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2013 International Religious Freedom Report - Algeria

Executive Summary

The constitution provides for the inviolable right to creed and opinion but declares Islam the state religion and prohibits state 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. Authorities did not interfere with individuals who drank or ate publicly during the daylight hours of Ramadan, an improvement from prior years. Non-Muslim groups experienced difficulty when attempting to register with the government. Christian groups reported both lengthy delays in receiving responses to their requests for work visas for their personnel and receiving no response at all. Proselytizing by non-Muslims in Algeria is a criminal offense and carries a maximum punishment of one million dinars (\$12,816) 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. Society generally tolerated foreigners and citizens who practiced religions other than Islam. Nevertheless, 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. Embassy staff also emphasized the importance of religious tolerance in speeches. During Ramadan the embassy ran an interfaith and intercultural dialogue campaign on social media with postings in Arabic, French, and English. The initiative included daily articles on Muslims in America and Eid messages from the Ambassador.

Section I. Religious Demography

The U.S. government estimates the population at 38.1 million (July 2013 estimate). Over 99 percent are Sunni Muslim. Groups together 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 20,000 and 100,000, although these estimates cannot be confirmed. For security reasons due mainly to civil conflict, Christians concentrated in the cities of Algiers, Annaba, and Oran in the mid-1990s. The Christian community

includes Roman Catholics and such Protestant groups as Seventh-day Adventists, Methodists, Reformed Christians, and Anglicans. Some Protestant groups have evangelical wings, most of whose members live in the Kabylie region. 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 recent years.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for the inviolable right to creed and opinion, but declares Islam the state religion and prohibits state institutions from engaging in behavior incompatible with Islamic morality; other laws, policies, and practices 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 law criminalizes “offending the Prophet Muhammad.” The law also 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 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 Religious Groups, a government entity, is responsible for facilitating the registration process for all non-Muslim groups. The Ministry of Religious Affairs (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 Consultative Commission for the Promotion and Protection of Human Rights (CNCPPDH). The MRA instructs employees of the agencies making up the National Commission for Non-Muslim Religious Groups to enforce Ordinance 06-03 (which prohibits religious discrimination) fairly, and prohibits “manipulation” influenced by the employees’ own beliefs. 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 rarely is used.

The Ministry of Interior (MOI) has the sole authority to grant association rights to religious and nonreligious groups. The law requires the ministry to provide a receipt for the application and timely response when associations apply for registration, but provides the government broad discretion in registration decisions. The law also provides applicants limited opportunities to appeal. The law prevents associations, religious or otherwise, from receiving funding from political parties or foreign entities. The government only registers religious groups at the national level that are present in at least one-quarter of the provinces. The Roman Catholic Church is officially recognized as a major non-Muslim religious group. The Protestant Church of Algeria – a federation of approximately 27 smaller Protestant Churches – also is registered with the government; however, the law requires that the churches comprising the federation also request official approval on an individual basis.

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 law specifies the manner and conditions under which non-Muslim religious services may take place. The decree specifies 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 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.

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 (woman's headscarf), crosses, and the niqab (Islamic veil covering the face). Nevertheless, authorities discourage some female government employees, such as police officers and hospital employees, from wearing head and face coverings that may 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 a small sum to non-Muslim religious leaders for their salaries, health care, and retirement benefits, though the amount is significantly smaller than that provided to imams; some non-Muslim religious leaders in recent years have received 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 (\$1,282) and prison sentences of one to three years. Harsher punishments of fines as high as 200,000 dinars (\$2,563) 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 and approve sermons before they are delivered publicly during Friday prayers, but more often it provides preapproved sermon topics.

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 non-Muslims do not proselytize.

Under Ordinance 06-03, proselytizing by non-Muslims is a criminal offense and carries a maximum punishment of one million dinars (\$12,816) 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 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 as well as the preservation of some churches, particularly those of historical importance.

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. Religious education, which focuses on Islam but includes information on Christianity and Judaism, is mandatory at the primary and secondary school levels. Christian leaders express concern that requests by non-Muslims to opt-out of the Islamic-based courses would result in societal abuse or discrimination. 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.

Government Practices

According to local press reports, police on two occasions questioned and asked to see the identification documents of persons found drinking or eating during the daylight hours of Ramadan. The individuals were not detained or arrested, an improvement from previous years when media reported incidents of police abusing or detaining some individuals found drinking or eating during the daylight hours of Ramadan.

According to local press, on August 3, approximately 300 people in the Kabylie region publicly broke their Ramadan fast during daylight hours to demonstrate their support for religious tolerance and opposition to government and societal pressure to adhere to commonly-held religious norms. Security forces observed the event but did not intervene. At the same location on August 5, as many as 5,000 people publicly broke their fast in the evening – in accordance with Ramadan tradition – in defense of Muslim values. The government-affiliated High Islamic Council and the minister of religious affairs condemned the first demonstration as a “provocation.” The minister, however, later stated the non-fasters were victims who had been manipulated by others and, despite the event, residents of the Kabylie had a great respect for Islam and were models in matters of religion.

The government enforced Ordinance 06-03 penalties for proselytizing of Muslims by non-Muslims. In December 2012, authorities served a court judgment on Mohamed Ibaouene, a Christian in Tizi Ouzou, who was convicted in absentia in July 2012, 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 (\$641). In February an appeals judge dropped the prison sentence but raised the fine to 100,000 dinars (\$1,282); Ibaouene's lawyer said they would appeal the case.

In November 2012, 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 continued to be delayed throughout 2013.

Christian citizens who converted from Islam reportedly constituted the majority of religious groups seeking legal registration. 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 were met with silence rather than documented refusal. In 2012, the government enacted a new law on associations, passed by parliament in 2011. All previously registered religious groups must comply with the regulations set forth in the new law by January 2014, including new registration requirements. Several non-Muslim religious groups submitted renewed registration applications but had not received a response at year's end. Some Christian leaders reported difficulties accessing funds held in church bank accounts due to the uncertainty surrounding registration under the new law. Although some Seventh-day Adventist, Methodist, and Reformed churches had registration requests pending with the government, 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 groups seeking approval to expedite their requests. Christian leaders noted that some Protestant groups did not apply for recognition and operated discreetly because they lack confidence in the process.

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 during the year 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.

Protestant leaders sought to regain property rights to five churches that were reportedly given to the Protestant Church of Algeria during the 1970s, but said that some local officials blocked their efforts while permitting other associations to make use of the space. The MRA stated some of these cases reflected questions of ownership rights among individual Protestant church members.

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. Groups typically received visas for religious workers after MRA intervention.

The government continued to restrict 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. Christian leaders reported delays of up to six months when seeking approval to import Bibles for their churches, despite numerous attempts by the leaders to meet with relevant officials to resolve the issue.

The MRA attributed the delay to efforts to ensure the number of Bibles being imported did not exceed the number of Christians within the association and to prevent proselytism. Non-Islamic religious texts, music, and video media were available, and stores in the capital sold Bibles in several languages, including Arabic, French, and Tamazight. Government-owned radio stations continued to broadcast Christmas and Easter services in French.

In October Protestant leaders in the municipality of Aokas, within the province of Bejaia, organized an academic exposition highlighting the historical, linguistic, and cultural importance of the Bible. The exposition was approved by the mayor of Aokas but later cancelled for security reasons by the *wali* of Bejaia due to concerns that local organizations were seeking to use the event for political ends, according to the MRA.

Christians reported they consistently encountered delays of up to three months when seeking government authorization to give Biblical names to their children. The MRA noted similar delays sometimes occurred with “foreign” sounding names, Amazigh names, or Arab names that were uncommon locally, and attributed delays in approving Biblical names to overzealous local officials, who were unfamiliar with the proposed names and required additional time to seek higher-level approval.

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

Government officials invited Christian leaders to events celebrating national occasions, but reported that they were unsuccessful in their attempts to reach Jewish representatives. Jewish leaders reported their shrinking community faced unofficial, religion-based obstacles to government employment and administrative difficulties when working with the government bureaucracy.

The MRA during Ramadan publicly warned that fatwas issued outside of Algeria might reflect “extremist” views and stressed that Algerian Islamic scholars (*ulema*) were competent to address matters of Islamic jurisprudence. MRA representatives, including the minister of religious affairs, made several public statements warning against the spread of “extremist” Salafism, Shia Islam, and Ahmadi Islam.

The MRA supported and, in some cases, helped organize national conferences on interfaith dialogue. The MRA stated national government policies sought to encourage religious tolerance and guard against extremism and restrictions on religious freedom sometimes were attributable to overzealous local officials.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

On at least four separate occasions, residents of several villages in the Kabylie region demanded – typically by a petition or public demonstration – that their local imam be removed from his position because of his “extreme religious” views and because he did not respect local values of “peace and tolerance,” according to the Algerian press. In three of the cases, the religious workers were volunteers and the MRA relieved them of their duties. In a fourth case involving a government-trained imam, the case was investigated by a “scientific committee” comprised of Islamic law scholars and other imams. The committee ruled the imam in question had no intention of subversion, and he retained his position.

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. Jewish leaders felt comfortable socially among their Muslim neighbors, but continued to maintain a low public profile out of concern for their wellbeing.

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 government, claiming it was an apostate regime. Muslim religious and political leaders publicly criticized acts of violence committed in the name of Islam.

During Ramadan, the official television station Algerie 3 broadcast the anti-Semitic *Khaiber* miniseries.

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 Ambassador attended an inauguration ceremony hosted by the president of the senate at the Basilica of St. Augustine in Annaba, following renovations to the building funded by the government and private citizens.

The embassy maintained contact with several Islamist political parties and Islamic political figures. Muslim scholars, members of Islamist political parties, and Muslim scouts were regularly nominated for embassy-supported international exchange programs.

During Ramadan, the embassy ran an interfaith and intercultural dialogue campaign to reach out to the embassy's social media followers with postings in Arabic, French, and English. The initiative included daily articles on Muslims in America and Eid messages from the Ambassador.

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