Legal framework

Algeria is party to the International Covenant on Civil and Political Rights (ICCPR), which protects the freedoms of religion or belief, assembly, and association. It is party to the African Charter on Human and Peoples Rights (ACHPR), which guarantees the freedoms of conscience and religion in Article 8. It has also adopted the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, which reaffirms the right of an individual to choose their faith and manifest it alone or with others, both in public and in private.

In November 2020 a constitutional amendment drafted by a committee of experts handpicked by the government was approved in a referendum characterised by a historically low turnout. Article 51 of the revised constitution states that freedom of conscience and freedom of opinion are 'inviolable', guaranteeing freedom of worship without discrimination, and ensuring state protection of places of worship.

In September 2006 Algeria adopted a law entitled 'Conditions and Rules for the Exercise of Religious Worship other than Islam,' known as Ordinance 06-03 of 2006. The law effectively criminalises aspects of the freedoms of association and of religion or belief, including the right to adopt a religion or belief of one's choice, and the freedom to manifest one's religion in community with others. It also has negative implications for religious minorities who seek to propagate their faith peaceably. In May 2007 two presidential decrees established government committees required to enforce this law.

Regulation of places of worship

Ordinance 06-03 of 2006 states that all places of non-Muslim worship must be authorised by the National Commission for Non-Muslim Worship. Although the commission's mandate includes regulation of churches, it does not function in practice. Applications for permission to use buildings as churches or to build new churches are never considered because the commission does not actually meet. Unable to obtain formal approval for any matters requiring the commission's authorisation, churches are compelled to operate on an unofficial basis and are vulnerable to closure.

Since 2006, no church affiliated with L'Église Protestante d'Algérie (EPA), the umbrella organisation of Protestant churches in Algeria, has received permission to use premises as places of worship, and an application submitted in 2014 for a new church building remains outstanding.

Further legislation introduced in 2012 mandated the re-registration of associations, provided they can meet strict conditions. Despite meeting these requirements and applying in 2013, the EPA continues to be denied official legal status. The authorities have failed even to acknowledge receipt of the application.

Pressure has increased significantly since late 2017, with reports of government inspectors demanding to see permits authorising non-Muslim worship in addition to checking compliance with building and safety regulations. This has resulted in a wave of church closure orders in the Kabylie region in the east, inhabited by the indigenous Berber population, and in southern Algeria. In a recent church closure in April 2025, 10 Christians (eight men and two women) were detained for nine hours, interrogated, photographed, fingerprinted, and their mobile phones were confiscated following a police raid on Good Friday.

So far 46 churches have been forced to close, while several adherents and church leaders have been prosecuted on diverse charges.

In May 2023 Pastor Youssef Ourahmane, leader of the EPA was convicted of 'illegal worship' for his involvement in the leadership of the church. He was sentenced to two years imprisonment, and fined 100,000 Algerian Dinars (approximately GBP 565). In November 2023 the sentence was reduced to one year in prison, suspended for six months, but the fine was unchanged.[1] Pastor Ourahmane has appealed the case to the Supreme Court of Algeria and is waiting for the court to announce a schedule of proceedings. Due to the ongoing case, his ability to enter and leave Algeria has been severely restricted.

The Ahmadiyya community faces similar obstacles, with requests for registration refused and applicants threatened with criminal prosecution. The applications of strict registration of places of worship result in the effective criminalisation of performing any religious ceremonies or practices in public or in a building that has not been registered for such purposes.

Anti-proselytism and blasphemy laws

Article 11:1 of Ordinance 06-03 criminalises religious speech or writing that is deemed to incite, coerce or 'seduce' a Muslim to convert to another religion ('shake a Muslim's faith'). It also punishes any religious activity that is not regulated by the state with sentences of up to five years' imprisonment and fines of up to one million Algerian dinars (approximately GBP 5,650). Article 11:2 proscribes the printing, storing or distribution of materials intended to convert or to 'shake a Muslim's faith.'

Article 144:2 of the Algerian Penal Code criminalises blasphemy, stating that those who offend the Prophet Mohammed or any other Islamic prophets should be 'sentenced to 3 to 5 years imprisonment and fined 50,000 DZD to 100,000 DZD, or one of these two penalties. Criminal proceedings are initiated by the public authorities.' In addition, Article 160:1 of the code states that 'any damage or

1 YouTube, 'Algeria Must Guarantee Freedom of Religion & Association for All - UN Full side Event', 5 July 2024 https://www.youtube.com/watch?v=X0Pky__n42w

desecration of the Holy Book is punishable by 5 to 10 years in prison.'

Several Algerian Christians have been harassed, interrogated or arrested under these provisions in recent years. On 21 January 2021 Hamid Soudad was sentenced to five years in prison, the maximum sentence, for blasphemy. Two other Christians were also charged with blasphemy and sentenced to six months and three years in prison respectively.

On 25 August 2021 Algerian Christian convert Sulieman Buhafss was arrested by Tunisian secret police and subsequently repatriated and handed over to the Algerian authorities. He had fled to Tunisia after spending 20 months in prison in Algeria for converting to Christianity, proselytising, and defaming Islam. In 2022 Mr Buhfass was sentenced to three years imprisonment and fined for 'belonging to a terrorist organisation,' 'receiving foreign funds for the purpose of political propaganda,' 'hate speech and discrimination,' 'using technology to spread false information,' and 'conspiracy.' In July 2023 an appeal court upheld both the sentence and the fine.

In December 2021 a court of appeal upheld a sentence of Christian convert Foudhil Bahloul, who had received a six-month prison term and a fine of 100,000 Algerian Dinars in July 2021 for receiving an 'unauthorized donation.' Mr Bahloul was initially arrested along with three friends in Ain Defla on 17 April 2021. Christian materials were confiscated during a subsequent search of his home, which was allegedly conducted without a warrant, and during a 2 June 2021 court hearing he was charged with 'collecting donations or accepting gifts without a license from the authorized departments', after accepting assistance from a friend in the form of a 200 Euro bank transfer while he was unemployed. Additional charges proffered during a court hearing on 30 June 2021 based on Ordinance 06-03 of 2006 of distributing Bibles, printing brochures to distribute to Muslims remain pending.

Following Mr Bahloul's conversion in 2017, his father's family had destroyed his business and ostracised him, while his wife divorced him and was granted sole custody of their two daughters. In a separate ruling, a local judge upheld a one-year prison sentence he had received earlier for failing to meet an alimony payment on the due date, even though it was paid later.

In January 2023 a Methodist church in Larbaâ Nath Iraten was closed, and in October a court in Tizi Ouzou handed down a two-month suspended sentence to the pastor of a Methodist church in Oucaif.

At the end of 2023 Ahmadiyya Muslim community leaders reported to the United States (US) State Department that 33 Ahmadi Muslims were facing charges ranging from blasphemy to illegal fundraising. In addition, the passports of several members of the religious community had reportedly been seized, and formal registration was impeded by a government precondition that the Ahmadiyya renounce their Muslim status.[2]

Restriction of freedom of expression

Algeria's anti-proselytism and blasphemy laws have also been used to silence and criminalise political activists. In 2020 Yacine Mebarki was sentenced to 10 years' imprisonment for 'offence against the precepts of Islam', 'incitement to discrimination' and unauthorised possession of 'war materiel'. Mr Mebarki, a member of the Berber minority community, was involved in the Hirak protest movement that led to the resignation of former president Abdelaziz Bouteflika in 2019. In September 2020 the authorities had searched Mr Mebarki's home and arrested him after finding an old Qur'an with a torn page that belonged to his grandfather, and two antique bullets from the cultural practice of firing guns during celebrations. Mr Mebarki's prison sentence was reduced to one year in November 2020.[3]

In 2021 Said Djaberlkhir, a Muslim scholar who specialised in Sufism and founded an association for progressive religious scholars and thinkers,[4] was sentenced to three years in prison and fined for offending the precepts of Islam.[5] The case against him was lodged by several lawyers and academics who objected to ideas he had shared in his books and accused him of offending Islam. He was eventually acquitted by the Algiers Court of Appeal in 2023.

The government also makes use of content on social media platforms to charge activists. According to an Algerian human rights lawyer, at least 231 activists are detained and 70 banned from travel simply for expressing their opinions. Lawyers have reported that it is difficult to represent victims of human rights violations as the government threatens not only the victims but their lawyers also.

In 2022 Mohamed Benhlima, a former military officer who exposed alleged corruption in the Algerian military on social media, was forcibly returned from Spain. He is serving a life sentence in the Blida military prison.[6]

2 US Department of State, '2023 Report on International Religious Freedom: Algeria' https://www.state.gov/reports/2023-report-on-international-religious-freedom/algeria/

3 The New Arab, 'Algeria slashes activist's jail term for 'offending Islam'', 25 November 2020 https://www.newarab.com/news/algeria-slashes-activists-jail-term-offending-islam

4 *Cercle des Lumières pour la Pensée Libre* (Circle of Enlightenment for Free Thought)

5 BBC, 'Algerian author Said Djabelkhir sentenced to jail for offending Islam', 22 April 2021 https://www.bbc.co.uk/news/world-africa-56847448

6 Amnesty International, 'Algeria: Tortured Whistleblower Sentenced To Life' https://www.amnesty.org.uk/urgent-actions/tortured-whistleblower-sentenced-life

In March 2025 the admin of the 'Ramadan Breakers' Facebook page was sentenced to two years in prison and fined for promoting atheism.[7] In March 2025 social media activist Moh El Washam was sentenced to five years imprisonment for publishing TikTok videos, some of which were offensive, while others mocked Islam.[8]

Importation of religious materials

The Christian community faces severe difficulties in importing Christian literature and other materials due to unwarranted delays and restrictions. In order to import books and other materials, import licences must be obtained following the approval of a Commission comprising representatives of the Ministries of Religious Affairs, Foreign Affairs, the Interior, and Commerce. Church leaders report that applications to this Commission are routinely subject to delay, blockage and mismanagement, with only a few licences granted.

Closure of Caritas

On 1 October 2022 the government closed the Catholic Charity, Caritas International, which had been operating in the country for 60 years. The charity was closed ostensibly due to restrictions imposed on foreign and multinational non-governmental organisations working in Algeria. Caritas Algeria complied with the government request, expressing concern that its closure would leave some of the most vulnerable communities without assistance, and highlighting that 97% of the beneficiaries of their programmes 'profess Islam'.

Recommendations

To the government of Algeria:

- Ensure that the Commission for Non-Muslim Worship functions efficiently and without bias, that pending applications from churches are considered urgently, and that responses to future applications are made within the designated 60-day period.
- Withdraw all warnings, closure orders and court cases against churches, and grant permission to all EPA-affiliated churches to continue to use rented premises as places of worship.
- Return to the EPA the historic church buildings to which it has a legal claim, and process and confirm the EPA's re-registration application without further delay.
- Review and reform Articles 11:1 and 11:2 of Ordinance 06-03, and Articles 144:2 and 160:1 of the Algerian Penal Code to ensure that all provisions are in line with international norms and standards on freedom of religion or belief.
- Acquit, withdraw charges or otherwise end all legal cases against individuals brought under Articles 11:1 and 11:2 of Ordinance 06-03, or Articles 144:2 and 160:1 of the Algerian Penal Code.
- Issue a standing invitation to all UN Special Procedures, ensuring they have unhindered access to all areas of the country and that members of civil society, including religious and belief minorities, can meet with them freely and without reprisal.

To the United Nations and Member States:

- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Algeria, acknowledging the vulnerabilities and violations faced by religious and belief communities.
- Urge the government of Algeria to revise any regulations and legislation pertaining to religion or belief which do not align with international standards as set out in Article 18 of the International Covenant on Civil and Political Rights (ICCPR), and to do so in consultation with religious and belief communities, including minority groups, as well as consulting legal experts.
- Ensure that the situation of freedom of religion or belief in Algeria is consistently raised in public and in private, including during high-level visits and other bilateral exchanges, as well as during regular sessions of the UN Human Rights Council and General Assembly.
- Urge the government of Algeria, at every appropriate opportunity, to implement the recommendations highlighted in the recommendation section above 'To the government of Algeria'.

7 Setifone, 'Two years in prison for the owner of the "Ramadan Breakers" page, which encourages the spread of atheism on Facebook', 19 March 2025 (Arabic) https://bit.ly/3Hnrs9h

8 El Hayat, '"Mouh Al-Washam" was sentenced to 5 years in prison', 18 March 2025 (Arabic) https://bit.ly/45AQYSn

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