



### **Algeria: Freedom of Religion or Belief**

The Evangelical Protestant Association, (EPA), is an Algerian Christian association founded and officially recognized in 1974. The EPA is also a member of the World Evangelical Alliance and of the World Council of Churches.

Officially recognized under the 2012 Law of Associations which regulates the creation and function of associations, religious and non-religious alike, the law requires associations to obtain approval from the government before operating. Registered associations are permitted to “organize study days, seminars, conferences and all meetings related to its activity; [and] publish and distribute newsletters, reviews, information, documents, and brochures, in relation to its purpose and in compliance with the constitution, national values, and constants. . .” (article 24).<sup>1</sup> However, since 2014, the EPA has been denied a renewal of their license and no explication for this denial has been given by the authorities. When asked a second time by our correspondent for a reason for the denial, again no answer was given.

Moreover, since January 2018, the authorities in Algeria have closed at least 29 Protestant churches affiliated with the Evangelical Protestant Association of Algeria and ordered 6 to stop all activities and close. Several other churches were ordered to close. Christians, including church leaders, have faced prosecution in criminal courts on charges that include blasphemy, proselytizing and staging worship without a license. 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.

Law 06-03 of 2006, titled “Governing the Practice of Religions other than Islam,” and the 2012 Law on Associations are among the most significant pieces of legislation affecting the religious freedom of non-Sunni Muslim religious minorities. The law requires non-Muslim places of worship to register as places of worship and criminalizes certain religious practices, including proselytizing and sharing any information or materials the government perceives may be aimed at “shaking the faith of a Muslim.”<sup>2</sup> An Algerian pastor said, “Before the 2006 Ordinances, we were able to worship freely. We organized ourselves into local churches and affiliated with the EPA. But after the enactment of Ordinance 06-03 of 2006, we started having problems.” This Ordinance is also a basis for court cases against Christians. Authorities have not issued a single license to a church since the Ordinance was enacted in 2006.

Furthermore, there has also been regulation of religious texts. Bibles or Christian pamphlets imported for public use must be approved by the Ministry of Commerce, Ministry of Foreign Affairs, Ministry of the Interior, and Ministry of Religious Affairs. A 2017 decree addressing religious texts other than

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<sup>1</sup> “Law No. 12-06 of 18 Safar 1433 corresponding to January 12, 2012, relating to associations.” Official Journal Of The Algerian Republic N. 02. 21 Safar 1433, January 15, 2012.

<sup>2</sup> “Ordinance n° 06-03 of 29 Moharram 1427 corresponding to February 28, 2006, setting the conditions and rules for the exercise of religions other than Islam.” Official Journal Of The Algerian Republic n° 12. Pg. 23-24. Aouel Safar 1427 1er mars 2006. See Appendix 1.

the Quran states: “The content of religious books for import, regardless of format, must not undermine the religious unity of society, the national religious reference, public order, good morals, fundamental rights and liberties, or the law.”<sup>3</sup> Religious texts imported or distributed without authorization may be seized or destroyed.

It should be pointed out that Algeria pledged to sign the International Covenant on Civil and Political Rights (ICCPR) on the 10<sup>th</sup> of December 1968 and ratified on the 12<sup>th</sup> of September 1989. Nonetheless, the Algerian authorities, through the use of laws that discriminate against religious and ethnic minorities, continues to violate freedom of religion and belief in Algeria. Open Doors organisation, in 2019, labelled the Christian persecution in Algeria as a ‘systematic campaign’ against Christians.<sup>4</sup>

Law 06-03 of 2006 regulating non-Muslim worship is increasingly leveraged by the State to close churches and places of worship for Protestants. As of 2022, more than 29 EPA-affiliated Protestant churches were ordered by the government to close. Religious minority communities view Law 06-03 as the government’s attempt to effectively remove them from the culture. An Algerian Protestant pastor said, “It is this law that I see as a strategy to stifle and extinguish the existence of indigenous Christianity in the long term.”

Religious freedom is a fundamental right, which can be realized in any country, culture, or context. This freedom is based on the inherent equal dignity of every person, everywhere. We would like to call on the UN to urge the Algerian authorities to;

1. 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);
2. 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.
3. 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.
4. 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;
5. 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;
6. 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;
7. Withdraw all closure orders and current proceedings against churches; and overturn the convictions recorded against individual Christians.

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<sup>3</sup> Executive Decree No. 17-09 of January 4, 2017, setting the conditions and procedures for prior authorization for the import of religious books.

<sup>4</sup> <https://www.opendoors.org/en-US/persecution/countries/algeria/>

## Appendix. 1

from the Religious Freedom Institute, 'Algeria 2022: Religious Freedom Landscape Report.'

### **"Ordinance n° 06-03 of 29 Moharram 1427 corresponding to February 28, 2006 setting the conditions and rules for the exercise of religions other than Islam"**

The law establishes the following regulations on the exercise of non-Muslim worship:

- Places of worship must be approved by the National Committee for Non-Muslim Worship and used only for the purposes of worship (article 5).
- Places of worship must be open to the public and identifiable by the outside (article 7).
- Religious associations must be registered and approved in accordance with the law (article 6).

The law establishes the following penalties:

- Any provocation to resist laws or decisions of the public authority, or incitement to rebellion made in places of worship is punishable by one to three years imprisonment and a fine of 250,000 to 500,000 DA (article 10). Penalties are increased for religious leaders.
- Any incitement, coercion, or other "means of seduction" intended to convert a Muslim to another religion is punishable by two to five years imprisonment and a fine of 500,000 to 1,000,000 DA (article 11).
- The production, storage, or distribution of any material intended to "shake the faith of a Muslim" is punishable by two to five years imprisonment and a fine of 500,000 to 1,000,000 DA (article 11).
- Hosting worship activities in buildings not designated or approved by the government is punishable by one to three years imprisonment and a fine of 100,000 to 300,000 DA (article 13).
- Preaching in a worship building without approval or authorization from the leader of a denomination and by relevant Algerian authorities is punishable by one to three years imprisonment and a fine of 100,000 to 300,000 DA (article 13).
- A foreign national convicted of any offense outlined in Law 06-03 may be banned from entering Algeria for at least 10 years (article 14).

**Ordinance n° 06-03 of 29 Moharram 1427**