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Algeria

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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, including prohibiting public assembly for purposes of practicing a faith other than Islam; however, the Government follows a de facto policy of tolerance by allowing, in limited instances, the conduct of religious services by non-Muslim faiths in the capital, which were open to the public. 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 at government and social levels contributed to religious freedom; however, differences remain within the country's Muslim majority about the interpretation and practice of Islam. A very small number of citizens, such as Ibadi Muslims living in the desert town of Ghardaia, practice non-mainstream forms of Islam or practice other religions but 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 32,818,500. The vast majority of citizens are Sunni Muslims. Official data on the number of non-Muslim residents is not available, however practitioners report it to be in the tens of thousands. 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 11-year civil conflict, both Christians and Jews concentrated in the large cities of Algiers, 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. The law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance by allowing, in limited instances, the conduct of religious services by non-Muslim faiths in the capital which were open to the public. The small Christian and tiny 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. Many of the "home churches" in which Christians worship are in contact with the Government, and none report being intimidated or threatened.

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. Education is free to all citizens below the age of 16. Both private primary and private secondary schools operate in the country; however, the Government did not extend recognition to these institutions during the period covered by this report, and therefore private school students must register as independent students within the public school system in order to take national baccalaureate examinations.

In February the quasi-governmental High Islamic Council sponsored an international symposium on interfaith cooperation in Algiers entitled "The Dialogue of Civilizations," followed by a second symposium in April examining trends in Western and Eastern religious thought. The country's leading Islamic and non-Islamic religious leaders also attended regional symposia hosted by the Algerian immigrant community in France to discuss Algerian Jewry, inter-faith relations, and religious tolerance. In March 2002, an international symposium on "Rapprochement among Islamic Rites" was held in Algiers. Topics discussed included terrorism, religious fundamentalism, and women's rights.

The Government recognizes the Islamic holy days of 'Eid Al-Adha, 'Eid Al-Fitr, Awal Mohareem, Achoura, and Mawlid Nabbaoui as national holidays.

Restrictions on Religious Freedom

The Government appoints imams to mosques and provides general guidance on sermons. However, during the period covered by this report there were reports that adherents replaced government-appointed imams with ones whose views more closely aligned to the sentiments of local practitioners. The Government monitors activities in mosques for possible security-related offenses, bars the use of mosques as public meeting places outside of regular prayer hours, and convokes imams to the Ministry of Religious Affairs for "disciplinary action" when warranted.

Amendments to the Penal Code in 2001 established strict punishments, including fines and prison sentences, for anyone other than a government-designated imam who preaches in a mosque. The Ministry of Religious Affairs coordinated with imams in certain regions to reduce religious extremism following reports that Salafist members called for the boycott of specific prayers, the division of mosques between Salafi and non-Salafi members, and the right to lead religious lessons and hold religious seminars. 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. By law, the Government is allowed to pre-screen religious sermons before they are delivered publicly. However, in practice the Government generally reviews sermons after the fact. The Government's right of review has not been exercised among non-Islamic faiths.

During the period covered by this report, the Government sanctioned a number of imams for inflammatory sermons following the May 21 earthquake and for interpretations of the Koran "likely to offend public cohesion." The Ministry of Religious Affairs provides some financial support to mosques and during the period covered by this report sought to expand its control over the training of imams through a government-run Islamic educational institute. This institute would ensure that all imams are of the highest educational caliber and present messages in line with government guidelines in place to stem Islamic fanaticism. At the end of the period covered by this report, no school had actually been established.

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, as does a Protestant church. In 1994 the size of the Jewish community diminished significantly due to fear of terrorist violence, and the synagogue in Algiers since has been abandoned. There are only a few small 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). Non-Islamic proselytizing is illegal, and the Ministry of Religious Affairs, Ministry of Foreign Affairs, Ministry of Interior, and Ministry of Commerce all must approve the importation of large quantities of non-Islamic literature for widespread distribution. Restrictions on the importation of Arabic and Berber translations of non-Islamic texts are enforced periodically. 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.

While they do not proselytize actively, Christians report that conversions to Christianity take place without government sanction or interference.

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. While there are no limitations on or burdens of legal proof required of men seeking divorce, the Family Code limits a woman's ability to gain a divorce for reasons other than seven codified provisions. Divorce can be granted to wives whose husbands are impotent, abusive, adulterers, or convicted criminals, and can be granted in instances where the husband has been absent from the family for more than one year, where a husband has refrained from sexual relations for more than four months, or where a husband has committed an "immoral infraction" such as pedophilia. In rare instances, a woman can seek divorce through "purchasing" her freedom from her husband through a practice known as "khiouay." In keeping with Islamic law, 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 18 years of age may not travel abroad without the permission of a male legal guardian.

Abuses of Religious Freedom

The country's 11-year civil conflict has pitted self-proclaimed radical Muslims against moderate Muslims. Approximately 150,000 civilians, terrorists, and security forces have been killed during the past 11 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 183 civilian deaths due to terrorism in the first 6 months of the year, compared with 313 civilians killed in the same period in 2002. 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. During the period covered by this report, the majority of cases of security force and civilian deaths at the hands of terrorists were a result of 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 terrorist 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.

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.

Anti-Semitism in state-owned and independent media publications and broadcasts tends to be limited to

editorials addressing Palestinian issues. Intermittent articles covering the war in Iraq also displayed a level of religious intolerance not normally seen in the local press during other periods covered by this report.

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.

The U.S. Embassy deepened its outreach to the Muslim community through strong and close contact and programs with the Islamic Abdel Kader University in Constantine, and visits with imams in areas throughout the country, including Tolga to the south, Tlemcen to the west, and Constantine and Thenia to the west. The Embassy maintained close contact with the High Islamic Council and leaders of various zawiyat (religious schools and centers). The Embassy maintained frequent contact with three Islamic political parties (Movement for Peaceful Society, El Islah, Ennahda) and met with the Wafa Party, whose legal status remains unrecognized by the Government. The Embassy maintains contact with social service non governmental organizations and a scholarly institute.

The Embassy maintained close contact with religious leaders in the non-Muslim community, who expressed concerns that radical Islamists and government restrictions on the importation of religious materials were increasing impediments to practicing their faith.

The U.S. Embassy maintained frequent contact with the National Consultative Commission for the Protection and Promotion of Human Rights (CNCPPDH), a quasi-governmental human rights organization established by the Government in 2001 in response to international and domestic pressure to improve its human rights record. Individuals and groups who believe they are not being received fairly by the Ministry of Religious Affairs may have their concerns heard by this commission.

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