

## Algeria: New Trials Shake Ahmadi Minority

Date : 22nd January 2018



### More Than 50 Tried in December on Charges Relating to Religion

(Beirut) – [Algerian](#) authorities have stepped up trials of members of the Ahmadiyya religious minority on charges related to the exercise of their religion, Human Rights Watch said today. Sentences range from fines to a year in prison.

Human Rights Watch received information that, in December 2017 alone, there were at least eight new trials in Algeria involving at least 50 Ahmadi defendants. Since June 2016, 266 Ahmadis have faced charges, some of them in more than one trial. The president of the Ahmadiyya community in Algeria, Mohamed Fali, told Human Rights Watch that at least four new trials are scheduled for later in January 2018.

“Algerian authorities continue their unabated persecution of this minority, apparently for doing no more than exercising their freedom of religion,” said [Sarah Leah Whitson](#), Middle East and North Africa director at Human Rights Watch.

The Ahmadiyya, a community founded in India in 1889 by Mirza Ghulam Ahmad and identifying itself as Muslim, is estimated to have about 2,000 adherents in Algeria, according to the community.

Algerian officials have denigrated the Ahmadis on more than one occasion. In October 2016, Religious Affairs Minister Mohamed Aissa described the Ahmadi presence in Algeria as part of a “[deliberate sectarian invasion](#)” and declared that the government brought criminal charges against Ahmadis to “stop



deviation from religious precepts.” In February 2017, [he stated that Ahmadis are damaging](#) the very basis of Islam.

In April, Ahmed Ouyahia, then-chief of cabinet to President Abdelaziz Bouteflika, said that “[there are no human rights or freedom of religion](#)” in the matter of the Ahmadis, because “Algeria has been a Muslim country for 14 centuries.” He called on Algerians to “protect the country from the Shia and Ahmadiyya sects.”

Authorities are prosecuting Ahmadis under one or more of the following charges: denigrating the dogma or precepts of Islam, punishable by a prison term of three to five years and a fine of up to 100,000 Algerian dinars (US\$908), under article 144 of the penal code; participation in an unauthorized association, under article 46 of the Associations Law, punishable by a prison sentence of three to six months in prison and a fine of 100,000 to 300,000 dinars; collecting donations without a license, under articles 1 and 8 of the decree 03-77 of 1977 regulating donations; conducting worship in unauthorized places, under articles 7, 12, and 13 of Ordinance 06-03 Establishing the Conditions and Rules for the Exercise of non-Muslim Religions; and possession and distribution of documents from foreign sources threatening national security, under article 96-2 of the penal code, punishable by up to three years in prison.

In a December 11 trial, the First Instance Court of Ain Mlila sentenced Karim Hadjaze, a 37-year-old doctor and secretary general of the Ahmadi community, in absentia to one year in prison and 20,000 dinar fine (US\$175), on charges of collecting donations without a license and conducting worship in unauthorized places. Hadjaze remains free pending his retrial, which is scheduled for January 14. He has also two other pending detention orders from the Larbaa and Setif first instance courts, both for convictions on charges related to his religious faith. In the Ain Mellila case, 10 other defendants received sentences ranging from three to six months in prison.

Fali, who had been arrested and prosecuted in six separate cases in 2016 and 2017 and spent three months in jail in Chlef in 2017, said he has been on trial before a court in Kolea since December on charges related to denigrating Islam, an unauthorized association, and documents threatening national security and another case heard on December 28 before the Boufarik First Instance Court.

Y.M., 34, an information technology engineer who did not want to be named, said that he was first arrested in Hassi Messaoud on February 20, 2017. He said gendarmes had searched his office and confiscated books about Ahmadis. They took him for interrogation at the gendarmerie and released him late that night. He said the Hassi Messaoud First Instance Tribunal convicted him on charges relating to denigrating Islam, an unauthorized association, documents threatening national security, and worshipping in unauthorized places, and sentenced him on October 28 to six months in prison and 300,000 dinars fine (US\$2,600). He has appealed his conviction.

On April 2, 2017, when Y.M. was in his home town of Boumerdès, gendarmes searched his house and told him and his wife, who is also Ahmadi, to come in for interrogation. In this second case, the First Instance Court of Boumerdès sentenced him, on December 17, to a one-year suspended prison sentence and a fine of 500,000 dinars (US\$4,340) on charges similar to the Hassi Messaoud case. He said he received a summons to appear in a third case, along with Fali, in Boufarik. They await the verdict.



During its Third Universal Periodic Review at the United Nations Human Rights Council, on May 8, Algeria failed to accept many of the recommendations calling on the authorities to stop arresting and defaming the Ahmadis. In its response to other countries' remarks and recommendation, Algeria denied that Ahmadis "were prosecuted on the basis of their faith, but rather because they breached the law." It stated that "there are no prisoners of opinion in Algeria or persons persecuted for their beliefs."

However, the judge's reasoning in the case in Ain Mellila, similar to some earlier judgments against Ahmadis that Human Rights Watch reviewed for [a September 2017 report](#), shows that the court convicted them on charges related to their faith.

The judgment states, "It appears that a group of people belonging to the Ahmadiyya sect have formed in Ain Mellila to disseminate beliefs that are alien to our religion...this movement appears to be based on religion and rites but, in reality, it has a hidden agenda and future strategies aiming at destabilizing the country and shaking its stability and security." The judgment did not specify how the defendants were endangering Algeria's security.

Under the International Covenant on Civil and Political Rights, which Algeria ratified, governments must ensure the right to freedom of religion, thought, and conscience of everyone under their jurisdiction, and in particular to religious minorities. This right includes the freedom to exercise the religion or belief of one's choice publicly or privately, alone or with others. Algeria's constitution guarantees freedom of religion but states that "this freedom must be exercised in respect of the law."

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