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Missionary activities of non-Muslims severely restricted

HRWF (08.11.2022) - On 11 November, Algeria's human rights report will be examined by the UN Human Rights Council in the framework of the Universal Periodic Review (UPR). On the eve of this event, the US Commission on the International Religious Freedom (USCIRF) has published a Factsheet about [Law and Religion in Algeria](#), divided into seven parts:

Introduction
Law, Religion and Politics
Laws Restricting the Manifestation of Religion
Blasphemy Laws
Anti-Proselytization Law
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Conclusion

Here is an excerpt about the anti-missionary laws:

Anti-Proselytization Laws

In 2006, the Algerian government issued **Ordinance 06-03**, which regulates non-Muslim religious organizations and activities. While this ordinance works to protect the rights of non-Muslim individuals to worship in community with one another and in public, it also places unwarranted restrictions on non-Muslims' rights to manifest their religion publicly through teaching, as protected under Article 18 of the ICCPR.

Article 11 of Ordinance 06-03 criminalizes proselytization. Anyone who "incites, constrains, or utilizes means of seduction intending to convert a Muslim to another religion; or uses to this end establishments of teaching, education, health, of a social and or cultural character, training institutes, or any other establishment, or any other financial means," is subjected to **three-to-five years in prison and a fine of 500,000–1 million Algerian dinar (roughly 3,500–7,100 USD)**. Anyone who "makes, stores, or distributes printed documents or audiovisual footage or by any other medium or means which aim to shake the faith of a Muslim" is subject to the same penalties.

As is the case with blasphemy laws, imprisoning individuals charged with proselytization constitutes a particularly severe religious freedom violation as identified in IRFA because it denies individuals the right to liberty on the basis of their manifestation of their religion or belief through teaching in public or private, as protected under Article 18 of the ICCPR.

In February 2020 a court in Oran sentenced pastor and bookshop owner **Rachid Mohamed Seighir** and his bookshop assistant Mouh Hamimi to two years in prison and a 500,000-dinar (approximately 3,500 USD) fine for proselytization. Police brought charges against Seighir and Hamimi for “printing, storing, or distributing materials that can ‘shake’ the faith of a Muslim” after raiding the bookshop in 2017. Following appeal, the court reduced the sentence to one year in prison and a fine of 200,000 dinars (approximately 1,400 USD) in June 2021.

The Algerian government has also implemented key aspects of Ordinance 06-03 in a way that discriminates against religious minorities, particularly Evangelical Protestants. Article 12 of Ordinance 06-03 punishes any individual who “collects money or accepts donations without the authorization of the legally empowered authorities” with **one-to-three years in prison and a fine of 100,000–300,000 Algerian dinar (roughly 710–2,100 USD)**. In 2021, Algerian authorities used this clause to prosecute **Foudhil Bahloul**, a Christian convert who had collected donations with the help of his parish after having lost his job due to his conversion.

	Freedom to change/Keep Religion or Belief	Freedom of expression/ Blasphemy/ Defamation	Freedom of association	Freedom of worship assembly	Freedom to share beliefs/ Proselytism
ALGERIA					

Table of Human Rights Without Frontiers

Death penalty  Imprisonment  Fine  & Restrictions: R

Religious freedom to be scrutinized at the United Nations

HRWF (07.11.2022) - On 11 November, Algeria’s human rights report will be examined by the UN Human Rights Council in the framework of the Universal Periodic Review (UPR). The last review dates back to 8 May 2017. A few NGOs have submitted a report about religious freedom, such as ADF International and the European Center for Law and Justice (See their full submissions at <https://bit.ly/3fD2zZL>). See as well HRWF’s Database of FORB News (2020-2022) at <https://hrwf.eu/newsletters/forb/>.

Hereafter an excerpt from the report and recommendations of ADF International.

Legal Framework Relating to Freedom of Religion or Belief

5. Algeria’s Constitution was formally amended in November 2020.⁵ Its Article 2 declares Islam as the country’s official religion.⁶

6. Article 51 of the new Constitution recognizes freedom of opinion and of religious practice (*cultes*), however no longer formally protects freedom of conscience. Viewed in

of Article 10, which prohibits practices “contrary to Islamic morals,”⁷ the constitutional guarantees afforded to freedom of religion are greatly limited. It also guarantees the protection of places of worship from political or ideological influences.⁸

7. Article 144-bis-2 of the Algerian Penal Code criminalizes “anyone who offends the prophet (peace be upon him) and the messengers of God or denigrates the dogma or precepts of Islam”, with punishments of up to five years in prison and a fine of up to 100,000 Algerian dinars (approximately \$720).⁹
8. Article 11 of Algeria’s 2006 Ordinance on the Conditions and Rules of Practice of Faiths other than Islam (the “Law 06-03”) punishes anyone who “incites, constrains, or utilizes means of seduction tending to convert a Muslim to another religion; or by using to this end establishments of teaching, education, health, social, culture, training...or any financial means.” It also criminalizes anyone who “makes, stores, or distributes printed documents or audio-visual productions or by any other aid or means, which has as its goal to shake the faith of a Muslim.” The penalty is up to five years in prison, and a 1,000,000 dinar fine (approximately \$7,200).¹⁰
9. Additionally, Law 06-03 stipulates that non-Muslim associations must obtain permission from the National Commission for Non-muslim Religious Groups to utilize a building for worship. Unregistered religious activities or groups are banned. The justifications given for rejecting applications are reportedly extremely vague, allowing for arbitrary denial of registration, effectively prohibiting the functioning of certain religious groups.¹¹ Additionally, in practice, the Commission has failed to respond to any applications by Christians groups, forcing them to make unofficial and unreliable arrangements with local officials.¹²

Blasphemy and proselytism cases

10. In 2018, Hamid Soudad, an Algerian Christian, was convicted to a five-year prison blasphemy sentence for circulating an allegedly offensive image against Islam on social media.¹³

11. In February 2021, a court in Oran convicted pastor Rachid Seighir and one of his colleagues to two years imprisonment and a fine under Article 11 of Law 06-03 for “shaking the faith” of Muslims. This was due to the presence of Christian books in their bookstore.¹⁴ On appealing the judgement, in June 2021, this was reduced to a one-year suspended sentence and a lower fine. That same week, Rachid’s church, along with two others in the province, were closed for being unlicensed under Law 06-03.¹⁵

12. In November 2020, an Ahmadi activist, Yacine Mebarki, was sentenced to one year in prison and a fine of 50,000 Algerian dinars (approximately \$385) in Khenchela for allegedly “insulting Islam” in a social media post, in which he had expressed criticism of a religious scholar.¹⁶

13. In July 2021, officials in Ain Defla sentenced Foudhil Bahloul, a Christian convert, to six months in prison and a fine of 100,000 Algerian dinars (approximately \$720). Bahloul was arrested in April 2021 after his house was searched and certain Christian materials were seized. During his trial, witnesses were not allowed to testify and Bahloul did not have legal representation. His sentence was for receiving an “unauthorized donation” of 200 euros from a friend in Germany, which officials claimed were funds received for his Christian beliefs.¹⁷

14. In September 2021, it was reported that Christian activist and Muslim convert Slimane Bouhafs, an Algerian living in Tunisia with refugee status, was allegedly abducted and forcibly returned to Algeria.¹⁸ Family members witnessed the

abduction of Bouhafis from Tunis by three men before he was imprisoned and appeared before a court in Algiers.¹⁹ The specific charges against him remain unknown but it has been reported that there are multiple charges related to so-called terrorist activity.²⁰ Bouhafis spent almost two years in prison in Algeria after he was charged with blasphemy for a Facebook post in 2016 where he criticized Islam. In his trial in 2016, he was denied basic rights of due process and was not provided with a lawyer.²¹ During his time in prison, he faced aggression from other prisoners because he was known to be a Christian.²²

Church closures and religious registration barriers

15. Protestant Christian communities (including the Église Protestante d'Algérie, or the "EPA") have been systematically targeted by restrictions to their freedom of worship, notably by prohibiting access to church buildings. Since January 2018, Algerian authorities have sealed 13 Protestant churches affiliated with the EPA, and 49 places of worship have been threatened with closure.²³ These closures constitute direct violations of the right to freedom of religion or belief, which includes the right to worship in community with others, as well as freedom of association and assembly.

16. In October 2019, members of a Protestant congregation of the Full Gospel Church of Tizi-Ouzou protested peacefully against the closure of their church, the largest Christian church in Algeria, which was sealed by police officers. The protesters were beaten by authorities while others were arrested. Two more churches were sealed the day after the Full Gospel Church was closed. The pastor of the Full Gospel Church had tried to comply with the authorities and the requirement to register under Law 06-03 of 2006, but the National Commission has completely ignored repeated requests to renew registration.²⁴

17. In addition, Protestant Christian churches in Algeria faced discriminatory restrictions in response to the COVID-19 pandemic. From March 2020, Protestant churches were ordered to remain closed for "safety measures," while mosques and Catholic churches were permitted to reopen.²⁵

18. The Ahmadi community in Algeria is not recognized by the government, and faces considerable pressure and harassment, including from state officials.²⁶ In January of 2020, a group of Ahmadis were interrogated about their religious beliefs and authorities confiscated their passports before they were prosecuted for forming an illegal association. They were eventually acquitted of the charges against them but their passports were never returned.²⁷

Footnotes

¹ The Association of Religion Data Archives 'Algeria' https://www.thearda.com/internationalData/countries/Country_4_2.asp.

² Open Doors International 'Indonesia: Full Country Dossier' (December 2021) World Watch List 2022 <<https://odusa-media.com/2017/12/Full-Country-Dossier-Algeria-2022.pdf>>, 6-7.

³ European Parliament 'European Parliament Resolution of 28 November 2019 on the situation of freedoms in Algeria' 2019/2927(RSP), https://www.europarl.europa.eu/doceo/document/TA-9-2019-0072_EN.html, 4.

⁴ M. Rubio et al. 'Letter to The Honorable Antony Blinken' (9 July 2021) United States Senate https://www.rubio.senate.gov/public/_cache/files/d83757e6-53f5-4263-854c-836a74b330f5/3FA54880_3F4C8D00DEDED4C1D16FA16F.algeria-religious-freedom.pdf.

⁵ E. Goldstein 'The Right That Vanished from Algeria's Constitution Freedom of Belief Article Dropped — and All Pretense of Respecting It?' (15 February 2021) Human Rights Watch,

<https://www.hrw.org/news/2021/02/15/right-vanished-algerias-constitution>.

⁶ 2021 Constitution of Algeria, <https://www.joradp.dz/TRV/FConsti.pdf>, art. 2.

⁷ Id., art. 10.

⁸ Id., art. 51.

⁹ Algerian Penal Code,

https://www.equalrightstrust.org/sites/default/files/ertdocs//code_penal.pdf, art. 144-bis-2.

¹⁰ Human Rights Without Frontiers 'Freedom of Religion or Belief Algeria' (October 2020)

<https://hrwf.eu/wp-content/uploads/2020/10/2020-FORB-Algeria.pdf>, 2.

¹¹ Human Rights Watch 'Algeria: Crackdown on Protestant Faith, Churches Sealed; Worshipers Beaten' (24 October 2019) <https://www.hrw.org/news/2019/10/24/algeria-crackdown-protestant-faith>.

¹² Middle East Concern 'Algeria' <https://www.meconcern.org/countries/algeria/>.

¹³ International Christian Concern 'Algerian Christian Prison Sentence Upheld' (26 March 2021)

<https://www.persecution.org/2021/03/26/algerian-christian-prison-sentence-upheld/>.

¹⁴ Middle East Concern 'Algeria: Pastor faces prison term' (2 March 2021)

<https://meconcern.org/2021/03/02/algeria-pastor-faces-prison-term/>.

¹⁵ Morning Star News 'Pastor in Algeria Receives Suspected Sentence and Fine' (6 June 2021)

<https://morningstarnews.org/2021/06/pastor-in-algeria-receives-suspended-sentence-and-fine/>.

¹⁶ Amnesty International 'Algeria 2020' (2021) <https://www.amnesty.org/en/location/middle-east-and-north-africa/algeria/report-algeria/>.

¹⁷ Amnesty International 'Algeria: Quash conviction of Christian convert and overturn repressive law used to prosecute him' (7 December 2021)

<https://www.amnesty.org/en/latest/news/2021/12/algeria-quash-conviction-of-christian-convert-and-overturn-repressive-law-used-to-prosecute-him/>.

¹⁸ Amnesty International 'Tunisia: authorities must come clean over abduction of Algerian activist' (3 September 2021) <https://www.amnesty.org.uk/press-releases/tunisia-authorities-must-come-clean-over-abduction-algerian-activist>.

¹⁹ A. Bajec 'Slimane Bouhafs: Inside Tunisia's extradition of an Algerian political refugee' (14 September 2021) *The New Arab*, <https://english.alaraby.co.uk/analysis/tunisias-mysterious-extradition-algerian-dissident>.

²⁰ Amnesty International 'Tunisia: authorities must come clean over abduction of Algerian activist' (3 September 2021) <https://www.amnesty.org.uk/press-releases/tunisia-authorities-must-come-clean-over-abduction-algerian-activist>.

²¹ Human Rights Watch 'Algeria: 3-Year Sentence for Insulting Islam' (7 September 2016) <https://www.hrw.org/news/2016/09/07/algeria-3-year-sentence-insulting-islam>.

²² World Watch Monitor 'Finally my father is home' – Slimane Bouhafs released after 18 months in jail' (3 April 2018) <https://www.worldwatchmonitor.org/2018/04/finally-my-father-is-home-slimane-bouhafs-released-after-18-months-in-jail/>.

Release members of Ahmadi religious minority

Amnesty International (12.06.2022) - <https://bit.ly/39IoXhI> - Algerian authorities must immediately and unconditionally release, and drop all charges against, three members of the Ahmadi Religion of Peace and Light, who were arrested earlier this week solely for peacefully exercising their right to freedom of religion, said Amnesty International today.

The authorities must also drop all charges against 21 other members of the group who are currently released pending investigation.

On 6 June 2022, the First Instance Tribunal in Bejaia charged the 24 men who identify as members of the Ahmadi religious group with 'participation in an unauthorized group' and 'denigrating Islam', under Article 46 of the Law on Associations and Article 144 bis 2 of the Algerian Penal Code, respectively. The judge ordered the immediate detention of three members and released the others pending further investigation. Their lawyer appealed this decision on 8 June.

"The Algerian authorities have legal obligations to respect, protect, promote and fulfil the right to freedom of religion of everyone in the country which includes those with religious beliefs that are different to the majority. It is outrageous that a group of people find themselves behind bars simply for practising their faith or for their beliefs," said Amna Guellali, Amnesty International's Deputy Director for the Middle East and North Africa.

"Algerian authorities must immediately and unconditionally release the three detained men and drop all charges against them and the 21 other members of the Ahmadi Religion of Peace and Light."

Redouane Foufa, the coordinator of the group of religious members in Bejaia, told Amnesty International before his arrest that the Algerian authorities have been intimidating and harassing the group in Bejaia since April 2022. They interrogated them about their religious beliefs and confiscated their passports, phones and laptops on 2 April. They returned their passports on 7 June but kept their electronic devices.

On 5 June, police in Bejaia held the 24 members of the group for 13 Hours. They interrogated the adults and took their photographs and fingerprints.

According to Nadia Saliba, a group member and wife of detainee Khireddine Ahman, one officer said they are traitors of Islam and do not deserve rights as citizens. The members of the group were told they would appear in court the next morning and that their children were prohibited from attending Algerian schools until next year.

On 6 June, the group of 24 spent 14 hours in court before three of them — Redouane Foufa, the coordinator of the movement in Bejaia, and two other members, Khireddine Ahman and Cherif Mohamed Ali — were charged and sent to Bejaia's Oued Ghir prison.

The Ahmadi Religion of Peace and Light was established in 1993. It follows the teachings of Imam Mahdi and believes in Imam Ahmed al-Hassan as its divine guide. There are currently an estimated 70 members in Algeria.

According to Hadil El Khouly, a spokesperson for the Ahmadi Religion of Peace and Light, the members of the group in Bejaia have been interrogated by police a total of ten times over the past three months.

In an interview with Amnesty International before his arrest, Redouane Foufa said that around 30 soldiers had previously searched the house he shares with the members of the group and seized documents such as ID cards and passports, as well as phones and laptops.

Youssra Bezai, another member of the religious minority group, told Amnesty International: "We were living peacefully in our home. We never tried to take our beliefs outside. It is them who came to us and violated our privacy and our rights."

Photo : Members of the Ahmadi religious group (Photo: Private)

Algerian Christians receive reduced fine for "unauthorized worship"

Persecution.org - International Christian Concern (09.05.2022) - <https://bit.ly/3wdlQq5> - A group of 11 Algerian Christians, originally arrested at the end of 2021, received a reduced sentence fine for "unauthorized worship" on April 28. The 11 Algerians, plus one French guest speaker, gathered in Tizi-Ouzou on December 4 for an event.

The police raided the gathering and arrested everyone for unauthorized non-Muslim worship, including the Christian who owned the space that was rented out. A judge sentenced the group to six months suspended sentence and a fine of 200,000 dinars (about \$1440 USD). The French national paid the fine and then immediately left the country. The remaining Christians appealed in court on April 14 and received a verdict on April 28 that reduced the fine to 100,000 dinars but retained the suspended prison sentence.

Another Algerian Christian, located in Ain El Hamam, was acquitted twice, most recently on March 24. Authorities charged the pastor with unauthorized worship in his home and unauthorized broadcasting on social networks in January. Despite doing both for many years, he suddenly faced persecution for his evangelistic efforts. The Christian man was acquitted and, after the prosecution appealed, acquitted again in March.

Algerian authorities severely restrict the ability of Christians to worship in the country, including the [closure of churches](#) and the arrest of Christians living out their faith.

Photo : istock.org