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## **Christian's five-year prison sentence for facebook post upheld**

HRWF (06.04.2021) - On 22 March, a judge in Oran, Algeria upheld a five-year prison sentence for a Christian convicted of reposting a cartoon of Islam's prophet on his Facebook account three years ago. The Oran City Court of Justice also upheld his fine of 100,000 dinars (US\$750). Article 144 of Algeria's penal code stipulates that five years is the maximum penalty for insulting Muhammad.

Hamid (surname withheld for security reasons) is the 43-year-old father of four very young children. He was accused by an Islamic extremist with whom he had done business. He was a client of a honey seller, an extremist Islamist, who is at the origin of a complaint filed in December 2020 against Hamid.

He had not heard from authorities until they showed up at his door on 20 January 2020, and the next day he was [sentenced](#) to five years in prison by a court in Arzew, a coastal city in Oran Province.

The case of Hamid is not an isolated case.

Algerian activist Yacine Mebarki, sentenced to 10 years in prison for insulting the precepts of Islam and other offenses on 25 November had his sentence reduced to one year with support from the Algiers-based Algerian League for the Defense of Human Rights, other advocates and the media.

Two Christians from a Muslim background from Algeria's Kabylie area were recently convicted of blasphemy, receiving sentences of six months and three years respectively, according to advocacy group Middle East Concern (MEC).

Algerian officials estimate the number of Christians at 50,000, but others say it could be twice that number.

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## **About the criminalization of freedom of expression on religious issues**

***Human Rights Without Frontiers calls upon the international community to defend the freedom of thought of Islamic scholar Said Djabelkhir***

By Willy Fautré, Human Rights Without Frontiers

HRWF (18.02.2021) - On 25 February, Said Djabelkhir, an Algerian expert in Sufism, will appear before a court in Sidi M'hemed (Alger) for allegedly insulting Islam.

The court accepted to hear a complaint filed against him by a university professor of Sidi Bel Abbes University, Abderezzak Boudjra, along with a group of rigorist conservative Muslims. The accusation is "contempt of Islam, infringement and mockery of the authentic hadiths of the Sunnah of the Prophet Muhammad, the pillar of the Hajj (pilgrimage) and the ritual sacrifice of the sheep of Eid," according to AsiaNews.

The plaintiff as well as his lawyers reproach the scholar for submitting Islam to "questioning reason".

The controversial Algerian researcher is very active on social media and is regularly interviewed by the national media. In 2019, during the Ramadan, he declared on El Bilad TV that at the time of the Prophet fasting was not an obligation and not all his followers were fasting. He was then vilified on social media and threatened with death.

Blasphemy issues, allegedly offending religious feelings or inciting religious hatred, allegedly insulting or mocking a religion are concepts that are enshrined in laws of a number of countries. Such accusations are often instrumentalized for various vested interests when they are taken to court.

Freedom of thought and expression or theological disputes inside a religion should exclusively be regulated according to the internal rules of the religion and not by civil law. If such a freedom is repressed by national laws, this state interference leads to some form of state religious inquisition and some degree of theocracy. Pluralism of religious opinions and religious dissidence are an integral part of international standards of freedom of religion or belief.

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## **United Nations demands Algeria to explain its campaign against Protestant churches**

***In a letter sent in December, three UN Human Rights Council special rapporteurs asked the government to stop the "intimidation and discriminatory treatment" of Protestants.***

Evangelical Focus (11.02.2021) - <https://bit.ly/3rVA365> - **The United Nations Human Rights Council (UN HRC) has increased its pressure on Algeria, asking its government to clarify how it is treating the Protestant Christian minority.**

A letter signed by three UN HRC *special rapporteurs* (freedom of religion and belief, freedom of peaceful gathering and association, and of minorities) was sent in December 2020 to the President of the government of Algeria **asking for "detailed information"** about the closing of Protestant worship places around the country.

Now the United Nations has made the letter public.

The 7-page long document summarises some of the latest developments that are a breaching of human rights in Algeria, especially those related to the "closing of worship places and churches affiliated with the **Eglise Protestante d'Algérie** (EPA) as well as the actions of discrimination against the members of the Protestant Christian minority".

The EPA is the organisation that has brought together the biggest number of Protestant churches in the country, being a **recognised and legal entity for over 70 years**. The group lost its legal status after the authorities did not renew their official registration, despite several attempts.

Not only 13 churches affiliated with the EPA have been closed by the authorities since January 2018, but other **49 Protestant worship places are threatened with closure**, the UN HRC denounces.

"This uncertainty", says the letter, "is reinforced by public statements by political representatives on social media in which they allegedly refused to allow closed worship places to re-open and spoke of the need to **close all 'illegal' churches in Algeria**".

The Human Rights Council also denounces the **use of "physical force" against church members**, as well as "intimidation and discriminatory treatment of EPA representatives in airports and border controls", all of them performed by "authorities of the state".

The *rapporteurs* "express our concern about the situation of places of worship and churches affiliated to the Protestant Church of Algeria and what seems to take the form of an **administrative closure campaign** which would have serious consequences for the right of the Protestant Christian minority to freely manifest and practice its religion or belief, including through worship, the performance of rites and teaching, as well as the right of its members to freedom of expression, both guaranteed by international law and articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR)".

The letter ends with a series of **questions to the Algerian government**. "Please explain in detail the factual and legal basis that justified the closure of the 13 places of worship and churches", is one of them. "Please provide information on the re-registration procedure of the Protestant Church of Algeria, and explain the reason why this has not been finalized to date", is a second one. The letter also asks for the "measures taken to investigate any violation committed against them [Protestant church leaders] and to **identify and punish** any responsible person".

This is not the first letter of this kind sent by United Nations human rights *rapporteurs* to the Algerian government. In **October 2018, a first letter** already highlighted the UNHRC's concerns about religious freedom in the North African country, denouncing the restrictions and discrimination of the Protestant Christian community. Then, the Algerian government did not respond.

The **World Evangelical Alliance** is expected to express its concerns on the situation of Algerian Christians to the Human Rights Council of the United Nations next week.

Photo : The city of El Biar, in Algeria. / Daoud Abismail, Unsplash, CC0

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## Christian sentenced to 5 years

International Christian Concern (02.02.2021) – <https://bit.ly/3p8xvQ7> - Hamid Soudad, a 43-year-old Christian father of four, was arrested on January 20 for posting a cartoon of Muhammad on Facebook and received a sentencing of five years in prison. The cartoon in question was shared on his Facebook page three years ago, though authorities just charged him this year.

Hamid was taken in for questioning and was briefly allowed to return home when he was called back and spent the night in prison. He received his sentence the next morning, being charged under Article 144 of the penal code for insulting Muhammad.

A pastor of a local church commented saying, "*Brother Hamid was naive in accepting this cartoon on his Facebook account. That this story goes back three years and only now it's resurfacing – it's hard to digest.*"

Hamid's lawyer is hopeful that they will be able to have the sentence reduced through an appeal, noting previous cases as precedent. In 2017, a Christian had his sentence reduced from five years to one year after he had shared a cartoon insulting Islam to his Facebook. In 2016, another Christian was arrested for a Facebook post that called Islam a lie and later had their sentence reduced to three years. Both were charged under Article 144.

Article 144 has been condemned by many international organizations for violating international law. In December 2019, Algeria **underwent** a political transition and constitutional reform which held the opportunity for the country to protect religious freedom. However, it was a missed opportunity. While Catholic churches were allowed to open, the Protestant churches which had begun to be forcefully closed in 2017 were completely closed during the pandemic.

**For interviews, please contact Alison Garcia:** [press@persecution.org](mailto:press@persecution.org)

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## Christian imprisoned for cartoon on Facebook

***Father of four sentenced to five years in prison.***



Christian man was sentenced at court in Arzew, about 250 miles west of Algiers, Algeria.  
(Maya-Anais Yataghene, Creative Commons)

Morning Star (01.02.2021) - <https://bit.ly/3pjXMv0> - A Christian who had received and reposted a cartoon of the prophet of Islam on his Facebook account three years ago was not too concerned when gendarmerie showed up at his door on Jan. 20.

By the next day, the 43-year-old father of four young children had been sentenced to five years in prison and fined 100,000 dinars (US\$750) under an Algerian law against insulting Muhammad, sources said.

Hamid (surname withheld for security reasons), a poultry farmer in El-Aiyaida, 19 miles east of Oran, had not heard from authorities since reposting the cartoon on his Facebook page in 2018, said Rachid Seighir, pastor of *Oratoire* Church in Oran, some 250 miles west of Algiers on the Mediterranean coast.

"It is a tragedy for us and for his family," Pastor Seighir said. "When a member of the Body of Christ is sick, the whole body feels the pain. Brother Hamid was naive in accepting this cartoon on his Facebook account. That this story goes back three years and only now it's resurfacing – it's hard to digest."

Hamid's four children are 6, 4, 3 and 3 months, and his wife is dejected and dismayed, especially since one of the children is seriously ill, the pastor added.

Gendarmerie took Hamid into custody for questioning late in the day on Jan. 20 and released him, but he had barely arrived home when he received a call to return, sources said. Returning alone to find out what they wanted, he was detained and spent the night in a jail cell.

The next morning (Jan. 21), a lawyer, Pastor Seighir and other Christians arrived in time to accompany him at a hearing at a court in Arzew, a coastal city in Oran Province, at about 11 a.m. After questioning him about a caricature of Muhammad recorded on his Facebook account with a screenshot by agents from Algeria's cybercrime unit in 2018, the prosecutor requested he be punished with five years in prison under Article 144 of the penal code against insulting Muhammad.

Pastor Seighir said he and the attorney encouraged Hamid to have the hearing adjourned as Algerian law allows counsel a week to prepare a defense. Eager to return home and believing he would be able to do so after the hearing, Hamid asked to go before the judge the same day, and he did so at 2 p.m. along with his attorney, even though she had no time to prepare.

The judge sentenced him to five years in prison for insulting Muhammad. His attorney told Morning Star News there is a good chance they can get the sentence reduced on appeal.

In 2017 a judge in Algeria reduced from five years to one year a prison sentence for a Christian convicted of offending Islam with cartoons on his Facebook page. Samir Chamek, a 33-year-old theater actor in Algeria's northern area of Wilaya de Bouira, had been sentenced to five years and a fine of 100,000 Algerian dinars (US\$900). Cartoons of Muhammad published elsewhere had been shared on his Facebook page.

On July 31, 2016, Slimane Bouhafis was also arrested under Article 144, in his case for posting a message on Facebook that characterized Islam as a "lie." Bouhafis, who converted to Christianity from Islam in 1997 and was baptized in 2006, was sentenced on Aug. 7, 2016 to five years in prison and fined 100,000 Algerian Dinars (US\$900). The following month the sentence was reduced on appeal to three years, and the fine was dropped.

Article 144 has been condemned by numerous human rights organizations as a violation of international law. In its report, "Policing Belief," pro-democracy group Freedom House said the article was commonly used to persecute Christian and allowed "police officials and judges to impose their own religious perspectives on society, and to give at least one version of Islamic practice the force of law."

Nearly 90 people are imprisoned in Algeria for acts related to protest and/or exercise of individual freedoms. Charges are often based on Facebook posts, according to the National Committee for the Release of Detainees (CNLD).

Algerian activist Yacine Mebarki, sentenced to 10 years in prison for insulting the precepts of Islam and other offenses, on Nov. 25 had his sentenced reduced to one year with support from the Algiers-based Algerian League for the Defense of Human Rights, other advocates and the media.

"Algerian courts do not have the right to judge people's religious beliefs and opinions," notes Sarah Leah Whitson, director of Human Rights Watch's Middle East and North Africa division. "Algeria should urgently revise its penal code to end criminal sanctions for peaceful free expression, including opinions that may insult religion."

Algeria's new constitution, approved in a referendum largely ignored by the population on Nov. 1, no longer mentions freedom of conscience as the previous constitution did.

Islam is the state religion in the 99-percent Muslim country. Since 2000, thousands of Algerian Muslims have put their faith in Christ. Algerian officials estimate the number of Christians at 50,000, but others say it could be twice that number.

Algeria ranked 24<sup>th</sup> on Christian support organization Open Doors' 2021 World Watch List of the countries where it is most difficult to be a Christian.

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## **Mocking the government and religion: 3 years in prison**

HRWF (06.01.2021) - Walid Kechida, 25, was sentenced to three years in jail and fined 500,000 dinars (3,075 EUR) on 4 January for satirical social media posts allegedly mocking the government and religion.

According to Kaci Tansaout from the CNLD prisoners' rights group, he was accused of insulting Algerian President Abdelmadjid Tebboune, 75, and "offending the precepts" of Islam in online posts.

His lawyers said they would appeal the decision.

Kechida has already spent eight months in detention awaiting trial.

On 1 January, the office of the President announced that he had signed into law the country's new constitution, months after the document was approved following a referendum that saw a record low voter turnout. The document received scant support, with less than 15 percent of the population voting in its favour during the November vote. This referendum was overshadowed by the novel coronavirus pandemic and followed calls for a boycott.

The new constitution was pitched as a response to the demands of the Hirak protest movement. However, it keeps Algeria's presidential regime in control and expands the powers of the army, a central pillar of the state.

The repressive character of the regime has not changed with the new president. In mid-December, two Coptic Christians were sentenced to between two and three years in prison for allegedly mocking religion.

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## **Two Kabyl Christians sentenced to heavy prison terms**

***Human Rights Without Frontiers calls upon the European Parliament and EU High Representative/ Vice-President Borrell to ask President of Algeria Abdelmadjid Tebboune to put an end to the persecution of Christians***

HRWF (04.01.2021) - On 16 December, a court in Amizour sentenced Abdelghani Mammeri, a young Coptic Orthodox to six months in prison and a fine of 100,000 DA (\*). During the trial, the Prosecutor of the Republic demanded two years in prison and a fine of 200,000 DA. The young Christian, a convert, was accused of "offending the Prophet and showing disrespect to religious principles". He was poorly defended by his lawyer who even advised him to recant his new faith.

On 3 December, Mebrouk Bouakaz, was tried by the same court on the same grounds. The prosecutor demanded six months in prison and a fine of 200,000 DA but the judge sentenced him on 17 December to three years in prison and a fine of 50,000 DA.

There was a strong presence of radical Islamists in the court room to put the judiciary under pressure. No political party criticized the ruling.

Both Christians will appeal the decision.

Read more on religious freedom in Algeria [in HRWF Database](#)

(\* ) 1 Algerian Dinar – 0.0062 EUR

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