

Table of Contents

- ***Hamid Soudad sentenced to 5 years in prison: NGOs appeal to the UN***
- ***More churches sealed by government***
- ***Pastor receives suspended sentence and fine***
- ***Historic church building returned to the EPA***
- ***Islamic scholar sentenced to three-year prison term for "offending Islam"***
- ***Algerian Christians proselytizing appeal delayed***
- ***Christian's five-year prison sentence for facebook post upheld***
- ***About the criminalization of freedom of expression on religious issues***
- ***United Nations demands Algeria to explain its campaign against Protestant churches***
- ***Christian sentenced to 5 years***
- ***Christian imprisoned for cartoon on Facebook***
- ***Mocking the government and religion: 3 years in prison***
- ***Two Kabyl Christians sentenced to heavy prison terms***

Hamid Soudad sentenced to 5 years in prison: NGOs appeal to the UN

Ms. Irene Khan Special
Rapporteur on the promotion and protection of the right to freedom of opinion
and expression
OHCHR-UNOG
8-14 Avenue de la Paix
1211 Genève 10, Switzerland

Dear Special Rapporteur,

We write to raise concern about the Algerian authorities' sentencing and arbitrary detention of Hamid Soudad, a 42 year old Christian in Oran, Algeria.

On January 20, 2021 authorities arrested Hamid Soudad for "insulting the Prophet of Islam" by sharing a Facebook post. A court in Arzew then proceeded to sentence him to five years in prison under Penal Code article 144-2, the next day, without giving him access to a lawyer. The appeal court, Oran City Court, on March 22, 2021, upheld the five-year prison sentence of the lower court. Mr Soudad is now waiting to have his case heard at the Supreme Court which could take two to three years.

The sentence carried against Mr Soudad breaches international law on several accounts:

Firstly, all blasphemy laws are incompatible with international law as previously made clear by the Special Rapporteur on freedom of religion or belief and as highlighted in your report.¹

Secondly, even if the blasphemy law was considered legitimate, Mr Soudad's case does not meet the law's requirement of directness between the speech and the alleged harm. The Facebook post the authorities are sentencing Mr Soudad for is from 2018, but the charge was not laid against Mr Soudad until December 2020, which makes it clear that the sentencing is based not on any alleged harm caused by his post but rather is solely due to his Christian faith.

Moreover, the charge laid against Hamid Soudad for sharing a social media post is not proportionate to earlier Algerian jurisprudence involving the blasphemy law. According to Mr Soudad's lawyer, the penalty the Algerian authorities placed exceeds the penalties imposed in similar cases, where authorities have placed milder sentences for sharing alleged blasphemous content than when authoring it. The lawyer attributes this exaggerated sentence to the authorities' discrimination against Christians especially those from a Muslim background, like Mr Soudad. Conversion is being indirectly penalised in most states where Islam is the state religion, since renouncing or disbelieving Islam is considered blasphemy.² In addition, the penalty is disproportionate to the perceived harm incurred, with the five- year prison sentence for a social media post being the same minimum sentence required in Algeria for crimes such as selling, distributing, or storing bladed weapons for illicit purposes.³

We appeal to you to urge the Algerian authorities to release Hamid Soudad immediately and unconditionally in light of the above, and to review existing legislation to ensure it is in line with International Law and its human rights commitments, including by repealing its blasphemy laws and *Ordonnance 06-03*.

As a result of his arrest, Hamid Soudad's family are in a vulnerable position. The detention of Mr Soudad has left his wife essentially a single mother caring for four children under the age of ten. Being a single mother in Algeria is an especially vulnerable position, in addition to being from a religious minority.⁴

¹ United Nations, General Assembly. *Elimination of all forms of religious intolerance*** A/72/365. (28 August 2017). Office of the High Commissioner on Human Rights, *Historic consensus on freedoms of religion and expression at risk, say UN experts*, 23 March 2021, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26937&LangID=E>; United Nations, General Assembly, *Disinformation and freedom of opinion and expression – Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan*, 13 April 2021. para. 38

² Set My People Free, *Countries Where Apostasy and Blasphemy Laws in Islam are Applied*, July 2020. <http://freedom2worship.org/images/docs/map-laws-july2020.pdf>.

³ Ordonnance n° 66-156 du 8 juin 1966 portant code pénal, modifiée et complétée., Art. 87 bis [https://ihl-databases.icrc.org/ihl-nat/0/e75256421f90d2b6c1256fd6003695cc/\\$FILE/Code%20p%C3%A9nal.pdf](https://ihl-databases.icrc.org/ihl-nat/0/e75256421f90d2b6c1256fd6003695cc/$FILE/Code%20p%C3%A9nal.pdf).

⁴ Committee on the Rights of the Child, *Consideration of reports of States parties, CRC/C/SR.1714*. 14 June 2012. para. 26.; *Algeria: Crackdown on Protestant Faith*.

Human Rights Watch. (2020, October 28).

<https://www.hrw.org/news/2019/10/24/algeria-crackdown-protestant-faith>.

Sincerely,

Signatures of 14 NGOs

CC:

UN Special Rapporteur on freedom of religion or belief
UN Special Rapporteur on minority issues
Chair of the International Religious Freedom or Belief Alliance
EU Special Envoy on freedom of religion or belief outside the EU
United States Commission on International Religious Freedom
US State Department

More churches sealed by government

Middle East Concern (13.07.2021) - <https://bit.ly/3kg8TWV> - On 7 July three churches in the Oran area were sealed, bringing the number of sealed churches to 16. Christians in Algeria ask for prayer for the on-going campaign against the church that started in 2017.

The three churches are the city church of Oran (L'Oratoire), the Ain Turk House of Hope and a church in El Ayaida. They were previously closed by order of the Governor of Oran in 2017 and 2018. They re-opened in 2018, but the Governor filed a court case in August 2019 asking to close them again.

On 4 June 2021, the administrative court of Oran (415 km west of Algiers) ordered these churches closed. This order was implemented on 7 July.

In November 2017 Algerian authorities started a campaign to close churches, using a national ordinance which stipulates that permission must be obtained before using a building for non-Muslim worship. National authorities have failed to respond to any application for permission since the ordinance was enacted in 2006. Therefore, it has become standard practice to rent premises and inform only the local authorities that they are being used as places of worship.

Photo : MEC

Pastor receives suspended sentence and fine

His church building one of three a court orders sealed.

Morning Star News (06.06.2021) - <https://bit.ly/3g85eIp> - Less than a week after a court in Algeria ordered pastor Rachid Seighir's church to close, a judge in handed him a one-year suspended sentence and a fine for "shaking the faith" of Muslims with Christian literature at his bookstore, sources said.

Pastor Seighir's *Oratoire* Church building in the city of Oran was one of three ordered to be sealed in western Algeria's Oran Province on Wednesday (June 2). On Sunday (June 6) he and bookstore salesman Nouh Hamimi were sentenced to one-year suspended sentences and a fine of 200,000 dinars (US\$1,494) in a ruling on their appeal of a prior sentence of two years in prison and a fine of 500,000 dinars (US\$3,745).

The pastor was the manager of the now-closed bookstore in Oran, a coastal city 268 miles west of Algiers. The judgment in March read that he and Hamimi were condemned for "distributing publications or any other propaganda undermining the faith of a Muslim."

Pastor Seighir has said the conviction was mere retaliation in a conflict over the bookstore going back to 2008, when he was convicted of the same charges and acquitted on appeal. The governor of Oran ordered the bookshop closed in 2017, but in April 2018, a court ruled the closure order was invalid due to procedural problems – though authorities continued to keep the bookshop closed, he said.

Sunday's appeal ruling came after postponements of scheduled hearings on May 16 and May 30. The Christians' attorney, Farid Khemisti, said they would appeal on Wednesday (June 9) to the Court of Oran and, if necessary, to the Supreme Court.

Algeria's 2006 law regulating non-Muslim worship, known as Law 03/06, criminalizes the publishing or distributing of any materials "which aim to undermine the faith of a Muslim." Punishment can range from two to five years in prison and fines of 500,000 to 1 million Algerian dinars (US\$3,745 to US\$7,490).

Church Closures

The court ruling on Wednesday (June 2) ordering the closure Pastor Seighir's church building and those of churches in El-Ayaid and Ain-Turk came as a result of efforts to seal the buildings by the governor (*wali*) of Oran Province.

"This is a judgment that the *wali* of Oran won against us," Pastor Seighir told Morning Star News. "It is ordered to proceed with the immediate closure of the three places of worship."

Ain-Turk is about 35 kilometers (21 miles) west of the city of Oran, and El-Aiyaid is about 35 kilometers east of Oran.

"To tell you the truth, I don't understand what's going on," Pastor Seighir said. "This is purely an attack against us Algerian Christians and the churches. There have been three different *walis*, and that did not prevent the charges against us from remaining. It is therefore clear that the source of our trouble comes from those higher than the *walis*."

On Dec. 28, 2017, the then-governor of Oran Province, Mouloud Cherifi, had sent notice that the *Oratoire* church was "[not in accordance](#) with the laws in force," namely registration under Law 03/06, which regulates non-Muslim worship. The 2006 law requires non-Muslim worship buildings to be licensed, but all applications to do so have remained unattended.

The ruling against Pastor Seighir and Hamimi comes after a Christian who had received and reposted a cartoon of the prophet of Islam on his Facebook account three years ago was [sentenced to five years](#) in prison and fined 100,000 dinars (US\$750) under an Algerian law against insulting Muhammad.

Christian Interrogated

In Ain-Defla Province about 145 kilometers (90 miles) southwest of Algiers, Gendarmerie stopped two Christians preparing to travel to worship in the capital, holding one for four hours of interrogation, he said.

Ahmed Beghal (name changed for security reasons) said officers also searched his home and seized Christian books and personal documents.

On April 17 at about 7 a.m. Beghal and his friend had yet to leave his town of Ain Seltane when officers stopped them on the road, he said. Taken to brigade quarters, Beghal was held for questioning while his friend was quickly released after separate questioning.

"Not knowing the reason for our arrest, I questioned the head of the brigade," Beghal said. "The latter replied, 'There are many rumors and accusations circulating about you. You are very active, it seems.'"

Beghal, whose wife and children [left him in 2017](#) because of his conversion to Christianity, said that the day before the arrest he and others had shared the gospel with people.

After officers questioned him, they took him to his home to search it.

"They took all my books and documents," Beghal told Morning Star News. "They told me that to get them back I have to go to the public prosecutor."

Beghal, who wrote to the prosecutor asking for his belongings to be returned to him, is scheduled to appear before a judge on June 16. He is accused of fundraising for the creation of a Christian association without authorization.

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 24th on Christian support organization Open Doors' 2021 World Watch List of the countries where it is most difficult to be a Christian, up from 42nd place in 2018.

Photo : City of Oran, including Santa Cruz citadel and church. (Lilata, Creative Commons)

Historic church building returned to the EPA

Algerian Christians rejoice in the return of an appropriated church building in Mostaganem. They ask for continued prayer for the situation of the church in the country.

MEC (26.05.2021) - <https://bit.ly/2ToVJM1> - The church building is one of several historically recognised places of worship taken over by local authorities. The EPA, the umbrella organisation for Protestant Churches in Algeria (Église Protestante d'Algérie) has been requesting the return of these buildings for more than a decade. However, those using the buildings refuse to return them, leading to long-running court cases.

The church building in Mostaganem was used as a public health centre until 2011. When the health centre moved, local authorities leased the building to another health organisation. In 2012 the EPA launched legal procedures requesting the return of the building.

A verdict was issued in May 2019, but authorities failed to implement it in the two months required by law. The building was finally returned to the EPA this month. A 2006 Ordinance prohibits non-Muslim worship in buildings not designated for that purpose by a national commission. However, since 2006 that commission has not issued a single license.

Since November 2017 many Protestant church buildings have been visited by so-called "building safety" committees. These committees not only inspect safety compliance but also ask for permits under the 2006 Ordinance. To date authorities have ordered 20 churches to cease their activities. Sixteen of these churches had their buildings sealed, while three were allowed to reopen.

Photo: meconcern.org

Islamic scholar sentenced to three-year prison term for "offending Islam"

Amnesty International (22.04.2021) - <https://bit.ly/3sNOEIS> - Today's sentencing of Said Djabelkheir, a well-known Islamic expert, to three years in prison for "offending" Islam in comments he posted on Facebook, is a chilling setback for freedom of expression in Algeria, said Amnesty International.

In three online posts on Facebook in January 2020, Said Djabelkheir drew comparisons between Eid al-Adha and the Berber New Year celebrations; referred to some stories in the Qur'an as 'myths; and said he considered some hadiths 'apocryphal'. The Sidi Mhamed Court of First Instance today convicted him of "offending the Prophet of Islam" and "denigrating the dogma or precepts of Islam" under Article 144bis of Algeria's Penal Code.

"It is outrageous that Said Djabelkheir is facing three years in prison simply for voicing his opinions about religious texts. Punishing someone for their analysis of religious doctrines is a flagrant violation of the rights to freedom of expression and freedom of belief – even if the comments are deemed offensive by others," said Amna Guellali, Deputy Director for the Middle East and North Africa at Amnesty International.

"Algerian courts have no business judging people's religious beliefs and opinions. Said Djabelkheir's conviction must be quashed immediately. Any provisions in Algeria's penal code that criminalize the rights to freedom of expression, opinion or belief must be urgently repealed."

The court sentenced Said Djabelkheir to a three-year prison term but did not issue a detention order so he has not yet been taken into custody. He was also fined 50,000 Algerian dinars. Lawyers will appeal the decision.

The charges were brought after a teacher at the University of Sidi Bel Abbès, who considered that aid Djabelkheir's writings on Facebook violated religious precepts, pressed charges against him before the investigative judge of the Sidi Mhamed first instance court.

Said Djabelkheir told Amnesty International that he was not notified about his prosecution and that he first learned of it when friends alerted him in January 2020 about it. Said Djabelkheir said that during the course of the investigation into his case by the Sidi Mhamed first instance court judge he was never summoned for interrogation. He was not informed of his trial date, and again only learned of it via Facebook posts shared by the lawyers of the university teacher. His trial took place at the Sidi Mhamed court on 1 April.

Said Djabelkheir is the victim of an ongoing online and offline harassment for expressing his views. He told Amnesty International that he received numerous death threats on Facebook since he joined the social media in 2007.

Algerian authorities have used Article 144bis of Algeria's penal code in the past to crack down on dissent and prosecute activists and critical voices. On 8 October 2020, the first instance court of Khenchla, in eastern Algeria, issued a 10-year prison sentence and a heavy fine against Amazigh and Hirak activist Yacine Mebarki for charges including "offending the Prophet of Islam". The verdict was later reduced on appeal to one year in prison.

In September 2016, the Setif Appeals court sentenced Slimane Bouhafis, a Christian convert, to three years in prison under the same article, for Facebook posts criticizing religious dogma.

Article 19 of the International Covenant on Civil and Political Rights, to which Algeria is a state party, guarantees the right to freedom of expression and opinion. The UN Human Rights Committee noted in 2011 that "prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant." And Article 18 of the Covenant guarantees freedom of religion or belief.

Photo : Amnesty International

Algerian Christians proselytizing appeal delayed

International Christian Concern (28.04.2021) – <https://bit.ly/3baZPgA> - Algerian Christians Pastor Rachid Seighir and his bookshop assistant Nouh Hamami had their court hearing back one month and will now appeal their two-year prison sentences on May 16. On February 27, the two men were convicted **in absentia** of proselytizing and sentenced to two years in prison and fined. They were supposed to have their cases heard on April 18.

Pastor Rachid leads Oran City Church and also owns a bookstore where Nouh Hamami worked as his employee. When the store was raided in September 2017, the Christian material authorities found was used as justification for their conviction. Their proselytizing charge came under an Algerian law regarding non-Muslim worship that does not allow for “*producing, storing, or disseminating printed documents, audiovisuals, or using any other means with the intent to undermine the faith of a Muslim.*”

Another Christian, **Hamid Soudad**, recently had his five-year prison sentence on blasphemy charges upheld at his appeal case on March 22. **Two more Algerians** are also facing blasphemy charges and the subsequent consequences.

For interviews, please contact Alison Garcia: press@persecution.org.

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 sentenced 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.

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.

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.

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

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

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.

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

[Read more...](#)