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October 2001

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, and the Government generally respects this right 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 by not inquiring into the religious practices of individuals. Self-proclaimed radical 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 declined during the period covered by this report.

The generally amicable relationship among religions contributed to religious freedom. A very small number of citizens practice nonmainstream forms of Islam or 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 31,194,000. 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 as a result of the civil war; thus, 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. There are no reliable figures on the numbers of atheists in the country, and very few persons identify themselves as such. 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.

For security reasons, both Christians and Jews have concentrated in Algiers and the larger cities of Constantine and Oran. There also is a Christian community in the eastern region of Kabylie.

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 right in practice; however, there were some restrictions. 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 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 operate without government interference as long as they are discreet. Most of the "home churches" in which Christians worship are in contact with the Government and none report feeling intimidated or threatened.

Restrictions on Religious Freedom

The Government appoints preachers to mosques and gives 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 government-designated imams who preach in mosques. Harsher punishments were established for any person, including government-designated imams, if such persons act "against the noble nature of the mosque." 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, there are Roman Catholic churches, including a cathedral in Algiers (the seat of the Archbishop), which conduct services without government interference. In 1994 the size of the Jewish community diminished significantly, and its synagogue has since 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 law (Shari'a) does not recognize conversion from Islam to any other religion; however, conversion is not illegal under the 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.

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 are no longer 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. Private primary and secondary schools were permitted to operate for the first time in 1990, with the first private primary school opening in 1992. Now 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 obtain 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 particular 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 an estate than are male children or a deceased husband's 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 remain, in principle, 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 their husbands' permission.

Abuses of Religious Freedom

The country's 9-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 9 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 declined during the period covered by this report. The majority of the country's terrorist groups do not, as a rule, 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 false roadblocks to kill civilians and security force personnel. Terrorists also killed villagers and shepherds in their homes and fields, with firearms and knives.

During the period covered by this report, an indeterminate number of persons were serving prison sentences because of 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 Government's 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.

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 the country was rated as a "critical threat" post during the period covered by this report, the U.S. Embassy's staff level was one-third the size that it would have been under normal circumstances. Officers were confined to the embassy grounds and moved outside its walls, almost exclusively for business purposes, with armed escorts. For practical and logistical purposes, the Embassy could not maintain regular contact with leaders in the Muslim community or with the Ministry of Religious Affairs. Nevertheless, the Embassy tracked human rights issues, including religious freedom, as closely as possible under these restrictive working conditions.

The U.S. Embassy maintained frequent contact with the National Observatory for Human Rights (ONDH), a quasigovernmental institution that was established by the Government in response to international and domestic pressure to improve Algeria's human rights record. The Embassy assisted, wherever possible, to augment the ONDH's ability to address human rights abuses. Although officially disbanded, the ONDH continues to function and embassy personnel continue to remain in contact with it 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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