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State of the World's Minorities and Indigenous Peoples 2010 - Algeria

According to the Algerian Constitution, Islam is the state religion. The Constitution guarantees freedom of conscience and proscribes discrimination. While the law (Algerian Family Code I.II.3) does not recognize marriages between Muslim women and non-Muslim men, it does however recognize marriages between Muslim men and non-Muslim women. By law, children follow the religion of their fathers, even if they are born abroad and are citizens of their (non-Muslim) country of birth. Section 4 of the Algerian Criminal Code provides that 'any damage or desecration of the Holy Book (Quran) is punishable by 5 to 10 years in prison'. While in most cases it is non-Muslims that suffer deleterious effects from the Islamization of the law in Algeria, indigenous people too, especially women, are negatively impacted. For instance, according to the 2009 report of the NGO the International Work Group for Indigenous Affairs (IWGIA), women from the Amazigh minority 'suffer the weight of tradition and of the Family Code which draws full inspiration from Islamic (Sharia) law [and] places women in a subordinate position'. This discrimination exists in spite of the Amazigh community's demographic strength: about 30 per cent of the Algerian population.

In theory, missionary groups belonging to the Christian faith are permitted to conduct humanitarian activities without government interference as long as they are discreet and do not proselytize openly. But according to the US International Commission on Religious Freedom (USCIRF) *Annual Report 2009*, at least 12 Christians and converts to Christianity from Islam were prosecuted on charges of breaching Ordinance 06-03. This 2006 government law regulates faiths other than Islam.

USCIRF also presented evidence of instances in which converts to Christianity have suffered persecution in the recent past in Algeria. They include a woman, Habiba Kouider, a convert from Islam, who was arrested and charged in March 2009 after police found copies of the Bible in her bag. The Association for Women's Rights in Development (AWID), a Canada-based international women's rights organization, reported that a court in Biskra, southern Algeria, also sentenced 26-year-old woman, Samia Smets, to 10 years' imprisonment for allegedly having violated the Qur'an. The same court was reported to have convicted six men for eating during Ramadan, the Islamic period of fasting.

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