

ALGERIA INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for religious freedom, but other laws, policies, and practices sometimes restrict religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. The constitution declares Islam the state religion and prohibits institutions from engaging in behavior incompatible with Islamic morality. Other laws and regulations provide Muslims and non-Muslims the freedom to practice their religion as long as they respect public order, morality, and the rights and basic freedoms of others. However, non-Muslim groups experienced difficulty when attempting to register with the government. Christian groups reported both outright denials of and lengthy delays in receiving work visas for their personnel. Proselytizing by non-Muslims in Algeria is a criminal offense and carries a maximum punishment of one million dinars (\$12,845) and five years in jail, although the government does not regularly enforce the law. Government officials emphasized the dominant role of Islam in society.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Although society generally tolerated foreigners and citizens who practiced religions other than Islam, Algerian Jews and some Algerian Muslims who converted to Christianity kept a low profile due to concern for their personal safety and potential legal and social problems. Violent extremists continued to refer to interpretations of religious texts to justify their killing of security force members and civilians. Muslim religious and political leaders publicly criticized acts of violence committed in the name of Islam.

The U.S. embassy actively spoke out against religious discrimination. Embassy officials, including the ambassador, met with government officials to discuss religious freedom, specifically questioning the difficulties Christian groups face in registering their organizations and receiving visas. The embassy co-sponsored with the Algerian Muslim Scouts an interfaith dialogue essay writing contest for high school students. Embassy staff also emphasized the importance of religious tolerance in speeches.

Section I. Religious Demography

The population is 37.1 million according to January estimates from the Office of National Statistics. Over 99 percent is Sunni Muslim. Groups together

ALGERIA

constituting less than 1 percent of the population include Christians, Jews, and a small community of Ibadi Muslims residing in the province of Ghardaia. Some religious leaders estimate there are only a few hundred Jews. Unofficial estimates of the number of Christians in Algeria vary between 30,000 and 70,000. For security reasons, due mainly to civil conflict, Christians concentrated in the cities of Algiers, Annaba, and Oran in the mid-1990s. According to Christian leaders, evangelical Christians, including Seventh-day Adventists, account for the largest number of Christians. Most evangelicals live in the Kabylie region. Next in size are the Methodists and members of other Protestant denominations, followed by Roman Catholics. A significant proportion of Christian foreign residents, whose numbers are difficult to estimate, are students and illegal immigrants from sub-Saharan Africa seeking to reach Europe. One religious leader estimates there are between 1,000 and 1,500 Egyptian Coptic Christians living in the country. There are no statistics on the number of religious conversions; however, according to the Minister of Religious Affairs, 150 foreigners converted to Islam and 50 citizens converted to Christianity in 2011. Christian leaders estimate that dozens of Algerians have converted to Christianity in the past two years. Officials from the Ministry of Religious Affairs and Endowments (MRA) report that there are approximately 16,000 mosques and 24,000 imams in Algeria.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for religious freedom, but other laws, policies, and practices sometimes restrict religious freedom. The law provides for freedom of belief and opinion and permits citizens to establish institutions the aims of which include the protection of fundamental liberties. The constitution declares Islam the state religion and prohibits institutions from engaging in behavior incompatible with Islamic morality. The law criminalizes “offending the Prophet Muhammad.” Ordinance 06-03 prohibits discrimination on the basis of religion and guarantees state protection for non-Muslims and for the “toleration and respect of different religions.” Government officials assert that the ordinance is designed to apply to non-Muslims the same constraints imposed on Muslims, including stipulating that religious rites must comply with the law and respect public order, morality, and the rights and basic freedoms of others. The ordinance also outlines registration requirements for non-Muslim religious groups.

The law requires religious groups to register with the government prior to conducting any religious activity. The National Commission for Non-Muslim

ALGERIA

Religious Groups facilitates the registration process for all non-Muslim groups. MRA instructions to the agencies making up the National Commission for Non-Muslim Religious Groups direct employees to enforce the ordinance fairly and prohibit “manipulation” influenced by the officials’ own beliefs.

The Ministry of Interior (MOI) has the sole authority to grant association rights to religious and nonreligious groups. A 2011 associations law requires the MOI to provide a receipt and timely response when associations apply for registration, but gives the government increased discretion in registration decisions with limited opportunities for applicants to appeal. The law prevents associations, religious or otherwise, from receiving funding from political parties or foreign entities.

A 2007 executive decree specifies the composition of the National Commission for Non-Muslim Religious Groups and the regulations governing it. It establishes the MRA’s presiding authority over the commission, which is composed of senior representatives of the Ministries of National Defense, Interior, Foreign Affairs, the Presidency, the national police, the national gendarmerie, and the governmental National Consultative Commission for the Promotion and Protection of Human Rights (CNCPPDH). Individuals and groups who believe they are not being treated fairly by the MRA may address their concerns to the CNCPPDH, but in practice, this avenue of recourse was rarely used.

The law stipulates that all structures intended for non-Muslim collective worship must be registered with the state, any modification of such structures must have prior government approval, and collective worship must take place only in structures exclusively intended and approved for that purpose.

The government may shut down any religious service that takes place in private homes or in secluded outdoor settings without official approval, although this is not always enforced. The 2007 executive decree specifies the manner and conditions under which non-Muslim religious services may take place. The decree specifies that a request for permission to observe special non-Muslim religious events must be submitted to the wali (governor) at least five days before the event and that 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 indicating this information and present it to authorities upon request. Under the decree, the wali can request that the organizers move the location of an event or deny permission for it to take place if it is deemed a danger to public order.

ALGERIA

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

According to the MRA, female government employees are allowed to wear the hijab (women's headscarf), crosses, and the niqab (Islamic veil that covers the face). However, authorities discourage some female government employees, such as police officers and hospital employees, from wearing head and face coverings that complicate the performance of their official duties.

The family code, which draws on Sharia (Islamic law), treats women as minors under the legal guardianship of a husband or male relative, regardless of the woman's age. The family code prohibits Muslim women from marrying non-Muslim men unless the man converts to Islam, although this regulation is not always enforced. The code does not prohibit Muslim men from marrying non-Muslim women, but it prohibits men from marrying a woman of a non-monotheistic religious group. Following 2005 revisions to the family code, women no longer need the consent of a male guardian to marry and revisions to the nationality code allow women to transmit Algerian nationality to their children. Under the law, children born to a Muslim father are considered Muslim regardless of the mother's religion. In divorce rulings, the court normally awards custody of the children to the mother, but she may not take them out of the country without the father's authorization. Non-Muslim religious groups may suffer in inheritance claims when a Muslim family member lays claim to the same inheritance.

The MRA provides financial support to mosques and pays the salaries of imams. Imams are hired and trained by the state. Muslim services, with the exception of daily prayers, can take place only in state-sanctioned mosques. The law also provides for the salaries of non-Muslim religious leaders; however, few non-Muslim religious leaders have applied for this compensation.

The penal code states that only government-authorized imams can lead prayer in mosques and penalizes anyone other than a government-designated imam who preaches in a mosque with fines of up to 100,000 dinars (\$1,285) and prison sentences of one to three years. Harsher punishments of fines as high as 200,000 dinars (\$2,570) and prison sentences of three to five years exist for any person, including government-designated imams, who act "against the noble nature of the mosque" or in a manner "likely to offend public cohesion." The law does not specify which actions would constitute such acts. The government may prescreen

ALGERIA

and approve sermons before they are delivered publicly during Friday prayers, but more often it provides preapproved sermon topics prior to Friday prayers.

If a ministry inspector suspects an imam's sermon is inappropriate, he can summon the imam to a "scientific council" composed of Islamic law scholars and other imams who assess the sermon's correctness. The government can relieve an imam of duty if he is summoned multiple times. The government also monitors activities in mosques for possible security-related offenses and prohibits the use of mosques as public meeting places outside of regular prayer hours.

Conversion and apostasy are not illegal. The government permits missionary groups to conduct humanitarian activities as long as they do not proselytize.

Under ordinance 06-03, proselytizing by non-Muslims is a criminal offense and carries a maximum punishment of one million dinars (\$12,845) 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, audiovisual materials, or the like with the intent of "shaking the faith" of a Muslim may also be punished in this manner, but the government does not always enforce these restrictions.

The Ministries of Religious Affairs, Foreign Affairs, Interior, and Commerce must approve the importation of non-Islamic religious writings. Citizens and foreigners may legally import personal copies of non-Islamic religious texts, such as the Bible. The government prohibits dissemination of any literature portraying violence as a legitimate precept of Islam.

The government and private contributions from local Muslims fund mosque construction. The 28 members of the MRA educational commission develop the educational system for teaching the Quran. The commission establishes policies for hiring teachers at the Quranic schools and ensures all imams are well qualified and follow governmental guidelines aimed at countering violent extremism.

The Ministries of National Education and Religious Affairs strictly require, regulate, and fund the study of Islam in public schools. The Ministry of National Education requires that private schools bring their 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.

ALGERIA

The government observes the following religious holidays as national holidays: Awal Moharem, Ashura, the Birth of the Prophet Muhammad, Eid al-Fitr, and Eid al-Adha.

Government Practices

There were reports of abuses of religious freedom, including detentions.

During Ramadan, press reported that two undercover policemen caught Tizi Ouzou resident Slimane Rebaine drinking water, slapped him, and detained him at a police station for several hours. The Directorate General for National Security denied the allegations, asserting its officers complied with the law and rules of professional conduct. One local media outlet alleged that dozens of non-fasters had been questioned by authorities.

The government enforced ordinance 06-03, which allows for the levying of fines and possible jail time against anyone found guilty of attempting to convert a Muslim to another religion. The MOI in August publicly criticized Americans who came to Algeria as tourists with the intention of proselytizing. In December authorities served a court judgment on Mohamed Ibaouene, an Algerian Christian in Tizi Ouzou, who was convicted in absentia in July for pressuring a local Muslim to convert from Islam. The court sentenced Ibaouene to one year in prison and a fine of 50,000 dinars (\$642). By year's end, police had not arrested him and the court had not yet heard his appeal.

In November a judge called for further review of the May 2011 conviction of Christian convert Abdelkrim Siaghi, sentenced to five years in prison for offending the Prophet Muhammad. Siaghi allegedly offered a neighbor a CD-ROM that contained the testimonial of a Muslim who converted to Christianity. Siaghi's appeal hearing was repeatedly delayed throughout the year.

Christian citizens who converted from Islam reportedly constituted the majority of groups seeking legal registration. The Roman Catholic Church historically was the only officially recognized non-Muslim religious group in the country.

Some Christian groups attempting to comply with registration requirements did not receive official approvals. Difficulties faced by religious groups in obtaining legal status were similar to those faced by nonreligious civil society groups, nongovernmental organizations, and others, whose petitions to the MOI generally

ALGERIA

were met with silence rather than documented refusal. The government stated that applications to register associations have been deferred since 2008 pending a revision of the 1973 law on associations. In January, the government enacted a new law on associations, passed by parliament in December 2011. Although Anglican, Seventh-day Adventist, and other Protestant churches had registration requests pending with the government, in some cases, for more than five years, they reported no government interference in holding religious services. MRA officials stated that the bureaucratic process and internal organizational issues among some religious groups probably contributed to the delays, but indicated the National Commission for Non-Muslim Religious Groups was working with the approximately 27 Protestant groups seeking approval to expedite their requests.

The government approved an accreditation request for a group representing the Jewish community in 2009. In prior years, the government allowed 25 synagogues to reopen, although some members of the Jewish community were unaware of the authorization. None of the synagogues were in use and the “reopening” stood as a technical permission that was not implemented.

Many Christian citizens continued to meet in unofficial “house churches,” which were often homes or businesses of church members. Some of these groups met openly, while others secretly held worship services. The Minister of Religious Affairs in January stated there were seven unofficial churches operating in the country. He reportedly directed the churches in writing to request official approval for their activities and publicly underscored Algerians tolerance toward other religious groups.

Church groups stated the government did not approve visa applications of many religious workers, often providing no response rather than a documented refusal. Both Catholic and Protestant groups identified this as a significant hindrance to religious practice. When the government granted visas, they were short-stay tourist visas, rather than the long-term work visas requested. The MRA often intervened with the Foreign and Interior Ministries at the request of religious groups. In many cases, groups received visas for religious workers only after MRA intervention.

The government often restricted the large-scale importation of Arabic and Tamazight (Berber) translations of non-Islamic religious texts, although citizens and foreigners could legally import personal copies of non-Islamic texts. The minister of religious affairs in November criticized Christian networks for smuggling Bibles into Algeria as part of what he called an evangelical

ALGERIA

proselytizing campaign. Non-Islamic religious texts, music, and video cassettes were available and stores in the capital sold Bibles in several languages, including Arabic, French, and Tamazight (Berber). Government-owned radio stations continued to broadcast Christmas and Easter services in French.

There were considerable anecdotal reports from church sources that non-Muslims were not promoted to senior government posts. As a result, many non-Muslims hid their religious affiliation.

Government officials reported they invited Jewish leaders to events celebrating national occasions; however, Jewish leaders were unaware of such invitations. Jewish leaders reported their shrinking community faced unofficial religion-based obstacles to government employment and administrative hassles when working with the government bureaucracy.

The MRA publicly supported efforts by imams to participate in public fora discouraging “religious extremism” and proving the incorrectness of fatwas used to justify violence. A government radio channel broadcast the testimonies of former terrorists who denounced violence and aired programs condemning violent extremism and intolerance.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. In December an unknown assailant attacked an imam in Tiaret with a knife a few days after the imam had given a sermon condemning Salafism (a school of fundamentalist Sunni Islam).

Society generally tolerated foreigners who practiced religions other than Islam. Algerian Jews and some Algerian Muslims who converted to Christianity kept a low profile due to concern for their personal safety and potential legal and social problems; however, many Algerian Christian converts openly practiced their new religion. In July a group of Muslims in the province of Tizi Ouzou demanded the closure of a church operating without government approval. Local Muslim residents expressed solidarity with their Christian neighbors and told the press they respect freedom of religion. Jewish leaders felt comfortable socially among their Muslim neighbors, but continued to maintain a low public profile out of concern for their wellbeing.

ALGERIA

Violent extremists seeking to rid the country of those who do not share their interpretation of Islam continued to commit violent acts and posed a significant security threat. Al-Qaida in the Islamic Maghreb, a terrorist group, continued to target the Algerian government, claiming it was an apostate regime. Muslim religious and political leaders publicly criticized acts of violence committed in the name of Islam.

Section IV. U.S. Government Policy

The ambassador and other embassy officials discussed religious freedom with the government and met with members of the Muslim Scholars Association and several national scholars of Islamic studies. Embassy officials also met with religious leaders and representatives of Muslim, Christian, and Jewish communities.

Embassy officials, including the ambassador, met with government officials to discuss religious freedom, specifically questioning the difficulties Christian groups faced in registering as associations and receiving visas. The embassy co-sponsored with the Algerian Muslim Scouts an interfaith dialogue essay writing contest for high school students.

Several Islamic scholars attended an iftar hosted by the ambassador and discussed the need for religious tolerance and diversity. The embassy maintained contact with several Islamist political parties and Islamic political figures as they attempted to form political parties. Muslim scholars, members of Islamist political parties, and Muslim scouts were regularly nominated for the International Visitor Leadership Program.