

ALGERIA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and worship. The constitution declares Islam to be the state religion and prohibits state institutions from behaving in a manner incompatible with Islam. The law grants all individuals the right to practice their religion as long as they respect public order and regulations.

Offending or insulting any religion is a criminal offense. Proselytizing of Muslims by non-Muslims is a crime. Police investigated and arrested Ahmadi Muslims for conducting unauthorized religious activities, such as holding prayers, printing religious books, and collecting donations. In April then-chief of staff to the country's president called on citizens "to protect the country from the Shia and Ahmadi sects." The minister of religious affairs stated in February that Ahmadis were "damaging the very basis of Islam" and in July, according to Human Rights Watch, said that Ahmadis were manipulated by a "foreign hand" aimed at destabilizing the government. An Algerian Islamic council declared that Ahmadi beliefs are outside of Islam. Authorities closed a church in Oran, according to Protestant church leaders. The president commuted the sentence of a Christian convert arrested in 2016 for insulting the Prophet Muhammad, but he remained in prison as of year's end. Some Christian groups continued to report facing a range of administrative difficulties in the absence of a written government response to their requests for recognition as associations. The government continued to regulate the importation of religious materials. The government delayed granting authorization to Christian organizations to import religious texts. Senior government officials issued statements opposing calls by extremist groups for violence in the name of Islam. They also continued to criticize the spread of what they characterized as "foreign" religious influences such as Salafism, Wahhabism, Shia Islam, and Ahmadi Islam. Christians reported continuing delays in obtaining visas for foreign religious workers.

Some Christian leaders and congregants spoke of family members abusing Muslims who converted to or expressed an interest in Christianity. Individuals engaged in religious practice other than Sunni Islam reported they had experienced threats and intolerance, including in the media. Media outlets reported in August that as many as 600 imams have lodged complaints in recent years after suffering violent attacks. The government attributed the attacks to extremists who opposed the imams' moderate teachings and said others were related to interpersonal disputes. An Arabic-language newspaper published anti-Semitic items that promoted stereotypes about Jews.

The U.S. Ambassador and other embassy officers frequently encouraged senior government officials to promote religious tolerance and discussed the difficulties Christian and other religious minority groups faced in registering as associations, importing religious materials, and obtaining visas. Embassy officers in meetings and programs with religious leaders from both Sunni Muslim and minority religious groups, as well as with other members of the public, focused on pluralism and religious moderation. The embassy used special events, social media, and speakers' programs to emphasize a message of religious tolerance.

Section I. Religious Demography

The U.S. government estimates the total population at 41 million (July 2017 estimate), more than 99 percent of whom are Muslims following the Maliki school of Sunni Islam. Religious groups together constituting less than 1 percent of the population include Christians, Jews, Ahmadi Muslims, Shia Muslims, and a community of Ibadi Muslims residing principally in the province of Ghardaia. Some religious leaders estimate there are fewer than 200 Jews.

The Christian community includes Roman Catholics, Seventh-day Adventists, Methodists, members of the Protestant Church of Algeria, Lutherans, members of the Reformed Church, Anglicans, and an estimated 1,000 to 1,500 Egyptian Coptic Christians. Religious leaders' unofficial estimates of the number of Christians range from 20,000 to 200,000. According to government officials, foreign residents make up the majority of the Christian population. The proportion of students and immigrants without legal status from sub-Saharan Africa among the Christian population has also increased in recent years. Christian leaders say citizens who are Christians predominantly belong to Protestant groups. Christians reside mostly in the cities of Algiers, Annaba, and Oran, and the Kabylie region east of the capital.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution declares Islam to be the state religion and prohibits state institutions from engaging in behavior incompatible with Islamic values. The constitution provides for freedom of worship in accordance with the law and states that freedom of conscience and freedom of opinion are inviolable.

The law does not prohibit conversion from Islam, but proselytizing of Muslims by non-Muslims is a criminal offense. The law prescribes a maximum punishment of one million dinars (\$8,700) and five years' imprisonment for 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." Making, storing, or distributing printed documents or audiovisual materials with the intent of "shaking the faith" of a Muslim is also illegal and subject to the same penalties.

The law criminalizes "offending the Prophet Muhammad" or any other prophets. The penal code provides a punishment of three to five years in prison and/or a fine of 50,000 to 100,000 dinars (\$440 to \$870) for denigrating the creed or prophets of Islam through writing, drawing, declaration, or any other means. The law also criminalizes insults to any other religion, with the same penalties.

The law grants all individuals the right to practice their religion as long as they respect public order and regulations.

The constitution establishes a High Islamic Council and states it shall encourage and promote *ijtihad* (the use of independent reasoning as a source of Islamic law for issues not precisely addressed in the Quran) and express opinions on religious questions presented for its review. The president appoints the members of the council and oversees its work. The constitution requires the council to submit regular reports to the president on its activities. A presidential decree further defines the council's mission as taking responsibility for all questions related to Islam, for correcting mistaken perceptions, and for promoting the true fundamentals of the religion and a correct understanding of it. The council may issue fatwas at the request of the president.

The law requires any group, religious or otherwise, to register with the government as an association prior to conducting any activities. The Ministry of Interior (MOI) grants association status to religious groups; only registered associations are officially recognized. The MOI's registration requirements for national-level associations stipulate the founding members must furnish documents proving their identities, addresses, and other biographic details; furnish police and judicial records to prove their good standing in society; show they have founding members residing in at least one quarter of the country's provinces to prove the association merits national standing; submit the association's constitution signed by its president; and submit documents indicating the location of its headquarters. The law requires the ministry to provide a receipt for the application once it has

received all the required documentation and to give a response within 60 days of submission of the completed application. The law states applicants are de facto approved if the ministry fails to make a decision within the 60-day limit. The law grants the government full discretion in making registration decisions, but provides applicants an opportunity to appeal a denial to an administrative tribunal.

Registration applications of religious associations must be approved by the Ministry of Religious Affairs (MRA). The law, however, does not specify additional requirements for religious associations or further specify the MRA's role in the process. Religious groups may appeal an MRA denial to an administrative tribunal. For associations seeking to register at the local or provincial level, application requirements are similar, but the association's membership and sphere of activity is strictly limited to the area in which it registers. An association registered at the *wilaya* (provincial) level is confined to that specific *wilaya*.

The National Commission for Non-Muslim Religious Groups, a government entity, is responsible by law for facilitating the registration process for all non-Muslim groups. The MRA presides over the commission, composed of senior representatives of the Ministries of National Defense, Interior, and Foreign Affairs, the presidency, the national police, the national gendarmerie, and the governmental National Human Rights Committee (CNDH).

The CNDH monitors and evaluates human rights issues, including matters related to religious freedom. The law authorizes the agency to conduct investigations of alleged abuses, issue opinions and recommendations, conduct awareness campaigns, and work with other government authorities to address human rights issues. The agency may address concerns of individuals and groups that believe they are not being treated fairly by the MRA. The CNDH does not have the authority to enforce its decisions but may refer matters to the relevant administrative or criminal court. It submits an annual report to the president, who appoints the agency's members.

The law specifies the manner and conditions under which religious services, Muslim or otherwise, may take place. The law states religious demonstrations are subject to regulation, and the government may shut down any religious service taking place in private homes or in outdoor settings without official approval. With the exception of daily prayers, which are permissible anywhere, Islamic services may take place only in state-sanctioned mosques. Friday prayers are further limited to certain specified mosques. Non-Muslim religious services must

take place only in buildings registered with the state for the exclusive purpose of religious practice, run by a registered religious association, open to the public, and marked as such on the exterior. A request for permission to observe special non-Muslim religious events must be submitted to the relevant *wali* (governor) at least five days before the event, and the event must occur in buildings accessible to the public. Requests must include information on three principal organizers of the event, its purpose, the number of attendees anticipated, a schedule of events, and its planned location. The organizers also must obtain a permit from the *wali*. The *wali* may request the organizers move the location of an event or deny permission for it to take place if he deems it would be a danger to public order or harm “national constants,” “good mores,” or symbols of the revolution. If unauthorized meetings go forward without approval, participants are subject to dispersal by the police. Failure to disperse at the behest of the police may result in arrest and a prison term of two to 12 months under the penal code.

The penal code states only government-authorized imams, whom the state hires and trains, may lead prayer in mosques and penalizes anyone else who preaches in a mosque with a fine of up to 100,000 dinars (\$870) and a prison sentence of one to three years. Fines as high as 200,000 dinars (\$1,740) and prison sentences of three to five years are stipulated for any person, including government-authorized imams, who acts “against the noble nature of the mosque” or in a manner “likely to offend public cohesion.” The law states such acts include exploiting the mosque to achieve purely material or personal objectives or with a view to harming persons or groups.

By law, the MRA provides financial support to mosques and pays the salaries of imams and other religious personnel, as well as for health care and retirement benefits. The law also provides for the payment of salaries and benefits to non-Muslim religious leaders who are citizens. The Ministry of Labor regulates the amount of an individual imam’s or mosque employee’s pay, and likewise sets the salaries of citizen non-Muslim religious leaders based on their position within their individual churches.

The Ministries of Religious Affairs, Foreign Affairs, Interior, and Commerce must approve the importation of non-Islamic religious writings, except those intended for personal use.

A January 4 decree established a commission within the MRA to review importation of the Quran. This decree requires all applications to include a full copy of the text and other detailed information. The ministry is given three to six

months to review the text, with the absence of a response after that time constituting a rejection of the importation application. A separate January 4 decree covering religious texts other than the Quran states, “The content of religious books for import, regardless of format, must not undermine the religious unity of society, the national religious reference, public order, good morals, fundamental rights and liberties, or the law.” The importer must submit the text and other information, and the ministry must respond within 30 days. A nonresponse after this period of time is considered a rejection. Religious texts distributed without authorization may be seized and destroyed.

The law states the government must approve any modification of structures intended for non-Muslim collective worship.

Under the law, children born to a Muslim father are considered Muslim regardless of the mother’s religion.

The Ministries of National Education and Religious Affairs require, regulate, and fund the study of Islam in public schools. Religious education focuses on Islamic studies but includes information on Christianity and Judaism and is mandatory at the primary and secondary school levels. The Ministry of National Education requires private schools to adhere to curricula in line with national standards, particularly regarding the teaching of Islam and the use of Arabic as the primary language of instruction, or risk being closed.

The law states discrimination on the basis of religion is prohibited and guarantees state protection for non-Muslims and for the “toleration and respect of different religions.” It does not prescribe penalties for religious discrimination.

The constitution prohibits non-Muslims from running for the presidency. Non-Muslims may hold other public offices and work within the government.

The family code prohibits Muslim women from marrying non-Muslim men unless the man converts to Islam. The code does not prohibit Muslim men from marrying non-Muslim women.

By law, individuals who have converted from Islam to another religion are ineligible to receive an inheritance via succession.

The law prohibits religious associations from receiving funding from political parties or foreign entities. The constitution prohibits the establishment of political parties based on religion.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Summary Paragraph: Police investigated hundreds and arrested dozens of Ahmadi Muslims in several cities and towns in connection with the practice of their religion, according to leaders of the Ahmadi community. MRA representatives, including the minister, continued to make public statements warning against the spread of “foreign” religious influences such as Salafism, Wahhabism, Shia Islam, and Ahmadi Islam. In April the then chief of staff to the president called on citizens to “protect the country from the Shia and Ahmadi sects.” An Islamic religious council declared that Ahmadi beliefs are outside of Islam. In February the minister of religious affairs stated that Ahmadis were “damaging the very basis of Islam.” While in April the minister said he did not intend to combat members of the Ahmadi community and that the government’s actions were solely intended to enforce laws on associations and the collection of donations, he stated in July Ahmadis were manipulated by a “foreign hand” aimed at destabilizing the country, according to Human Rights Watch. The president commuted the sentence of a Christian convert arrested in 2016 for insulting the Prophet Muhammad on Facebook, but as of October the convert remained imprisoned. Another individual, sentenced to five years’ imprisonment in 2016 for Facebook posts deemed insulting to Islam, was released on June 14 as part of a general amnesty. Authorities closed a church in Oran, and sought to close another in Kabylie, according to Protestant church leaders. Some Christian groups continued to report facing a range of administrative difficulties in the absence of a written government response to their requests for recognition as associations. MRA officials, including the minister, continued to state publicly the government’s willingness to accommodate minority faiths that wished to practice in the country by opening places of worship. Christian leaders stated the lack of government responsiveness to visa applications continued to pose complications for religious workers.

MRA representatives continued to make public statements warning against the spread of “foreign” religious influences such as Salafism, Wahhabism, Shia Islam, and Ahmadi Islam. In April the president’s then-chief of staff called on citizens to “protect the country from Shia and Ahmadi sects.”

Throughout the year, the government conducted investigations of at least 205 Ahmadi Muslims, arresting dozens, according to leaders of the Ahmadi community. Charges included operating an unregistered religious association, collecting funds without authorization, and holding prayers in unauthorized locations. As of December, five Ahmadi Muslims remained imprisoned, according to members of the Ahmadi community. Approximately 30 others were found guilty but, as of October, remained free while they appealed the charges. In February an Algerian Islamic religious council, whose membership is determined by government-appointed officials, declared that Ahmadi beliefs are outside of Islam. That same month, the minister of religious affairs stated that Ahmadis were “damaging the very basis of Islam.” Although in April he said he did not intend to combat members of the Ahmadi community and that the government’s actions were solely intended to enforce laws on associations and the collection of donations, in July, according to Human Rights Watch, he stated that Ahmadis were manipulated by a “foreign hand” aimed at destabilizing the country. A lawyer for the Ahmadi community said judges and prosecutors on several occasions questioned Ahmadi defendants in court about their religious beliefs and theological differences with Sunni Islam. Members of the Ahmadi community said government officials tried to persuade them to recant their beliefs while they were in custody.

In July, as part of a presidential amnesty, authorities commuted the sentence of Slimane Bouhafs, a Christian convert who in 2016 had been sentenced to five years in prison plus a 100,000 dinars (\$870) fine for posting statements on his Facebook page deemed insulting to the Prophet Muhammad. A court had previously reduced his sentence to three years, and he was scheduled for release in March 2018 as a result of the commutation; he remained imprisoned as of year’s end. Rachid Fodil, who was sentenced to five years’ imprisonment in 2016 for Facebook posts deemed insulting to Islam, was released on June 14 as part of a general amnesty for prisoners who obtained a diploma.

Christian leaders said courts were sometimes biased against non-Muslims in family law cases, such as divorce or custody proceedings.

MRA officials said the government did not regularly prescreen and approve sermons before imams delivered them during Friday prayers, but also stated it sometimes provided preapproved sermon topics for Friday prayers to address the public’s concerns following major events or to encourage civic participation through activities such as donating blood and voting in legislative elections. The

MRA said it did not punish imams who failed to discuss the suggested sermon topics.

The government monitored the sermons delivered in mosques. According to MRA officials, if a ministry inspector suspected an imam's sermon was inappropriate, particularly if it supported violent extremism, the inspector had the authority to summon the imam to a "scientific council" composed of Islamic law scholars and other imams who assessed the sermon's correctness. The government could decide to relieve an imam of duty if he was summoned multiple times. The government also monitored activities in mosques for possible security-related offenses, such as recruitment by extremist groups, and prohibited the use of mosques as public meeting places outside of regular prayer hours.

The government continued to enforce the ban on proselytizing by non-Muslim groups. Several Christian representatives stated continued government observance of the ordinance against proselytizing by non-Muslims prompted churches to restrict some activities not related to proselytizing, such as the distribution of religious literature and holding of events in the local community that Muslims might attend.

Authorities closed a church in Oran and sought to close another in Tizi Ouzou Province, according to Protestant church leaders. A November 9 letter from the MOI ordered the closure of the House of Hope Church in Ain Turk, Oran, stating the church was not legally registered to operate and was printing materials for proselytizing. Church leaders said the House of Hope Church was a branch of the nationally registered Protestant Church of Algeria and the premises were not used for the printing of any materials for proselytization. Municipal officials in Tizi Ouzou Province ordered the closure of a church in the area, saying the church building was not authorized to be used for prayer services. The church contested the closure in court, and it remained in operation in December as legal proceedings continued.

Some Christian citizens said they continued to use homes or businesses as "house churches" due to government delays in issuing the necessary legal authorizations. Authorities generally permitted such churches to operate. Other Christian groups, particularly in the Kabylie region, reportedly held worship services more discreetly. No houses were shut down during the year, but litigation seeking to shut down one house church was ongoing at year's end.

Christian leaders reported being able to visit Christians in prison.

According to the MOI, although religious associations were de facto registered if the ministry did not reject their applications within 60 days of submission, the 60-day clock did not begin until the ministry considered the application complete and had issued a receipt to that effect. NGOs and religious leaders said the MOI routinely failed to provide them with a receipt proving they had submitted a completed registration application.

Several religious groups that had been registered under the previous associations law prior to 2012 continued to try to reregister with the government. The Protestant Church of Algeria submitted paperwork to renew its registration in 2014 but as of year's end had still not received a response from the MOI; this was also the case with the Seventh-day Adventist Church.

Some religious groups stated they viewed themselves as registered 60 days after having submitted their application, even though they had not received an MOI confirmation. Such groups stated, however, that service providers, such as utilities and banks, refused to provide services, insisting on proof of registration. As a result, these groups faced the same administrative obstacles as unregistered associations and also had limited standing to pursue legal complaints and could not engage in charitable activities, which required bank accounts.

Most Christian leaders stated they had had no contact with the National Commission for Non-Muslim Religious Groups, despite its legal mandate to work with them on registration, since its establishment in 2006. Other MRA officials, however, met regularly with Christian leaders to hear their views, including complaints about the registration process. Christian leaders stated some Protestant groups continued to avoid applying for recognition and instead operated discreetly because they lacked confidence in the registration process.

According to the MRA, the government continued to allow government employees to wear religious clothing including the hijab, crosses, and the *niqab*. Authorities continued to instruct some female government employees, such as security force members, not to wear head and face coverings that could complicate the performance of their official duties.

The government did not grant any permits for the importation of Christian religious texts during the year. Christian organizations stated they had been waiting more than a year for a new import authorization; the last such authorization was in October 2016. Non-Islamic religious texts, music, and video media

continued to be available on the informal market, and stores and vendors in the capital sold Bibles in several languages, including Arabic, French, and Tamazight. The government enforced its prohibition on dissemination of any literature portraying violence as a legitimate precept of Islam.

The government, along with local Muslims making private contributions, continued to fund mosque construction. The government and public and private companies also funded the preservation of some churches, particularly those of historical importance. The province of Oran, for example, continued to work in partnership with local donors on an extensive renovation of Notre Dame de Santa Cruz as part of its cultural patrimony.

The government did not always enforce the family code prohibition against Muslim women marrying non-Muslim men.

Government-owned radio stations continued to broadcast Christmas and Easter services in French, although many Christians said they would prefer services to be broadcast in Arabic or Tamazight.

Government officials continued to invite leading Christian and Jewish citizens to events celebrating national occasions; for example, the president invited Christian and Jewish community representatives to the November 1 parade to commemorate the beginning of the revolution, according them the same status as Muslim, cultural, and national figures.

Senior government officials publicly condemned acts of violence committed in the name of Islam by nonstate actors and urged all members of society to reject extremist behavior. In response to terrorist attacks in other countries during the year, including in the United Kingdom, Russia, and Spain, the government issued statements calling the attacks “criminal acts” for taking innocent human lives in contradiction to the tenets of Islam.

Government officials regularly made statements about the need for tolerance of non-Islamic religious groups. In April imams, representatives from the Ministry of Religious Affairs, and municipal officials participated in an interfaith event at a Catholic church in Algiers featuring Christian and Muslim prayers and a panel discussion on Quranic and Biblical teachings on the environment.

Church groups reported the government did not respond to their requests for visas for religious workers and visiting scholars and speakers, resulting in an increase in

de facto visa refusals. One Christian leader said, of 21 visa requests, only two were approved. Catholic and Protestant groups continued to identify the delays as a significant hindrance to religious practice. One religious leader identified lack of visa issuances as a major impediment to maintaining contact with the church's international organization. Higher-level intervention with officials responsible for visa issuance by senior MRA and Ministry of Foreign Affairs officials at the request of religious groups sometimes resulted in the issuance of long-term visas, according to those groups.

Section III. Status of Societal Respect for Religious Freedom

Several Christian leaders reported instances in which citizens who converted, or who expressed interest in learning more about Christianity, were assaulted by family members, or otherwise pressured to recant their conversions.

Some Muslim citizens who converted to Christianity reported they and others in their communities continued to keep a low profile due to concern for their personal safety and the potential for legal, familial, career, and social problems. Other Muslim citizens who converted to Christianity practiced their new religion openly, however, according to members of the Christian community.

Media outlets reported in August that as many as 600 imams had lodged complaints in recent years after suffering violent attacks. MRA officials said some of the attacks were perpetrated by extremists who opposed the imams' moderate teachings, while others were related to interpersonal disputes. The government said it would take additional steps to protect imams.

The media criticized religious communities it portrayed as "sects" or "deviations" from Islam or as "foreign," such as Ahmadi Muslims and Shia Muslims. Some who openly engaged in any religious practice other than Sunni Islam reported that family, neighbors, or others criticized their religious practice, harassed them to convert, and occasionally insinuated they could be in danger because of their choice. The head of an independent imams union described Ahmadiyya as an "infidel" sect.

Both private and state-run media produced reports throughout the year examining the supposed foreign ties and dangers of religious groups such as Shia Muslims, Ahmadi Muslims, and Salafists. For example, in August the newspaper *L'Expression* published an article claiming groups such as the Karkariya Sufi order

and Ahmadi Muslims were part of a “plot” against Algeria by “Western-Zionist” powers.

Jewish citizens said they continued to try to keep their religious identity private, while otherwise engaging with society. In August the newspaper *Echourouk El Youmi* published a cartoon depicting a Jewish man sitting in front of an Arab man who had stripped off his clothes. The Jewish man was holding a sign saying “more,” appearing to imply that he was not satisfied despite what the Arab man had given up. Another *Echourouk El Youmi* cartoon published in August depicted a Jewish man with a Star of David on his sleeve clenching the surface of a globe, implying world domination by Jews. On August 10, the same newspaper published an article stating that Jews had been plotting against Muslims since the days of the Prophet Muhammad, that Jews were responsible for most of the disasters that have befallen Muslims, and that Jews controlled the media, cinema, art, and fashion.

Christian leaders said they had good relations with Muslims in their communities, with only isolated incidents of vandalism or harassment.

Christian leaders said when Christian converts died family members sometimes buried them according to Islamic rites, and the church had no standing to intervene on their behalf. Christian groups reported some villages continued not to permit Christians to be buried alongside Muslims. A ministry official stated that where burial grounds were private, such cases were outside the government’s domain.

Section IV. U.S. Government Policy and Engagement

The U.S. Ambassador and other embassy officers met with government officials from the Ministries of Foreign Affairs, Interior, Justice, and Religious Affairs to discuss the difficulties Christian and other minority religious groups faced in registering as associations, importing religious materials, and obtaining visas. Embassy officers also regularly addressed the government’s stance toward minority Muslim communities.

The Ambassador and other embassy officers met throughout the year with government-affiliated and independent religious leaders and with representatives of Muslim and Christian communities to discuss interreligious dialogue and tolerance, and in the case of religious minorities, their rights and status.

The embassy discussed the practice of religion, its intersection with politics, religious tolerance, and the religious and political roles of women with religious and political leaders, as well as with the Muslim Scholars Association and High Islamic Council. Visiting officials from the U.S. Department of State regularly raised religious freedom issues in meetings with civil society and government officials.

The Ambassador and other embassy staff hosted several dinners and receptions featuring discussions emphasizing the theme of religious tolerance. The embassy regularly posted social media content promoting religious freedom, including examples of religious pluralism in the United States. Embassy staff and embassy-sponsored U.S. speakers addressed the themes of pluralism and religious tolerance in discussions with civil society, youth, and organizations representing a cross-section of citizens.