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## **'Unjust law' still denying churches their 'right to worship'**

World Watch Monitor (19.10.2017) - <http://bit.ly/2hSDh7Z> - Churches in northern Algeria continue to clash with the authorities over permission to hold services in non-religious buildings.

Authorities in Tizi Ouzou province – 100km east of the capital, Algiers – have said a 2006 law that regulates non-Muslim worship is breached by churches meeting in houses meant only for accommodation or commercial purposes.

But the churches have cited the 2016 constitution, which states that religious freedom is guaranteed if in compliance with the law. They have said that they are complying with the law because of their formal affiliation with the Protestant Church of Algeria (EPA), which has been officially recognised by the government since 1974 and is accredited with both the ministry of the interior and the local government.

One of the churches, in the commune of Ait Bouadou, uses a house that was leased on behalf of the EPA. It opened in December 2015 and, two months later, following complaints from locals, was ordered to close. In September the church received a letter from the mayor, again stating that the church is "not permitted" and demanding its closure because the house was intended initially for "dwelling or commercial use".

The church of more than 200 people continues to meet while its leader seeks legal advice.

A second church, in the centre of Tizi Ouzou, was summoned by the authorities on 18 October and asked to "comply with the provisions of the 2006 law". The pastor of the 100-strong church in Boghni, which has been active "for several years", said it was "explained to the chief of the daïra [local government] that we are a community affiliated to the EPA and that we meet in accordance with the law".

The church has submitted documents to the authorities, showing its affiliation to the EPA, and continues to meet.

Earlier in 2017 summonses were issued to churches in Ait Djima and Maatkas, also in Tizi Ouzou.

In April 2016 World Watch Monitor reported that [Algerian churches faced intimidation and harassment](#) because of the 2006 law, including the EPA-affiliated churches in Maatkas and Ait Djima.

At the time, a pastor of a Protestant church in the capital, Algiers, said the 2006 law is used as a tool of persecution by the authorities. "It is an unjust law against Christians, who are denied their right to worship and the opportunity to share the Gospel freely," Rev. Haddad said, adding that "the situation of Christians in Algeria will not improve until the outright law, which is no longer justified, is repealed".

Because of the long-standing difficulty faced by Algerian churches, it has become standard practice to rent premises and inform the local authorities they have done so. Despite this, the authorities fail to respond to almost all applications from churches, including EPA affiliates.

Several Christians have received fines and suspended prison sentences under the 2006 law, including Christian teacher Habiba Kouider, who was charged in 2008 for the illegal possession of bibles.

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## **Ahmadiyya community's local head convicted of blasphemy in Algeria**



### **Mohamed Fali was handed a six-month suspended sentence**

AFP (14.09.2017) - <http://bit.ly/2x0CqM2> - An Algerian court on Wednesday found the head of the country's tiny Ahmadiyya community guilty of 'offending Islam' and handed him a six-month suspended sentence, his lawyer said.

"Mohamed Fali was handed a six-month suspended sentence. He was found guilty of unauthorised fundraising and offending the Prophet (PBUH) and Islam," Salah Dabouz said.

Ahmadis are accused of heresy and since last year Algerian authorities have cracked down on them.

The trial in the western coastal town of Mostaganem came after Fali objected to a suspended sentence of three months on the same charges in February at a trial he did not attend.

Algerian law allows defendants to attend a retrial if they were not present for the first trial.

Fali was arrested from his home in Ain Sefra, 650 kilometres southwest of Algiers, on August 28.

"My client will be released, but I'm shocked he was sentenced in a case where there are no facts," his lawyer said. Fali faces cases in several courts.

At least 286 of Algeria's roughly 2,000 Ahmadis have been arrested and tried since the start of a government crackdown last year.

All were handed jail terms, ranging from a three-month suspended sentence to four years, except three who received fines.

Islam is the state religion in Algeria, where Sunni Muslims make up the majority.

Freedom of religion is guaranteed by law, but preachers and places of worship must be licensed by the government.

The Ahmadis have never applied, believing they would face certain rejection.

The Organisation of Islamic Cooperation — of which Algeria is a member — declared in 1973 that the Ahmadiyya community was not linked to Islam.

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## **Algeria's Ahmadis forced to worship behind closed doors**

The New Arab (26.08.2017) - <http://bit.ly/2xpG2or> - Accused of heresy by Islamist extremists and targeted by the authorities, members of Algeria's tiny Ahmadi community say they have been forced to go underground to worship.

Abderahmane, a 42-year-old trader from Kabylie in northern Algeria, joined the reformist Islamic movement after years as an ultra-conservative Salafist.

People he once called friends reported him to the local imam, who publicly denounced him as an unbeliever.

The imam went on to urge worshippers not to let their children play with Ahmadi children.

"My sister's engagement was cancelled because her fiance was told I was an unbeliever," Abderahmane said, still wearing a well-trimmed beard, a long cotton shirt, and three-quarter-length trousers - the garb of his former life as a Salafist.

Founded in late 19th-century India, the Ahmadiyya movement follows the teachings of Mirza Ghulam Ahmad, an Indian Muslim they believe to be the long-awaited Islamic messiah.

It is anathema to traditional Islamic thinking, and Ahmadis living in many Muslim-majority countries have faced persecution and physical violence.

While Ahmadis consider themselves to be Muslims, the Organisation of Islamic Cooperation - of which Algeria is a member - declared in 1973 that the movement was not linked to the Muslim faith.

Nonetheless, the faith's strong missionary drive has gained it an estimated 10 million members in 190 countries around the world.

The movement didn't begin spreading in Algeria until 2007, when an Ahmadi satellite television channel reached the north African country.

After that, they worshipped freely, if discreetly, for a decade. Few in Algeria had even heard of Ahmadism until last year, when the government crackdown began.

### ***'Israeli plot' claim***

Ahmadi leader Mohamed Fali, a 44-year-old shopkeeper, was arrested in June 2016 along with his deputy, shortly after applying to register a charity. Police searched their homes and confiscated their passports.

Since then, Fadi says 286 out of Algeria's roughly two thousand Ahmadis have been arrested. All but three have been handed jail terms, ranging from a three-month suspended sentence to four years. The other three received fines.

Most were convicted of breaking right to assembly laws - but their lawyers say they have been persecuted simply for their faith.

Islam is the state religion in Algeria, where Sunni Muslims make up the majority.

Freedom of religion is guaranteed by law, but preachers and places of worship must be licensed by the government. The Ahmadis have never applied for such a status, believing they would face certain rejection.

In July, Algeria's Religious Affairs Minister Mohamed Aissa told journalists the Ahmadis were involved in a plot by Israel - where the community are allowed to worship openly, with a big mosque in the city of Haifa and a television channel - to destabilise the country.

The minister at first agreed but later declined to talk to *AFP*.

Sirine Rached, an Amnesty International researcher, said the accusations were "baseless" and accused the Algerian government of a crackdown that is unprecedented in the wider region.

"As far as we know this persecution of the Ahmadis in Algeria is a unique situation in the Maghreb," she said.

### ***Praying in secret***

Fearful of harassment by Islamists or the authorities, Algeria's Ahmadis meet to worship at each others' homes - including Fali's house in Tipasa, west of Algiers.

Around 20 prayed in the large living room, adorned only with an imposing portrait of Mirza Ghulam Ahmad.

Fali began proceedings with the Islamic confession of faith, and he emphasised that the Koran was the Ahmadis' holy book.

The worshippers - among them engineers, doctors and students - refused to give their full names or be filmed.

All of them said they have gone through a crisis, questions and doubts, to which Ahmadism had provided the answers.

"As a modern woman, I can say that Ahmadism has brought me closer to God," said lawyer Nadia, 49.

Their creed teaches non-violence, and also advocates the separation of state and religion - a vision disputed by Islamists, particularly the ultra-conservative Wahhabist version of Islam exported by Saudi Arabia.

"The debate should not be about Ahmadism but about freedom of worship," said Hamid, one of the group.

Fali, who is awaiting trial on charges ranging from "unauthorised collection of donations" to "offending the Prophet", said the Algerian media had "distorted the practices of the Ahmadis and tried to portray them as non-Muslims".

The campaign against the group is political, he said, pinning the blame on Wahhabists and the Saudi establishment.

Salah Dabouz, the movement's lawyer, agreed.

"The Ahmadis threaten their ideology by advocating secularism and non-violence in the name of Islam," he said.

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## **Jailed Algerian Christian receives partial presidential pardon**

***A Christian imprisoned for three years for "insulting Islam and the prophet Muhammad" in his social media posts has received a partial presidential pardon.***

World Watch Monitor (12.07.2017) - <http://bit.ly/2tPFqXQ> - Slimane Bouhafis, who converted to Christianity from Islam in 1997, was arrested almost a year ago (31 July 2016) for posting a message on social media about the light of Jesus overcoming the "lie" of Islam and its prophet. Such a message was judged by the authorities to insult Islam - the state religion in Algeria, according to its Constitution.

He was sentenced to three years' imprisonment on 6 September 2016.

But now his sentence has been reduced by 16 months, following a partial pardon granted by Algerian president Abdelaziz Bouteflika on the occasion of the 55th anniversary of Algeria's independence (5 July).

This pardon means he could be released in nine months from now.

The announcement was made this week by Bouhafis' daughter Thilleli, after the family was informed of the pardon by the public prosecutor.

According to them, Bouhafis' good conduct during his incarceration contributed to his pardon.

His family, supported by Algerian and international human-rights groups, have never stopped protesting against the verdict. The Algerian League for Human Rights (LADDH)

called his trial “arbitrary” and the verdict “part of an escalation” against non-Muslims in Algeria.

### ***Aggression because of his faith***

According to his daughter, Bouhaf's health has deteriorated significantly since his arrest, exacerbating an existing condition – he suffers from inflammatory rheumatism, which requires a diet that is impossible to ensure in prison.

He reportedly also suffers aggression from his fellow prisoners because of his Christian faith, about which he is open. That is why the family has filed a new request to grant him conditional release for health reasons.

In October 2016, a crowd gathered in the northern city of Tizi Ouzou to lobby for Bouhaf's to be allowed access to medical treatment.

They also called for a change to the law that punishes anyone deemed to have insulted Muhammad or “denigrated the dogma or precepts of Islam”.

The organisers, a civil society group, vowed to continue protests in other regions of the country.

Bouhaf's was first jailed in the northern city of Setif, before being moved another 75 miles east to the city of Constantine, and then to a third prison in the coastal city of Jijel, 300km east of the capital, Algiers. The final transfer took place despite the family's request that he be moved to a prison in Béjaïa, in the Kabylie region where the family is from and where there is a relatively large Christian community.

The civil society group described his transfer as “an arbitrary decision ... to take him further away from his family”.

Bouhaf's also belongs to a movement seeking the self-determination of Kabylie, the Berber region in Algeria; the group (known as MAK) is not tolerated by the authorities. MAK activists are regularly harassed and arrested.

While the rest of Algeria is predominantly Arab, the Kabylie region (where the Church has grown significantly recently) has always had a tumultuous relationship with the central government in Algiers. It is considered a “recalcitrant” region, where a strong sense of regional identity and resistance to all forms of central control have developed over the years.

For many, Bouhaf's conviction was seen as a means of silencing him because of his political activism.

Kabylie's landscape of forests and mountainous terrain, riddled with caves, has provided a fertile ground for guerrillas. On 24 September, 2014, a French tourist, Hervé Gourdel, was assassinated in Kabylie by a radical Islamist group, Soldiers of the Caliphate, which has pledged allegiance to the Islamic State group.

Kabylie used to be a refuge for fighters during the Algerian War of Independence against the French colonialists. In the 1990s, at the heart of the Algerian civil war, the area then became a hideout for combatants from the Armed Islamic Group, which later mutated into Al-Qaeda in the Islamic Maghreb (AQIM).

AQIM and its offshoots are responsible for the kidnap of several Western nationals in sub-Saharan Africa. AQIM was also strongly involved in the occupation in 2012 of northern Mali, along much of Algeria's southern border.

The Algerian army, which regularly carries out searches in Kabylie, has never been able to completely eradicate terrorism and banditry in the region.

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## **Ahmaddis sentenced to prison terms**

**HRWF (30.06.2017) - On 28 June, six Ahmaddis were sentenced by the court of appeals of Batna (430 km from Alger) for "unauthorized fundraising, activity in an unauthorized association and distribution of documents against national interests" . Five of them were sentenced to one year in prison while the sixth one got a suspended sentence of six months. This is the heaviest sentences imposed on Ahmaddis in Algeria. In the first instance, they had been sentenced to 2-4 years in prison and a fine of 300 000 Algerian dinars ( 2 400 euros).**

### **Waves of arrests and prosecutions of Ahmaddis**

Amnesty International (19.07.2017) - <http://bit.ly/2stbQFe> - Algeria must halt its clampdown against members of the minority Ahmadiyya religious movement, said Amnesty International today, ahead of the appeal hearing on 21 June of six Ahmadiis sentenced to up to four years in prison for charges relating to the exercise of their religion.

At least 280 Ahmadi men and women have faced investigation or prosecution over the past year, since a wave of arrests began after failed attempts to register an Ahmadi association and inaugurate a new mosque in 2016.

"The clampdown against Ahmadiis over the past year is alarming. This wave of arrests and prosecutions of Ahmadiis is a clear indication that the authorities are stepping up restrictions on religious freedom in the country," said Heba Morayef, North Africa Research Director for Amnesty International.

"Algerian authorities should ensure that the cases against Ahmadiis which are solely related to the peaceful practice of their religion are dropped, and immediately release those detained."

There are an estimated 2,000 Ahmadiis in Algeria. Ahmadiis consider themselves to be Muslim, however, Algerian officials have made public statements calling them heretics and a threat to Algeria.

In March 2016, Algerian authorities refused an attempt by Ahmadiis to register as an association under Algerian law. On 2 June 2016 the police raided a newly-built Ahmadi mosque in Larbaa, in the province of Blida, on the morning of its planned inauguration, and shut it down.

Since then, Amnesty International has learned from local sources that Algerian authorities have initiated judicial proceedings against more than 280 Ahmadiis. The charges they face include membership in an unauthorized association, collecting donations without a licence, practising worship in unauthorized places, disseminating foreign propaganda harmful to national interest and "denigrating" the "dogma" and precepts of Islam.

According to members of the Ahmadi community and three lawyers interviewed by Amnesty International, as well as legal documents reviewed by the organization, over a third of those facing criminal proceedings have already been convicted and sentenced to prison terms of up to four years or fines of up to 300,000 Algerian dinars (about 2,750 US dollars). Most are at liberty pending the outcome of their proceedings, and four are currently imprisoned.



On 21 June, six Ahmadis will appear before the Court of Appeals in Batna. They were convicted in first instance of administrating an unregistered association, collecting donations without a licence, and distributing foreign literature threatening national interest. They were sentenced to prison terms of between two and four years and fines of 300,000 Algerian dinars (about 2,750 US dollars) on 27 March. These have been the harshest sentences so far handed to Ahmadis for the peaceful exercise of their religion.

In May, the president of the Ahmadiyya community in Algeria was released after three months in pre-trial detention. He had been convicted on similar charges and received a one-year suspended prison sentence and a fine. Ten other defendants in the same case also received suspended prison terms ranging from three to six months in prison, and fines.

Over the past year Algerian public officials and press have made hateful or discriminatory comments about Ahmadis. In June 2016, The Minister of Religious Affairs and Endowments, Mohamed Aissa, described Ahmadi presence in Algeria as part of a "prepared sectarian invasion". In February 2017, he stated that Ahmadis are "not Muslim." In April 2017, Ahmed Ouyahia, President Abdelaziz Bouteflika's chief of cabinet called on Algerians to "preserve the country from the Shia and Ahmadiyya sects".

In a statement on 25 April the Minister of Religious Affairs and Endowments appeared to shift his tone emphasizing that the state "does not intend to combat members of the Ahmadiya sect" and is only enforcing laws on associations and the collection of donations.

However, Algeria has an obligation under Article 18 of the International Covenant on Civil and Political Rights to ensure the right to freedom of religion. Under international human rights law and standards, this includes the right to manifest that belief in collective worship, to build places of worship, and to collect voluntary financial contributions.

Algeria's constitution does not fully guarantee freedom of religion, leaving the regulation of practice and places of worship to restrictive national legislation. National law has specific rules of worship for those considered to be non-Muslims, and collective religious worship outside the scope of what is regulated by the state is a criminal offence. Breaches such regulations, including provisions imposing the use of government-approved public places of worship, and advance notification for religious ceremonies, are punished with one to three years' imprisonment, and fines between 100,000 and 300,000 Algerian dinars (about 900 and 2,700 US dollars).

"The right to worship collectively is a fundamental aspect of freedom of religion, it is as important as individual freedom of conscience. As long as every religious group, every place of worship is required to get an official seal of approval, there won't be freedom of religion in Algeria," Heba Morayef said.

### **Additional Reading**

[The Ahmadis of Algeria: the government's most convenient security threat?](#)

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## **Fears for imprisoned Algerian Christian as Ramadan begins**

World Watch Monitor (26.05.2017) - <http://bit.ly/2rbP19K> - As Ramadan begins, the daughter of an Algerian Christian serving three years in jail for "insulting Islam and the prophet Muhammad" on Facebook says she's worried about the abuse her father could suffer after he was transferred to a third different prison.



Slimane Bouhafs, who is eight months into his sentence, is now in a prison in the coastal city of Jijel, 300km east of the capital, Algiers, having been transferred from Constantine, 150km south of Jijel.

This latest transfer took place despite the family's request that he be moved to a prison in Béjaïa, in the Kabylie region where the family is from and where there is a relatively large Christian community.

Both Constantine and Jijel, on the other hand, are known to have radical Islamist movements, and Bouhafs' family fears that in Ramadan inter-religious tensions could increase.

"Since his arrival in Constantine Prison, my father suffered physical assaults and his psychological condition seriously deteriorated," his daughter, Thilleli, told World Watch Monitor.

"At the approach of the month of Ramadan, my father's situation seriously worries us, because he is a Christian, so we were anxiously awaiting news of where he would be transferred to. We were then surprised to learn that his transfer to Béjaïa was denied and that the authorities instead transferred him to Jijel."

On 23 May, the Algerian League for the Defence of Human Rights (LADDH) organised a rally in support of Bouhafs, who converted to Christianity in 1997 and is a well-known social activist, in Béjaïa's city centre.

A LADDH statement said the Algerian government had been responsible for "repeated violations of human rights and freedoms" and demanded the "the release of all detainees of political or religious opinions".

### **Background**

After his previous transfer from a prison in Setif to Constantine, the LADDH criticised the move as an "an arbitrary decision ... to take him further away from his family".

At that time, Bouhafs' daughter Thilleli said in a post on Facebook that her father had lost half his bodyweight during the two months he had spent incarcerated.

"My father's inflammatory rheumatism, which can only be treated with a specific diet which is impossible to get in prison, is taking a terrible toll on him," she said.

Bouhafs was originally sentenced to five years, but this was reduced to three on appeal. His family appealed to the Algerian President, Abdelaziz Bouteflika, for a pardon – Thilleli called it a "last resort and the only possible solution to set my father free".

Thilleli also stressed that her father had only shared someone else's posts on Facebook, adding: "I wonder why there is this rage against my father, who did not have a high profile on Facebook."

According to LADDH vice-president Said Salhi, the verdict was a result of "abusive" use of article 144 (bis) of the Algerian legal code. He called for a change of this legislation and criticised "the policy of double standards" in Algerian justice, citing various cases of arrests of non-fasters during Ramadan in recent years. Some were soon released, under pressure from local communities, while others – who didn't have this support in their respective regions – were brought to court and ended up in jail.

## **About Kabylie**

Kabylie is Algeria's Berber region, where the Church has grown significantly in recent decades. Bouhaf's conviction could be seen as a means of silencing him because of his political activism. He belongs to a movement seeking the self-determination of Kabylie (known as MAK), a group not tolerated by the authorities. MAK activists are regularly harassed and arrested, while the Kabylie region has always had a tumultuous relationship with the central government in Algiers.

Kabylie is a vast region – similar in size to Denmark – in the north-east of the country, on the edge of the Mediterranean. Its landscape of forests and mountainous terrain, riddled with caves, has provided a fertile ground for guerrillas. In September 2014, a French tourist, Hervé Gourdel, was assassinated in Kabylie by a radical Islamist group, Soldiers of the Caliphate, which has pledged allegiance to the Islamic State.

Kabylie used to be a refuge for fighters during the Algerian War of Independence against the French colonialists. In the 1990s, at the heart of the Algerian Civil War, the area then became a hideout for combatants from the Armed Islamic Group, which later mutated into Al-Qaeda in the Islamic Maghreb (AQIM), responsible for the kidnap of several Western nationals in Sub-Saharan Africa.

The Algerian army, which regularly carries out searches in Kabylie, has never been able to completely eradicate terrorism and banditry in the region.

AQIM was also strongly involved in the occupation in 2012 of northern Mali, along much of Algeria's southern border. This month alone, apparently jihadist attacks in northern Mali have killed at least three, and wounded nine UN peace-keepers.

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## **Religious minorities under oppression**

### ***HRWF contribution to the Annual report on Algeria's progress under the partnership priorities under the ENP***

HRWF (15.02.2017) - Human Rights Without Frontiers would like to bring to the attention of

- MEPs of the Sub-Committee on Human Rights and of the EU Delegation for Relations with Maghreb countries
- the European External Action Service
- the European Council

the violations of the right to freedom of religion or belief in Algeria.

Additionally, we'd like to highlight recent events regarding the persecution of members of the Ahmadiyya faith across Algeria.

Although Algeria has signed and ratified the ICCPR, and lawfully provides freedom of creed and opinion, freedom of expression, association and meeting, Algeria firmly instils Islam as the state religion, leaving other religious groups' rights unprotected.

As emphasised in previous Universal Periodic Review submissions for Algeria, there have been countless occasions where minority religious groups have been mistreated and discriminated against. Anti-proselytism laws, registration of religious organisation requirements, and blasphemy laws are frequently used to violate the freedoms of

minority religious groups. The Ahmadiyya<sup>1</sup> Muslim faith, a reformist movement within Islam that is often seen to have a progressive agenda, is one such group that has been subject to severe persecution by the Algerian state.

In January 2017, many followers of the Ahmadiyya faith were arrested during multiple police crackdowns in Algeria. While their names have not been released, we know that two individuals were arrested and sentenced to three years in prison in Sidi Bel Abbes, three individuals were arrested in Tipasa, seven in Algiers, and another seven in Oran. Their sentences are not yet known.<sup>2</sup>

Unfortunately, there has been a pattern of such arrests of Ahmadis over the past year. In November 2016, six Ahmadis were arrested and their belongings seized when they were found performing prayers. In September 2016, twenty Ahmadis were arrested during prayers under the pretext of 'public security'; subsequently, the Imam was fined and sentenced to eight months in prison, and the others were handed fines and three months in prison. Additionally, in June 2016, the Research Division of the National Police (SRGN) shut down the community's main headquarters in the city of Bilda and arrested six people. Soon after, the National President of the Ahmadiyya Community in Algeria was also arrested alongside two other individuals. Overall, nine individuals were charged with endangering state security and undermining social integrity.

The Ahmadiyya Muslim faith has been systematically repressed in Pakistan for decades. A 1974 amendment to the Pakistani Constitution declared that the Ahmadis cannot be considered Muslim. An ordinance passed in 1984 made it illegal for Ahmadis to 'pose' as Muslims, prohibiting them from using Islamic greetings in public places or calling their places of worship 'mosques.' To obtain a passport, Ahmadis must declare that their founder is a false prophet. The 1986 blasphemy law has likewise become a tool of repression of the Ahmadiyya community. Anyone convicted of defiling the name of Prophet Muhammed is subject to the death penalty. Life imprisonment can be imposed on anyone found guilty of insulting the Quran.

It is apparent that the rights of the Ahmadiyya Community are not being respected in Algeria. We call for Algeria to respect the rights of all religious movements in the country, and to release those who have been unlawfully imprisoned because of their faith.

#### **Annex A.** Human Rights Without Frontier's 2017 Prisoner's Database: Algeria

### **ALGERIA**

#### **Christian**

#### **Slimane BOUHAFS**

**Age:** 49 years

**Date and place of arrest:** On 31<sup>st</sup> July 2016, in Setif, Kabylie Region

**Charges:** Blasphemy against Islam and Muhammed

**Statement of the defendant:** He claims that the message and the pictures he posted on social media about the light of Jesus that overcomes the 'lie' of Islam and on the execution of civilians by the Islamic terrorists referred only to radical Islam and terrorism.

**Article of the criminal/ civil/ administrative code:** The Algerian penal code Article 144 bis (Provides that any individual who insults the prophet and the messengers of God, or denigrates the creed or prophets of Islam through writing, drawing, declaration,

<sup>1</sup> See Annex B for more information.

<sup>2</sup> See Annex A for a list of current Freedom of Religion or Belief prisoners in Algeria.

or any other means, will receive three to five years in prison, and/or be subject to a fine of between 50,000 and 100,000 Algerian dinars [approximately between €423 and €847 Euro])

**First court decision:** On 7<sup>th</sup> August 2016, he was sentenced to five years in prison.

**Last court decision:** On 6<sup>th</sup> September 2016, his sentence was reduced to three years in prison.

**Other information:** Bouhaf's health conditions are precarious. The Algerian League for Human Rights (LADDH) said it will take this case to the Supreme Court. The sentence could be a way to silence Bouhaf's because of his political activism. He is a member of the self-determination Kabylie movement (MAK), a separatist group.

Source: <https://www.worldwatchmonitor.org/2016/08/4582070/>

### **Ahmadis: 35 cases**

#### ***Arrests of six (unnamed) Ahmadis in November***

On 25<sup>th</sup> November 2016, **nineteen** Ahmadis were arrested in Béni Saf and subsequently sentenced to unknown prison terms.

#### ***Arrests of twenty (unnamed) Ahmadis in September***

In early October, **twenty** Ahmadis were arrested in the city of Skikda on 30<sup>th</sup> September for performing Friday prayers at a private villa. In November, Skikda's circuit court sentenced the (unnamed) Imam of Ahmadiyya community to 8 months in prison and fined him 300,000 Algerian Dinars (USD 2,800). While the other arrested individuals were sentenced 3 months in prison and fined 30,000 Algerian Dinars (USD 270).

#### ***Arrests of nine (unnamed) Ahmadis in June***

In June, the Research Division of the National Police (SRGN) shut down the community's main headquarters in the city of Bilda and arrested six Ahmadis from Blida. Soon after the security forces also arrested the National President of Ahmadiyya Community in Algeria from Bou-Ismaïl (Tipasa) and two other individuals from the capital Algiers. The nine individuals were charged with endangering state security and undermining social integrity. Sentences are not known.

### **Annex B. Human Rights Without Frontiers 2015 Annual Report: The Ahmadis**

## **The Ahmadis**

The Ahmadiyya Muslim community, also known as Ahmadis, is a reformist movement within Islam that has at least 12 million adherents in more than 20 countries. It draws its name from its founder, Hazrat Mirza Ghulam Ahmad, a Punjabi religious teacher of the 19<sup>th</sup> century who claimed to be the Mahdi, the promised Messiah who would come to establish universal peace.

Ahmad wanted to recover what he believed to be Islam's peaceful and tolerant origins. He also appealed for reason and critical thinking to be exercised when reading the Quran. In particular, he cautioned against irrational interpretations and the misapplication of Islamic law. Such pronouncements would evidently run into conflict with the established religious authority in many countries. Indeed, Ahmadiyya has been condemned as blasphemous and non-Muslim by many mainstream Muslims.

Six years after the death of Ahmad, the movement divided into two streams: the Lahore

branch, which regards Ahmad as a reformer and not a prophet, and the Qadiani branch, which believes he was indeed a prophet from God. Today the Lahore Ahmadis are a small minority group within the Ahmadiyya community, meaning that the vast majority of Ahmadis would not consider the Prophet Muhammed to be the last prophet, a major point of contention in view of wider acceptance within the Muslim world.

Ahmadiyya is an international movement with large numbers in Pakistan, Indonesia, America, Britain, and Nigeria. There are also significant communities in Bangladesh, Malaysia, Tanzania, Niger, Cameroon, and Ghana.

### Teachings

Ahmad claimed to be God's appointed Prophet and Mahdi, appearing in the likeness of Jesus (Isa) in fulfilment of ancient prophecy. He declared that his was an Islamic movement, although his teachings differ from traditional Islamic doctrine on several key points. He

The Ahmadiyya also have a distinctive narrative concerning the death of Jesus. Within Islam there are varying interpretations of Jesus' crucifixion. The mainstream view is that he did not die on a cross but was lifted bodily to heaven and will physically return before the end of time. In contrast, Ahmadis believe that Jesus escaped crucifixion and then later died a natural death. Now in the modern era, Ahmad has come in the likeness of Jesus to restore Islam's true and essential nature, to end all wars and to establish God's reign of justice and peace.

Ahmadis promote an overtly non-violent understanding of *jihad*. They underscore the Quranic principle that there must be no compulsion in religion, strongly rejecting the use of violence and terrorism in any form and for any reason. For the Ahmadiyya community, violent jihadism is an affront to the peaceful nature of Islam.

The group also endorses a clear separation of state and religion. In fact, Ahmad taught his followers to protect the sanctity of both religion and government by becoming 'righteous souls as well as loyal citizens.' Today, the Ahmadiyya Muslim Community is a strong advocate for universal human rights and protections for all religions and other minority groups.

### Controversies

Ahmadis have faced stiff opposition in several predominantly Muslim countries, primarily for their reformist views on traditional Islam and the need for a more progressive interpretation of Islamic sources. They have been especially targeted in **Pakistan**, **Indonesia** and **Bangladesh**, where openly professing their religious identity could lead to threats to their personal security, and legal restrictions on their rights to basic freedoms of expression, peaceful assembly, and participation in public life.

In **Pakistan**, Ahmadiyya have been systematically repressed for decades. A 1974 amendment to the Pakistani Constitution declared that the Ahmadis cannot be considered Muslim. An ordinance passed in 1984 made it illegal for Ahmadis to 'pose' as Muslims, prohibiting them from using Islamic greetings in public places or calling their places of worship 'mosques.' To obtain a passport, Ahmadis must declare that their

founder is a false prophet. The 1986 blasphemy law has likewise become a tool of repression of the Ahmadiyya community. Anyone convicted of defiling the name of Prophet Muhammed is subject to the death penalty. Life imprisonment can be imposed on anyone found guilty of insulting the Quran.

This legal framework, together with the strong influence of religious extremists within the political system, and a culture of intolerance towards religious diversity, creates a permissive environment for extremist attacks in Pakistan. While violence is generally perpetrated by non-state extremist groups, the police and judiciary are routinely accused of complicity in maintaining a system of discrimination and violence towards the Ahmadiyya community.

Ahmadis in **Indonesia** face similar legal and social hurdles, fuelled by ongoing resistance to Ahmadiyya's teachings from conservative Islamic groups. The repression of religious freedom for Ahmadis was institutionalised by the government's 2008 Joint Ministerial Decree, which explicitly bans Ahmadis from engaging in any activity that spreads or promulgates their teachings or doctrine. Violators are subject to imprisonment of up to five years. Regional and administrative strictures followed, further narrowing the scope of legal protections provided to Ahmadis in Indonesia.

In **Indonesia**, regional regulations and administrative decisions banning the activities of Ahmadiyah have not only increased in number since the introduction of the Joint Ministerial Decision 2008, but they have also grown in intensity and scope. Such regulations issued by regional authorities reflect the increasingly conservative positions of local governments on the issue of Ahmadiyah. In the absence of initiatives from the national government to protect the rights of Ahmadis, local governments are free to restrict religious freedom, leaving Ahmadis without the protection of the legal system.

Indonesian law forbids the Ahmadiyya from giving deviant interpretations of Islamic teachings and proselytizing their beliefs, but it is often more widely interpreted such that Ahmadis can observe their religion only in their private houses but cannot hold religious gatherings and appear in public showing their beliefs.

Speeches held by mainstream Islamic religious leaders clearly denouncing Ahmadiyah and its teachings as deviant have fomented attacks against the group, frequent and well documented by NGOs. There are many cases in which Ahmadis victims of persecution were jailed, while the perpetrators were left unpunished.

Although the right to religious freedom in theory also applies to religious minorities, in Indonesia it is often used to justify the protection of the rights of the religious majority.

Ahmadis are also harshly persecuted in other countries such as **Bangladesh**, where the Ahmadiyya community is perceived as a conflicting identity with the majority Muslim population. Sporadic violence against them has taken place for some years; however, since 2004 anti-Ahmadiyya extremists have been publicly demanding that the government pass legislation to contain their activities and restrict their daily lives. For instance, doctors and healthcare providers have been pressured to not provide treatment to Ahmadis. Also, many Ahmadiyya families have lost their profession and livelihood due to their religious commitment.

The explanations for Ahmadiyya's persecution and discrimination are multifaceted although interrelated. Some are more related to 'religious unity,' others to 'political interests,' but the reasons converge and are used to gain legitimacy in political and religious discourse.

The Ahmadiyya community has been symbolically constructed by some mainstream Muslims to be not only heretical but also disloyal and traitorous, 'the enemy within' and a threat to the moral stability of the nation. The Ahmadis, even if a relatively small community, threaten the perceived unity of Islam and introduce values and teachings which distort the 'true' religion of Islam. The suppression of Ahmadiyya has therefore become for some Muslims justifiable, as it is done in defence of Islam itself.

In **Indonesia** the persecution of Ahmadis can be linked to the country's history of struggle for legitimacy by various political actors since 1998. The mass riots and subsequent regime change of 1998 opened the possibility for the democratisation of Indonesian society, including a strengthened role for Islam in the social and political affairs of the state. A number of radical Muslim movements have proliferated since this period and have grown in numbers and influence along with increased intolerance toward the Ahmadiyya community and even incidents of violence. The government response to such incidents has been tepid at best.

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## **Waves of arrests of Ahmadis**

***Human Rights Without Frontiers is calling upon the Algerian authorities to stop harassing, arresting and imprisoning Ahmadis***

**By Willy Fautré, Human Rights Without Frontiers**

HRWF (06.02.2017) - In the last two weeks of January 2017, many Ahmadis were arrested during multiple police crackdowns in Algeria. Their names have not been made public. In Sidi Bel Abbès, two individuals were sentenced to three years in prison, three others were arrested in Tipasa, a group of seven were arrested in Alger, and seven others in Oran. Their sentences remain unknown.

### ***Arrest of six Ahmadis in November***

In November 2016, nineteen Ahmadis were arrested and subsequently sentenced to unknown prison terms. On 25th November, Algerian security forces raided a house in the coastal town of Béni Saf and arrested six Ahmadis while they were performing Friday prayers. Beni Saf is located in the northern province of Aïn Témouchent, around 300 miles to the west of capital Algiers. Security personnel seized prayer mats, books, and other documents related to the Ahmadiyya belief as evidence.

### ***Arrest of twenty Ahmadis in September***

In early October, Algeria's Minister of Religious Affairs and Wakfs, Mohamed Aissa, said he would work hard to prosecute the twenty Ahmadis that the Algerian Security Service had arrested in the city of Skikda on 30<sup>th</sup> September for performing Friday prayers at a private villa. The arrests were made under the pretext of 'public security'.



In November, Skikda's circuit court sentenced the Imam of the Ahmadiyya community to eight months in prison and fined him 300,000 Algerian Dinars (USD 2,800). The other arrested individuals were sentenced three months in prison and fined 30,000 Algerian Dinars (USD 270).

### ***Arrest of nine Ahmadis in June***

In June, the Research Division of the National Police (SRGN) shut down the community's main headquarters in the city of Bilda and arrested six people of the Ahmadiyya community from Blida. Soon after the security forces also arrested the National President of Ahmadiyya Community in Algeria from Bou-Ismaïl (Tipasa) and two other individuals from Algiers. The nine individuals were charged with endangering state security and undermining social integrity.

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