



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

COUNTRY UPDATE: ALGERIA

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To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

Religious Freedom Conditions in Algeria

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Overview

Religious freedom conditions in Algeria have deteriorated in recent years. Although Algeria's constitution protects freedom of thought and worship for all citizens, the Algerian government frequently regulates religious practice and restricts religious expression. In recent years, Algerian authorities have prosecuted individuals for blasphemy, proselytizing, and other offenses related to their religious identity or the practice of their beliefs. The government has also restricted religious minorities from establishing houses of worship and forcibly closed dozens of Protestant churches.

Algeria is home to [nearly 43 million people](#), 99 percent of whom are estimated to be Sunni Muslim. The remaining 1 percent of the population is comprised of Jews, Christians, nonbelievers, and Muslim minorities including Ahmadi and Shi'a Muslims.

[Algeria's constitution](#), which was amended by [a referendum](#) in 2020, establishes Islam as the official state religion and prohibits any amendment of this provision. The constitution prescribes that the president must be Muslim, although it enforces no such requirements for any other government positions. The constitution also affords all Algerians the right to freedom of thought and worship.

Algeria has a long history of repression and persecution of religious minorities. Algeria's Jewish community [mostly fled](#) following popular riots and government persecution after the country gained independence in 1962, and the government has made little progress on its 2014 commitment to reopen synagogues that had been converted to mosques or churches. Baha'i activities have been [banned](#) by law in Algeria since 1969. In 2016 Algerian authorities [refused to register](#) the Ahmadi Muslim community as an association.

Algeria limits the free expression and practice of belief through the enforcement of laws that favor Islam specifically and restrict religious activities. Article 144 Section 2 of the [Penal Code](#) and article 77 of the Information Code of 1990 prohibit blasphemy against Islam and other "heavenly religions." The punishment for blasphemy in Algeria includes imprisonment for up to five years and a fine of up to 100,000 Algerian dinars (approximately \$750 USD). Article 26 of the Criminal Code censors publications by prohibiting content that is "contrary to Islamic morals, national values, [or] human rights, or which defends racism, fanaticism, or treason."



In 2006, the Algerian government passed [Ordinance 06-03](#), which governs non-Muslim religious organizations. Ordinance 06-03 requires all non-Muslim organizations register with the Minister for Non-Muslim Affairs to conduct affairs and establish places of worship. Ordinance 06-03 also criminalizes proselytization by non-Muslims with punishments of up to five years in prison and a maximum fine of 1 million dinars (roughly \$7,500 USD). Punishments are stipulated for any individual who “incites, constrains, or utilizes means of seduction ... 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.” Additionally, Ordinance 06-03 criminalizes the “production, storage or distribution of printed or audiovisual material or any other means which aims to shake the faith of a Muslim,” subject to the same penalties.

Enforcement of Laws Governing Religious Expression

In recent years, Algerian authorities have taken several decisions to enforce the country’s blasphemy laws and other laws that restrict religious expression. Courts have tried and convicted Algerians for “insulting the prophet Muhammad” and “offending the principles of Islam.” Authorities have also prosecuted Algerians for proselytization and have harassed and prosecuted converts under various charges relevant to their religious beliefs.

In December 2020, a court in Amizour convicted [Abdelghani Mameri](#), a Copt who promoted Christianity, for insulting the Prophet Mohammad and denigrating Islam. In January 2021, a court in Arzew sentenced [Hamid Soudad](#), a Christian, to five years in prison for “insulting the prophet of Islam” by sharing a caricature of the Prophet on social media. Upon appeal, the Oran City Court of Justice upheld the sentence in March. Soudad has appealed the verdict, a process that can take over a year, and in the meantime he remains imprisoned.

In February 2021, a court in Algiers convicted [Said Djabelkhir](#) of blasphemy for “offending the precepts of Islam” and sentenced him to three years in prison and a fine of 50,000 dinars (roughly \$375 USD). Djabelkhir is an expert on Sufism and founded the “Circle of Enlightenment for Free Thought,” an association for thinkers and academics who advocate a progressive Islam. Authorities reportedly summoned [Djabelkhir](#) to court after a fellow academic filed a complaint that his writings on various Islamic rituals, such as Hajj and animal sacrifices on Eid, among other critiques, constituted “an attack and mockery of the authentic hadiths of the Sunna [the custom and practice] of the Prophet,” and had caused individuals psychological harm.

Courts have also prosecuted Algerians for proselytization. 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 \$3,700 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 \$1,500 USD) in June 2021.

Authorities have also harassed and prosecuted Algerians who have converted from Islam to Christianity. In April 2021 authorities detained Christian convert Foudhil Bahloul, interrogating him on his conversion, searching his house, and confiscating Christian materials. In July 2021, a court sentenced Bahloul to six months’ imprisonment and fined him 100,000 dinars (roughly \$750 USD) for “illegally accepting donations” from religious groups when local Christians raised funds to help him cover costs after he lost his job due to his conversion. Christian converts [report](#) that the act of revealing their faith to a Muslim can be intentionally misconstrued or misinterpreted as an act of proselytization, and that parents who convert from Islam risk losing custody of their children.

Religious Crack Down on Political Dissidents

In several instances, Algerian authorities have paired blasphemy charges with charges related to political activity. In September 2020, police searched the home of opposition activist [Yacine Mebarki](#) and arrested him after finding an old copy of the Qur’an with one of its pages ripped. The court sentenced Mebarki to 10 years in prison and a fine of 10 million dinars (approximately \$75,000 USD) for “inciting atheism” and “offending Islam.” In April 2021, authorities sentenced opposition activist [Walid Kechida](#) to three years in prison for insulting President Abdelmadjid Tebboune and “offending the precepts” of Islam in internet memes.

In August 2021, Algerian authorities also renewed harassment and prosecution of Christian convert and UN-recognized refugee [Soulimane Bouhafis](#). Having spent two years in prison in Algeria for insulting the Prophet Mohammad, Bouhafis was pardoned in 2018 and fled to Tunisia upon his release. In August 2021, plainclothes agents reportedly abducted Bouhafis in Tunisia and transferred him to Algeria, where he remains detained and the status of charges against him remains opaque. Bouhafis supports the Movement for Self-Determination of Kabylie (MAK), a political group asking for the independence of Amazigh territories. Algerian authorities consider MAK a separatist group and designated it a terrorist organization in May.

Restrictions on Houses of Worship

The Algerian government has restricted religious minorities’ access to houses of worship where they can practice their religion in community—a right protected under the International Covenant on Civil and Political Rights. In recent years, Algerian authorities have forcibly closed Protestant Christian and Ahmadiyya Muslim places of worship.

Since 2017, Algerian officials have ordered the closure of [20 Protestant](#) churches, forcibly closing and/or sealing 13 of these. In the process of closing Protestant churches, Algerian security services reportedly used [excessive force](#) against peaceful protestors. In August 2020 a court in Tizi Ouzou prefecture upheld the governor’s order to seal three of the country’s largest Protestant churches. In November 2020, a court in Bejaia overturned the closure of three Protestant churches in that region, claiming that the power to render such an order fell within the purview of the Minister of Interior, not the governor. In June 2021 a court in Oran ordered the physical sealing of three churches despite the ongoing appeal by the Protestant community protesting the order for their closure.

The Algerian government [justifies](#) these closures by citing Ordinance 06-03, which requires that non-Muslim religious organizations register to establish houses of worship. The process for registering non-Muslim organizations is managed separately from the process for managing and governing Muslim associations. Regulations for non-Muslim organizations dictate that upon submitting their registration paperwork they will receive a registration receipt that they must provide upon request to inspecting authorities while the Commission considers their application. However, Protestants report that government authorities systematically refuse to provide them the necessary receipt, effectively rendering their activities illegal. Moreover, without the registration receipt, service providers have also refused to provide electrical, water, and waste management services to Protestant churches, which puts the health of parishioners at risk and violates federal health standards. In some instances, government authorities have included accusations of health code violations in their reasons for closing Protestant churches.



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Algerian authorities have also [restricted Ahmadiyya Muslims](#) from establishing houses of worship. The Algerian government, which does not consider Ahmadiyya Muslims to be Muslims, has required that the Ahmadiyya Muslim community register as a non-Muslim organization under Ordinance 06-03. Since doing so would violate Ahmadiyya Muslims' conscience, as the community considers themselves Muslim, the Ahmadiyya community remains unregistered in Algeria and is subject to forced closure of their mosques and prosecution for unauthorized gathering under existing regulations. The majority of court cases pending against Ahmadiyya Muslims in Algeria pertain to accusations of [unauthorized gatherings](#) for the purposes of worship.

Conclusion

Religious freedom in Algeria is currently under threat. State authorities have undermined constitutional protections of freedom of religion and belief by prosecuting Algerians for blasphemy, proselytization, and other charges related to their faith. They have also restricted worship by forcibly closing many Protestant churches and restricting Ahmadiyya Muslims and others from establishing houses of worship. Authorities also tolerate and engage in harassment and intimidation of converts and religious minorities on account of their beliefs. To prevent the continued deterioration of religious freedom conditions in Algeria and reverse recent trends, the U.S. government should continue to raise religious freedom issues directly with the Algerian government and encourage reforms to laws that restrict Algerians' freedom of religion or belief, including by placing Algeria on its special watchlist for countries that engage in and tolerate severe violations of international religious freedom.

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