



Universal Periodic Review 41st Session – Stakeholders' Report

ALGERIA: Freedom of Religion or Belief

Joint Submission to the Human Rights Council's
Universal Periodic Review Working Group, the 41st Session

30 March 2022

Submission by:

The World Evangelical Alliance

The Commission of the Churches on International Affairs of the World Council of Churches

The Protestant Church of Algeria (*Église Protestante d'Algérie* – EPA)

Middle East Concern

The World Evangelical Alliance is a network of churches in over 140 nations that have each formed an evangelical alliance and over 100 international organizations joining together to give a worldwide identity, voice, and platform to more than 600 million evangelical Christians worldwide.

The Commission of the Churches on International Affairs of the World Council of Churches advises on public policy and advocacy, on programmatic directions, including analysis of systemic issues that underlie injustice and social transformation, and addresses particular programmatic and policy issues, with a special emphasis on the aim of promoting a peaceful and reconciling role of religion in conflicts and on the promotion of inter-religious dialogue as a framework for community building, faith sharing and understanding.

The Protestant Church of Algeria, (*Église Protestante d'Algérie* - EPA), is an Algerian Christian denomination founded in 1972 and officially recognized in 2011. The EPA is a member of the World Evangelical Alliance and of the World Council of Churches.

Middle East Concern (MEC) was founded in 1991, in response to needs expressed by Christian leaders in the Middle East and North Africa region (MENA). MEC supports people in the MENA region who are marginalized, discriminated against or persecuted for being or becoming Christians.

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- 1 This report concerns violations of the right to Freedom of religion or Belief ('FoRB') in Algeria, focusing on violations against the Protestant Christian community.**
- 2 An estimated 99 percent of Algeria's population of 43 million people are Sunni Muslim. The remaining percent is comprised of Christians, Jews, Muslim minorities including Ahmadiyyah and Shi'a Muslims, and the non-religious.¹ The country's constitution (amended via referendum in 2020) provides that Islam is the official state religion (Article 2) and that the office of president is to be held by a Muslim (Article 91).² The constitution sets out specific FoRB protections at Article 51: "Freedom of conscience and freedom of opinion shall be inviolable. Freedom of worship shall be guaranteed and exercised without discrimination in compliance with the law. The State shall impartially guarantee the protection of places of worship."³ Algeria is a signatory to the International Covenant on Civil and Political Rights.

- 3 Two of the stakeholders connected with the instant report were amongst the stakeholders who compiled a joint report dealing with FoRB violations against the Protestant Christian community submitted for the 27th UPR Session.⁴ The authorities have increasingly violated FoRB protections since, as a comparison of the said report with the instant report shows. Since Algeria was considered as part of UPR 27, the prevalence of the authorities targeting the Protestant Christian community, under laws that already existed before the Session, has majorly increased. There has been an escalation in FoRB violations in recent months, since **late 2021**.
- 4 Per the Open Doors World Watch List **2022**, Algeria has climbed to 22nd place in the ranking of countries where Christians face the most extreme persecution, with a score of 71/100 and Persecution Level labelled Very High.⁵ In **November 2021**, Algeria was designated a Special Watch List Country by the US Secretary of State⁶ - a status connected with engagement in or tolerance of severe religious freedom violations in the previous year.⁷
- 5 For going on **the past four years and a half years**, the authorities have systematically campaigned against Christian churches and individuals.

CHURCH CLOSURES AND SEALINGS

- 6 Throughout the period **since January 2018**, the authorities in Algeria have been closing Protestant churches. In this time, at least 16 Protestant churches affiliated with the EPA (Église Protestante d'Algérie; an umbrella association of Protestant Churches in Algeria) have been forcibly sealed, and four other of its affiliated churches have been ordered to close.⁸ A number of additional Protestant churches, not affiliated with the EPA, have also been sealed or ordered to close. Several additional churches (including churches that are, and churches that are not affiliated with the EPA) are currently threatened with closure.
- 7 The authorities' campaign against churches has escalated recently. In **February 2022**, the Wali (Governor) of Tizi Ouzou commenced legal proceedings for the closure of at least four churches in that province.^{9, 10} Based on the fate of other churches to date, court verdicts allowing the authorities to close these churches are expected. In **March 2022**, restrictions were placed on two additional churches by the gendarmerie: one was effectively forced to close, by way of a warning it would be sealed if worship was staged there again; the other was warned against having any visitors from outside its district. Thus, since January 2018, at least 26 churches have been closed, or are currently threatened with closure. There are credible reports that several further churches have been similarly targeted.
- 8 **Appendix 1** below lists 21 of the targeted churches.
- 9 The authorities claim church buildings are used illegally for worship, since they lack permits per Ordinance 06-03 (of 2006), which stipulates a license must be obtained before using a building for non-Muslim worship. In practice the required permissions are simply unattainable- the National Commission for Non-Muslim Religious Groups, responsible for these licenses, has not issued a single license to a church since the Ordinance was enacted in 2006.

- 10 The Algerian authorities have defended their position and denied discriminatory practice. They cite as justification lack of compliance with the law in terms of required licenses, when they are in fact withheld and simply not attainable, as referred to above. Please see two replies with dates in **January 2021** of the Algerian Ministry of Justice [HRC/NONE/2021/SP/6 \(ohchr.org\)](#); [DZA 15.03.2021 \(5.2020\).pdf \(ohchr.org\)](#) to the letter of **2 December 2020** of Special Rapporteurs, including the Special Rapporteur on FoRB on the subject of the closure of Protestant churches.¹¹

TARGETING OF INDIVIDUAL CHRISTIANS

- 11 Since UPR 27, Christians, including church leaders, have faced heightened targeting and prosecution in the criminal courts on FoRB related charges, including blasphemy, proselytising and staging worship without a licence. Examples concerning four Christians are set out below. Further to those cases, at least eight additional Christians were prosecuted on similar charges in the last 18 months. Of that number, seven have been sentenced to imprisonment (at the time of writing, the other- who was previously acquitted- was the subject of an appeal against the acquittal verdict and now awaits the verdict after the hearing of the appeal). In the period **January 2022 to mid-March 2022** alone, five received prison sentences, as the authorities' campaign against individual Christians and to close churches has been seriously escalating. Those omitted include those who do not wish for public advocacy, for fear of repercussions from the authorities.
- 12 **Hamid Soudad** was arrested on **20 January 2020**. That same day he was interrogated by the prosecutor, and brought before a court in Arzew (40 km north of Oran) where a judge sentenced him under a blasphemy law to the maximum prison term of five years. On **21 March 2021**, upon appeal, the five-year maximum prison sentence was upheld by the Oran City Court of Justice. He awaits the hearing of a further appeal, to the Supreme Court, remaining imprisoned during this time. He was convicted per Penal Code article 144-2 which penalises "offending the prophet of Islam" and "denigrating the dogma or precepts of Islam." He was charged for publishing a caricature of the Prophet of Islam on a social media account (sharing it; he did not create it himself).¹²
- 13 Special Rapporteurs, including the Special Rapporteur on FoRB outlined their concerns to the Algerian authorities in the case of Mr. Soudad, in a letter dated **26 November 2021**.¹³ A reply thereto from the Government of Algeria dated **20 January 2022** was wholly defensive, outlining no admissions, concessions or plans for any change of course.¹⁴
- 14 On **7 July 2021**, **Foudhil Bahloul**, a convert from Islam to Christianity, was sentenced to six months' imprisonment and fined.¹⁵ He was charged with "illegally" accepting donations for proselytizing, distributing Bibles to Muslims and "agitating" the faith of Muslims". The charges stemmed from Ordinance 06-03. He appealed the initial verdict.¹⁶ The appeal was heard in the appeals court of the province of Ain Delfa on **27 October 2021**. The verdict was provided verbally on **5 December 2021**. Per the verbal wording, the conviction stood and the fine remained the same, while the prison sentence was changed from an active 6-month term of imprisonment to a suspended sentence of 6-months' imprisonment. However, when Mr. Bahloul later received a written notice regarding the verdict, he found that the

suspended sentence was reversed back to an active sentence.

- 15 On **27 February 2020**, **Rachid Mohamed Seighir**, pastor of Oran City church and owner of a bookshop in Oran, together with bookshop assistant **Nouh Hamimi**, were sentenced to two years' imprisonment and fined. The conviction was under article 11.2 of Ordinance 06-03, which criminalises "printing, storing, or distributing materials that can "shake" the faith of a Muslim". The police had raided the bookshop in **September 2017** and accused the pair of having in store and printing Christian materials and storing Bibles. They appealed and on **6 June 2021** received one-year suspended sentences and reduced fines.¹⁷ They are appealing this verdict.
- 16 Similar charges and punishments have been reported against several others in the country, including two Christians converts from the Kabylie area who were convicted of blasphemy in **December 2020**. They received sentences of six months and three years, respectively and were between them fined the equivalent of around US \$375 and \$1,900.
- 17 In **December 2021** criminal proceedings were issued against a group of four Christians. Upon a hearing in March 2022, they were sentenced to imprisonment. Three of them were convicted of "Practicing worship without the prior opinion (or approval) of the National Commission for non-Muslim Worship". The three received 6-month prison sentences and fines. The fourth was convicted on the same charge, as well as "calling through social media for the disobedience of laws by a clergyman". He received an 18-month prison sentence and a larger fine. They are to appeal against the convictions and sentences.
- 18 In **December 2021** a Christian was acquitted on charges of holding worship without permission and of proselytising. He was recently informed the prosecutor lodged an appeal, which is currently scheduled to be heard in **April 2022**. This Christian and those referred to in the paragraph immediately above requested their names and further specifics to be withheld for fear of repercussions from the authorities.

EPA REGISTRATION

- 19 The EPA is the umbrella organisation for most of the Protestant churches in Algeria. It was granted official recognition as a religious association in 1974. New legislation governing associations came into force in 2012 (Associations Act), requiring re-registration of associations in accordance with new provisions which included a requirement that national associations have a presence in a minimum of twelve governorates. The EPA, meeting these requirements, applied for re-registration in 2013. Until October 2018, however, no response was received, and the authorities failed even to acknowledge receipt of the EPA application.
- 20 In the response from the authorities in **October 2018**, the EPA was told they must amend their constitution to express their acceptance of, and submission to Ordinance 06-03 of 2006 (the ordinance used by the authorities as the basis of most issues mentioned in this document). The EPA did so and replied to the authorities on **28 January 2019**. So far there has been no response from the authorities. With the application still pending, the EPA lacks official legal status.

- 21 Special Rapporteurs, including the Special Rapporteur on FoRB addressed the Algerian Government regarding the plight of the EPA per a letter dated **4 October 2018**.¹⁸ A reply to the letter was not received.
- 22 At points in **the last 18 months**, member churches of the EPA were pressured by the authorities to seek status independently of the EPA. Churches being effectively forced to do so, independently, would serve to fragment and weaken the Church in Algeria. In any event, such independent action has been seen not to lead to anything positive. In **the last year**, one member church explored this path, to absolutely no avail, and ran into further difficulties at the hands of the authorities having done so.

RECOMMENDATIONS

- 23 The World Evangelical Alliance, the Commission of the Churches on International Affairs of the World Council of Churches, the EPA (*Église Protestante d'Algérie*), and Middle East Concern appeal for the right to freedom of religion or belief to be raised with Algeria and for the following recommendations to be made:
 - 24 Bring the legal framework on religious minority rights in line with Algeria's international obligations on the right to freedom of religion or belief under Article 18 of the International Covenant on Civil and Political Rights (ICCPR);
 - 25 In particular, suspend and revise Ordinance 06-03 (of 2006) which sets out the conditions and rules for the exercise of non-Muslim religions, to bring it in line with Article 18 of the ICCPR;
 - 26 Review the composition of the National Commission for Non-Muslim Religious Groups to include a meaningful number of representatives of such groups, including from Protestant Christian community;
 - 27 Ensure that the renewed National Commission for Non-Muslim Religious Groups urgently considers pending applications from churches, and that responses to future applications are made within the designated 60-day period;
 - 28 Process the EPA's re-registration application without delay, approve the application and provide official documentation to confirm the EPA's registration as a representative association of Protestant churches in Algeria;
 - 29 Grant permission to all forcibly closed churches to re-open and grant permission to EPA affiliated churches to continue to use rented premises as places of worship;
 - 30 Withdraw all closure orders and current proceedings against churches; and overturn the convictions recorded against individual Christians.

APPENDIX 1: List of churches from which requests for public advocacy have been received: that have been ordered to close/to cease activities; or against which proceedings for closure have commenced; or have been forcibly closed and sealed

The many more for which requests for public advocacy have not been received are not included in the list.

Church/Location	EPA-affiliated	Ordered to close/to cease activities	Date Sealed	Province
1 Ait Atteli Church in Naith Irathen ¹⁹	Yes	-- Proceedings for closure commenced on 2 February 2022	--	TIZI-OUZOU
2 Ain Turk. House of Hope	Yes	6 June 2021 court order to be sealed ²⁰	Sealed. 7 July 2021	ORAN
3 Oran City Church	Yes	6 June 2021 court order to be sealed ²¹	Sealed. 7 July 2021	ORAN
4 Tafat	Yes	15 October 2019	Sealed. 16 October 2019	TIZI-OUZOU
5 Makouda	Yes	14 October 2019	Sealed. 15 October 2019	TIZI-OUZOU
6 Tizi Ouzou Full Gospel Church	Yes	09 October 2019	Sealed. 15 October 2019	TIZI-OUZOU
7 Tigzirt Church and Bible school	Yes	25 September 2019	Sealed. 26. Sep 2019	TIZI-OUZOU
8 Boughni- Al Annaser	Yes	18 September 2019	Sealed. 24 Sep 2019	TIZI-OUZOU
9 Boughni- Assi Youcef	Yes	18 September 2019	Sealed. 24 Sep 2019	TIZI-OUZOU
10 El Ayaida	Yes	6 June 2021 court order to be sealed	Sealed. 7 July 2021	ORAN
11 Ighzer Amokrane	Yes	10 August, 2019	Sealed. 10 Sep. 2019 ²²	BEJAIA
12 Akbou	Yes	10 August, 2019	Sealed. 17 Sep 2019	BEJAIA
13 Boudjima	Yes	6 August, 2019	Sealed. 6 August 2019	TIZI-OUZOU
14 Boudjima	Yes	22 May, 2019	Sealed. 22 May & 6 June, 2019	TIZI-OUZOU
15 Aït Djemaa	Yes	14 November, 2018	Not sealed yet ²³	TIZI-OUZOU

16	Al A'keed Amroush or Rikki	Yes	11 July 2018	Sealed. 14 July 2018	BEJAIA
17	Maatkas	Yes	26 May, 2018	Not sealed yet	TIZI-OUZOU
18	Ait Mellikeche	Yes	25 May, 2018	Sealed. 25 May 2018	BEJAIA
19	Al-Azagher	Yes	2 March, 2018	Sealed. 16 October 2018	BEJAIA
20	Tiaret	Yes	January 2018	Not sealed yet ²⁴	TIARET
21	Sidi Bel Abbès	Yes	January 2018	Not sealed yet ²⁵	SIDI BEL ABBES

¹ <https://www.uscirf.gov/sites/default/files/2021-10/2021%20Algeria%20Country%20Update.pdf>

USCIRF, Algeria Country Update October 2021

² https://www.constituteproject.org/constitution/Algeria_2020.pdf?lang=en

³ *Ibid*

⁴ Algeria: Freedom of Religion and Belief – Joint Report to the UPR 27th session – WEA at the United Nations (worldia.org) - Submitted 22 September 2016, <https://un.worldia.org/algeria-freedom-of-religion-and-belief-joint-report-to-the-upr-27th-session/>

⁵ <https://www.opendoorsusa.org/christian-persecution/world-watch-list/algeria/>

<https://www.opendoorsuk.org/persecution/world-watch-list/algeria/>

⁶ <https://www.state.gov/countries-of-particular-concern-special-watch-list-countries-entities-of-particular-concern/>

⁷ *Ibid* “Under the [Frank R. Wolf International Religious Freedom Act of 2016 \(Wolf Act\)](#), the President is required to “designate each country that engaged in or tolerated severe violations of religious freedom during the previous year, but does not meet” all the criteria for being designated as a CPC to a “Special Watch List” (SWL).”

⁸ Algeria: Arbitrary Closures of Protestant Churches and Prosecution of Christians Continue through 2021, World Evangelical Alliance, August 24, 2021, <https://un.worldia.org/algeria-arbitrary-closures-of-protestant-churches-and-prosecution-of-christians-continue-through-2021/>; Algérie: La Campagne d’Intimidation contre la Minorité Protestante se Poursuit (Algeria: the Campaign of Intimidation against the Protestant Minority Continues), World Evangelical Alliance, February 11, 2019, <https://un.worldia.org/algerie-la-campagne-dintimidation-contre-la-minorite-protestante-se-poursuit-algeria-the-campaign-of-intimidation-against-the-protestant-minority-continues-joint-report-to-the-hrc-40th/>; <https://meconcern.org/2021/07/13/algeria-more-churches-sealed-by-government/>

⁹ See also: <https://meconcern.org/2022/02/04/algeria-another-church-closure-threatened/>

¹⁰ In some of these recent cases, pastors and leaders of the churches have been harassed and pressured by the authorities, including to disclose a password for a church Facebook account, and for a list of a church’s members.

¹¹ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25707>

¹² <https://www.uscirf.gov/religious-prisoners-conscience/forb-victims-database/hamid-soudad>

See also link at Footnote 1

¹³ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26833>

and <https://www.cfjustice.org/algeria-un-concerned-about-prison-sentence-against-christian-citizen-on-charges-of-insulting-islam/>

¹⁴ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36760>

¹⁵ <https://www.amnesty.org/en/latest/news/2021/10/algeria-quash-conviction-of-christian-convert-prosecuted-solely-for-religious-belief/>

¹⁶ <https://meconcern.org/2021/12/06/algeria-continued-prayer-needed-for-appeal/>

<https://www.amnesty.org/en/latest/news/2021/12/algeria-quash-conviction-of-christian-convert-and-overturn-repressive-law-used-to-prosecute-him/>

¹⁷ <https://meconcern.org/2021/06/07/algeria-prison-sentence-suspended-three-churches-ordered-closed/>
<https://www.uscirf.gov/news-room/releases-statements/uscirf-condemns-recent-court-decisions-algeria-against-christians>

<https://barnabasfund.org/news/uscirf-condemns-algerian-court-verbatim-against-christians/>

¹⁸ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24011>

¹⁹ One of four churches in the province of Tizi Ouzou against which the governor of the state filed a court application in the first week of February 2022 seeking orders for the closure of the churches.

²⁰ Church first closed by a Governor order, end of October 2017. Then re-opened on 10 June 2018. Governor filed a court case on 08 August 2019. Court verdict to close the church in July 2020. The verdict was appealed. On 06 June, the court issued an implementation order to seal the church. It was sealed on 07 July.

²¹ In January 2018, this church was notified that it should regularise its situation within three months. But a closure order was issued by the Governor on 19 February 2018. The church was sealed. It was reopened on 10 June 2019. On 19 Sep. 2019 the Governor of Oran filed a court case against the church. On 12 Jan. 2020 the court issued a verdict confirming the closure of the church. The verdict was appealed. In spite of that, the court issued an implementation order on 6 June 2021, asking authorities to seal the churches.

²² On 26 August 2019 the Gendarmerie came to seal the church. After the Christians occupying the building refused to leave and a lawyer disputed the legality of the order to seal the building, the Gendarmerie eventually left without sealing the church. A meeting was held on 27 August 2019 between EPA leaders and provincial authorities, who promised to raise the matter with the Governor. Without giving an answer, the church was closed on the date mentioned in the table above.

²³ A court order was issued to close the church at the designated date. The verdict was appealed. But the court of appeals confirmed the closure and informed the EPA in February 2020.

²⁴ This is a church that met in someone's private home and therefore the authorities could not seal the building. But they have ordered them not to meet for prayer.

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