

Algeria (2)



Algeria

International Religious Freedom Report

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects religious freedom in practice; however, there were some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Islam is the only state-sanctioned religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance of non-Muslim faiths by not inquiring into the religious practices of individuals. Self-proclaimed Muslim terrorists continue to justify their killing of security force members and civilians by referring to interpretations of religious texts; however, the level of violence perpetrated by terrorists continued to decline during the period covered by this report.

The generally amicable relationship among religions in society contributed to religious freedom. A very small number of citizens, such as Ibadi Muslims found in the desert town of Ghardaia, practice nonmainstream forms of Islam or practice other religions, and there is minimal societal discrimination against them.

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total land area of 6,406,880 square miles, and its population is approximately 31,736,000. The vast majority of citizens belong to the Sunni branch of Islam. Official data on the number of non-Muslim residents is not available. Many citizens who practice non-Muslim faiths have fled the country due to the civil unrest; as a result, the number of Christians and Jews in the country is significantly lower than the estimated total before 1992. The small Christian community, which is predominantly Roman Catholic, has approximately 25,000 members, and the Jewish community numbers perhaps fewer than 100 persons. There are no reliable figures on the numbers of atheists in the country, and very few persons identify themselves as such.

For security reasons, due mainly to the 10-year civil conflict, both Christians and Jews concentrated in Algiers and the larger cities of Constantine and Oran in the mid-1990s. There also is a Christian community in the eastern region of Kabylie.

There is only one missionary group operating in the country on a full-time basis. Other evangelical groups travel to and from the country but are not established. While Christians do not proselytize actively, they report that conversions take place without government sanction or interference.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects this prohibition in practice, with some limited exceptions. Islam is the state religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance by not inquiring into the religious practices of individuals. The small Christian and Jewish populations generally practice their faiths without government interference. Missionary groups are permitted to conduct humanitarian activities without government interference as long as they are discreet and do not proselytize. Most of the "home churches" in which Christians worship are in contact with the Government, and none report being intimidated or threatened.

Restrictions on Religious Freedom

The Government appoints imams to mosques and provides general guidance on sermons. The Government monitors activities in mosques for possible security-related offenses. Amendments to the Penal Code, which became law on June 27, 2001, established strict punishments, including fines and prison sentences, for anyone other than a government-designated imam who preaches in a mosque. Harsher punishments were established for any person, including government-designated imams, if such

persons act "against the noble nature of the mosque" or act in a manner "likely to offend public cohesion." The amendments do not specify what actions would constitute such acts. There were no reported cases in which the Government invoked the new amendments by the end of the period covered by this report. The Ministry of Religious Affairs provides some financial support to mosques and has limited control over the training of imams.

The law prohibits public assembly for purposes of practicing a faith other than Islam. However, Roman Catholic churches, including a cathedral in Algiers (the seat of the Archbishop), conduct services without government interference. In 1994 the size of the Jewish community diminished significantly due to fear of terrorist violence, and its synagogue since has been abandoned. There are only a few smaller churches and other places of worship; non-Muslims usually congregate in private homes for religious services.

Islamic (Shari'a) law does not recognize conversion from Islam to any other religion; however, conversion is not illegal under civil law. Conversions from Islam to other religions are rare. Due to safety concerns and potential legal and social problems, Muslim converts practice their new faith clandestinely (see Section III). While they do not proselytize actively, Christians report that conversions to Christianity take place without government sanction or interference.

Non-Islamic proselytizing is illegal, and the Government restricts the importation of non-Islamic literature for widespread distribution. Personal copies of the major works of other religions, such as the Bible, may be brought into the country. Occasionally such works are sold in local bookstores in Algiers, and in general non-Islamic religious texts no longer are difficult to find. Non-Islamic religious music and video selections also are available. The Government prohibits the dissemination of any literature that portrays violence as a legitimate precept of Islam.

Because Islam is the state religion, the country's education system is structured to benefit Muslims. Education is free to all citizens below the age of 16, and the study of Islam is a strict requirement in the public schools, which are regulated by the Ministry of Education and the Ministry of Religious Affairs. Both private primary and private secondary schools operate in the country; however, private school students find it more difficult than other students to register for official national examinations.

Some aspects of Shari'a as interpreted and applied in the country discriminate against women. The 1984 Family Code, which is based in large part on Shari'a, treats women as minors under the legal guardianship of a husband or male relative. For example, a woman must obtain a father's approval to marry. Divorce is difficult for a wife to obtain except in cases of abandonment or the husband's conviction for a serious crime. Husbands generally keep the right to the family's home in the case of divorce. Custody of the children normally is awarded to the mother, but she may not enroll them in a school or take them out of the country without the father's authorization. Only males are able to confer citizenship on their children. Muslim women are prohibited from marrying non-Muslims; Muslim men may marry non-Muslim women.

Women also suffer from discrimination in inheritance claims; in accordance with Shari'a, women are entitled to a smaller portion of a deceased husband's estate than are his male children or his brothers. According to Shari'a, such a distinction is justified because other provisions require that the husband's income and assets be used to support the family, while the wife's income and assets remain her own. Women may take out business loans and are the sole custodians of their dowries. However, in practice women do not always have exclusive control over assets that they bring to a marriage or income that they earn themselves. Females under 19 years of age may not travel abroad without the permission of a male legal guardian.

Abuses of Religious Freedom

The country's 10-year civil conflict has pitted self-proclaimed radical Muslims against moderate Muslims. Approximately 100,000 civilians, terrorists, and security forces have been killed during the past 10 years. Extremist self-proclaimed Islamists have issued public threats against all "infidels" in the country, both foreigners and citizens, and have killed both Muslims and non-Muslims, including missionaries. Extremists continued attacks against both the Government and moderate Muslim and secular civilians; however, the level of violence perpetrated by these terrorists continued to decline during the period covered by this report. There were 313 civilian deaths due to terrorism in the first 6 months of 2002, compared with 483 civilians killed in the same period in 2001. These figures contrast with more than 1,000 killings per month several years ago. The majority of the country's terrorist groups, as a rule, do not differentiate between religious and political killings. In the majority of cases during the period covered by this report in which both security forces and civilians died at the hands of terrorists, the preferred methods of assault were knifings (particularly throat-slitting) and shootings. Terrorists, often claiming religious justification for their actions, set up roadblocks to kill civilians and security force personnel.

During the period covered by this report, an indeterminate number of persons were serving prison sentences due to their alleged Islamist sympathies or membership in Islamist groups that commit or endorse terrorists acts; however, there were no reports of cases in which it was clear that persons were arrested or detained based solely on their religious beliefs.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U. S. citizens who had been

abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

In general noncitizens who practice faiths other than Islam enjoy a high level of tolerance within society; however, citizens who renounce Islam generally are ostracized by their families and shunned by their neighbors. The Government generally does not become involved in such disputes. Converts also expose themselves to the risk of attack by radical extremists. On March 25, 2002, an international symposium on Rapprochement among the Islamic Rites was held in Algiers. Topics discussed include terrorism, religious fundamentalism, and women's rights.

The majority of cases of harassment and security threats against non-Muslims come from radical Islamists who are determined to rid the country of those who do not share their extremist interpretation of Islam (see Section II). However, a majority of the population subscribes to Islamic precepts of tolerance in religious beliefs. Moderate Islamist religious and political leaders have criticized publicly acts of violence committed in the name of Islam.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government in the context of its overall dialog and policy of promoting human rights. However, because of security-based restrictions on movement and a staff one-third the normal size, the Embassy could not maintain regular contact with the Ministry of Religious Affairs. Nevertheless, the Embassy maintained contact with leaders of the Muslim community through the two leading Islamist political parties, Ennahda and the Movement of Society for Peace.

The U.S. Embassy maintained frequent contact with the National Observatory for Human Rights (ONDH), a quasi-governmental institution that was established by the Government in response to international and domestic pressure to improve its human rights record. Wherever possible, the Embassy helped to augment the ONDH's ability to address human rights abuses. In September 2001, the ONDH was replaced with a new organization, the Consultative Commission for the Promotion and Protection of Human Rights (CCNPPDH). The Embassy actively sought and maintained contact with this organization and its leadership.

The Embassy maintained strong and close contact with religious leaders in the non-Muslim community, who cite the dangers posed by radical Islamists as their principal concern regarding the safe practice of their faith. The Embassy maintains contact with several moderate Islamist organizations, including a social service nongovernmental organization and a scholarly institute.

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