

	Science, Education and Innovations in the Context of Modern Problems Issue 9, Vol. 8, 2025 TITLE OF THE RESEARCH ARTICLE  Freedom of Worship in Algeria and the incrimination of Contempt of Religions: a Legal Analysis
Habiba Naili	University Algiers 1- Faculty of Law Algeria E-mail: h.naili@univ-alger.dz
Issue web link	https://imcra-az.org/archive/383-science-education-and-innovations-in-the-context-of-modern-problems-issue-9-vol-8-2025.html
Keywords	freedom of worship, contempt of religions, peaceful coexistence
Abstract Freedom of religion or belief enshrined by the Algerian constitution as freedom of worship, is derived from freedom of thought or conscience as a conventional human right, recognizing to individuals the right to follow, change or leave a religion; and to manifest it without suffering discrimination or coercion. Though, Algeria as a State religion country clinging to the sanctity of Islam and committed to promote and glorify its right teachings, has sadly been affected by fanaticism and intolerant misbehaviors. The Algerian legislator intervened to regulate the practice of Islamic cults and all other religions' and to ensure dignity and safety of their believers. The incrimination of contempt of religions became a necessity in an over connected world, especially through new media and vicious platforms spreading hatred and religious controversies. In parallel, preventive actions should be launched to establish an inclusive strategy able to promote peaceful coexistence and mutual respect.	
Citation. Naili H. (2025). Freedom of Worship in Algeria and the incrimination of Contempt of Religions: a Legal Analysis. <i>Science, Education and Innovations in the Context of Modern Problems</i>, 8(9), 1359-1368. https://doi.org/10.56334/sci/8.9.11	
Licensed © 2025 The Author(s). Published by Science, Education and Innovations in the context of modern problems (SEI) by IMCRA - International Meetings and Journals Research Association (Azerbaijan). This is an open access article under the CC BY license (http://creativecommons.org/licenses/by/4.0/).	
Received: 30.01.2025	Accepted: 12.08.2025
Publishing time: 05.10.2025	

Introduction

Modern civilized world's sustainability is based on the philosophy of peaceful coexistence, distinguishing advanced and aware societies.

Sadly, Human history has gone through unfortunate events and severe persecutions related to people's faith, such as the St Bartholomew's massacre or the inquisition's cruel persecutions in Andalusia.

The Islamic civilization came along, though, to medieval darkness age in Europe with a different insight, stemming from Pact of Umar, inspired itself by the Prophet Muhammad's (PBUH) Medina Charter, allowing religious freedom in exchange of *Jizya*, only to provide military protection.

Progressively, religious tolerance has been identified as a prosperity asset, even by secular liberalism scholars such as French philosopher Voltaire back to 1733, who noticed while studying English society, the importance of diversity to maintain order and to reach economic development, once freed from Church's political hegemony.

Indeed, the concept invokes unexpectedly secular liberalism doctrine, as fervent defender of freethinking or speech, and increasingly, international leader institutions upraised the question of freedom of religion or belief consequently to freedom of thought or expression.

Algeria since independence enhanced people's sense of liberty and dignity, trying to compensate for long years of exterminating colonialism that crushed systematically freedoms and all simple rights.

The Constitution, thus, was determined to glorify the Islamic Religion and Algeria is considered as a State religion country; which is an accepted and recognized as a sovereign choice.

Several political and social deliberate events tried to jeopardize the country's stability by conjuring supposed freedoms' restrictions related especially to freedom of belief or worship; to undermine the situation and create chaos.

The legislator was on the lookout, and many law texts were promulgated to regulate the religions' practice with all due respect to their followers without prejudice to the sanctity of Islam.

So, the main question that will be discussed through that study is:

How could the Algerian legislator maintain equilibrium between freedom of worship right and the sacredness of Islam; and protect religions of any contempt or controversy?

That delicate question would be analyzed *via* two main points; the first analyzes legal and institutional framework protecting Freedom of worship (1). Then, a second point studies the incrimination of contempt of religions explaining the threat that represents (2).

The methodology of the study will associate historical events' comprehension to the descriptive analyze of law texts, using the appropriate criticism when necessary.

The issue has been discussed by many researchers, but in a western approach often hostile to Islam and denigrating State religion countries. Arab researchers are, on the other hand, less objective by supporting Islam awkwardly.

1. Freedom of Worship's Legal Protection: an international commitment

Freedom of religion or belief (FoRB) is derived from the right to freedom of thought, conscience and religion, as a human right to embrace, change or leave a religion or belief; and to manifest it alone or in community, without being exposed to any kind of discrimination or coercion based on that choice¹.

Consequently, it should induce as well, the parents' right to raise their children according to the teachings of their own beliefs or religion.

The freedom of religion, belief or worship endows the liberty of the individual or a community to practice a religion in public or in private, to teach it or to preach its doctrine².

Nowadays, this right extended to even not to believe or not to profess any religion also known as being atheist or agnostic³, pleading for "freedom from religion".

The legal examination of the question demonstrates international law's high interest (1.1); also the supreme country's law in Algeria gives the appropriate attention to that specific controversial right (1.2), where the legislators' transcription has been also performed to fulfill the framework (1.3).

1.1. International Law's recommendations

Freedom of religion succeeded to become recognized as a major worldwide human right, defended and cherished by the most preeminent international conventions and treaties¹.

This question is raised by the United Nations' **International Covenant on Civil and Political Rights** and many other continental and regional treaties and conventions.

Indeed, UN Covenant adopted by the General Assembly by the resolution 2200 (XXI), entered into force on 23 March 1976, acknowledged the right to freedom of thought, conscience and religion² in **article 18**; and exhorted States to carry out its respect and to ensure to all individuals the rights recognized by this covenant without discrimination of any kind.

In 1993, the **UN's Human Rights Committee** gave a larger interpretation to that same article 18 by adjoining the right to apostate, to follow another religion or even to adopt an atheist creed or doctrine⁶.

The American Convention on Human Rights (Pact of San Jose)⁷, considered in its **article 12**, that everyone has the right to enjoy freedom of conscience and religion, including the right to profess or disseminate that religion. In addition, it distinguishes the parent's right to educate their children according to their own convictions or faith.

The African (Banjul) Charter on Human and Peoples' Rights; adopted on 27 June 1981, estimated in its **article 8** that the freedom of conscience and free practice of religions should be guaranteed with no restricting measures⁸.

The Arab Charter on Human Rights (ACHR)⁹; adopted on 22 may 2004, also mentioned in its **article 25** that minorities should be allowed to practice their religions, respecting the law of their countries.

Indeed, international community celebrates since 1998 **religious freedom day** every October 27th in commemoration of the execution of Micheal Sevetus, burn alive in 1553 for heresy in Geneva, and the UN's General assembly adopted a resolution¹⁰ establishing 22 of august an international day honoring victims of acts of violence based on religion or belief¹¹.

However, serious concerns remains about the drastic measures on public religious dress as *Hijab* especially in European countries, contrary to the tolerance spirit recommended by international law, admitting that kind of restrictions only to preserve public order. Besides, freedom of belief has been mentioned in **Agenda 2030** introducing the **Sustainable Development Goals** (SDG's), especially SDG No. 16¹², in order to indorse accepting societies and prosper life for all individuals. This Goal aims to provide actual liable institutions that can be indulgent, neutral and inclusive, by the empowerment of efficient good willing actors.

1.2. Constitutional basis

Algeria has been since independence a country with State religion, and its Constitutions had always specified clearly that Islam is the religion of the State¹³.

The **Constitution of 1963**¹⁴ in its **article 4** affirmed that Islam is the State religion, although, the republic guarantees the respect to everyone's opinion and beliefs and the liberty to practice religions.

Then, **the Constitution of 1976**¹⁵ evoked freedom of religion in **article 53** by simply denouncing any infringement of freedom of belief, with no further clarifications.

The **Constitution of 1989**¹⁶, launching economic and social liberalism, was cautious about the religious side of that overwhelming movement, and it stated in **article 35** that everyone was free to fallow any religion or even not to do so.

The same conduct was adopted by the **Constitution of 1996**¹⁷ in its **article 36**, released in a critical security and political circumstances as religious issues were misused to take over the State power.

The **Constitutional amendments of 2008**¹⁸ and **2016**¹⁹ were performed with a unifying approach, welcoming and celebrating all kinds of diversity in Algerian modern society and protecting the inviolability of the freedom of belief, guarantying as well the freedom of its practice in accordance with law.

The actual **Constitution of 2020** reinforced that open-minded pattern, starting with emphasizing at the **preamble** that Islam is considered as a fundamental constituent of the Algerian identity, as well as Arabism or Amazighism, and State should be devoted to promote and protect them relentlessly²⁰.

Besides, the presidential oath of office includes the respect and the glory of Islamic religion.²¹

This sacred status of Islam is also translated by the fact that no constitutional amendment can undermine Islam as the religion of the State; this is known by doctrine as the intangible articles of constitution²².

Also, an institutional protection is provided by the establishment of the **High Islamic Council** as a constitutional institution in charge of promoting *Ijtihad*.²³

The countries with State religions do not necessarily oppress freedom of religion, but the question is clearly considered as delicate and complicated at many other levels.

It only means that the government does not persecute other religions' believers and allows religious practices or other communities' existence beside the country's official religion.

Indeed, the subject is often misused as intervention instrument in internal affairs because it can be considered as a minority protection's issue.

Furthermore, the Constitution of 2020 states in its **article 51 §2**, "freedom of worship shall be guaranteed in compliance with the law". This is associated to another major human right which is the freedom of opinion.

Indeed, the constitution considers freedom of opinion as "inviolable", while the freedom of worship is qualified as "guaranteed".

The choice of the nature of constitutional protection to a right, gives a clear idea of the particularity of each one of them, and the delicacy of the religious matters is obvious. Algeria has gone through a national tragedy caused by the instrumentation of religion in politics. For that reason, Constitution emphasized that State should protect places of worship from any political or ideological influence²⁴.

1.3. Legislative framework

Algerian government has always been committed to the respect of international law as a virtuous member of international community, believing truly in international law's supremacy.

The constitutional text has been enriched by several laws and implementations in order to enhance those guarantees, starting with **Mosques' organization** by **executive decree no. 91-82**²⁵ released to promote and raise Mosques' as autonomous institutions, considered as God's Houses gathering Muslims to perform prayers, read Quran and listen to religious preaches.

Mosques became responsible to ensure a complex role, fulfilling spiritual, educational, scientific and social life of *Umma*.

This text has been replaced by **the executive decree no. 13-377** establishing the legal status of Mosques²⁶ and restricting their missions essentially to the spiritual and pedagogic nature²⁷.

This text has been reinforced by several implementations of the rank of ministerial decrees, organizing for instance the opening hours of Mosques²⁸, fixing the formulation of the call to prayers or establishing the list of Mosques' denominations²⁹. Unfortunately, Mosques have been used during national tragedy years to spread

hatred and intolerance by jihadist leaders targeting enthusiastic young people and turn them into outrageous terrorists.

The Algerian **penal code** punishes, in its **article 87 bis 10^o**, any person who delivers preach or intends to do so, inside a mosque or a public place designated for prayer, without the appointment or the approval of the competent authority. This act is penalized by a sentence of one (1) to five (5) years in prison and a fine of 10,000 to 100,000 DZD. Besides, the **holy Quran** is also protected by an **executive decree no. 17-08** fixing the conditions of its editing, import, printing and selling³¹; so any of those activities is subject to prior authorization delivered by the Ministry of Religious Affairs.

This set of rules has been released after the selling of inexact and even distorted versions of the holy Quran serving specific agendas.

Also and from a larger retrospective, the Algerian State regulates the importation of religious books through the **executive decree no. 17-09³²** submitting this activity to a prior authorization as well, in order to protect public order from any inappropriate religious ideas nourishing social discord. This text confirms the particular attention given by public authorities to preserve religious harmony and peaceful coexistence as a precious asset for Algerian modern and extrovert society. In the same pattern, the Algerian State released back to 2006 an interesting **Ordinance No. 06-02 bis³³** to regulate other than Islam cults' practice. This was a huge and brave step taken by the President in order to calm down the public debate aroused during ordinary laws' procedures and to reduce their duration. The ordinance was ultimately approved by the parliament according to the **law no. 06-09³⁴** in order to guarantee tolerance and respect between different religions' followers. Indeed, the law submits the allocation of buildings dedicated to the practice of a religion, to the prior authorization delivered by a national committee in order to preserve people's dignity and safety³⁵, permitting them to perform their prayers or other religious duties in the best conditions. Although, any clandestine practices or proselytism activities are denied by the law³⁶, the attempt to convert a Muslim to another religion is considered as an aggression to society's morals and public order, and it is strictly prohibited under penalty of fine and imprisonment.³⁷

* * *

In fine, the legal and institutional framework regulating religious practices often collide with a complex reality full of transgressions and challenging facts, that's why extreme misbehaviors require deterrence and discipline.

2. Crime of Contempt of Religions: a complex public concern

Freedom of religions or worship suffered at the beginning of coercion and oppression, but modern societies realized that tolerance is their best path to reach prosper development and even collective conscience's salvation. Even though, uncivilized practices still occur nowadays, rejecting the other, by displaying religious fanaticism and intolerance (2.1).

State should prevent these unscrupulous misdoings through law in charge to incriminate any behavior coming out of hatred or religious racism, manifested by a violent act or even a mockery spread on purpose to generalize and normalize contempt of religions (2.2).

International community calls constantly for tolerance and peaceful coexistence to reach prosperity and World peace (2.3)

2.1. Incrimination of blasphemy

Contempt of Religions has been known as Blasphemy, which came from Latin "*Blasphemare*" meaning impious or sinful speech, calumny or evil abuse. It has been used to describe any kind of disrespect toward an established religion considered as sacred by its followers³⁸. Monotheistic religions or Abrahamic ones have always believed that slander is an unforgivable sin, even a crime under English common law, and by the 17th century, many Christian countries promulgated legislations against these acts; but those regulations no longer exist except under Italian law³⁹. Indeed, the act of heresy was considered more dangerous and attention worthy in middle Ages, but gradually blasphemy received the appropriate legislative support. Nowadays, contempt of religions involves the

use of profane cursing, scoffing or mockery of God's holy powers or his prophets. A worldwide movement initiated consequently to depictions of Prophet Muhammad in 2006, by the Muslim bloc at the UN through **the Organization for the Islamic Cooperation (OIC)**, to inflict criminal penalties for the defamation of religions, but unsuccessfully ended in 2011 because of lack of support⁴⁰; considered as incompatible with free speech, conveniently prioritized by western countries.

Algerian legislators for his part, was very responsive to that question essentially to draw limits to free speech, already recognized as irrevocable right, but in line with the Algerian society's conservative morals. To avoid any disturbance, the first reactions took place in 1982 through the Penal Code amendments, especially the **article 160** to protect the **Holy Quran** from any disrespect by a punishment of five (5) to ten (10) years of prison, anyone who intentionally and publicly destroys, distorts, damages or desecrates the saint Quran⁴¹.

Also, the **article 160 ter⁴²** establishes a punishment against anyone who commits deliberately a misdoing to damage, destroy or desecrate places of worship, inducing a year to five (5) years of prison and a fine.

Then, a more appropriate penal code amendment was promulgated on 26 June 2001⁴³ introducing the **article 144 bis 2** to punish insulting the Prophet and all God's messengers or denigrating the dogma or precepts of Islam. Those acts can take place by writing, drawing, a public speech, or any other means.

The law provides for criminal sanctions for these acts, by imprisonment of three (03) to five (05) years and also a fine of 50,000 to 100,000 DZD. But years before, **media law no. 90-07** in **article 26** prohibited as well periodicals from broadcasting anything that contradicts Islamic morals, national values, human rights or calls for fanaticism⁴⁴.

That same law set punishment of six (6) months to three (3) years of prison and a fine of 10,000 to 50,000 DZD in its **article 77**, against anyone who insults Islam or any other heavenly religions, whether in writing, speech, image, drawing or any other means.

2.2. Preventive measures against hatred speech

The drastic measures taken by the Algerian State to protect Islam as State religion from any kind of contempt and other religions as well, translate the serious danger that may represent those vicious actions and reveal their hidden intentions to destabilize society and public order. Incrimination is indeed an extreme and often an efficient handling procedure, unless the issue is more complex or deep-rooted; and needs radical and profound solutions. Contempt of religions can be triggered by a simple idea spread in a community or a group of individuals easily influenced; and the targeting process is performed by professionals and based on deep studies of Algerian society and its darkest buried dredges, religious and ethnic strives or any conflict loopholes.

Indeed, it is all about rekindle and stir up disagreements especially through media and new social networks by viral fake news using fake accounts. Famous bloggers and influencers are also used to spread that venom and fuel the controversy among incautious followers. Consequently; public authorities adopted a preventive approach by establishing rigorous and strict measures against the proliferation of hate speech.

The first serious action took place through the **audiovisual activity law no. 14-04** enacted on 22 February 2014 obliging media to respect the national religious authority and other religious authorities as well; and not to violate their sanctities⁴⁵.

Then, a specific **Law No. 20-05** has been promulgated on 2020 on **the prevention and fight against discrimination and hate speech⁴⁶** to express the legislator's clear respond to that question.

Indeed, the law started by establishing the definition of the main concepts used in its articles, considers **hate speech** as any forms of expression that propagate or encourage or justify discrimination, or express contempt, humiliation, hostility, hatred or violence against a person or a group of persons.

The law emphasizes that freedom of opinion or expression cannot be invoked to justify discrimination and hatred speech, in order to close the door to any interpretation of that kind, generally put forward to corroborate those misdoings⁴⁷.

The law also provides for criminal sanctions for these acts, ranging from six (6) months to (3) years of incarceration and a fine of 60,000 to 300,000 DZD as penalty.

Those penalties can be toughened if those acts are praised as an organized propaganda, or the act is committed against a child or a public office, using new technologies, or calling for violence.

Though, this law significantly favors the preventive processing of this delicate issue by the creation of **the National Observatory for the prevention of Discrimination and Hate Speech⁴⁸**, as a high institution in charge of the detection and the analyze of any kind or aspect of discrimination or hate speech, and to build a national strategy against this social phenomenon.

But it would be suitable to specify clearly in this law that religion diversity or sectarian differences could generate bullying, hatred speech and unacceptance; and many incidents happened because of minor religious subjects.

2.3. Peaceful coexistence between religions: promising concept

The literal signification of Islam in Arabic is “*salaam*” referring to peace, or “*silmi*” which is the opposite of war. This religion is a universal call for peace and lightness honoring and celebrating all previous monotheistic religions, as their Prophets were recognized and respected in *Quran* and *Sunnah*.

However, human history tells that the world was torn between Judaism and Christianity till the revelation of Islam as an emergent religion compromising the holy position of the previous ones.

But in fact, this new faith was based on brotherhood, preached tolerance and believed deeply in peaceful coexistence⁴⁹. Indeed, the holy Quran established that there is no compulsion in Islam; the conversion depends only of the free will of individuals once convinced by the divine message delivered by Prophet Muhamad (PBUH).

As said before, religion and even sectarian wars were devastating humanity for centuries in order to use religion for political hegemony, as the Church in middle Ages repulsed oppressed European populations reaching the depths of darkness. This phenomenon created resistance movement as the French revolution leaded by enlightened secular philosophers against the church overwhelming power and influence. Though, European society became extremely disturbed by the new values of the republic imposed by the revolutionary era, and longing for religion and spiritual completeness.

Islamic civilization did not go throw this schizophrenia; it could manage the cohabitation between State and religious diversity and accomplished an extraordinary ascendance. Once the decadence came along, intolerant discourse spread in the Arab world and fanaticism straight out of western laboratories showed its ugliest face to impose Islam by force and terror.

A worldwide war was declared against terrorism; especially since 9/11 attacks in the USA; but many decades after, States admitted that the use of violence feed the phenomenon rather than destroy it. International community calls for wisdom and finally awareness took over the scene recognizing the necessity of reasonable judging to handle the situation. The clash of civilization dogma should be at that critical point replaced by the dialogue and mutual respect to reach interfaith peace⁵⁰.

Algeria suffered from terrorism for over a decade, but has chosen ultimately forgiveness long path. Indeed, a text of law was painfully voted in order to overcome the national tragedy and to favor Algerians reconciliation.⁵¹

And in order to preserve social peace and tranquility, Algeria launched as well, an honorable initiative, through the United Nations that declared **16 May** the **international day** of “**Living Together in Peace**”.

Algeria proposed the initiative to the United Nations’ General Assembly to inspire worldwide countries from its hurting experience and also to emphasize its brave and mature choice, prevailing convergence and forgiveness.

Indeed, the UN general Assembly’s **72/130 resolution** was adopted on 8 December 2017, establishing that day to mobilize international efforts, to promote tolerance and inclusion, and also to celebrate diversity and social harmony, asking collaboration of faith leaders and all related actors to encourage clemency and spread compassion among people⁵².

* * *

Algeria accumulated an interesting experience in dealing with worship’s practice right, which can be inspiring for other Nations to avoid social disturbances caused by intolerance or any misconduct related to freedom of religion.

Conclusion

Since its independence, Algeria had to embrace a modern governance, accepting gradually religious diversity and allowing its practice with all due respect to Islam as State Religion. Unfortunately, national tragedy scrambled this civilized and tolerant ascending; especially when mosques were used to proliferate fanaticism and hatred ideology; then, the whole issue was instrumented to strike national cohesion and sovereignty. Public authorities started to build the first line to preserve public order, facing a dilemma amid coercive measures and preventive strategy tools. The Constitution has chosen a moderated speech balancing as possible freedoms and Human rights with public order’s considerations.

The legislator established as well, a set of laws supported by governmental implementations, in order to regulate religious practices and punish any kind of violations or misbehaviors. Nevertheless, the uncalculated oppression can generate a resistance phenomenon, and effective solutions start with a preventive long term strategy.

It is more than recommended for the legislator to soften its language and adopt a more tolerant tone, favoring a preventive and an inclusive approach. It is also essential for public authorities and decision makers to associate actors in the field to provide a real feedback to centralized initiatives

The participative actions are efficiently performed by unconventional and unusual actors such as associations, neighborhood committees, notable personalities, reputable influencers and even religiously committed sport champions. People should be aware and educated to accept and respect the other, despite his different faith or cults; to create a social harmony freed from bullying or aggressive actions.

A long term policy is also necessary, starting with children’s education which should be based on a right comprehension of their own religion, preaching for acceptance and peaceful coexistence.

The study adheres to academic neutrality, employs only verifiable primary and secondary sources, and avoids contemporary political judgments.

Acknowledgment

The author extends gratitude to the University Algiers 1- Faculty of Law, for archival access and scholarly consultation.

Funding

This research received no external financial support and was conducted within the institutional research mandate of University Algiers 1- Faculty of Law.

Conflict of Interest

The author declares no conflict of interest.

References:

1. Abasse, S. (2025). Religious institutions and their role in protecting society from deviance: Between reality and positioning (An exploratory study on the fatwa and reconciliation committee in Batna mosques). *Journal of Islamic Sciences and Civilization*, 10(2).
1. Bouayad-Agha, N. N. (2022). Religious proselytism in Algeria: Between anthropological particularities and criminal imputability. *Journal of Religions Anthropology*, 18(1).
2. Benabbou-Kirane, F. (2016). Introduction au droit constitutionnel. OPU.
3. Dahia, A. (2022). The crime of contempt of religions and the ways to confront it through international law. *Law's Voice Journal*, 8(2). Algeria.
4. Koppelman, A. (2018). How could religious liberty be a human right! *International Journal of Constitutional Law*, 16(3).
5. Petersen, M. J. (2022). Freedom of religion or belief and freedom of expression (Briefing paper). The Danish Institute for Human Rights.
6. Rehman, J., & Bureau, S. (2007). Religion, human rights and international law. Brill Nijhoff.
7. Robert, J. (2010). La liberté de religion, de pensée et de croyance (16th ed.). Dalloz.
8. Souafi, Z. (2022). Peaceful coexistence between heavenly religions and its effect on peoples. *Maabar Journal*, 5(3).
9. Tijani Ahmad, A. (2020). The importance of peaceful co-existence with other religions in Islam (With particular reference to Christianity). *International Journal of Research and Innovation in Social Science*, 4(10).
10. Witte, J., & Green, C. (2009). Religious freedom, democracy and international human rights. *Emory International Law Review*, 23.
11. Zemirli, Z. A. (2020). Le statut juridique des non-musulmans en Algérie. L'Harmattan.

Footnotes:

¹Marie Juul Petersen, "freedom of religion or belief and freedom of expression, Briefing paper", The Danish institute for Human Rights, 2022, p 1

²Jacques Robert, la liberté de religion, de pensée et de croyance, coll liberté et droits fondamentaux, DALLOZ, 16^{ème} édition, Paris, 2010, p 400

³Andrew Koppelman, "How could Religious Liberty be a Human Right?", *International Journal of Constitutional Law*, volume: 16, issue: 3, 2018, p 986

⁴Javaid Rehman and Susan BUREAU, Religion, Human Rights and International Law, Brill Nijhoff, Boston, 2007, p 4

⁵<https://treaties.un.org>

⁶<https://www.ohchr.org/en/special-procedures/sr-religion-or-belief/international-standards>

⁷https://www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.pdf

⁸<https://au.int/en/treaties/african-charter-human-and-peoples-rights>

⁹<https://digitallibrary.un.org/record/551368?ln=ru&v=pdf>

¹⁰Resolution A/RES/73/296

¹¹<https://www.un.org/en/observances/religious-based-violence-victims-day>

See also: John Witte, Christian GREEN, "religious freedom, democracy and international human rights", *Emory international law review*, 23, 2009

¹²Marie Juul Petersen, "Freedom of Religion or Belief and freedom of expression, Briefing paper, The Danish institute for Human Rights, 2022, p 1

¹³Article 2 of the Constitution of 2020, promulgated by the Presidential Decree No. 20-442 enacted on 30 December 2020, Official Gazette No.82

¹⁴Official Gazette of 1963/ p 888

¹⁵Promulgated by the ordinance No. 76-97 enacted on 22 November 1976, Official Gazette p 1042

¹⁶Promulgated by the Presidential Decree No. 89-18 enacted on 28 February 1989, Official Gazette p 188

¹⁷Promulgated by the Presidential Decree No. 96-438 enacted on 7 December 1996, Official Gazette No.76

¹⁸Promulgated by the law No. 08-19 enacted on 15 November 2008, Official Gazette No.63

¹⁹Promulgated by the Law No. 16-01 enacted on 6 March 2016, Official Gazette No.14

²⁰The Constitution's Preamble, Paragraph 3

²¹Article 90 of the Constitution of 2020

²²Article 212 of the Constitution of 2020

See also: Fatiha BENABBOU-KIRANE, Introduction au Droit Constitutionnel, OPU, Alger, 2016

²³ Article 206 of the Constitution of 2020

²⁴ Article 51§3 of the Constitution of 2020

²⁵ Executive decree no. 91-82 enacted on 10 April 1991 establishing the Mosque's foundation , Official Gazette No.16

²⁶ Executive decree no. 13-377 enacted on 9 November 2013 establishing the legal status of the Mosque , Official Gazette No.58

²⁷ Saida ABBASSE, « Religious Institutions and their role in protecting society from deviance : between reality and positioning « an exploratory study on the fatwa and reconciliation committee in Batna Mosques », Journal of Islamic sciences and civilization, volume : 10, issue : 2, Algeria, 2025, p 115

²⁸ Ministerial decree enacted on 29 June 2017 , Official Gazette No.57

²⁹ Ministerial decree enacted on 16 April 2017 , Official Gazette No.34

³⁰ Introduced by the law 01-09 enacted on 26 June 2001, Official Gazette No.34, completing the ordinance no. 66-156 enacted on 8 June 1966, establishing the penal code.

³¹ Executive decree no. 17-08 enacted on 4 January , fixing the conditions and procedures of the prior authorization on of the editing, import, printing and selling of the Holy Quran on any support, Official Gazette No.2

³² Executive decree no. 17-09 enacted on 11 January , fixing the conditions and procedures of the prior authorization of religious books' import, Official Gazette No.2

³³ Ordinance No. 06-02 bis enacted on 28 February 2006 fixing the rules of practice of other than Islam's cults, Official Gazette No.12

³⁴ Law No. 06-09 enacted on 17 April 2006, Official Gazette No.27

³⁵ Zohra Aziadé Zemirli, le Statut Juridique des Non-Musulmans en Algérie, ed Harmattan, Paris, 2020

³⁶ Nadia Nihel Bouayad-agma, « Religious Proselytism in Algeria, between anthropological particularities and criminal imputability », journal of religions anthropology, volume : 18, issue : 1, Algeria, 2022, p 918

³⁷ Article 11 of the ordinance 06-02 bis

³⁸ Abdellatif DAHIA, the crime of contempt of religions and the ways to confront it through international law, law's voice journal, volume: 8, issue: 2, Algeria, 2022, p 509

³⁹ Article 727 of the Italian penal code

⁴⁰ The UN Human Right Committee released in July 2011 a long statement to reject the laws banning "display of lack of respect for a religion or other belief system".

⁴¹ Introduced by Law No. 82-04 enacted on 13 February 1982, Official Gazette No. 7.

⁴² Law No. 82-04 enacted on 13 February 1982, Official Gazette No. 7.

⁴³ Introduced by the Law No. 01-09 enacted on 26 June 2001, Official Gazette No. 34

⁴⁴ Law No. 90-07 enacted on 3 April 1990 on media, Official Gazette No. 14 abrogated and replaced by the Organic Law No. 12-05 enacted on 12 January 2012 abrogated itself and replaced by the Organic Law No. 23-14 enacted on 27 august 2023, Official Gazette No. 56

⁴⁵ Law No. 14-04 enacted on 2020 on audiovisual activity, Official Gazette No.

⁴⁶ Law No. 20-05 enacted on 28 April 2020 on the prevention and fight against discrimination and hate speech, Official Gazette No. 25

⁴⁷ Article 4 of Law No. 20-05

⁴⁸ Article 9 of Law No. 20-05

⁴⁹ Tijani Ahmad Ashimi, « the importance of peaceful co-existence with other religions in Islam (with particular reference to Christianity) », international journal of research and innovation in social science , volume: IV, issue: X, October 2020, p 232

⁵⁰ Zahra SOUAFI, « Peaceful Coexistence between Heavenly Religions and its effect on peoples », Maabar Journal , volume: 5, issue: 3, June 2022, p 861

⁵¹ Ordinance No. 06-01 enacted on 27 February 2006 executing the Charter peace and reconciliation, Official Gazette No. 11

⁵² www.un.org/eng/observances/living-in-peace-day