

## **“New Regulations concerning the conditions and rules for the exercise of religious worship other than Muslim”, Algeria, 2006 (English translation)**

Ruling number 06-03 of 29 Moharram 1427, Corresponding to 28 February 2006, fixing the conditions and rules for the exercise of religious worship other than Muslim.

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### **CHAPTER I           GENERAL DISPOSITIONS**

Article 1. — The present ruling has as its objective to fix the conditions and rules of exercise of religious worship other than Muslim.

Art. 2. — The Algerian state, of which the religion is Islam, guarantees the free exercise of religious worship within the framework of respect of the dispositions of the Constitution, of the present ruling, of the laws and regulations in force, of public order, of good moral standards and of the fundamental rights and liberties of third parties.

The State equally guarantees the toleration and respect of different religions.

Art. 3. — Associations of religious practice other than Muslim enjoy the protection of the State.

Art. 4. — It is forbidden to use religious affiliation as the basis for discrimination towards any person or group of persons.

### **CHAPTER II           CONDITIONS FOR THE EXERCISE OF RELIGIOUS WORSHIP**

Art. 5. — Allocation of a structure for the exercise of religious worship is subject to the prior approval of the national commission for the exercise of religious worship provided under article 9 of the present ruling.

All activity is forbidden in premises intended for the exercise of religious worship, which would be contrary to the nature and objectives for which (the premises) are intended.

Structures intended for the exercise of religious worship are subject to being registered by the State, which assures their protection.

Art. 6. — Collective exercise of religious worship is organized by associations of a religious character of which the creation, approval and the functioning is subject to the dispositions of the present ruling and of the legislation in force.

Art. 7. — Collective exercise of religious worship takes place exclusively in structures intended for this purpose, open to the public and identifiable from the exterior.

Art. 8. — Religious gatherings take place in structures; they are public and subject to prior declaration.

The conditions and terms of the application of the present article are set by statutory means.

Art. 9. — A national commission of religious worship is created by the minister charged with religious affairs and of wakfs [granting or dedication of property for religious or charitable purpose] charged in particular with:

- watching over the respect of the free exercise of religious worship;
- taking in charge the affairs and concerns related to the exercise of religious worship;
- giving prior approval for the formation of associations of a religious character.

The composition of this commission and the terms of its functioning are set by statutory means.

### **CHAPTER III            CRIMINAL PROVISIONS**

Art. 10. — The punishment is one (1) year to three (3) years of imprisonment and a fine from 250.000 DA to 500.000 DA for anyone who by verbal or written or distributed discourse in structures where religious worship takes place or who utilizes any other audiovisual means, containing an incitement to resist the fulfillment of the laws or the decision of the public authority, or tending to incite a group of citizens to rebellion, this without prejudice of more serious penalties, if the incitement is followed by effects. The penalty is imprisonment from three (3) years to five (5) years and the fine is from 500.000 DA to 1.000.000 DA if the guilty person is as leader of religious worship.

Art. 11. — Without prejudice of more serious penalties, the punishment is imprisonment from two (2) years to five (5) years and a fine from 500.000 DA to 1.000.000 DA for whomever:

- 1 – incites, constrains or utilizes means of seduction **tending to convert a Muslim** to another religion, or by using to this end establishments for teaching, for education, for health, of a social or cultural nature, or training institutions, or any other establishment, or any financial means,
- 2 – makes, stores, or distributes printed documents or audiovisual productions or by any other aid or means, which has as its goal to shake the faith of a Muslim.

Art. 12. — The punishment is imprisonment from one (1) year to three (3) years and a penalty of from 100.000 DA to 300.000 DA, for anyone who has recourse to the collection of money from the public or who accepts gifts, without authorization by legally approved authorities.

Art. 13. — The punishment is imprisonment from one (1) year to three (3) years and a fine from 100.000 DA to 300.000 DA, for anyone who:

- 1 – conducts a religious worship service contrary to the dispositions under articles 5 and 7 of the present ruling,
- 2 – organizes a religious gathering contrary to the dispositions of article 8 of the present ruling,
- 3 – preaches in structures intended for the exercise of religious worship, without being designated, approved, or authorized by the religious governing body of his faith, competent, duly authorized on national territory and by the relevant Algerian authorities.

Art. 14. — The relevant authorities may forbid residency on the national territory to a foreigner convicted following the commission of one of the infractions provided for by the present ruling, definitively or for a period, which cannot be less than ten (10) years.

The residency ban leads automatically to expulsion from the national territory of the convicted person, beginning with full effect after carrying out the penalty of imprisonment.

Art. 15. — A legal entity (organisation) that commits one of the infractions provided for by the present ruling is punished by:

1 – a fine, which cannot be inferior to four (4) times the maximum of the fine provided for by the present ruling for a person who has committed the same infraction.

2 – one or several of the following penalties:

- the confiscation of the means and the materials utilized in the commission of the infraction,
- the ban from exercising, in the place concerned, a religious worship service or any religious activity,
- the dissolution of the legal entity (organisation).

#### **CHAPTER IV            TEMPORARY AND FINAL DISPOSITIONS**

Art. 16. — Persons exercising a religious worship service other than Muslim, in a collective setting, are required to conform to the dispositions of the present ruling, within six (6) months, starting with its publication in the Official Journal.

Art. 17. — The present ruling will be published in the Official Journal of the Democratic and Popular Republic of Algeria.

Ruling made in Algiers, on 29 Moharram 1427, corresponding to 28 February 2006.

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