

Algeria Stalls Appeal of Convicted Christian

A judge's decision this month to indefinitely postpone the appeal of a Christian sentenced under Algeria's defamation and anti-proselytizing laws shows how the judicial system keeps Christians locked up without officially punishing or acquitting them, according to sources.

In May a judge in Oran, 470 kilometers (292 miles) west of Algiers, sentenced a convert from Islam, Abdelkrim Siaghi, to a prison term of five years. He had been charged with insulting Muhammad, the prophet of Islam, and with "proselytism" for giving a Muslim a CD about Christianity. Siaghi (whose name is also spelled Siaghi Krime) was also fined 200,000 dinars (\$2,663).

The prosecutor had reportedly requested that the judge sentence him to a two-year prison term and a fine of 50,000 dinars (\$665). The judge instead gave him the maximum sentence.

In Siaghi's appeal, however, the judge has been unable to find any evidence against him and has postponed hearing dates several times. A scheduled Dec. 1 hearing was postponed indefinitely on that day, when judges were expected to pronounce a verdict, according to Siaghi's lawyer.

"The process of the [appeal] inquiry is strange since the first judge with the same file gave a maximum sentence—five years of prison and a fine of 200,000 dinars," said Mustapha Krim, president of the Protestant Church of Algeria (EPA).

Authorities arrested Siaghi in April after he purportedly gave a CD about Christianity to a Muslim. Siaghi had gone to a phone shop to buy minutes for his mobile phone, and the merchant there initiated a conversation on religion. Unhappy

with Siaghi's non-Muslim answers, the merchant tried to force him to pay homage to the prophet and to recite the Muslim creed, "There is no God but Allah and Muhammad is his prophet."

Siaghi refused and said he was a Christian, according to Krim.

"The merchant felt offended in his faith and would hear nothing more," Krim said. "He filed a complaint that Abdelkrim had belittled the prophet, and in the absence of other witnesses, charges were brought against him."

The merchant was said to have seen Siaghi give a CD to someone but never appeared in court to testify to that effect, according to Krim. Siaghi's lawyer said there was no proof of the charges against the Christian.

Experts on Algeria's treatment of Christians say that Algerian courts customarily have preferred to defer deciding in favor of Christians so as not to aggravate local Muslim sentiments. Judges have also been slow to pronounce final verdicts in order to keep from provoking international criticism over religious freedom.

In the case of Habiba Khouider, who was charged for illegally practicing worship after authorities found her in possession of her personal Christian literature, prosecutors in Tiaret have not called her for a hearing since 2008.

Krim said it is possible the judges are avoiding a concrete decision in the case of Siaghi, though it is not clear if and when the court will progress.

"For the moment, nothing is decided," he told Compass. "For the judge, this is an honorable way out—he can leave the case on hold for months or even years, as in the case of Habiba Khouider in 2008, claiming that the situation is still pending."

Algerian courts have also handed Christians suspended sentences for practicing their faith. Last year four Christian leaders in Tizi Ouzou received two and three months of suspended jail time for worshiping without a permit. Thus the Christians were officially punished but served no time.

In 2008 a Christian leader in Tiaret, Rachid Essaghir, received suspended sentences in two separate cases against him for sharing his faith. Though Christians appeal these verdicts, they are rarely conclusive.

A law passed in 2006 known as Ordinance 06-03, which outlaws proselytism of Muslims, as well as the distribution, production and storing of material used for this purpose, is cited in court cases against Christians.

"My view is that once more this 06-03 law of 2006 shows its pernicious character by allowing any Muslim who does not like Christians to claim they are insulted or simply 'shaken in their faith,'" Krim said. "It is imperative that the law be abolished or changed."

The restrictive law also prohibits churches from operating without registration.

In May, the governor of Bejaia ordered the closure of seven churches for lack of compliance with registration regulations. The order was never enforced, and the churches continued to meet for worship.

Algerian churches claimed a victory in July when the Ministry of Interior officially recognized the EPA and gave it registration papers to act as the council of the country's Protestant churches. The EPA was established in 1972.

Algerian church leaders said they hope that the official recognition of the EPA will help lift restrictions on individual churches, which are still required to register individually though they are under the EPA.