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## Algeria must guarantee freedom for all, not just Muslims

[ECLJ](#) (02.07.2024) - On July 2, 2024, the *European Centre for Law and Justice* organized a conference at the UN Human Rights Council in Geneva to plead the cause of Algerian Christians, persecuted for their faith by the Algerian government. Speakers at the conference included the former French Ambassador to Algeria, Xavier Driencourt, the UN Special Rapporteurs on Freedom of Religion and Freedom of Association, and the Vice-President of the Église Protestante d'Algérie (EPA).

We also feature two exclusive interviews, one with Ambassador Xavier Driencourt and the other with Pastor Youssef Ourahmane on the situation of Christians in Algeria.

Several diplomatic missions to the United Nations showed particular interest in this cause, including representatives from Belgium, the USA, the Netherlands, Sweden and Switzerland. The conference was co-organized with the Jubilee Campaign, an NGO which also defends persecuted Christians.

In Algeria, restrictions on freedom of peaceful assembly and association deprive Christians of the freedom to express and exercise their faith.

Algeria has around 144,000 Christians out of a total population of 46 million. The majority of these Christians are of Algerian nationality and have converted to Christianity in recent decades.

While the Algerian Constitution guarantees freedom of expression in principle, Algerian law criminally condemns anything that may tend to "convert a Muslim to another religion" or to "shake the faith of a Muslim."[\[1\]](#) As for freedom of conscience, this was removed from the Constitution in 2020.[\[2\]](#)

Finally, legislation on associations and the exercise of non-Muslim religions is applied arbitrarily. The Algerian authorities no longer grant religious association status to evangelical churches. They no longer recognize their places of worship and close them down abusively.

As a result, today, **forty-three of the forty-seven churches** of the Protestant Church of Algeria are closed, and at least eighteen Christians are facing prison sentences[\[3\]](#) because of their religion. One of these Christians is the Protestant Church of Algeria's vice-president, Pastor Youssef Ourahmane, who was sentenced on appeal on May 2, 2024, to one year in prison, six months suspended, and 100,000 dinars in fines for having celebrated an unauthorized worship service. The ECLJ rallied to his support (see the [article](#) in Le Figaro).[\[4\]](#) As his last resort, he is awaiting trial at the Supreme Court.

**The Catholic Church**, whose faithful are overwhelmingly foreign and of sub-Saharan origin, also suffers from these restrictions, which force it to maintain the utmost discretion and prevent it from openly proclaiming the Gospel. All Catholics who proselytize in any way are liable to criminal prosecution and deportation if they

are not Algerian nationals. The Catholic Church was reduced to witnessing only through charity. However, since the Algerian government has imposed the closure of the *Caritas Algeria* organization on October 1, 2022, this is now also forbidden. Jean-Paul Vesco, Archbishop of Algiers, has said he does not want to “come into conflict with the authorities” and wanted to “continue to do good without making noise.”[\[5\]](#)

As a result, Algeria today ranks among the countries that least respect religious freedom. Algeria is ranked 15<sup>th</sup> in the World Christian Persecution Index 2024[\[6\]](#) and has been on the US Commission on International Religious Freedom's (USCIRF) list of countries to watch closely since 2021 "for severe violations of religious freedom."[\[7\]](#)

### **UN experts call on Algeria to respect freedom of association and religion for Algerian Christians**

In view of the scale of the tragedy facing Christians in Algeria, we have mobilized two UN Special Rapporteurs. The Special Rapporteur on freedom of association, Gina Romero, presented the report of her predecessor Clément Voule, who had visited Algeria in September 2023. This was the first visit by a Special Rapporteur since 2016 and therefore since the start of the Hirak, the movement that brought hundreds of thousands of Algerians into the streets demanding political reforms in February 2019.

The report raises the major difficulty of restricting freedom of association for religious associations in Algeria, and thus for churches.[\[8\]](#) The Protestant Church of Algeria—founded in 1972 by the union of several reformed churches already present in the country and officially approved in 1974—has never been able to renew its approval since the 2012 law on associations. During her speech, Gina Romero insisted on the need to grant the EPA its approval and to keep the churches open, considering they provide essential spiritual and moral support to communities.

The Special Rapporteur on freedom of religion, Nazila Ghanea, spoke of the arbitrary judgments suffered by Christians such as Hamid Soudad, sentenced in January 2021 to five years' imprisonment for posting a caricature of Mohammed on Facebook and finally pardoned in July 2023. Muslims themselves are not spared, and Nazila Ghanea highlighted the case of Islamologist Saïd Djabelkhir who was sentenced in April 2021 to three years in prison for saying that certain Muslim practices predate Islam and are of pagan origin. [\[9\]](#) He was finally acquitted by the Algiers Court of Appeal in February 2023 after an international mobilization in which the ECLJ participated.[\[10\]](#)

### **Evangelicals and Catholics alike face persecution from the Algerian government**

**Algerian pastor Youssef Ourahmane** (whose poignant [testimony](#) the ECLJ has already collected) and his daughter Sarah explained the causes of these restrictions on Christians: the Algerian government takes a very dim view of Muslim conversions to Christianity, which have been multiplying since the early 2000s. These conversions are said to contradict the Algerian identity, which is defined as Arabic-speaking and Muslim. The government also equates Christians, the majority of whom live in Kabylia, with the region's independence fighters. To counter the spread of Christianity, in 2006, the government adopted Ordinance No. 06-03. This ordinance lays down the conditions and rules for the exercise of non-Muslim religions, the provisions of which allow for specific discrimination against Christians.

**The former French ambassador to Algeria, Xavier Driencourt**, told us that during his more than seven years in Algiers, he had the opportunity to intervene to

facilitate the granting of approval to associations, "without which you are nothing, you don't exist." He also denounced the false pretence of the situation in Algeria. His government invites Catholic bishops to official ceremonies and accepts the renovation of Catholic churches, thus giving the appearance of openness and inter-religious tolerance. But in reality, freedom of conscience, and therefore the freedom to change religion, is not guaranteed. Christians are subject to far more restrictive and bureaucratic provisions than Muslims, parish priests in isolated parishes and monks are particularly closely monitored, and proselytizing is forbidden. The government even goes as far as making it impossible for the Catholic Church to receive transfers from the Holy See.

The ECLJ joins with the Protestant Church of Algeria, as well as the Special Rapporteurs and the Human Rights Committee, [\[11\]](#) in calling on Algeria to restore freedom of conscience, to repeal all provisions that undermine freedom of thought, conscience and religion, and to guarantee to all people the full exercise of their freedom of thought, conscience, and religion.

We also call for all criminal proceedings against Christians because of their religion to be dropped, and we call for churches and Caritas to be reopened.

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[\[1\]](#) *Portes Ouvertes*, "[Algeria](#)," para.1 (last visited on June 26, 2024).

[\[2\]](#) Razika Adnani, "[The Algerian Constitution: Have the Islamists Won?](#)," para. 30 (February 15, 2021).

[\[3\]](#) *Portes Ouvertes*, "[Algeria](#)," para. 3 (last visited June 26, 2024).

[\[4\]](#) *Le Figaro*, "[Algerian Christians are a source of peace for the country, let's preserve their freedom of worship!](#)," (April 23, 2024).

[\[5\]](#) *Le Monde*, "[In Algeria, authorities order the closure of Christian association Caritas](#)," para. 2, 5 (September 30, 2022).

[\[6\]](#) *Open Doors*, "[Algeria Full Country Dossier 2024](#)," (last visited July 4, 2024).

[\[7\]](#) *USCIRF*, "[USCIRF Releases 2024 Annual Report with New Recommendations for U.S. Policy](#)," para. 3 (May 1, 2024).

[\[8\]](#) *OHCHR*, "Report of the Special Rapporteur on the rights to freedom of peaceful assembly and to freedom of association, Clément Nyaletsossi Voule, following his visit to Algeria in September 2023 ([A/HRC/56/50/Add.2](#))," §§ 27-30 (May 17, 2024).

[\[9\]](#) *Le Figaro*, "[For the acquittal of Saïd Djabelkhir and scientific freedom in Algeria](#)," para. 1-4 (January 27, 2022).

[\[10\]](#) *Id.*

[\[11\]](#) *OHCHR*, "Concluding observations on the fourth periodic report of Algeria ([CCPR/C/DZA/CO/4](#))," § 42 (August 17, 2018).

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## **Appeals court upholds pastor's conviction for "illegal worshipping"**

***Christian convert and Pastor Youssef Ourahamane's conviction and prison sentence upheld for the so-called crime of "illegal worshipping" for leading his church.***

**ADF International** (02.05.2024) The Court of Appeal in Tizi Ouzou, Algeria has upheld the conviction of "illegal worshipping" against Christian convert and church leader in Algeria, Pastor Youssef Ourahamane, for leading the Emmanuel Church in Algeria.

Pastor Youssef, who was born into a Muslim home but converted as a student to Christianity, was sentenced to 2 years' imprisonment and a fine of 100,000 Algerian dinars on 2 July 2023 for his involvement as the leader of his church, although authorities could provide no evidence of a crime. In November, 2023, his prison sentence was reduced from 2 years to 1 year.

Pastor Youssef appealed the conviction for a second time to the Appellate Court in Tizi Ouzo, Algeria. Last week, the court upheld the conviction and added an additional 6 months of suspended prison time to his sentence of 1 year imprisonment and fines of 100,000 Algerian dinars.

"We are deeply disappointed to learn that the Court of Appeal in Tizi Ouzou did not overturn Pastor Youssef Ourahamane's conviction or reduce his sentence," said Kelsey Zorzi, Director of Advocacy for Global Religious Freedom for ADF International. "No one should be punished, let alone face prison, for exercising their right to religious freedom. The decision of the Appellate Court to uphold Pastor Youssef's conviction and sentence amounts to a blatant violation of his rights under both Algerian and international law and must be condemned. We are hopeful that the Supreme Court of Algeria will hear Pastor Youssef's case and finally and fully acquit him so that he can resume his duties as a pastor. The international community must continue to advocate for the rights of all Algerians to freely live out their faith and worship in community without fear of persecution."

ADF International is coordinating with other NGOs to support Pastor Youssef and his right to worship freely with international advocacy and to raise his case with government officials from over 40 countries.

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- Kelsey Zorzi, Director of Advocacy for Global Religious Freedom for ADF International

## **Background**

Pastor Youssef Ourahamane, who has been leading Christian congregations in Algeria for over 30 years, appealed his conviction for illegal worshipping in his church on 26th March 2024, the date of his 36th wedding anniversary.

Pastor Youssef is one of the leading figures in the Église Protestante d'Algérie (EPA), the Evangelical Protestant group whose 43 churches have been forcibly closed by the Authorities since 2019, leaving only one with its doors open today. Over the past five years, security police in Algeria who received orders from the Ministry of Interior, systematically went around the churches and claimed that alleged "health and safety" concerns meant that they were justified in putting locks over the doors and declaring the worship inside to be illegal. In one case, they physically beat a Pastor in front of his young child because he was peacefully protesting against the closure of his church.

Pastor Youssef has been defending himself in court for his peaceful Christian activities since 2008. He claims that he is just the latest person out of 50 Christians to have been convicted by the Courts over the past few years, under the vague offenses of "shaking the faith" of Muslims, illegal worship, or embezzling of tithing donations. The convictions are thought to be a reaction to the fact that the government been concerned about the large numbers of local Christian converts in the country. "In the 1970s", he said, "the government gave out licenses to churches which were largely full of expats. Today, the government is concerned that our churches are almost entirely filled with large numbers of Algerian converts and they therefore want to suppress the spread of the gospel among us".

On 27 March 2024, a different Pastor and four Elders from the church also appealed their three-year prison sentences and fines of 200,000 Algerian dinars.

## **Religious persecution in Algeria**

Algeria is home to nearly 43 million people, with 99% of the population identifying as Sunni Muslim. Christians fall into the 1% of religious minorities. Islam is the official state religion, but Algeria's constitution recognizes the right of all to worship and speak freely. The Algerian government limits religious freedom and expression through the enforcement of laws, including egregious blasphemy and anti-proselytism laws, which intentionally target and violate the religious freedom rights of Christians and other religious minorities.

Algeria's penal and information codes criminalize blasphemy, with punishments including imprisonment for up to five years and fines. The Criminal Code also censors publications by prohibiting content that is "contrary to Islamic morals". In particular, the government has systematically cracked down on the Evangelical Protestant Church, of which Pastor Soudad is a member and leader, through church closures and raids.

Violations of the rights of religious minorities are in violation of both international and domestic law. Algeria is a signatory to major human rights treaties, committing it to upholding the rights to freedom of religion and expression.

Governments and the international community have highlighted the ongoing plight of religious minorities in Algeria. USCIRF advised in its 2024 Annual Report that the country be recommended for the State Department's "Special Watch List" for engaging in or tolerating severe violations of religious freedom. In 2021, several U.S. Senators sent a letter to Secretary of State Antony Blinken calling on him to address the increased persecution of religious minorities in Algeria.

In addition to Pastor Youssef, ADF International also advocated for the release of Hamid Soudad, a Christian-convert and leader in the Evangelical Church of Algeria, who was

finally released from prison following a five-year ordeal. In January 2021, Soudad was arrested, convicted, and sentenced in an expedited trial to five years in prison for allegedly insulting Islam and the Prophet Muhammad through a cartoon he shared on Facebook in 2018. He was finally released from prison in 2023 following advocacy from ADF International and other religious freedom leaders from across the globe.

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