



AI Index: AFR 36/5676/2017
10 February 2017

PEOPLE WITH ALBINISM IN MALAWI

Item 3: Amnesty International's written statement to the 34th session of the UN Human Rights Council (27 February- 24 March 2017)

Amnesty International welcomes the findings of the Independent Expert on the enjoyment of human rights by persons with albinism on her visit to Malawi from 18 to 29 April 2016. In her report the Independent Expert highlights widespread attacks against persons with albinism in the country and describes the situation as alarming.

The Independent Expert's findings are also supported by Amnesty International's own research. A report published by Amnesty International in June 2016¹ raised concerns about a sharp increase in human rights abuses against people with albinism in Malawi between November 2014 and June 2016. Between November 2015 and June 2016, Amnesty International has conducted three research missions to Malawi visiting the districts and towns of Zomba, Dedza, Mulanje, Phalombe, Mangochi, Malungunde, Machinga, Mchinji, Mitundu, Kasungu, Blantyre and Lilongwe. The organization documented abuses including abductions, killings and grave robberies by individuals and criminal gangs, as well as discrimination and abuse based on erroneous beliefs and myths influenced by superstition that body parts of persons with albinism contain magical powers and bring good luck.

In 2016, Malawi recorded an unprecedented wave of killings of persons with albinism. Between December 2014 and January 2017, Amnesty International documented the killing of 19 individuals with albinism and the abduction of five others whose whereabouts remain unknown.

The organization further documented at least 107 crimes against persons with albinism as of December 2016, including attempted abductions and the opening up of graves in search of bones of deceased persons with albinism which are allegedly sold to practitioners of traditional medicine in Malawi and Mozambique for use in charms and magical potions in the belief that they bring wealth and good luck. The macabre trade is also fuelled by a belief that the bones of people with albinism contain gold.

Amnesty International concurs with the findings of the Independent Expert that these attacks take place in remote areas, which are difficult to access. The Independent Expert further mentions the possibility that the reported cases may only be a fraction of the overall attacks. Amnesty International also believes that the real numbers could be higher due to the lack of systematic monitoring and documentation by the authorities of crimes against people with albinism. The collection of information of incidents of violence is mostly done by volunteer activists who lack the capacity and resources to monitor and document crimes. Amnesty International also agrees with the Independent Expert's findings on the involvement of close relatives in attacks against people with albinism. In particular, Amnesty International found the involvement of fathers, brothers and uncles who appeared to collude with criminal gangs.

Amnesty International believes that there are other socio economic factors motivating ritual killings. Malawi is a society that has been hit by consecutive years of drought and floods (climatic shock) which have left over

¹ <https://www.amnesty.org/en/documents/afr36/4126/2016/en/>

half of its population in poverty. Malawi is currently plagued with high unemployment, constrained economic growth, entrenched inequality and grinding poverty which sets the necessary conditions for harmful beliefs to thrive fuelling violence against persons with albinism and the trade in their body parts. There is a strong belief ritual killings will transmute one from lack to wealth. The extreme deprivation facing communities and the belief that the body parts of people with albinism can be sold for large sums of money to practitioners of traditional medicine is a contributing factor to the increase in crimes targeting this population group.

The Independent Expert also identifies people with albinism, and parents of children with albinism, living in constant fear of attack. The Independent expert reveals that owing to the need to stay at home and protect their children, parents do not attend to their crops or go to the market. Adults with albinism are unable to go to their gardens alone as they used to. This has driven families already living in poverty into dire straits. Amnesty International also found out that most of these fields are located a distance from the homes. This has significantly affected their ability to produce food or earn a living.

The Independent Expert pointed out that although the media announced big sums, she found no evidence of payments. Amnesty International agrees with this finding. The organization met with families who had been approached by individuals to sell their children but immediately reported it to the authorities.

Women with albinism are also at risk of sexual violence on the basis of harmful cultural beliefs. According to activists working with people with albinism and medical professionals, there is a widely held belief in Malawi that having sexual intercourse with a woman with albinism can cure a man of HIV/AIDS which puts women at risk of rape and sexual abuse.

Societal misunderstanding of albinism has created insecurity and breeding ground for myths. People with albinism live in a society that cannot explain their physical appearance, leading to them facing discriminatory attitudes and violence mainly influenced by erroneous beliefs and myths and superstition. Because their skin is different, they face derogatory insults daily, often called ghosts, *mzungudalo* (fake white person) *katchiluwe* (yellow pumpkin) or *napwere* (unripe tomato).

They, and their mothers, face stigmatization and other insurmountable barriers to the full enjoyment of their economic, social, cultural, civil and political rights. They also face significant barriers to their participation as equal members of society. Some families have been internally displaced due to security concerns among people with albinism in rural areas, some have been forced to relocate to urban areas which are considered to be relatively safe. The societal misunderstanding of their condition has led to lifetime of marginalization and structural denial of economic, social and cultural rights, imposing new barriers to their full enjoyment of the rights to education, work and adequate standard of living. As a direct consequence of violence against people with albinism in 2015, many learners with albinism were withdrawn from school by parents and caregivers who feared that they would be killed or harmed on their journey each way. Many teachers also lack knowledge of the medical condition affecting their vision requiring reading glasses and large font textbooks. Most households of people with albinism in Malawi are in rural areas where the main economic activities are subsistence farming and trading at the markets. Generally, people with albinism in Malawi have limited economic opportunities because of poor education and the harmful effects of sunlight. It is more difficult for them to trade at the open market or work in the fields for long hours than for people with melanin.

Amnesty International welcomes the steps taken by the government of Malawi to amend the laws, in particular the Penal Code and the Anatomy Act, to effectively capture the gravity of the crimes against people with albinism as well as providing for appropriate penalties. Amnesty International also applauds steps by the Malawi Government to support the office of the Special Legal Counsel through developing a handbook on offences against persons with albinism which will assist in handling offences perpetrated against persons with albinism. The organization also acknowledges the efforts by the Malawi government in condemning the attacks and raising awareness on albinism in country. However, despite the steps taken by the authorities, the right to life and security of persons with albinism remains under threat in Malawi.

Perpetrators of these crimes include individuals, criminal gangs and family members. So far, Amnesty International is aware that 35 individuals have been prosecuted and that 43 remain under investigation for trespassing graves, graveyard robberies, kidnapping and abductions. However, Amnesty International believes that the lack of prompt and thorough investigations has created a climate of impunity for crimes against people with albinism.

Amnesty International calls on the Human Rights Council to urge the Malawi government to:

1. Take effective measures to eliminate all types of discrimination against persons with albinism whether practised by state officials/ bodies through
 - Accelerating education and public awareness raising activities on albinism and debunking myths about the condition; using appropriate media to reach out to the communities and raise their awareness about the rights of people with albinism.
 - Raising awareness throughout society including at family level regarding persons with albinism and foster respect for the rights and dignity of persons with albinism.
 - Promote positive perceptions and greater social awareness towards persons with albinism.
2. Call upon the Government to fully and effectively fulfil its obligations with regards to protecting the right to life and security of persons with albinism, including through prompt and thorough investigation into abuses against persons with albinism and to takes steps to remove barriers to access to education, health and work.
3. Seek international technical cooperation to strengthen investigation into attacks against people with albinism.
4. Cooperate with other police services in Southern Africa, particularly with neighbouring Mozambique and Tanzania to combat cross border trade of body parts and trafficking of people with albinism.