

URGENT: Algeria: Support for Samia Smets, sentenced to 10 years for allegedly damaging a Quran

Tuesday 28 October 2008, by [WLUML](http://www.wluml.org) (Date first published: 27 October 2008).

Dear friends,

Below is a letter we have sent to the Algerian government, Algerian embassies, and the UN Special Rapporteur on Freedom of Religion or Belief, in protest of a woman being sentenced to ten years imprisonment for allegedly damaging a copy of the Quran. Please express your support by sending a similar letter on your or your organizations' behalf. A list of addresses and background information on this case is available in English <http://wluml.org/english/actionsfull...=i-156-562767>] and French <http://wluml.org/french/actionsfull...=i-155-562775>].

The verdict of the retrial will be announced on tomorrow, Tuesday October 28th 2008. Therefore it is critical that your message is received by the Algerian authorities as soon as possible, urging them to intervene in this case.

In solidarity,

Women Living Under Muslim Laws

International Coordination Office

www.wluml.org

International Solidarity Network

M. Abdelaziz Bouteflika

President of the Republic

The Presidency

El-Mouradia

Algiers, Algeria

24 October 2008

Subject: Fair trial for Samia Smets, accused of allegedly damaging a Quran

Dear Mr. President,

The Women Living Under Muslim Laws (WLUML) network is deeply concerned to learn that Ms. Samia Smets has been sentenced in a criminal court to 10 years imprisonment without having access to legal defence. The crime she has allegedly committed is of damaging a copy of the Quran.

In September 2007, the court of Biskra sentenced 26-year-old Samia Smets to 10 years imprisonment for allegedly having violated the Quran, under the Article 160, Section 4 of the Algerian Criminal Code which states that "any damage or desecration of the Holy Book is punishable by 5 to 10 years in prison." However, according to her lawyer, Samia Smets was initially judged without being defended by a lawyer and without adequate proof of the facts. It is unprecedented to give the maximum penalty for someone who has not appeared to be a repeat offender.

Algeria has signed and ratified the International Covenant on Civil and Political Rights (ICCPR), which obliges the courts of Algeria to guarantee procedural fairness in law, including the right to legal counsel. In addition, Article 36 of the Algerian Constitution states that "Freedom of creed and belief is inviolable" and Article 41 maintains that all citizens are entitled to the freedom of expression. We find the ruling in this case to be in violation of these national and international obligations and urge your government to intervene in the appeals process of this case.

The Criminal Court of Biskra held a retrial for Ms. Samia Smets, for which she was represented by a lawyer, and the verdict will be delivered on Tuesday 28 October. Due to the immediacy of this case we urge the authorities to:

- Investigate the original trial of 2007 which led to the sentencing of Samia Smets;
- Ensure a fair and transparent retrial is conducted under an independent and impartial judge, with access to a qualified defence lawyer; and
- Ensure that the verdict against Ms. Smets is not inconsistent with the Algerian state's commitment to the freedoms of belief, opinion and expression.

In light of the recent case in Biskra where the very same judge had sentenced six men to four years in prison for eating in public during the Ramadan fast on 29 September 2008 which was subsequently overturned, we are especially concerned about the emerging pattern of religiously-based verdicts being handed down in criminal cases.

We greatly appreciate your urgent attention to this critical matter.

Yours Sincerely,

Women Living Under Muslim Laws

International Solidarity Network