

URGENT ACTION

PRISONER OF CONSCIENCE REMAINS IN DETENTION

A court upheld the conviction of Algerian activist Slimane Bouhafis for insulting Islam and the Prophet Muhammad on Facebook. His prison sentence has been reduced from five to three years on appeal. His family remains deeply concerned about his health.

On 6 September the Court of Appeals in Sétif upheld the conviction of **Slimane Bouhafis** for insulting Islam and the Prophet Muhammad on Facebook. The court removed his fine of 100,000 Algerian dinars (approximately US\$ 900) and reduced his prison sentence from five to three years.

The 49-year-old activist had been sentenced to a five-year prison term and a fine on 7 August by the Court of First Instance in Beni Ourlilane for “offending the Prophet” and “denigrating the creed and precepts of Islam” under Article 144 bis 2 of Algeria’s Penal Code, in connection with posts he had shared on Facebook. He was denied access to a lawyer throughout his pre-trial detention, interrogation and first-instance trial, and was only able to access legal counsel during his appeals trial.

Slimane Bouhafis’ family informed Amnesty International that he went on hunger strike shortly after being first detained, but had to halt his hunger strike after several days when he became gravely ill. The activist suffers from gout, which requires him to follow a strict diet that has not been provided to him in prison. He has also been denied access to medical treatment in prison. He is severely weakened and has lost weight to the point of being “unrecognizable”, his family said. They added that he lost consciousness at least three times and was taken to hospital on several occasions since he was first arrested on 31 July.

Please write immediately in French, Arabic or your own language:

- Urging the Algerian authorities to release Slimane Bouhafis immediately and unconditionally, as he is a prisoner of conscience whose conviction stems solely from the peaceful exercise of his right to freedom of expression;
- Calling on them to ensure that, while detained, he has ongoing access to a qualified health professional and adequate medical care, including by ensuring his dietary requirements are met;
- Urging them to amend legislation that criminalizes the rights to freedom of expression and religion, including Article 144 bis 2 of the Penal Code.

PLEASE SEND APPEALS BEFORE 19 OCTOBER 2016 TO:

President

Abdelaziz Bouteflika
 Presidency of the Republic
 El Mouradia, Algiers
 Algeria
 Fax: +213 21 6915 95 / +213 21 6096 18
 Email: president@el-mouradia.dz

Salutation: Your Excellency

Justice Minister

Tayeb Louh
 Ministry of Justice
 8 Place Bir Hakem
 16030 El Biar, Algiers
 Algeria
 Fax: +213 21 9217 01
 Email: contact@mjustice.dz

Salutation: Your Excellency

And copies to:

President, National human rights institution
 M. Mustapha Farouk Ksentini
 Commission nationale consultative de promotion et de protection des droits de l’Homme
 Palais du Peuple, Avenue Franklin Roosevelt,
 Algiers, Algeria
 Fax: +213 21 2399 58
 Email: contact@cncppdh-algerie.org

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 193/16. Further information: www.amnesty.org/en/documents/mde28/4687/2016/en/

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ADDITIONAL INFORMATION

On the morning of 31 July, Slimane Bouhafs, was arrested by Gendarmerie officers in the province of Sétif, eastern Algeria. Upon arrest, he was informed that he was being charged with insulting Islam and the Prophet Muhammad. Slimane Bouhafs is a Christian convert and chair of the St. Augustine Coordination of Christians in Algeria. He is also a supporter of the Movement for Self-Determination of Kabylia (MAK) but not a member of the organization. He had reported receiving threatening phone calls in the week leading up to his arrest on 31 July.

In the early afternoon that same day, gendarmes took the activist to the Gendarmerie station in the Bousselam commune, in Sétif province, where he continued to be interrogated. His house was also searched. After the Public Prosecutor at the Court of Appeals in Sétif declined to see him, he was brought before the Public Prosecutor at the Court of First Instance in Beni Outilane late at night. He was denied access to a lawyer throughout his pre-trial detention, interrogation and first instance trial. On 7 August, the court sentenced him to a five-year prison term and a fine of 100,000 Algerian dinars (approximately US\$ 900).

Although Article 42 of the Algerian Constitution states that “freedom of creed and opinion is inviolable”, individuals have been prosecuted in Algeria under Article 144 bis 2 of the Penal Code as a result of their conversion to Christianity, and for eating during the Muslim fasting month of Ramadan. Under Ordinance 06-03 regulating religious faiths other than Islam, Christians, including converts, have also faced judicial proceedings for “practising religious rites without authorization”.

Amnesty International opposes blasphemy laws, which violate the rights to freedom of expression, conscience and religion, equality before the law and freedom from discrimination.

See also *Algeria: key human rights concerns ahead of presidential elections* (Index: MDE 28/004/2014) issued on 14 April 2014: www.amnesty.org/en/documents/MDE28/004/2014/en/

Name: Slimane Bouhafs
Gender m/f: m

Further information on UA: 193/16 Index: MDE 28/4783/2016 Issue Date: 7 September 2016