



21 August 2019

## Algerian Authorities Forcibly Closed a Fifth Church, More Churches Threatened with Closure

Joint written statement submitted to the Human Rights Council 40th session, 9–27 September 2019, under Agenda Item 4: Human rights situations that require the Council's attention.

**The World Evangelical Alliance (WEA)** is a network of churches in over 130 nations that have each formed an evangelical alliance and over 100 international organizations joining together to give a world-wide 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.

**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.

**Christian Solidarity Worldwide (CSW)** is a Christian organization working for religious freedom through advocacy and human rights, in the pursuit of justice.

For additional information, please contact: Michael Mutzner, WEA Permanent Representative to the United Nations in Geneva at [geneva@worldea.org](mailto:geneva@worldea.org) or +41.22.890.1030

### **Church Closed on 6 August 2019**

1. On 6 August 2019, Algerian authorities forcibly closed an Evangelical church in Lekhmis village, Boudjema, 20 kilometres northeast of Tizi-Ouzou in Kabylie Region, citing “administrative license and a receipt for registration of a local association with religious character for the practice of religious ceremonies,” and referencing the Ordinance 06-03 of February 28, 2006, governing the worship of non-Muslims, and the 2012 Associations Law.
2. The church, which has been a member of the *Église Protestante d’Algérie* (Protestant Church of Algeria; EPA) since 2006, had 80 to 100 attendants weekly. The EPA is a member of the World Evangelical Alliance and of the World Council of Churches.

### **Five Churches Currently Closed, All Other Churches Threatened with Closure**

3. In November 2017, Algerian authorities began a campaign of intimidation against the Protestant-Evangelical Christian minority. In this campaign, most of the churches affiliated with the EPA were visited by committees formed of officials from the municipalities, the Ministry of Religious Affairs, the Fire Brigade, the national Gendarmerie and the Intelligence Department. The declared aim of these committees is “to check compliance with safety regulations.” However, all consequent church closure orders cited “lack of permits” instead of “lack of compliance with safety regulations” to operate as places of worship.
4. Today, there are five forcibly closed churches, all in the Kabylie region.<sup>1</sup> Three of these churches are in the Bejaia province (Wilaya): Ait-Mellikeche (closed on 26 May 2018), Riquet Church (Al ‘Akeed Amroush neighborhood, closed on 11 July 2018), the Church of Azagher “City of Refuge,” in Ighram village near Akbo (closed on 16 October 2018), and two churches in the village of Boudjema in the province of Tizi Ouzou (closed on 22 May 2019 and on 6 August 2019 respectively).
5. In Oran, three other previously closed churches were allowed to re-open in 2018.
6. During the week of 12 August 2019, two churches received closure notices in the towns of Akbou and of Ighzer Amokrane in the province of Bejaia. Both churches had received visits in 2018 of “safety regulation compliance committees.”

### **Court Cases Against Christians, Prohibition of Worship Outside of Church Buildings**

7. On 16 June 2019, a judge sentenced a 35-year-old Christian in Mostaganem, a coastal town in the northwest of Algeria, to a suspended prison sentence and payment of a hefty fine of 100,000 dinars (\$840) for holding worship at his house. The Christian man, a father of two, had invited a Christian couple to pray with him. He was accused

---

<sup>1</sup> In addition, at least two house-churches were ordered to cease all worship meetings. House churches, where Christians gather in homes instead of a dedicated building, are not included in the church closure count.

## Algerian Authorities Forcibly Closed a Fifth Church, More Churches Threatened with Closure

of organizing unauthorized Christian worship in his home under Algeria's Ordinance 06-03 of February 2006, which forbids non-Muslim worship for unregistered churches. The police had summoned the Christian for questioning several times, preceding the sentence.<sup>2</sup>

8. On 20 June 2019, a judge fined Amar Ait-Ouali, the owner of the land where the "City of Refuge" Church was meeting, in Azaghar village near Akbou, 50,000 dinars (US\$420). The church was meeting in a tent on that land following its forcible closure on 16 October 2018.
9. On 27 June 2019, in Tizirt, north of Tizi-Ouzou, a judge fined Nouredine Benzid, pastor of a church in Makouda, 80,000 dinars, for unauthorized construction of the church. Contrary to the accusations leveled by the Makouda administration, the church did obtain the necessary permit to build and make modifications. The church of Makouda, also affiliated with the EPA, has more than 300 members.

### **Non-Recognition of the EPA and Non-Renewal of its Registration**

10. Founded in 1974, the EPA is the umbrella organization for the Protestant and Evangelical churches in Algeria.
11. In 2013, the EPA applied for re-registration in accordance with the newly passed Association Law of 2012. To date, however, no response has been received, and the authorities have failed even to acknowledge receipt of the EPA application.
12. The EPA elected a new governing council in October 2018, but the Ministry of the Interior does not recognize it and has not delivered the receipt in return for the submission of the new governing council members.
13. Algerian authorities requested that individual churches register separately from the EPA.

### **Denial of Registration for Individual Churches**

14. In 2018, the Algerian minister for religious affairs repeatedly claimed that the places that were shut down were "unlicensed worship places, and not churches."<sup>3</sup>
15. In the decision to close the churches in Boudjema this year, authorities explicitly requested "the regularization of the administrative situation through obtaining an administrative license and a receipt for registration of a local association with religious character for the practice of religious ceremonies." (Article 1 of the closure decision)

---

<sup>2</sup> New Christian in Algeria Sentenced for 'Organizing Worship' in His Home, Morning Star News, June 25, 2019, <https://morningstarnews.org/2019/06/new-christian-in-algeria-sentenced-for-organizing-worship-in-his-home/>

<sup>3</sup> Source 1: Anadolu Agency, 6 June 2018; Source 2 in Arabic: Algeria Times, 10 December 2019, <https://www.algeriatimes.net/algerianews44912.html>

## Algerian Authorities Forcibly Closed a Fifth Church, More Churches Threatened with Closure

16. However, to date, Algerian authorities have not issued any such permits to churches. Most church requests go unanswered, and the administration does not provide a receipt in return for the requests.

### *Ordinance 06-03 of February 2006*

17. The Algerian Constitution declares Islam as the state religion (article 2) and affirms the right to freedom of conscience in article 42. Ordinance 06-03 of 28 February 2006 sets out the conditions and rules for the practice of religions other than Islam. It affirms that non-Muslim religions enjoy the protection of the State (article 3). It stipulates that non-Muslim worship can only be conducted in a building approved for that purpose by the National Commission for Non-Muslim Religious Groups.
18. To date, not a single permission has been granted to use a building for non-Muslim worship.
19. In March 2019, upon the appointment of the current members of this commission, news reports<sup>4</sup> stated that the objectives of the commission were “to ensure that the Islamic faith of the Algerians is not compromised,” and to act in accordance with “the laws that keep Algerians from compromise in their religion and their strong Islamic affiliation as enshrined in the Constitution.”

### *Religious Association under the 2012 Associations Law*

20. Church closure decisions cited the 2012 Associations Law. The law includes a category of “religions associations.” However, to date no permit for a “religions association” has been issued.
21. In May 2018, a pastor in Oran applied for a religious association license for his church, in accordance with the request of the authorities. The response of the administration on 14 May 2018, signed by the Governor of Oran, was as follows (translation from Arabic): “*In accordance with Law 06/12 of 12/01/2012 related to associations, namely its article 47 which stipulates that ‘taking into account the provisions of this law, establishing religions associations shall be governed by a special statute,’ you are unable to establish an association with religious character at the moment, and until the issuance of the special statute for religious associations.*”

## **Observations of Human Rights Committee and Communication by the Special Rapporteurs**

22. In July 2018, during the consideration of Algeria's fourth periodic report, the Human Rights Committee expressed concern over the closure of Evangelical churches and institutions. In particular, it asked Algeria to “(a) abolish any legislative provision that violates freedom of thought, conscience and religion, (b) refrain from obstructing the worship of persons who do not observe the official religion, in particular through the

---

<sup>4</sup> Source in Arabic: Four ministries and security departments to monitor the practice of rituals for non-Muslims, 26 March 2019, <http://elmihwar.com/ar/index.php/%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A/117478.html>

## Algerian Authorities Forcibly Closed a Fifth Church, More Churches Threatened with Closure

*destruction and closure of institutions, or refusal to grant registration of religious movements not driven by requirements of necessity and proportionality."*<sup>5</sup>

23. In addition, on 4 October 2018, the special rapporteurs on freedom of religion or belief, on minority issues, and on freedom of peaceful assembly and of association communicated with the Algerian government *"concerning the administrative and judicial barriers faced by members of the Protestant Christian minority, in particular, the refusal of the authorities to rule on the approval of the new Executive Board of the Protestant Church of Algeria, the closure of Protestant churches and the legal proceedings brought against their members for the import of Christian religious material."*
24. The government of Algeria has yet to respond to the communication of the special rapporteurs.

### **Recommendations to the Government of Algeria**

25. 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;
26. Withdraw all warnings, closure orders and court cases against churches and pastors;
27. Process the EPA's re-registration application and give notice of the renewal of the governing council, to confirm the EPA as a representative association of Protestant churches in Algeria;
28. Suspend and revise the February 2006 ordinance setting out the conditions and rules for the exercise of non-Muslim religions, to ensure compliance with Algeria's obligations under international law, namely with the right to freedom of religion or belief.

---

<sup>5</sup> Human Rights Committee, Final Observations concerning the Fourth Periodic Report of Algeria (CCPR/C/DZA/CO/4), 17 August 2018, §§ 41-42 (in French)