

URGENT ACTION

RELIGIOUS MINORITY LEADER ARRESTED IN ALGERIA

Mohamed Fali, the president of the Ahmadiyya religious community, was arrested in Algeria on 28 August. On 6 September, he was tried at the Ain Tedles Court of First Instance on charges arising from the peaceful practice of his faith. The court will issue its verdict on 13 September. He is a prisoner of conscience.

On 28 August, police arrested **Mohamed Fali** at his home in Ain Sefra, in the province of Naama, western Algeria for his retrial on charges of "collecting donations without a licence" (Article 11 paragraph 2 of Decree 06-03 setting the rules and conditions for the exercise of non-Muslim faiths) and "denigrating Islamic dogma" (Article 144 bis 2 of the Algerian Penal Code), charges arising from the peaceful exercise of his religion. Mohamed Fali is the president of the Ahmadiyya religious community.

On 15 February, the Court of First Instance in Ain Tedles, Mostaganem province, had initially sentenced Mohamed Fali in his absence to three years in prison and a fine of 50,000 Algerian dinars (about 450 US dollars). Algerian law allows individuals convicted in their absence to oppose the judgement and have a retrial in their presence.

During Mohamed Fali's retrial on 6 September, the court added the charge of membership of an unauthorized association. The prosecution requested a one year prison sentence and a fine of 20,000 Algerian dinars (about 180 US dollars) against him. The court is expected to issue its verdict on 13 September.

Mohamed Fali is now detained in Mostaganem prison, north-western Algeria, pending his sentencing on 13 September. Prison authorities have not given Mohamed Fali, who suffers from diabetes, access to medication prescribed by his doctor, or to a device to monitor his blood sugar, his lawyer said. He had to rely on his family to supply his treatment.

Mohamed Fali is a prisoner of conscience and must be released immediately and unconditionally.

Please write immediately in Arabic, French, or your own language:

- Calling on the Algerian authorities to release Mohamed Fali immediately and unconditionally, and drop all the charges against him, as he is a prisoner of conscience, detained solely for peacefully practising his religion;
- Calling on the Algerian authorities to immediately ensure that Mohamed Fali has access to adequate medical care, including medication and treatment for his diabetes;
- Urging the Algerian authorities to ensure that all charges and cases are dropped against Algerian Ahmadiis that are related solely to the peaceful practice of their religion, and to immediately release those still detained.

PLEASE SEND APPEALS BEFORE 19 OCTOBER 2017 TO

President of the Republic
Abdelaziz Bouteflika
Presidency of the Republic
El Mouradia, Algiers
Algeria
Fax: +213 21 6915 95 / +213 21 6096 18
Email: president@el-mouradia.dz
Salutation: Your Excellency

Ministry of Religious Affairs and Endowments
Mohamed Aissa
Rue de Timgad, Hydr, Algiers
Algeria
Fax: +213 021 60 09 36
Email: info@marw.dz
Twitter: @marwdzair
Salutation: Your Excellency

And copies to:
President, National human rights institution
Mme Fafa Benzerrouki Sid Lakhdar
Conseil national des droits de l'Homme
Palais du Peuple
Avenue Franklin Roosevelt
Algiers, Algeria
Fax: +213 21 23 99 58
Email: contact@cncppdh-algerie.org

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The Ahmadiyya religious movement was founded in India in the late 19th century, and it is currently estimated to have 2,000 members in Algeria. Although the Ahmadis consider themselves to be Muslim, Algerian officials have made public statements calling them heretics and a threat to the majority Sunni Muslim faith in Algeria. Ahmadis have suffered discrimination and other human rights violations in various countries including Pakistan, Indonesia, Afghanistan, Saudi Arabia, Gambia and Algeria.

Four other men had been convicted in the same case in first instance, and sentenced to identical three-year prison sentences, reduced to one year on appeal. The four were later pardoned on Algeria's Independence Day on 5 July 2017.

Trader Mohamed Fali is the president of the Ahmadiyya community in Algeria. He currently has six different cases pending before courts in different parts of the country, arising from the exercise of the Ahmadi faith. He was previously arrested on 19 February and held in Chlef prison in northern Algeria, for three months in pre-trial detention on similar charges. On 22 May, Mohamed Fali received a one-year suspended prison sentence and 50,000 Algerian dinars fine (about 450 US dollars) and was released. He said both police and court officials interrogated him repeatedly about his religious beliefs and pressured him to abandon his faith.

Mohamed Fali is among hundreds of Ahmadis facing prosecution in Algeria. Although most Ahmadis detained for practising their faith in Algeria have been released, the overwhelming majority continue to face court cases or judicial investigations, with hearings in several cases expected to take place in September.

In 2016, Ahmadis faced a refusal from Algerian authorities after attempting to register an Ahmadi association under Algerian law, and police raided an Ahmadi mosque they attempted to inaugurate. The community has since faced a worrying wave of repression. Since June 2016, at least 280 Ahmadi men and women have faced investigation or prosecution, and dozens were detained for several months. 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.

Algeria's Constitution, amended in February 2016, does not fully guarantee freedom of religion, leaving the regulation of practice and places of worship to restrictive national legislation. Vaguely-worded provisions in both the Penal Code and Ordinance 06-03 regulating religious faiths other than Islam, a law passed in 2006, have been used to prosecute individuals for the peaceful exercise of their right to freedom of expression, religion and belief. However, Algeria has an obligation under Article 18 of the International Covenant on Civil and Political Rights to ensure the right to freedom of thought, conscience and 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.

Amnesty International has recently expressed concerns over the increasing restrictions on religious freedom of the Ahmadis community in Algeria and called the authorities to ensure that the cases against Ahmadis which are solely related to the peaceful practice of their religion are dropped, and immediately release those detained. See Amnesty International's Press Release: *Wave of arrests and prosecutions of hundreds of Ahmadis*, 19 June 2017:

<https://www.amnesty.org/en/latest/news/2017/06/algeria-wave-of-arrests-and-prosecutions-of-hundreds-of-ahmadis/>

Names: Mohamed Fali (age 44)

Gender m/f: m

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