: In such cases, the penalties stipulated in Article 144 of the Penal Code apply.

second main title: Penalties Prescribed for Electoral Crimes

Pursuant to Article 49 of Ordinance No. 21-01, containing the Organic Law on the Electoral System, when the Independent Authority determines that a recorded act or a reported incident may constitute a criminal offense, it is required to promptly notify the territorially competent Public Prosecutor to initiate criminal proceedings.

Following the commencement of criminal prosecution and throughout the various stages of the criminal proceedings, the penalties applicable to each form of electoral crime are enforced, whether those prescribed by Ordinance No. 21-01, the Penal Code (Articles 394 bis to 394 bis 7), Article 144 of the Penal Code, or Law No. 20-05 on the Prevention and Combating of Discrimination and Hate Speech (Articles 30 to 42).

An analysis of the aforementioned legal provisions reveals that the penalties for electoral crimes fall into two categories:

First: Principal penalties, which include custodial sentences and fines.
Second: Supplementary penalties, which may be imposed in addition to the principal sanctions.

First subtitle: Principal Penalties

Principal penalties consist of custodial sentences in the form of imprisonment and financial penalties in the form of fines. In certain offenses, the legislator has combined both imprisonment and fines. The duration of imprisonment and the amount of the fine vary depending on the nature of each offense.

It is noteworthy that, with regard to imprisonment, the legislator has, in some instances, deviated from the sentencing limits prescribed for

misdemeanors under Article 5 of the Penal Code, relying on the exception provided in the same article: “except in cases where the law provides otherwise.”

1. Combination of Imprisonment and Fine.

2. Financial Penalties Only.

second subtitle: Supplementary Penalties

In accordance with Article 4, Paragraph 3 of the Penal Code, supplementary penalties are those that may not be imposed independently of a principal penalty, except in cases where the law expressly provides otherwise. These penalties may be either mandatory or discretionary.

1. Mandatory Supplementary Penalties:

These are provided for in Articles 291 and 295 of Ordinance No. 21-01 and consist of deprivation of voting and candidacy rights.

2. Discretionary Supplementary Penalties:

These are penalties whose application is subject to the judge’s discretion. They are provided for in Articles 282 and 296 of Ordinance No. 21-01 and are as follows:

Deprivation of Civil Rights and Disqualification from Candidacy:

- In addition to these principal penalties, the judge may, if deemed necessary, order the deprivation of the offender’s civil rights for a period ranging from a minimum of 2 years to a maximum of 5 years.
- It also applies to any candidate or representative of a candidate list who misuses the municipal electoral roll for improper purposes. In such cases, the judge may, in addition to the principal penalties, order the deprivation of the offender’s civil rights or their right to candidacy for a period not exceeding 5 years.

third subtitle: Aggravating Circumstances

Aggravating circumstances can be inferred from Articles 280, 295, 297, 298, and 302 of Ordinance No. 21-01, containing the Organic Law on the Electoral System. They are outlined as follows:

- Tampering with Electoral Rolls or Voter Cards by Officials Responsible for Electoral Operations: The penalty for obstructing the

preparation of electoral rolls, destroying, concealing, diverting, or falsifying electoral rolls or voter cards is increased if the offense is committed by an official responsible for electoral operations. In such cases.

- Possession of a Weapon While Committing the Offense of Disrupting Polling Station Operations, Interfering With Voting Rights, or Preventing a Candidate or Their Legal Representative From Attending the Voting Process.
- If the offense of disrupting polling station operations while carrying a weapon is committed as part of a premeditated plan targeting one or more electoral districts.
- If the offense of destroying a ballot box is committed by a group of individuals with the use of violence.

- If the offense of removing a ballot box containing cast but uncounted votes is committed by a group of individuals with the use of violence.

- In relation to these last two offenses, it is notable that the legislator did not merely increase the penalty in the presence of the legally prescribed aggravating circumstances. Rather, the classification of the offense was elevated from a misdemeanor to a felony. This legislative approach reflects a clear intent to provide the highest level of criminal protection for the people's freedom to choose their representatives. It underscores the legislator's determination to safeguard the integrity of the votes cast, thereby preventing any attempts to tamper with the will of the electorate.

- The offense of coercing, influencing, or attempting to influence a voter's choice through threats—whether by intimidating them with the loss of their job or by endangering their family or property—is subject to an aggravated penalty if the aforementioned threats are accompanied by violence or assault.

- **fourth subtitle: Legal Excuses (Mitigating or Exempting Circumstances)**

Pursuant to Article 52 of the Penal Code, legal excuses are specific circumstances exhaustively defined by law, which, despite the commission of the offense and the establishment of criminal liability, may either:

- Exempt the offender from punishment, if classified as exculpatory excuses; or
- Mitigate the penalty, if classified as mitigating excuses.

Referring to the Organic Law on the Electoral System, legal excuses—whether exculpatory or mitigating—are provided for in Article 300. This provision grants their application to the following offenses:

- The offense of receiving cash or in-kind donations, or the promise thereof.
- The offense of offering public or private employment or other personal benefits with the intent to influence one or more voters in the exercise of their voting rights.
- The offense of obtaining or attempting to obtain voters' support, either directly or through an intermediary.
- The offense of inducing or attempting to induce one or more voters to abstain from voting using the same means.
- The offense of accepting or soliciting such donations or promises.

Any person who has committed or participated in the aforementioned acts and reports them to the administrative or judicial authorities before the initiation of prosecution proceedings is exempt from punishment.

If the report is made after the initiation of prosecution, the penalty is reduced by half.

Conclusion:

In conclusion, the electoral process represents the true embodiment of democracy, as enshrining the citizen's right to freely express their will in selecting their representatives through voting underscores the transparency and integrity of elections. For the electoral process to be fair, transparent, and genuinely reflective of the people's will, it was imperative for the legislator to establish a set of legal safeguards binding upon all parties involved. This approach has been consistently adopted across successive

electoral laws. Moreover, the legislator did not merely set procedural rules but also introduced criminal sanctions for any breaches, thereby ensuring legal protection for the integrity of the electoral process.

However, despite the existence of these punitive provisions, it is evident that they remain insufficient in the absence of rigorous enforcement. Effective application of these laws remains the only viable means to achieve both general and specific deterrence.

Margins:

¹ Order No. 97-07, dated 27 Shawwal 1417 AH (corresponding to March 6, 1997), concerning the Organic Law on the Electoral System, published in the Official Gazette, No. 12, dated March 6, 1997.

² Order No. 21-01, dated 26 Rajab 1442 AH (corresponding to March 10, 2021), containing the Organic Law on the Electoral System, published in the Official Gazette, No. 17, dated March 10, 2021, p. 8.

³ See: Hamla Al-Eid, Crime and Punishment in Electoral Offenses Affecting the Preparatory Phase of the Electoral Process under Order 21/01 Containing the Organic Law on the Electoral System – An Analytical Study, *Journal of Law and Human Sciences*, vol. 16, no. 02, 2023, p. 763 et seq. (pp. 762–773).

⁴ Article 2, paragraph 4, of Order No. 21-01, containing the Organic Law on the Electoral System, defines a candidate as: (Any person running for elections under the banner of a political party or as an independent). See: Dhrif Kadour, Provisions on Electoral Offenses in Algerian Legislation: A Study in Light of Order 21-01 Containing the Organic Law on Elections, *Journal of the Voice of Law*, vol. 10, no. 01, 2024, pp. 383–384 (pp. 373–391).

⁵ Talbi Iman Aisha and Mebarki Miloud, An Analytical Study of Various Electoral Offenses Affecting the Preparatory Stages Leading to Election Day under the Provisions of Law 21-01, *Journal of Law and Human Sciences*, vol. 16, no. 01, 2023, p. 1370 et seq. (pp. 1363–1382).

⁶ Article 74 of Order No. 21-01 stipulates that:

(No one, by any means and in any form, may conduct an electoral campaign outside the period prescribed in Article 73 above.)

Article 73 of the same Order provides that:

(Except in the case provided for in Article 95, paragraph 3, of the Constitution, the electoral campaign shall be open twenty-three (23) days before the date of the election and shall end three (3) days before the date of the election.

In the event of a second round of voting, the electoral campaign conducted by the candidates for the second round shall open twelve (12) days before the date of the election and shall end two (2) days before the date of the election.)

⁷ Talbi Iman Aisha and Mebarki Miloud, Electoral Offenses Accompanying the Voting and Ballot Counting Process under the Provisions of Law No. 21-01, *Journal of Legal and Social Sciences*, vol. 7, no. 4, December 2022, p. 323 et seq. (pp. 319–330).