

**Situation Analysis
on the Human Rights
and Protection of Persons
with Albinism in Mozambique
with a Special Focus
on Human Trafficking**



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Situation Analysis on the Human Rights and Protection of Persons with Albinism in Mozambique with a Special Focus on Human Trafficking

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Viktoria Perschler

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Acronyms

AMETRAMO	Associação de médicos tradicionais de Moçambique
ARPAC	Instituto de Investigação Socio-Cultural
CEMIRDE	Comissão Episcopal para Migrantes, Refugiados e Deslocados
CwA	Children with Albinism
FG	Focus Groups
FGD	Focus Group Discussion
GABINFO	Gabinete de Informação
IOM	International Organization for Migration
LDH	Liga de Direitos Humanos
MGCAS	Ministério do Género, Criança e Acção Social Ministry of Gender, Children and Social Action
MJCRA	Ministério da Justiça, Assuntos Constitucionais e Religiosos Ministry of Justice, Constitutional and Religious Affairs
MTESS	Ministério de Trabalho e Segurança Social Ministry of Labor and Social Security
NU	Nações Unidas, United Nations
PwA	Persons with Albinism
SADC	Southern African Development Community
SARPPCO	Southern African Regional Police Chiefs Co-operation Organisation
TiP	Trafficking in persons
UEM	University Eduardo Mondlane
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNICRI	United Nations International Crime Research Institute
UNIE	United Nations Independent Expert
UTSS	Under the Same Sun

Glossary of frequently used terms

<i>Chapa:</i>	Van, popular and common public transport in Mozambique
<i>Bairro:</i>	community-defined area within a town
<i>Mandante:</i>	The one who ordered/the client
<i>Feitiçaria:</i>	Witchcraft
<i>Curandeiro:</i>	Traditional healer
<i>Feiticeiro:</i>	Witchdoctor
<i>Bolada:</i>	Jackpot
<i>Fortuna:</i>	Wealth; richness
<i>Machamba:</i>	Small piece of land of small-scale farming or horticulture
<i>Vila:</i>	'Localidade', small village



1. Context of the Situation Analysis

1.1. Country Context

Mozambique is located in Southeastern Africa, with a total 799,380 sq km, and 4,783 km of land shares boundaries with six countries: Malawi 1,498 km, South Africa 496 km, Eswatini 108 km, Tanzania 840 km, Zambia 439 km, Zimbabwe 1,402 km and a coastline of 2,470 km.

Mozambique has a population of 28,9 Million inhabitants¹, with the most populated areas being along the southern coast between Maputo and Inhambane, in the central area between Beira and Chimoio along the Zambezi River, and in and around the northern cities of Nampula, Nacala, and Pemba; the northwest and southwest are the least populated areas.

At independence in 1975, Mozambique was one of the world's poorest countries, and was further ravaged and impoverished by civil war from 1977 to 1992. In 1987, the government embarked on a series of macroeconomic reforms designed to stabilize the economy² and by the late 1990s, Mozambique had one of the world's highest economic growth rates with an average annual rate of 6-8 per cent in the decade leading up to 2015, which was one of Africa's strongest performances.

Despite ample arable land, water, energy, as well as mineral resources and newly discovered natural gas offshore, Mozambique's economic growth has slowed down. This is the result of several factors, including a drastic drop in the prices of natural resources on which the country depends, the substantial external debt burden, donor withdrawal, elevated inflation, and currency depreciation due to slower growth, which decreased from 6.3 per cent in 2015 to 3.7 per cent in 2016. About half the population remains below the poverty line and subsistence agriculture continues to employ the vast majority of the country's work force³. The situation has been exacerbated by natural disasters such as the 2015 flood in the southern districts and a countrywide drought, which seriously affected food security and potable water for thousands of people in the south and central regions of the country.

The 2018 Human Development Index ranks the country at 180th out of 189 countries and territories. Large geographic inequities in poverty and human development persist, with almost all indicators worse in the rural areas and in the North and Centre of the country, compared with the urban areas and the South.⁴

Over the past decade, Mozambique has become an attractive country for immigrants from African countries as well as for refugees from the Great Lakes Region. Especially artisanal mining in the three northern provinces, Cabo Delgado, Nampula and Niassa, has increasingly attracted migrants. In addition to rubies and gold, northern provinces also have significant amounts of tourmalines and quartz. Most transactions in gold and precious stones in the northern provinces appear to be under the control of Malians, Guineans and Tanzanians, while Indians, Thais and Bengalis are involved in the purchase of artisanal mining production⁵.

1 According to Mozambique's Fourth National Population Census, 2017.

2 www.cia.gov/library/publications/the-world-factbook/geos/mz.html

3 www.cia.gov/library/publications/the-world-factbook/geos/mz.html

4 UNICEF Situation Analysis of Children and Women in Mozambique, 2014.

5 CEMIRDE, Study on Trafficking in Persons and Organs of Persons in the North of Mozambique, 2018.

1.2. Persons with Albinism and Attacks against Persons with Albinism in Mozambique

Albinism is a relatively rare, non-contagious, genetically inherited condition that affects people worldwide regardless of ethnicity or gender. It results from a significant deficit in the production of melanin and is characterized by the partial or complete absence of pigment in the skin, hair and eyes⁶. The proportion of persons affected by albinism in the world differs from region to region. In sub-Saharan Africa, one in 5,000 to 15,000 could be affected, with specific countries having a much higher tendency, including estimated rates of one in 1,400, and about one in 20 persons in the general population carrying the gene for albinism⁷.

In Mozambique persons with albinism are estimated at 20,000 to 30,000 individuals, a relatively small group, which is dispersed across the country⁸. Even though albinism is a natural inherited condition, persons with albinism are subject to discrimination, exclusion, verbal and physical violent attacks, which can amount to body part and organ removal, organ trafficking and murder. Following the sudden increase of reported physical attacks against persons with albinism at the end of 2014, which intensified in mid-2015⁹, the trafficking of persons with albinism for the removal of body parts received increasing attention from law enforcement and human rights actors in Mozambique. At the peak of the attacks in 2015, the United Nations Independent Expert (UNIE) on the enjoyment of human rights by persons with albinism, Ikponwosa Ero received reports from civil society of over a hundred attacks during this period. According to the UNIE, the number of attacks must be even higher than the reported ones, as there is no systematic mechanism to facilitate the monitoring and reporting of such cases. The UNIE also states, that whereas physical attacks against persons with albinism, including kidnapping and trafficking in body parts, have been reported in the majority of the provinces of Mozambique, Zambezia seems particularly affected. She also states that, although adults are also targeted, it is children who appear to be the majority of victims¹⁰.

1.3. Attacks against Persons with Albinism in the African and Regional Context

Attacks against persons with albinism in Mozambique have to be seen and dealt with in the regional African context, particularly with neighboring Tanzania and Malawi. The Regional Action Plan on Albinism in Africa, 2017 – 2021 states, that “since 2006, over 600 attacks and other violations against persons with albinism have been reported in 28 countries in the Africa region.” Likewise, “Under the Same Sun” (UTSS)¹¹ recorded 206 killings and 365 attacks, including survivors of mutilations, violence, rape, attempted abductions, missing persons, grave violations, asylum & other refugee cases – in total: 571 crimes – in 29 countries^{12,13}. UTSS also draws special attention to the fact that, “many attacks and killings of persons with albinism in Africa are not documented or reported. UTSS is certain that

6 A more elaborate definition is provided in Annex 2, “definitions”.

7 Report of the Independent Expert on the enjoyment of human rights by persons with albinism, 18 January 2016.

8 No accurate data exists. Key informants and PwA usually mentioned the population of PwA being around 20,000.

9 <https://news.un.org/en/story/2016/09/538092-mozambique-un-expert-warns-masterminds-attacks-against-persons-albinism-still>
<https://news.un.org/en/story/2017/05/557692-southern-africa-un-mozambique-host-first-ever-forum-fight-trafficking-people>
www.hrw.org/world-report/2018/country-chapters/mozambique
www.nytimes.com/interactive/2017/05/05/sunday-review/albinos-in-mozambique.html

10 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

11 Canada & Tanzania www.underthesamesun.com/, DATE OF REPORT: October 10, 2018

12 The recording reached as far back as to 1899 (2 cases in the USA), but are mostly from 2015 onwards.

13 UTSS gathers this data from its own field research and from its partners on the ground. They record cases that have been thoroughly verified. However, this is not always possible. In such cases, we record cases from partners, media and civil society that are reasonable and prima facie credible.

crimes of color against persons with albinism are common in various parts of almost all African countries.” Furthermore, UTSS elaborates: “Most myths reduce persons with albinism to ghosts, magical beings or curses. On rare occasions, the discrimination is reversed and persons with albinism are ‘deified’ into ‘gods’. Either way, they rarely get to enjoy their status as normal human beings. Many countries have stories about the mysterious disappearance of persons with albinism. There is a growing, documented truth to these rumors. We know that many persons with albinism have ‘disappeared’ due to abduction, were then mutilated and killed sometimes by family members, ‘friends’ or neighbors - for the purpose of witchcraft related rituals.”

UTSS also lists countries known to be involved in the cross-border trafficking of persons with albinism and their body parts, which includes Mozambique and neighboring Tanzania, Malawi, South Africa and Eswatini as well as countries from the Great Lakes Region – Burundi and the Democratic Republic of the Congo (DRC) – and Kenya. Countries with the highest number of attacks includes neighboring Tanzania (182) and Malawi (44) and countries from the Great Lakes Region, notably DRC (69) and Burundi (38)¹⁴. However, UTSS acknowledges that countless attacks may remain uncovered as they usually seem to be linked to witchcraft practices. Muti¹⁵ activities are often shrouded by a “code of silence” which makes reporting, and the necessary prosecution and investigation all the more difficult.¹⁶

In Tanzania, violence including physical attacks against persons with albinism, first received national attention in 2006 and international attention the following year. The seriousness of those attacks, many of which led to death, mutilation and displacement, prompted national initiatives from the government, civil society and international actors¹⁷. In recent years, the combination of measures taken by the government and civil society has led to a significant decrease in the number of reported attacks against persons with albinism in Tanzania. Although the safety of persons with albinism appears to have increased in recent years, the situation remains very precarious. Attacks continue and the root causes thereof remain present, given the widespread belief in witchcraft, the persistence of myths and the disproportionate levels of poverty they face¹⁸.

Malawi has seen a sharp increase in human rights abuse against people with albinism, including abductions, killings and grave robberies by individuals and criminal gangs since November 2014. At least 18 people have been killed and at least five have been abducted and remain missing. According to the Malawi Police Service, at least 69 cases involving crimes related to people with albinism have been reported since November 2014¹⁹. In a February 2018 joint report by the Malawi Police and the Ministry of Justice and Constitutional Affairs, the police documented at least 148 cases in four provinces of Malawi. The most prevalent offence was the desecration of graves of people with albinism. Mostly, such crimes are committed during the night and witnesses are hard to find, resulting in a low rate of prosecution²⁰.

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- 14 Benin: 16; Botswana: 3; Burkina Faso: 9; Burundi: 38; Cameroon: 11; Democratic Republic of Congo: 69; Egypt: 1 (Asylum); Ghana: 3; Guinea: 16; Côte d'Ivoire: 30; Kenya: 13; Lesotho: 1; Madagascar: 1; Malawi: 44; Mali: 17; Mozambique: 46; Namibia: 3; Niger: 1; Nigeria: 12; Rwanda: 1; Senegal: 9 (incl. 2 asylum); South Africa: 9; Eswatini: 11; Tanzania: 182; Togo: 1; Uganda: 8; Zambia: 12; Zimbabwe: 2.
- 15 “Muti”- Oxford Dictionary: Traditional African medicine or magical charms (South Africa).
- 16 Fellows, Simon, *Trafficking Body Parts in Mozambique and South Africa* (2008), Human Rights League, Mozambique. www.scribd.com/doc/23729111/Trafficking-Body-Parts-in-Mozambique-and-South-Africa-Mozambique-Human-Rights-League Accessed August 3, 2010; quoted in *The Human Rights Situation of PwA, A Crisis and An Opportunity*, Ikponwosa Ero UN Independent Expert on Enjoyment of Human Rights by Persons with Albinism 26 October 2017 New York, NY, Sept 2017.
- 17 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to the United Republic of Tanzania, 20 December 2017.
- 18 Idem.
- 19 Amnesty International, “We are not Animals to be Hunted or Sold”, Violence, and Discrimination against Violence and Discrimination against People with Albinism in Malawi, 2017.
- 20 Amnesty International, *End Violence Against People with Albinism, towards Effective Criminal Justice for People with Albinism in Malawi*, 2018.

2. Scope of the Situation Analysis and Methodology

2.1. Scope of the Situation Analysis

Several studies, cited throughout this report, exist about persons with albinism in Mozambique. Most of them are of a sociological and anthropological nature, looking mainly at myths, beliefs and witchcraft practices or studies that focus on trafficking in persons (TiP). However, there is no comprehensive study providing wide-ranging information on socio-political and socio-cultural beliefs that cause the discrimination of persons with albinism and which examines the everyday life situations and challenges, human rights violations, including TiP, that persons with albinism are experiencing.

This situation analysis gathers information and results from various studies and reports, and complements them with results from primary data collection in Mozambique. The situation analysis therefore contributes to filling information gaps and to the availability of a more complete understanding of the situations and challenges persons with albinism face in Mozambique. One of the goals of the analysis was to have a better understanding of the situation through the stories and inputs from persons with albinism themselves. However, it is beyond the scope of this situation analysis to aim at filling all potential information gaps.

2.2. Methodology

The situation analysis consists of a) an analysis of the socio-political root causes of the discrimination against persons with albinism and socio-cultural beliefs with regard to persons with albinism in Mozambique; b) an examination of the everyday life situations and challenges for persons with albinism, as well as human rights violations that persons with albinism are experiencing, with a special focus on human trafficking; c) the legal and policy frameworks to protect persons with albinism in Mozambique and d) a legal analysis of the cases related to human rights abuse faced by persons with albinism, including trafficking in persons, in order to recognize patterns and analyze if the criminal procedures as well as the rulings are in line with international standards.

A desk review was carried out before and throughout the primary data collection in the field. Following the initial desk review, a preliminary situation analysis was produced, and information gaps were identified. A two-week field visit aimed at filling information gaps. The data collection in the field used a qualitative approach. Qualitative data was collected through interviews with selected key informants and Focus Group Discussions (FGD) with persons with albinism as well as in depth interviews with persons with albinism and parents of children with albinism.

2.3. Geographical Scope and Sampling of Provinces

The focus of the qualitative data collection was concentrated on three provinces, Cabo Delgado, Maputo and Tete. However, the analysis considered data and other information covering the whole of Mozambique.

During discussions with key informants, Tete was suggested to be one of the provinces to be included into the situation analysis, as discrimination against persons with albinism is rampant in this province. Furthermore, Tete is bordering three countries, where human rights violations against persons with albinism are widespread, particularly Malawi, but also Zambia and Zimbabwe. Cabo Delgado was selected, due to the border with Tanzania, the country with the highest reported incidents of human rights violations against persons with albinism. Maputo was included in order to get a picture of the situation in an urban setting and to gain insight from representatives from government and civil society at national level.

The selection of the Provinces was carried out in full understanding of the fact, that Zambezia and Nampula have the most reported cases of physical attacks against persons with albinism^{21, 22}.

2.4. Primary Data Collection, Data Entry and Analysis

A qualitative approach was used for the data collection, to ensure that in depth information, opinions and personal experiences of persons with albinism be obtained. Key informants provided information about the implementation of laws and policies as well as their opinions on the causes of abductions, attacks, killings and TiP with albinism and their body parts. Since children with albinism have been reported to suffer attacks frequently, parents of children with albinism were also interviewed²³.

Following the desk review, which revealed several knowledge gaps presented in a preliminary situation analysis, data was collected in the selected provinces – Maputo, Tete and Cabo Delgado – using a) semi structured key informant interviews; b) FGD with persons with albinism; c) in depth interviews with persons with albinism and participants of FGD; and d) in depth interviews with parents of children with albinism.

In order to obtain information about perceptions within Mozambican society towards persons with albinism, the results of a quiz for the youth (members of the SMS Biz) on persons with albinism, produced by the UN ad hoc team working on albinism through the coordination of UNESCO (United Nations Educational, Scientific and Cultural Organization) is included in the report.

A total of 27 interviews were held with stakeholders from government²⁴ (16) and civil society (11); 12 in Maputo (six with representatives from government / six with representatives from civil society), nine in Tete (six with representatives from government / three with representatives from civil society) and six in Cabo Delgado (four with representatives from government / two with representatives from civil society). They included the offices of the Attorney General; the Ministry of Justice, Constitutional and Religious Affairs (MJACR); police; immigration services; the Ministry of Gender, Children and Social Action (MGCAS); the Ministry of Labor; civil society organizations; the University Eduardo Mondlane (UEM) and UNESCO. A list of institutions and organizations met is attached.

FGD and interviews with persons with albinism and parents of children with albinism were held with a total of 59 persons in the three provinces of the analysis through seven FGD, three with men and four with women; 13 individual interviews with persons with albinism, seven with men and six with women; and six parents, two fathers and four mothers of persons with albinism.

21 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3. According to the Supreme Court, since 2014, of the 65 criminal cases that have been initiated by district and provincial courts, most of them (36) were in initiated in the Province of Zambezia, followed by Nampula (15). Four were initiated in Tete, four in Cabo Delgado, three in Sofala, two in Niassa and one in Inhambane.

22 Idem.

23 Due to ethical concerns, children themselves were not part of the primary data collection.

24 A list of stakeholders is attached in Annex.

Focus Group Discussions and Interviews with Persons with Albinism

	# of FGD (#of participants per FGD)		Interviews with PwA		Interviews with parents of CwA		Total
	male	female	male	female	Fathers	Mothers	
Maputo	1 (6)	1 (7)	3	2		2	20
Tete	1 (7)	2 (12)	3	3	2	2	29
Cabo Delgado	1 (4)	1 (4)	1	1	-	-	10
	3 (17)	4 (23)	7	6	2	4	59

FGD and interviews were transcribed and the condensed information entered into tables. Information from literature review, interviews and FGD was triangulated and analyzed and relevant quotes incorporated into this report.

2.5. Limitations

While ideally researchers spend several months on the ground for such a report, the available time as well as financial realities only allowed for a relatively brief visit to Mozambique and thus limited the number of Provinces that could be covered by this situation analysis. This also restricted the number of key informants that could be met and the time that was allocated for the meetings, especially in Maputo.

Furthermore, interviews were only held with key informants and persons with albinism in provincial capitals, with most of them, with the exception of Tete, living in the capital of the respective Province. This did not allow to gain a clear picture of the situation in remote and rural areas of Mozambique.

FGD and interviews with persons with albinism in Maputo could be realized only during one day, not two, as originally planned, which resulted in a lower sample than initially planned.

Initially, it was foreseen to analyze the case documents that involved human rights abuses against persons with albinism. However, the cases were not available in a timely manner. Consequently, the analysis was not conducted based on the case documents themselves, but on interviews with key stakeholders – judges and prosecutors – who were involved in relevant criminal cases.

Persons with albinism do not have self-representation and seem not to be organized in association in Cabo Delgado, thus only few persons with albinism were attending the FGD.

3. Self-Perception of Persons with Albinism

In order to better understand the causes of discrimination and other human rights violations against persons with albinism, it is imperative to have an adequate understanding of how persons with albinism see themselves and, given that they are seen by society as “different” due to their physical characteristics, how this negative bias impacts on their own self-perception within society, their communities and families.

Even though the focus of this situation analysis lies on TiP, it emerged strongly, that generally the self-esteem of persons with albinism is low due to constant discrimination and the derogatory behavior they experience from their environment, starting at childhood and continuing throughout their life. In some FGD, persons with albinism were hesitant to talk. The organizers²⁵ explained that this was due to their shyness and lack of self-confidence²⁶. One woman in Tete said, “Due to the continuous discrimination, we ourselves started to think ‘could it be that I have no right to live, that I should die, that I am not like other people?’ Our life is always at risk.”

However, there were a few interviewees who showed an elevated self-confidence, which should be highlighted. A man in Tete stated: “People are ashamed of being a person with albinism. They hide behind a different hair color, etc. I am proud to be one!” A young woman in Maputo said during an interview: “Generally, persons with albinism have a low self-esteem, they would need a psychologist. Often, due to discrimination, they don’t go out and stay inside the house. They tell themselves that they are nothing and will never find work. It is all about sun protection. When it comes to discrimination, the first factor is our color, the second is the situation of our skin. I take care of myself, and of my skin, this is very important to do, then if not there is the second reason for discrimination. My life is normal, my social life is all normal. Some people say I am beautiful.” A young man in Tete province was full of self-confidence. He confirmed that he had many friends, was very popular as an artist and leads a happy family and social life.

Several qualitative studies also explored a person with albinism’s self-perception and linked it to how society in Mozambique perceives the person with albinism. In her study, Gune demonstrates that part of society associates albinism with cognitive loss and / or persons with albinism being unable to perform the same daily activities. This forces persons with albinism to constantly strive for their recognition²⁷. Society generally treats persons with albinism as “strangers” and “not normal”, which creates a constant tension between persons with albinism and “normal” people. Persons with albinism, however, see themselves as “normal” people, although their skin, eyes and hair are clearer and see the way others are viewing them as “not normal”. They realize that it is due to the way they are being perceived, that they are also discriminated, stigmatized and face several social barriers²⁸. The results of this study²⁹ also show that there are lots of difficulties persons with albinism experience

25 Organizers of the FGD.

26 Quotes from PwA will keep the expression “albino” as this is how they referred to themselves. There was (only) one woman in a FGD in Maputo who argued, that the term PwA should be used, and that “albino” was discriminatory, not focusing on the person but at their situation of being with albinism.

27 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

28 Idem.

29 Idem.

throughout their life, including “predicaments, constraints, stigma, prejudice, discrimination and limitation in enjoying their rights”. This leads to reactions of the stigmatized person: many become depressed, others seek “correction” for their disability, and, most of the time, lose the motivation to live³⁰. The impact of Albinism on a person can cause disability and health issues, particularly regarding skin cancer and discrimination based on color which is a type of “racial discrimination”³¹.

A study, carried out in Nampula, further showed that, due to stigmatization, persons with albinism prefer to isolate themselves from the rest of the community and suffer psychological problems, which usually lead to an inferiority complex and lack of confidence in their capacities and a general feeling of resignation³².

Due to the perception of being “different”, all studies in Mozambique reveal that the condition of albinism creates various barriers that impact negatively on persons with albinism’s social and economic relationships.

30 Idem.

31 UNIE Report to the General Assembly in 2017, http://ap.ohchr.org/documents/dpage_e.aspx?si=A/72/131

32 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Emboondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

4. Human Rights Violations against Persons with Albinism

“Persons with albinism are also among the poorest and are in dire need of support. They have been generally neglected and left out of human rights discourses and the services provided to various social groups.” UN Independent Expert on the Enjoyment of Human Rights by Persons with Albinism.

4.1. Discrimination of Persons with Albinism

In parallel to the difficulties of social integration, discrimination affects persons with albinism and their access to opportunities in general throughout their lives³³. These difficulties are heightened in a variety of settings, but especially in public spaces, such as in the street, at school, at the workplace, and to a lesser extent in the family environment³⁴.

In interviews and FGD, persons with albinism conveyed: “There is no lack of derogative words”; “People see the person with albinism and think that we do not have rights like other persons. We feel bad.” A woman in Tete recounts: “The person with albinism does not live in peace, does not live free, we live with discrimination; the person with albinism is separated, the people separate themselves from the albino, as if the albino was not a human being. The people think that the person with albinism has no rights like other persons, they treat the albino as if he was a thing.”

Most of the persons with albinism interviewed for this study had a loving family, at least at immediate family level, with some experiencing difficulties, prejudice and discrimination from members of the extended family. With the exception of one woman in Cabo Delgado, all had experienced loving mothers but many were abandoned by the fathers following their birth. Women seem to have more difficulties in finding a life partner. Most of the men were married with children, whereas most of the women were single or had been abandoned by their husbands.

Within public spaces, persons with albinism reported to have experienced attitudes of disdain, contempt and rejection by their fellow citizens. Persons with albinism regularly get humiliating nicknames given by people on the street or in the neighborhood, who refer to them as “*bolada*” (jackpot), “*money*”³⁵, “*fortuna*”, or “*riqueza*”, in direct reference to the alleged value of their body parts³⁶.

Persons with albinism in all three provinces disclosed that are being called names as already revealed by the literature review. However, it has to be noted, that “*bolada*”, “*fortuna*”, “*fortuna de Tanzania*” and similar names, all relating to money, have only been used since attacks against persons with albinism have been reported, as the reports conveyed, that the

33 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

34 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

35 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

36 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

attacks were motivated by “becoming rich” through “commercialization” of persons with albinism’s body parts.

FGD and interviews with persons with albinism also revealed, that most of the discrimination occurs in public spaces: people do not want to sit next to them, or do not want to be touched by them, fearing contamination. Discrimination also exposes persons with albinism to attacks, as they tend to consign themselves to self-isolation, including living far away from the community to protect themselves from abuse and mistreatment³⁷.

The most common discrimination next to discrimination in public spaces was at the work place. This will be further presented below.

Discrimination was experienced by persons with albinism in Maputo, as well as in the three Provinces of this situation analysis. It cannot be concluded, if persons with albinism experience more discrimination in urban or rural settings, however, interviews revealed, that persons with albinism feel safer in urban areas than in rural settings.

In her report to the UN General Assembly³⁸, the UNIE states that ‘studies indicate that persons with albinism also face discrimination stemming from their unusual appearance, in particular their coloring. This suggests that persons with albinism encounter multiple and intersecting discrimination.’³⁹

4.2. Attacks against Persons with Albinism

Persons with albinism not only suffer discrimination and verbal and emotional abuse, but are also victims of a range of other human rights violations, including physical attacks and atrocities that violate their right to security, life and physical integrity.

As already described above, by October 2018, UTSS has recorded 571 attacks on persons with albinism in 29 countries. At more than 182 incidents, Tanzania has the largest recorded number of attacks. Most of these attacks were related to witchcraft. There is a black market for body parts, hair and skin used by witchdoctors in potions and charms. The nature of attacks can range from maiming, to killing, to desecrating a grave⁴⁰.

As UTSS emphasizes, a particular focus on the region of Sub-Saharan Africa is, because that is “where the attacks against PwA are uniquely qualified by witchcraft, involving the use of human body parts also known as muti or juju. Muti or juju is rife across the region and is the common thread in all countries including Cameroon, Ghana, Kenya, Liberia, Malawi, Nigeria, Tanzania, Zambia, Zimbabwe and the list goes on”⁴¹.

In Mozambique, according to authorities, reports of physical attacks against persons with albinism, including abduction and TiP, were on a sudden rise at the end of 2014, and intensified until mid-2015. According to the authorities, murders of persons with albinism committed for trafficking in organs and body parts were reported for the first time in December 2014 in Nampula Province, the epicentre of the phenomenon, reaching a total of 22 victims by October 2015⁴². In the same period, the Office of the Attorney General

37 Idem.

38 http://ap.ohchr.org/documents/dpage_e.aspx?si=A/72/131

39 Multiple discrimination is a situation where a person can experience discrimination on two or more grounds; in that sense the discrimination is compounded or aggravated. Committee on the Elimination of Discrimination against Women, general recommendation No. 25 (2004) on temporary special measures, para. 12.

Intersecting discrimination refers to a situation where several grounds for discrimination operate and interact with one another at the same time in such a way that they are inseparable. Committee on the Elimination of Discrimination against Women, general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, para. 18.

40 www.underthesamesun.com

41 Under the same Sun, History of Attacks against Persons with Albinism (PWA) July 15, 2013

42 Data are drawn from the Multisectoral Action Plan to address the problems of persons with albinism and their protection), available at: www.mgcas.gov.mz/st/FileControl/Site/Doc/8996plano_de_accao_sobre_albinismo_2015.pdf

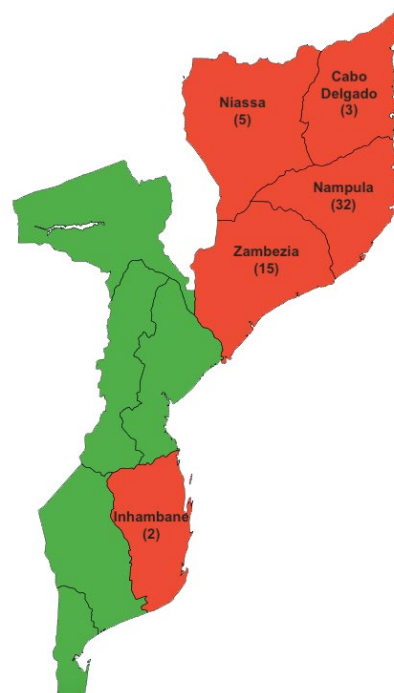
brought criminal charges in 57 cases, concentrated in the Provinces of Nampula and Zambezia (32 and 15 cases respectively), followed by Niassa (5), Cabo Delgado (3) and Inhambane (2).⁴³ On the other hand, no cases were registered in Maputo and the southern provinces. (Map designed by UNICRI)

In this context, the national police, in coordination with the provincial authorities, investigated 91 persons, all of which are nationals of Mozambique, of which 56 were placed in pre-trial detention.

In March 2017, the UNIE reported to the UN Human Rights Council that the situation of persons with albinism in Mozambique “requires urgent and immediate attention”. She estimated that more than 100 attacks against people with albinism had occurred in Mozambique since 2014.

At national level, 14 criminal trials were instructed against defendants charged with carrying out fatal attacks against persons with albinism. Eight trials resulted in the imposition of custodial sentences up to 20 years.

Between 2016 to 2018, no attacks against persons with albinism were reported at national level. The interviewed stakeholders agree, that the decrease is due to the combined actions of the Mozambican Government, which has deployed a stronger legislative and judicial response, as well as to the advocacy work carried out by non-governmental organizations, which have contributed to raise public awareness, report suspect cases and provide legal and medical assistance to the victims and persons at risk⁴⁴.



4.3. Trafficking in Persons for the Purpose of Organ Removal

Crimes against persons with albinism, including abduction, organ removal and TiP for the purpose of organ removals have been reported in Mozambique since 2013, initially in the province of Cabo Delgado, then spreading to Niassa, Nampula and Manica.

Although attacks against persons with albinism in Mozambique have occurred even before 2013, it is widely believed that they were mostly confined to episodes of discriminations, rather than the removal and trafficking in organs and body parts.

According to the Office of the Attorney General, the crime of TiP is considered a serious public security problem in the Southern African Development Community (SADC); of which Mozambique is a member.

Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, defines trafficking in persons as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of

43 Ibidem.

44 According to the report from UTSS, dating 10th October 2018, there were 46 reports on attacks against persons with albinism in Mozambique: 15 murders, 13 survivors, 5 grave robberies, 13 persons missing.

a person having control over another person, for the purpose of exploitation.⁴⁵ In turn, exploitation includes, at a minimum, “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”⁴⁶

TiP in Mozambique is reportedly aimed at forced labour and – as far as persons with albinism are concerned – the extraction of organs and body parts.⁴⁷ Even though, there are victims who survived these attacks, a person will most likely die during or after this crime was committed. Thus, the element of “exploitation” is difficult to be proved, unlike in cases of TiP for the purpose of sexual exploitation or forced labor⁴⁸.

FGD and interviews with persons with albinism revealed that, even though none of the interviewees became a victim of TiP, thus the element of exploitation was not fulfilled, certain indicators point in the direction of TiP, when it comes to “activity” (recruitment, transportation, transfer, harbouring or receipt of person) and “means” (of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits).

The following paragraphs reflect personal experiences and knowledge of persons with albinism of TiP.

Whereas in Maputo most of the personal experiences refer to perceived threats, three women also had received an offer for education or work outside of Mozambique.

In Tete, half of all women who participated in FGD had experienced attempted abductions or have lived through situations that made them believe that they are in danger. Men in Tete also had experiences of attempted abductions and suspicions of preempted attack.

Like in Maputo, interviewees in Cabo Delgado felt threatened by comments referring to their value and one man recounted a perceived threat of abduction.

a) Maputo

Even though abductions were not perceived as an immediate threat by persons with albinism in Maputo, as there were no cases reported from Maputo, persons with albinism in Maputo are scared, feel threatened and are exposed to people calling them “*fortuna*”, “*bolada*” and “*negocio*”.

In a FGD a man said: “In Maputo persons with albinism are also affected, we hear ‘*Esta aqui a fortuna*’.⁴⁹ When we heard about these attacks, persons with albinism in the whole country were scared. People thought that if you use an albino you will gain money. Nails, hair, any part; if you cut a nail off a person with albinism you will get money for it!” One of the participants in the FGD related that he was asked, why he does not cut off one of his fingers, which would bring him a lot of money.

Women, especially, were scared to go out in 2014 and 2015. “We were verbally attacked in the street, in the market: ‘*bolada*’, ‘*xidjana*’; People would say: ‘if we catch you, we will sell you.’ They shout: ‘You are money, come here!’”

45 See Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, available at: www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf

46 Ibidem.

47 See Annual Report of the Office of the Attorney General to the Parliament of Mozambique, March 2018 edition, pag. 33-36, (Informação Anual do Procurador-Geral da República à Assembleia da República). Document shared with UNICRI (not publicly available).

48 As to the testimonies of persons with albinism, they doubt that they ever receive offers for work or sexual exploitation, as they struggle to find any kind of work at any given time.

49 “Here comes the fortune!”

Generally, however, persons with albinism in Maputo feel better protected than persons with albinism in the northern part of the country. Nevertheless, one woman witnessed an attempted abduction. “When we heard the noise as they tried to abduct the girl, we all came running. They tried to drag the girl into the car, but she could be saved by the police. It was never solved who tried to take her.”

Three out of seven women in a FGD had had offers to leave Mozambique. They do not know what the intentions behind these offers were.

- “I had an offer to go to South Africa to look after children, but I did not trust the woman who offered this; her attitude was a bit strange. I asked the neighbor, she advised me not to go.”

- “In 1993, I was nine, a couple of professors at UEM offered to take me to Germany, they wanted to adopt me, but the parents did not accept.”

- “I had an offer from my aunt. She wanted to take me to South Africa so I can study there, as the education there would be better, and as I would be more accepted in South Africa.”

One man (36 years) in Maputo recounted the following:

Originally from Gaza, I studied in Maputo, and then moved to Central Zambezia as a school teacher of English.

Childhood: Albinism always had a negative impact on my life, especially at school. The other children sometimes did not want to be with me, because I was not like them. This is very frequent for CwA and traumatizes the child. If the parents do not accompany the child correctly, the child may not go to school because of the way the child is treated by colleagues. Overall, the society in which we live has a very negative impact on us. It is like being treated like something evil. And there is no lack of derogative words. Some colleagues accepted to sit next to me. I was not able to manage to copy from the blackboard and some students let me copy, and the majority of the teachers were helpful. I have nothing bad to say about them.

Family: I had no big problems from the family side. There were always some, but I tolerated them. Up to now, I tolerate, because the majority of them are not educated. They do not understand and ask things like ‘why do u have your eyes closed?’ From their attitude, I learnt that I was different from my cousins and brothers. I am married and have 4 children, none of them with albinism. The parents of my wife also talked badly and asked her if there was not another man she could have picked.

Community: In the neighborhood, it is not easy. If a PwA does things wrong, people say: ‘it is because of the albinism, so anything you do wrong, the cause is albinism.’ Even now, the neighbors ask my wife: ‘how can you take this man in that condition?’ Children and adults talk badly. It is shocking; my wife and my children suffer under this.

Professional life: I am a professor. In 2008 the government transferred me to Zambezia, where I worked until 2010. Then I was promoted to director of a school in a different district bordering Malawi. When I lived there in the first months was extremely difficult. I am not bitter but it hurt. They said they thought I came as cleaner but not as director. It got so bad that I went to Human Resources asking to make me professor again and take me back to the other school. I was more comfortable within the community than in the school. However, I managed to overcome this situation and worked there as a director until 2015.

Attacks against PwA: In 2014, 2015 and 2016 there was a big campaign against PwA. They killed a girl 10 km away from where I worked. My family joined me in 2015, but then I left with all of them. I got very scared. Once, when going home on the motorbike, someone tried to stop me. Even in the 'vila' where I lived, a girl was killed. I wanted a transfer. I slept without knowing if I would wake up or not. I wanted to be with the family, to be with them, the moment I was killed. So, in 2016 I returned to Maputo. I first saw it from far – 'Oh it happened there', 'Oh, there' – but never felt it was close to me. However, I dropped some of my habits: I did not go out to drink with people. I already did not trust anyone anymore.

The cause for these attacks is witchcraft/*curandeirismo* to find easy wealth; they believe that they can exit poverty. In order for the magic to work, you need to cut off the arm, etc. while he screams. Nowadays, our youth is frustrated and want get rich fast. They picked up wrong attitudes. I was never attacked personally nor do I know anyone who was. I never received any offer to go overseas.

I believe that albinos have always been abducted, this is why we have the saying: 'The albino does not die but disappears'. They were abducted, but because the population thought they were ghosts or so different they believed in the disappearance... but in reality, these were abductions.

We have no proof of who is responsible for the trafficking, but the trafficking affects us all. I believe the body parts are all brought to Tanzania or Malawi.

b) Tete

Tete has been affected by abduction, murder and organ removal as well as grave vandalizing of persons with albinism. Cases that were related by persons with albinism and key informants included:

A young man with albinism disappeared in 2014. He was selling telephone credit. One night, he was called and asked to come to sell credit to a client and was never seen again.

In the District of Muatize (Condetse) a man abducted an eight-year-old child with albinism from the machamba (field) and killed her. The person who executed was killed by the population. The perpetrator was a 62-year-old man.

In 2017, the father and mother of a child with albinism from Mutara, tried to sell the child. The father was condemned. The mother was released, as there was not sufficient proof to link her to the crime. The child stayed in the MGCAS Centre for about eight months. The mother was liberated by the end of 2017. The court returned the child to the mother. The four perpetrators were friends of the parents; none of them had employment.

Several of the key informants from civil society and from government lamented that they had no follow-up information on cases that were reported and/or denounced and that there were not sufficient means to follow-up on cases that are reported from outside the provincial capital.

A representative from the MJCRA conveys that he knows of five cases of trafficking. "I know that the cases were all taken to the police, but we don't know what happened then; if the perpetrator was caught or even who the perpetrator was. In 2013 in Muatize, 20 km outside of Tete, a boy with albinism disappeared. We do not know what happened, because we did not manage to go there; it would have been two hours of drive. It was too far for us to go as we did not have the means. I do not know what could possibly have happened with the bodies or the bones. So far, no one was caught yet. Normally we see this via media; nothing else. It is hard to have information about trafficking. Persons disappear, but we do not know what happened. I think that attacks and trafficking happen more in the districts in rural zones, where there are more myths and beliefs than in the urban areas. SERNIC should have this information, but we have no information from SERNIC."

According to SERNIC, “the province of Tete is especially vulnerable because of the geographical situation. People migrate through Tete to reach South Africa via Malawi and Zimbabwe. SERNIC relays, that there were several cases of trafficking of children with albinism; with several cases where the own parents wanted to sell the child, in which case the parents just wanted the money and did not care what happened to the child. It is not only children with albinism who are affected but also other children. In 2018 a father decided to sell a child (not with albinism) for one million Meticais. He talked to a neighbor: ‘Do you not have anyone who wants to buy the child?’ The neighbor was shocked with this deal and denounced him.”

Participants in FGD were from the provincial capital Tete and from neighboring districts. Most of them clearly live in fear, and some of them had decided to relocate from the districts to the capital where they feel somewhat safer. All agreed, that crimes against persons with albinism have reduced, but also feared that it is not sure if they have totally ended.

Women have lost all trust in others, even those who should be closest to them: “We do not trust anyone, we walk with fear. Even the ones who say they love us and want to marry us, we do not trust them, it is our defense mechanism.” Several of the interviewees had suffered traumatizing experiences.

Of the twelve women who participated in two FGD, six had experienced attempted abductions or have lived through situations that made them believe that they are in danger. Their stories are briefly related below:

“I married in 2004 and have six children. In 2014 my husband went to Maputo. I was alone and during that time bandits came to our house. They wanted to abduct me. They did not succeed. They also tried to take the children, but did not succeed. In 2015, I left the village and went to the ‘vila’. In 2016, they sent two boys to abduct me. I don’t know who sent them. They also went to the house of a friend with an albino child and abducted and killed the child. Since 2016, I and my family lived in places where we feel safe, “*escondidos*” (hidden). There were murders of at least three persons with albinism, two children and one young man (24). They took one young man for a walk and then killed him. One of the boys was kidnapped from the field; he just disappeared. No one found him.”

Another woman in the group had also suffered an abduction as she returned from the hospital in Matanda, Sofala, passing a corn field. This is where the person who wanted to abduct her waited for her in hiding. She ran until she reached a school and waited for the students to accompany her home. When she arrived home, she told her mother what had happened. They then decided to move from Beira to Tete, where she feels safer. She does not know who the person was who tried to attack her.

A third woman recounts: “In 2015 someone from the ‘*câmbios*⁵⁰’ called me and wanted to seduce me, but I was suspicious. It was not true. They wanted to abduct and kill me. I knew that in Malawi this had happened already, so I was suspicious. I stopped going to school, because my mother was worried. In March 2018, a friend told the ‘*cambio*’ where I lived. One day I arrived late in the house. There were three ‘*câmbios*’ around the house. They kept coming to my house. They offered the children who were playing around the house money and said they want the ‘aunty, ‘where is she?’ I got scared and moved away. I thought the ‘*câmbios*’ would take me and kill me. I told the police but they never came to see me.

One woman said that in 2004/5 an American told her mother he wanted to take her to America. Her mother said she could not take the decision without the father.

“During the time when all the abductions happened; I was very anxious. Since I studied at night, I had to walk home in the dark. Once, when I left school, a car came with darkened

50 The “cambios” are persons who change money into different currencies in the streets.

windows. The car parked close to the school and was waiting, without anyone stepping out. It worried me and I restricted my movements because of fear. At that time, we used to hear from the TV about the attacks. My aunts had told me to not trust anyone, 'they can sell you'. Even my good friend in the 'bairro' said 'you know that this finger nail is money?'"

Another young woman in the group felt scared as she experienced the following in February 2017: Someone sat next to her in the "chapa" (public transport) and said, "I know where you live" and described her house in detail. She said: "How do you know?" "I know because I see you and many other people also know you." The man had an accent from Nampula. She had never seen him before. Another time she was sitting outside a bank. A man was in the queue, he took out his camera and took photos of her. She insisted that the photos be deleted. "It keeps happening that people take photos of us in the street."

"I lived in Sofala in 2014, 2015 and 2016 when the abductions happened. We heard that, in Sofala, they abducted children. I enjoyed walking alone, but a sister of the church and friends told me to be careful, they called me: 'dinheiro!' 'negócio!' A friend of mine was almost abducted in Nampula. We were at the supermarket. They came with a car and pulled her in. A person tried to drag her out; my brother saw it and helped her. Another person with albinism was looking for work. They told him to come; forced him into the car. He disappeared; he was not found until today. A group in Nampula was condemned for 40 years. Some were Mozambicans, some foreigners, but I do not know where they are from."

"In Mozambique, it was the first time in 2014. We heard that these things happen in other countries, especially Tanzania. I was contacted by a friend who said he knows someone who wants to buy her hair for 50,000 MT. They are after us even after our death to get our bones!"

Men in Tete also had experiences of attempted abductions and suspicions of preempted attack. "People say to me: 'We will steal you.' They tease me with this, but to me this is threatening and scary. There was already an attempt to abduct me. As I walked from the market in Kanongola, (Tete, capital) to my house, some men stopped and called me, 'come here. We want to give you money.', I did not go, their approach was somehow strange and I felt threatened, so I picked the phone and called my parents. The men spoke Portuguese, but were not from the 'zone', they were dressed simply. I was scared." (He did not want to say more, and seemed very disturbed).

Another man told, that in 2013 he left his zone (in Angonia) because he felt he might get abducted. His school colleagues were contacted by the bandits. They walked home with him from school and then suddenly they all ran away and he was alone with the bandits, but he managed to run away. He talked to his parents and they eventually moved to another district (Dondo).

Several cases were referred to during the visit to Tete. As AZIMAP recounted, "Just today, a boy came to the provincial administration of 'ação social' (MGCAS); he came for the second time. The first time, in December, nothing was done to help him. The child is from the district of Cahora Bassa, and tries to find a place to live in Tete. He experienced already two or three tentative abductions. The criminals came to the house, and broke down the door to get the child. The parents begged the state to take the child, as it is safer in town."

c) Cabo Delgado

Cases of murder of persons with albinism were reported from Balama, Chiure and Namuno between 2014 and 2015. The cases were dealt with and the executors brought to justice. No case has been reported since 2015. Some information on these cases is described in the following paragraphs:

In the District of Balama, a boy went to watch a projected movie. The uncle bought some cakes, luring the child together with his two friends away. They cut up the child in the

school yard. They put the head in a latrine and took the remains of the body. The uncle took the testicles home, put them in the fridge and went to sleep. The wife found the testicles, and denounced her husband to the police.

In Namumo the father himself “negotiated”⁵¹ the girl. He cut the arms off. He had talked to the wife about this, but she had disagreed. He cut the child and put her parts into a bag. He wanted to sell the body parts. When the mother discovered it, she went to the police and denounced him.

The *Liga dos Direitos Humanos* (LDH) conveyed the story of a person with albinism who was abducted to be brought by the criminals in their personal car to Nacala, Nampula. The criminals were caught in Chiure. They wanted to kill the person on the way. One was captured; the other fled. All were Mozambicans.

The Attorney General related that, during 2014-2015, he dealt with five or six cases (in Montepuez, Mueda, Chiure, Balama). Some organs – testicles and pubic hair - found in Nampula, came from Cabo Delgado. The executors were caught in Nampula; they had transported the body parts from Cabo Delgado to Nampula.

Yet, another case was different and it was the first time that there was a suspicion of a person with albinism, and not the body parts, being trafficked. The person with albinism travelled from Chiure and was stopped at a police post. He claimed that he was on his way to Pemba airport, and someone was supposed to arrive by plane and take him with him. He had been lured from his village to the district capital and from there to come to Pemba. The police accompanied him (incognito), but no one appeared at the airport to take him.

Civil society in Cabo Delgado had more cases, including the attempted abduction of a nine-year-old girl and of a five-year-old boy. In both cases the abductors were Mozambicans.

However, there were cases of abduction and mutilation of persons with albinism and both women and men are afraid of further attacks.

Cases that were highlighted by representatives from government institutions, civil society and persons with albinism were Balama, Chiure, Mueda, Namumo and in Ancuabe.

All women in FGD⁵² and in the individual interviews claimed that they were afraid during the years the abductions happened (2014, 2015 and 2016). “I heard about Balama, Chiure, Mueda, where they abducted children and took body parts for ‘obscure’ reasons. Because body parts can bring wealth and are used for *curandeirismo*.”

“In 2015 in Mueda, it was a couple; they were in the field. The husband was killed and his body parts hacked off. They attacked the wife. We don’t know what happened to the wife⁵³.”

None of the women ever had a situation when they had a feeling that someone may try to abduct them, or lure them away.

Men in FGD believe that the reasons why incidents are higher in Zambezia and Nampula, are because, “Here in Cabo Delgado, we are only few persons with albinism. We do not know how many... In my ‘bairro’, there are three adults and four children. I know this, because I bring sun screen to the children there, they are too scared to come to me. They are traumatized.”

In 2012, a person with albinism from Quissanga, who used to go to Mocimba da Praia regularly to visit his sister was abducted by boat. The perpetrators were Mozambicans.

51 “Negociar” was the term used by the interviewee.

52 Four Women participated in the FGD. One woman was mentally challenged, one was not a PwA (but the organizer insisted that she was), one woman was very young and shy and only one participated actively in the discussion. All women were from Pemba.

53 According to documentation, the wife died on the way to the hospital.

Most interviewees in the three locations of the situation analysis stated that rural areas / “*distritos*” are more affected than towns, and that PwA are better protected in towns than in districts. “In the rural areas, it is very difficult to know what happens. In the city, the people know by radio when a case happened.”

4.4. Special Vulnerability of Children with Albinism to be Victims of Trafficking

Interviews with key informants have revealed that crimes against persons with albinism are committed in an opportunistic manner; targeting women and children as especially vulnerable groups who may pose less resistance than men.

Children with albinism have been specially affected by abductions and organ removals due to the terrible belief that the body parts of children in magic potions are more powerful than those of adults. It is believed that, the blood of a person with albinism drunk still warm – meaning shortly after being extracted from his body – brings luck. However, if the blood is from a child, it is thought to have more value, since it intensifies the power of the spell as a consequence of the child’s purity⁵⁴.

Parents in Maputo and Tete usually accompany their children with albinism to school, as they are worried that their children will be abducted. One parent in Maputo describes how her child was followed by a man, calling her “*fortuna da Tanzania*” in June 2018. In Tete, one parent said, “There were people who came to rob these children, so we are scared. I did not allow the child to leave the house. The other children play with her, inside the “*quintal*” (backyard), not outside. She has to mistrust everyone in the community; anyone may steal her.”

One man in Tete recounts that there had been several attempts to abduct his child, which eventually, as this field study was going on, made him bring the child to the provincial capital and request assistance from the provincial services of the MGCAS:

Man in Tete:

“We are, from Chipera, where we had our fields in the mountains. The people from Chipera called the bandits and told them that there was a child with albinism, but that night when the bandits came, they could not find us because we had gone up to the field. The bandits left money in the village so that the villagers could call them to let them know when the child is back. When we came back from the field things were strange. The people were attentive to their movements. Then people from the ‘*familia alargada*’ (larger family) told us about what was going on and we took the child to Nyambando, where we live now. Our child used to play with the other children but, when the local police saw the child play with the others, they told us to not let the child play far away from us as there are many people who look for our child. ‘There are children who disappear. If the child disappears, we will question you about why you allowed the child to play far from you.’

In 2016 the bandits came. When we were sleeping. They invaded the place where the child was sleeping, but the child was sleeping with us so they could not get the child. I went to report to the police. The police insisted that I look after the child always, but we cannot do this, as we have to work. I wanted protection from the police but they would not provide this and insisted we, the parents, have to look after our child ourselves.

They invaded the house a second time. The police asked what time these bandits came, and decided to patrol the area, but the people informed the bandits. They did not come back.

54 Idem.

Last week a car came to our community. There were 25 people standing around; planning something up. The community leaders told us there were five persons in the car, I knew he had seen them before. That night, we did not sleep in our house. We took the child and slept at the house of the relatives. The bandits came, invaded the house, but couldn't find anyone. We brought the child to the Tete (the capital). It is safer here than in the districts. Here, I can send my children to the market without worrying. I cannot protect my own child, so I am asking the government to take care of our child, or send him to school. He left school in 2015 due to threats.

4.5. Vandalism of Graves

Persons with albinism are not only persecuted throughout their lifetime. Even after their death, their graves have been unearthed and their bones stolen. Cases have been reported from Tete and Cabo Delgado provinces. A prominent case in Tete involved a well-known member of the community, who's grave had been vandalized. The case is with the attorney of the province and has not been solved yet.

SERNIC in Tete reported that in 2015 nine persons were found with human bones and some of them are already convicted. The nine persons were connected with each other.

Cabo Delgado had several cases of grave vandalism. According to a representative from civil society in Montepuez, the excavation of bones is a quite frequent practice. The “*garimpeiros*” (small-scale, illegal miners) get the bones to bring them to the “*curandeiro*”. A myth exists that that will bring them luck in finding rubies⁵⁵.

Grave vandalism was also reported in Ancuabe, Cabo Delgado by community members. The perpetrators were Mozambicans. No further information could be obtained in Pemba, as the district court judged the case and the authorities in Pemba had no detailed information.

55 This practice has also been reported from other Southern African countries, especially from South Africa

5. Causes of Discrimination and Other Human Rights Violations against Persons with Albinism

“Factors that have historically contributed and continue to contribute to the attacks against PwA are myths, tradition and capitalism. All three factors interact in the context of deeply entrenched witchcraft beliefs. While myths and tradition are more directly linked to witchcraft beliefs, capitalism has risen to take advantage of these myths and traditions that were already there, and make material profit out of them.⁵⁶” Under the Same Sun

Identifying and especially addressing the root causes of attacks against persons with albinism remains a challenge. The following paragraphs provide an overview of causes, as identified in literature review and primary data collection. Whereas poverty and ignorance were mentioned by several interviewees, it was witchcraft that featured the strongest as a cause for abductions, organ removal and TiP. Witchcraft, ever so much rooted culturally, also needs to be contextualized with other factors such as: the limited availability of public services in certain locations, especially health care and education, the shortage in employment and wide spread poverty. However, it needs to be highlighted at this point that these socioeconomic factors are also present in other countries; with some of them poorer and more distressed than Mozambique like Somalia. Yet, Somalia has not reported these types of attacks against persons with albinism. Evidently, it seems that in some cultures people are more susceptible to believing in witchcraft than in others.

5.1. Poverty as a Cause for Criminal Acts – Abductions, Trafficking, Maiming, Killing, Organ Trafficking and Grave Vandalism - against Persons with Albinism

Various studies outline poverty and deepening social inequalities and socioeconomic exclusion as root causes for the incidence of abduction and organ removal of persons with albinism in Mozambique. The price of human bones and organs of persons with albinism is reportedly high, which has apparently attracted “healers” and disadvantaged young people to embark on such a crime for their survival.⁵⁷ The use of magic and the use of human organs is a means of obtaining and / or increasing financial resources⁵⁸. According to United Nations’ data, allegedly significant amounts of money can be offered for body parts of persons with albinism. The promised payment, however, is often not made according to the UNIE’s discussion with perpetrators in prisons.

In FGD and interviews, persons with albinism were highly aware of “the value” that people attribute to their body parts. Since the beginning of the attacks, new derogatory names

56 Under the same Sun, History of Attacks against Persons with Albinism (PWA) July 15, 2013

57 Miranda, Joaquina and José Franze. 2017. A problemática em Moçambique do rapto, morte e retirada de partes de corpo de pessoas albinas. Revista da Faculdade de Direito da UFRGS (37): 279-287. www.seer.ufrgs.br/index.php/revfacdir/article/view/77472/46268

58 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

were added to the already existing ones including “fortuna”, “fortuna da Tanzania” and “bolada”⁵⁹. “Nowadays people call us ‘bolada’, ‘negocio’, jokingly, however, it scares us as we never know where this could lead to.”

In Maputo, the root cause for attacks against persons with albinism was identified by interviewees as being poverty: “Poverty is one of the causes why people do this. The police have no control, especially ‘zonas’ with a lot of poverty are susceptible.” A woman in Maputo said: “Up to today, no one knows where this has originated from. The news reports that there is a lot of trafficking in Maputo, but it is very hidden. The hunger in Maputo leads to trafficking, sexual exploitation and forced labor.”

As will be elaborated below, when trying to understand the profile of the perpetrator, the direct executors of the crimes are usually underprivileged and poor.

The UNIE concludes that: “general poverty in society is one of the root cause for attacks against persons with albinism.⁶⁰”. On the other hand, the situation of poverty renders persons with albinism more vulnerable as they tend to live in insecure homes and often cannot afford basic items for their protection such as mobile phones; which are particularly important as persons with albinism can use text messages to indicate their whereabouts. In Tete, a woman felt that her daughter was safe as long as she accompanied her to school and back and restricted and supervised her movements outside the house, as they lived in a house that was surrounded by a wall and criminals would not be able to get into the compound. In rural areas, houses are simple, and have no protection which makes it easy for criminals to intrude and abduct the persons with albinism. A key informant from civil society in Tete confirmed, that all victims of attacks were from poor families and most from the “districts” and peri-urban and rural areas, where housing is simple, unprotected and exposed. Similarly, owing to lack of resources, the graves of persons with albinism are often very simple, leaving them vulnerable to the exhumation of bodies and theft of body parts⁶¹.

5.2. Ignorance

Several sources demonstrate, that the lack of information, resulting in widespread ignorance and misunderstanding of albinism, fuels the creation of myths and superstitions and leverages several prejudices. People believe that albinism affects the cognitive ability, is an aberration or gives magical power⁶². The predominant ignorance of the causes of albinism also opens the door to forms of interpretation rooted in traditional culture and are far removed from scientific rationality⁶³.

“Discrimination seems to be deeply rooted in a prevalent misunderstanding of albinism, which often takes the form of myths. These myths also influence social behavior towards persons with albinism and their family, in particular mothers of children born with albinism.” Independent Expert, following her visit in 2016

The article “*Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique*”⁶⁴ suggests, that in Mozambique, albinism is essentially understood as a disease, associated, first and foremost, with the medical dimension of disability, and is, in most cases, “caught”

59 Richness; richness of Tanzania; jackpot.

60 It should, however, be stressed that the Independent Expert has never come across concrete evidence or a single case where money for body parts changed hands. It could therefore be the merely hypothetical possibility of earning money that leads some people to commit such attacks. However, as mentioned earlier, the exact structure of these crimes, including details of the profiles of participants as well as details on financial incentives, are not fully understood.

61 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

62 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

63 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_lmbondeiro.pdf#page=49

The research took place in the city of Nampula, the epicenter of the phenomenon, where reported cases of persecution of the persons with albinism for the first time in December 2014, having reached the end of October 2015, a total of 22 victims.

64 Idem.

at birth.⁶⁵ Furthermore, the article elaborates, that albinism is also perceived as a curse or misfortune.

Many persons with albinism raised the issue that “ignorance” about albinism is as a main cause for their discrimination. “Ignorance contributes to discrimination and to not value us as persons.” (man, FGD Maputo) “People discriminate because of ignorance. People have no knowledge (of) why the person is like that”. A man in Tete said, “They say persons with albinism have gold in their head and ‘mercurio’ or gold, in the eyes, hair, and people want that to be rich.”

Many recommendations on how to improve the lives of persons with albinism and protect them evolved around the need to raise awareness about what albinism is and dismantle non-scientific explanations, superstitions and myths.

A quiz that was carried out jointly by UNESCO and UNICEF (SMS BIZ) for the occasion of the “International Day of Albinism”, 13th June 2018, disclosed that adolescents and young people’s knowledge on albinism⁶⁶ is still rather limited and that misconceptions thrive. For instance, 25 per cent believed that a child with albinism is born to parents because they were either cursed or “bad”.

A positive conclusion can be made as the majority of participants believe that persons with albinism should be treated equally, granted access to education, be included in the decision-making process and that albinism is inherited from a child’s parents.

5.3. Myths and Superstitions

Myths and superstitions are widely spread in many parts of Africa and have contributed to the persecution and murder of persons with albinism for “obscurantist” purposes⁶⁷. Persons with albinism are perceived as “ghosts”, “zeros”, “invisible”, a “curse”. On the other hand, persons with albinism are also seen as “having supernatural powers”. This contradiction does not only illustrate ignorance, but a lack of coherence in the myths, showing that this is not particularly a traditional belief which normally would have more coherence after being tested through time.

FGD and interviews with persons with albinism revealed that all participants suffer or have suffered in one way or another under myths surrounding the persons with albinism. For example, “this is not a person”, “they are ghosts”. “It is like being treated like something evil.”

One of the most widely spread myths, which all key informants and persons with albinism referred to and grew up with is, that “the albino does not die, he disappears” (“*O albino não more, desaparece*”). The interpretation of this sentence varied. However, several of the interviewees explained, that this may have hidden the practice of killing persons with albinism and possibly even the crime of extracting the organs for witchcraft for a long time. Equally, it was also suggested by previous research⁶⁸, that the widespread belief may have concealed murders of persons with albinism for “magic-religious” purposes for many decades. Some interviewees suggested, that it was only because of media attention that this crime has now finally received attention, but that it has been existing for a long time.

Yet another explanation for the, “disappearance of persons with albinism” was that when a person with albinism died, the superstitious belief was that he cannot be buried in the graveyard, but needs to be buried in the bush without his grave known to others. Only this will prevent another person with albinism being born into the family. The Association of

65 Idem.

66 Background and results are attached in Annex 5 and can also be found under <https://mozambique.ureport.in/poll/2786/>

67 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

68 Miranda, Joaquina and José Franze. 2017. A problemática em Moçambique do rapto, morte e retirada de partes de corpo de pessoas albinas. Revista da Faculdade de Direito da UFRGS (37): 279-287. www.seer.ufrgs.br/index.php/revfacdir/article/view/77472/46268

Traditional Healers in Mozambique (AMETRAMO) elaborated as follows: “When a person is born with albinism, everyone is stunned. In the past people did not know the origin of albinism. He was seen as a curse. In order to not have another person with albinism born to the family, no one should be informed about the death when he dies. He will be taken to a secret place in the bush or the beach so the water can take the body. Then the relatives come back to their home; they do not cry. And when people ask about the person’s whereabouts, they just say, “he disappeared”.

5.4. Witchcraft

Researchers and anthropologists studying African cultural practices are generally unable to pinpoint the beginning of attacks against persons with albinism. This is likely a result of a multitude of factors including the multiplicity of cultural practices, traditions and ethnicities in the region and a chronic absence of adequate data. As UTSS states, a major factor, however, lies in ambiguous and secretive treatment of witchcraft in the region⁶⁹. A recent social anthropological study also concluded that ‘the belief, that body parts of persons with albinism bring fortune, healing, luck and magic powers, leads to torture through witchcraft rituals, assassinations, and removal of body parts and organs of persons with albinism⁷⁰. In which case, witchcraft would give rise to gross violations of the human rights of persons with albinism..

“Witchcraft it is an ‘amalgam of beliefs and practices aimed at manipulating nature for the benefit of the lead practitioner, namely that is, the witchdoctor or his / her client.’ The witchdoctor creates physical aspects of witchcraft such as potions and amulets. He / she is a very powerful agent of witchcraft. His words are often ‘revered by society as ultimate truth.’ He / she is important for understanding how witchcraft appears to adjust to the human needs of every generation and thereby remains relevant.”

– “Under the Same Sun” *History of Attacks against PwA*

In this context, it is important to distinguish witchcraft, ‘*feiticaria*’, from traditional healers, ‘*curandeiros*’. Mozambique has 70,000 traditional doctors and 1,500 academically-trained doctors⁷¹. There is a lack of trained doctors especially in rural areas. According to USAID, there are only three doctors per 100,000 people—a proportion that is among the lowest in the world⁷². Not surprisingly so, the population relies highly on the ‘*curandero*’. Contrary to the ‘*curandero*’, who is a healer, the ‘*feiticeiro*’, witchdoctor, is believed to be able to do black magic - not to heal, but to harm. ‘*Feiticeiros*’ are said to use human bones and other body parts when preparing their magic potions.

During most interviews, the two terms “*curandero*” and “*feiticeiro*” were used in an interchangeable way. When questioned, if there was any difference between a “*curandero*” and a “*feiticeiro*”, most interviewees said that the borders between the work of both were blurred and that some “*curandeiros*” also engage in black magic. Many interviewees said, “it is the same”.

The Association of Traditional Healers of Mozambique (AMETRAMO) has vehemently distanced themselves from using human organs and from those who use human organs, including organs from persons with albinism⁷³. AMETRAMO strongly argued that both the ‘*curandero*’/‘*feiticeiro*’ and the ‘*mandante*’ are criminals, and that this practice has nothing to do with traditional healing. In fact, any ‘*curandero*’ who claims that body parts can bring luck or wealth or makes any promise based on the use of body parts is a swindler/fraud (‘*burlador*’).

69 Under the same Sun, History of Attacks against Persons with Albinism (PWA) July 15, 2013.

70 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Emboendeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imboendeiro.pdf#page=49

71 https://maptia.com/vlad_sokhin/stories/mozambican-witchdoctors

72 www.usaid.gov/mozambique/global-health

73 In the past, AMETRAM had already suspended curandeiros for inciting of violence <https://noticias.sapo.mz/actualidade/artigos/associacao-de-medicos-tradicionais-de-mocambique-suspende-50-curandeiros>

Witchdoctors take advantage of the ignorance and superstitions and fuel the belief that persons with albinism possess magical qualities that can be used by others for gaining power or wealth. As UTSS points out: “They (witchdoctors) spread the lie that the body parts of persons with albinism used in charms and potions bring wealth, power and good luck⁷⁴.”

Literature points out that accusations and suspicions of witchcraft have a long history in the region and in Mozambique. Even though witchcraft is perceived as behavior that deviates from accepted norms in a society - sorcerers are evil, create disharmony in social relations and pose a risk to the stability of the community – rumors also portray witchcraft as the most common way of achieving personal success, wealth, and prestige in times of economic crisis and social decline. Even though sorcery and the use of witchcraft is considered wrong, any person with political power and / or economic success needs powers generated by witchcraft, and in such cases the occult powers can be a source of admiration, a force that can be used to achieve some “positive” ends; which may benefit an individual or his group. In addition, political and religious leaders can only ward off the dangers of witchcraft if they themselves have access to such powers, thus having the legitimate right to use them.

According to Gune, political leaders in Africa are reputed for practicing witchcraft in order to ensure electoral power and success and within families. Accusations of witchcraft are made especially when there are sudden deaths or personal misfortunes⁷⁵.

Over the past 15 years, accusations and suspicions of witchcraft practices have become increasingly significant in Mozambique⁷⁶. The belief in witchcraft and in involving human body parts for witchcraft purposes is, according to Cabral⁷⁷ “a cultural, historical and spiritual practice that predates colonial times” and even though the colonial system abolished witchcraft, the practice continued.

Key informants from government and civil society, as well as persons with albinism in all three locations of this study indicated that witchcraft is a cause for the brutal crimes against persons with albinism. A man in Maputo related: “The “*curandeiro*” is involved, he uses body parts for the “*feitçaria*”. He says ‘bring an organ, I can make you rich.’ In the past, information on the murders of persons with albinism was not disseminated. Now the media does this. This shows they never disappeared; they were actually killed or trafficked.”

In Tete, all interviewees agreed, that the origin of the crimes against persons with albinism is in order to get body parts from persons with albinism for witchcraft purposes. Persons with albinism receive offers for their hair and nails – even from their friends.

When talking to key informants in Maputo and Tete, several of them claimed that body parts of humans have been always used in witchcraft, but that the use of body parts of persons with albinism is new. Recently there was also a “campaign” against bald people. Several bald persons got killed and dismembered, and their parts are believed to be used for witchcraft. Key informants in Tete also referred to “*feiticeiros*” who unearth corpses from their graves and eat them.

Several reports have pointed to the resurgence of the demand for human body parts for “magic-religious” purposes resulting in the pursuit and deaths of persons with albinism⁷⁸ with blood, hair, genital areas and other parts of the body used by “*feiticeiros*” to prepare potions

74 www.underthesamesun.com

75 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

76 Idem

77 Pina Cabral, João de. 2004. Os albinos não morrem: a crença e etnicidade no Moçambique pós-colonial. In: O processo da crença (Gil et al.). Lisboa: Gradiva p. 375-392. http://pina-cabral.org/PDFs/083_Os_albinos_nao_morrem.pdf

78 Menezes, Maria Paula. 2008. Corpos de violência, linguagens de resistência: As complexas teias de conhecimentos no Moçambique contemporâneo. Revista Critica de Ciencias Sociais 80: 161-194. <https://estudogeral.sib.uc.pt/bitstream/10316/33803/1/Corpos%20de%20viol%C3%Aancia%2C%20linguagens%20de%20resist%C3%Aancia%20As%20complexas%20teias%20de%20conhecimentos%20no%20Mo%C3%A7ambique%20contempor%C3%A2neo.pdf>

that supposedly bring luck in love, life and business⁷⁹. As Gune stated, such practices have a variety of purposes such as curing diseases, helping to progress economically or harming “enemies”. There is a deep-rooted conviction that body parts are vital for treatment to work. Thus, the organs of persons with albinism are extracted to be used in various rituals according to the desired result (Mariano, et al 2016)⁸⁰.

The UNIE cited witchcraft in her recent report to the General Assembly (A/71/255), as one of the root causes of attacks. She stated that attacks against persons with albinism were linked to the witchcraft-related belief that the body parts of persons with albinism could produce wealth and good luck when used in witchcraft potions, or could bring success in particular endeavors such as artisanal mining and fishing, and that it was for that reason that the remains of victims were often dismembered and body parts stolen including limbs, genitals and hair, amongst others. In addition, it is reported in Mozambique that their feces are collected to be used or sold for witchcraft rituals⁸¹.

In Tete, beliefs in witchcraft seemed particularly strong:

Representative from a civil society organization in Tete:

“A boy, 12-years-old, was abducted. He was selling eggs, when someone came and said he should go with him; he will buy all the eggs. The boy went; the man attacked him and cut off his genitals. I managed to contact the perpetrator who demanded 250,000 MT for female genitals and 150,000 for the boy’s genitals. I said that I was interested in buying the ‘*mercadoria*’ (merchandise). They must have had a ‘*mandante*’ but they did not reveal who it was. All this is linked with the idea of getting money by extracting body parts. And, at some stage, the extraction of body parts of albinos came up. This is because culturally the person with albinism is a ‘different’ person. One always said do not pass an albino; it will bring bad luck. If you take a child, you get rich faster. If it is an adult, it takes two years. The body parts are taken to the ‘*curandeiro*’ / ‘*feiticeiro*’, they are the same, there is no difference between those two...they have the same function. This crime did not start in 2014, but has always been there. Trafficking has been existing for a long time; it is linked to the mentality here. In 2014, people had more courage to denounce it. But in the remote zones where no one reaches, they negotiate crimes. ‘You kill our girl and give us money.’ We could never conclude who the ‘*mandantes*’ are. It is a terrible network like the one of trafficking. Very complicated. The ‘*curandeiros*’ do not release who the ‘*mandantes*’ are. ‘*Feiticaria*’ and magic is highly prevalent in Tete. We even had a case where a ‘*feiticeira*’ unearthed a freshly buried corpse of her granddaughter and ate her body parts. The unearthing of corpses happens here also to persons who are not with albinism.”

In Tete, a FGD raised the question of what would happen to a person who gets abducted. All agreed that body parts will be used as well as hair and bones, “It is because of superstition, it is used for black magic.”

Woman in Tete

“The attacks happen because they say persons with albinism bring wealth. They take our hair. They take our organs and sell them. We live in fear. Many abductions happened in Tete towards the end of 2015 and in 2016. People disappeared and they did not return. We do not know what happened. They were probably killed to get the organs to do what they do. They say when they abduct persons with albinism, they mix the organs with other medications and the person will be rich. It is for ‘*feiticaria*’. It is not possible that the organ of the person with albinism brings riches.”

79 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

80 Idem.

81 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

6. Perpetrators and Cross-Border Trafficking

Key questions of the situation analysis included gaining information on the identity of the perpetrators and the existence of cross-border trafficking of organs.

6.1. The Perpetrators

According to key informants, most crimes against persons with albinism involve more than one actor and, even though there is no hard evidence, interviews with key informants allowed identifying three different crime patterns:

Exploiting the credulity and situation of poverty affecting their clients, witchdoctors may direct them to procure organs and body parts of a persons with albinism to be used as ingredient of “magic potions” promising to solve any personal or professional problem. In this context, the client may either personally carry out an attack against a person with albinism or hire a third person to proceed on their behalf. As virtually any body part of a person with albinism is reported to confer supernatural powers, the attacks do not necessarily result in the death of the victim, but always imply grievous bodily harm or mutilation.

A second modus operandi consists in criminals approaching potential customers seeking wealth or good luck through the service of a witchdoctor. The interview with a representative of the judiciary from the province of Nampula revealed the case of Mozambican entrepreneurs who reported being offered body parts of persons with albinism by an intermediary, eager to assist them to improve the profitability of their companies. On that occasion, the suspect reassured the potential customers that the witchdoctor would perform a ritual to ensure that their involvement could not emerge from the investigations.

The third and most insidious type of cases involve foreign ‘*mandantes*’ which may respectively hire third parties and suggest the commission of attacks against persons with albinism in the Mozambican territory.

In all the above cases, the ‘*mandantes*’ often resort to several intermediaries to carry out the crimes, and are not directly aware of the identity of the perpetrators in a deliberate effort to thwart the investigations.

Overall, the respondents agree that the trafficking in organs and body parts of persons with albinism in Mozambique is run by criminal groups with specialized members acting in the role of “receivers”, “extractors”/ “executors”, “intermediaries” and “transporters”.

“Receivers” are most often witchdoctors who direct perpetrators to procure the organ or body part, to be exploited in the preparation of potions on behalf of their customers. In light of their alleged spiritual powers, “receivers” are highly respected by other members of the criminal group and local communities, who are unwilling to report relevant information to law enforcement authorities for fear of reprisals.

Procuraderia Tete:

The secrecy around witchcraft, the fear of the witch doctor, the chain of command - several people are involved in abductions and trafficking - the enormity of the crime and the money involved make it difficult to find the ‘*mandante*’.

According to the LDH, rogue witchdoctors targeted by investigations consistently try to deny their involvement in attacks, by claiming that the sole reason for them to entertain relations with traffickers is to “trap them” in order to reveal their identity at a later stage to law enforcement authorities.

“Extractors” / “executors” are the direct perpetrators of attacks against persons with albinism. They represent the weak link of the structure, as they are the more exposed and likely to be identified during the investigations.

Criminal groups tend to recruit “extractors” / “executors” among the poorest segment of the population; luring them to assault persons with albinism in exchange for a financial compensation. Witchdoctors may also urge perpetrators to procure clients interested in potions among their personal acquaintances, so as to enlarge the network of collusions and protect the criminal group.

“Intermediaries” ensure the connection between “extractors” / “executors” and witchdoctors. Their role is to collect requests for body parts from receivers who are unwilling to take the risk and enter into direct contact with extractors. In light of their role, “intermediaries” stand out as the only actors to be aware of the complete structure of the criminal network. For the same reason, the identification of “intermediaries” proves key to disrupting the trafficking ring. However, the presence of several layers of “intermediaries”, who are in contact only with their direct counterpart, poses a serious risk to the identification of all the offenders.

Finally, “transporters” convey organs or body parts of persons with albinism beyond national borders to Malawi, Tanzania or other neighbouring countries. According to the Mozambican League of Human Rights, transporters are professional smugglers who operate in border regions; taking over any illicit merchandise from intermediaries, and exploiting loopholes in customs surveillance to deliver it to the intended recipient.

Literature reflects that there was some discussion of whether the outbreak of this phenomenon was associated with the relatively greater presence of citizens from Tanzania or Kenya, countries where trafficking in organs of persons with albinism has been reported⁸². In this respect, some of the respondents also expressed the view that social beliefs in witchcraft and ritual killings are more prevalent in communities of migrants from the Great Lakes Region, which settled in Mozambique in the last ten years. In this context, they claimed there could be a link between the surge in attacks against persons with albinism and the increase in the number of foreign migrants and witchdoctors. Yet, as widespread as it may be, no evidence is available to demonstrate this assumption. It has to be emphasized at this point, that this situation analysis had different, contradicting findings regarding this question and that this assumption will need further, careful exploration and must be used carefully to avoid stirring prejudice and xenophobic sentiments.

Neither the witchdoctor nor the middle persons or the one who ordered the crime – the “*mandante*” - have been found in any of the cases. So far, only the “executors” / “extractors” in a few cases could be brought to justice.

AMETRAMO explained the chain of command as follows: “It is poor people who are sent to get the ‘material’ by rich people who are never found. The individual reaches out for the services of a ‘*curandeiro*’ to be much richer. The *curandero* ‘*burlator*’ realizes that this individual is very greedy and asks him for a lot of money and asks for the organs of the albino. The person, knowing that it is a human organ of a person with albinism, feels he receives special treatment. He looks for a person to get the person with albinism and promises him something. That person may have some reasons for not committing the

82 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

act himself. He looks for a poor, the poor looks for another one, so there are more than just three people involved. The rich pays the one he knows and that one looks for a poor person in the community who executes the crime. The poor now looks for the person with albinism. He looks for neighbors, family members of the albino, who kill him, in order to get the organ, to give it to the one who was sent by the final *'mandante'*. The one who commits the crime does not know where it goes to. It is a crime, of which the one who orders and the albino lose. One the life, one the money, because he was cheated. No organ is useful in the traditional medicine. Whoever kills is a criminal." AMETRAMO believes that, "the idea that organ extraction can bring fortune came from outside, but was locally adapted... it is practiced mainly in the north of Mozambique. Areas that are most affected are Nampula, Cabo Delgado, Niassa, Tete; areas that are close to the borders." AMETRAMO's recommendation is, that instead of the media reporting these crimes and attributing them simply to the executor, law enforcement officers and investigators should make sure to use the executor to take them to the middle man, who then can reveal who is the person who ordered the crime. To him, the rush in which the investigations are carried out prohibits the finding of the *'mandante'*. And as many other interviewees, he concludes that, "If we do not find the *'mandantes'*, it will not stop."

During a FGD in Tete the discourse was similar: "There are *'mandantes'*, they send someone here, they do research to find a person who is in contact with a person with albinism; to get close to the person with albinism through that person. The government needs to find those who order this. If not, this will not end." A person with albinism asserts: "When someone takes a person with albinism, he knows exactly where to go. It's not someone who sells tomatoes. It has to be well organized. The business needs to run fast; you cannot stay with the body parts of someone for too long."

In many cases, family members are involved in crimes against persons with albinism. In Tete during an investigation, police declared that: "In the cases of the children with albinism, in all three cases, the parents were involved. Often the parents take the initiative. They are usually from the poorest part of society. In 2017 a father asked 3 million MT for his child (not a child with albinism)."

Both, Kanimambo and Albimoz believe that family members are involved in many cases.

"Either the family says, the child with albinism is a curse and kills the child, or they try to get money for it. Normally, in these cases, family members are involved. More children than adults are victims."

"Mostly children are affected. Sometimes, it is even the parents who cut body parts. They sell it to the *'curandeiro'*. It is easy to find the "executor" but not the one who mandated the act. It is for the *'curandeiro'* in Tanzania and in Malawi. In Mozambique, there was no case where the real *'mandante'* was found. Poor people are directly involved but it is not clear who actually sent them to do it. In Mozambique, they never found a *'curandeiro'*. In South Africa they did."

In the recent study, CEMIRDE concludes that, "in most cases those detained are familiar or acquainted with the victims. The perpetrators are mostly young male individuals living in situations of extreme poverty." CEMIRDE elaborates further in an interview that, "the 'actors' / 'perpetrators' are those who order and those who execute, are two distinctive groups. The *'curandeiro'* is the one who prepares the work. The *'mandante'* and the *'curandeiro'* have not been found; only the direct executors are found, and they are usually poor. They do not reveal who are those who sent them to do this. They believe in the *'curandeiro'*, so they believe when they talk to the police that the *'curandeiro'* is there, 'invisibly' present, and are scared to talk. The executors are usually very poor. A strong factor is the belief that parts of the body can bring money and good luck to carry public

office. They believe in this black magic. This is the problematic side. There is a strong market for organs/body parts of persons with albinism. But the belief also exists in Mozambique; in the north and in the south. In the south, there is a lot of trafficking, but without taking into consideration the skin color. Until 2015, there was a denial that this trafficking in persons and organs existed. Then there was an opening that there is trafficking in persons but not in persons with albinism. Body parts were cut as punishment during the war so this practice existed as a political punishment.”

Some interviewees claimed that foreigners were involved. A Man in Tete said: “In 2017 I was in the District de Nhamatanda, Sofala, when a girl of seven years was abducted. They offered her cookies. All children were leaving school when they took the girl. The other school girls saw it, even the police were there and saw it but did nothing. The girls were upset about this and threw stones against the police. The girl was gone”.

A representative of civil society raised the concern, that those who order these crimes are not found. “People involved in trafficking are *‘figuras grandes’* (important people). They make promises so that the ‘executors’ stay quiet. Some are *‘curandeiros’*, but they are there to do their job. I think that there is an ‘executor’, an *‘intermediante’* and a *‘mandante’*. If the police did a better job, it would be possible to get to the *‘mandantes’*. The police and the Attorney General need to make more effort. How is it possible not to have an idea if this has been happening for so long?”

The police, Department of Family and Minors Victims of Violence, asserted that, “incidents happened in provinces that have borders, because it was imported. In Tanzania attacks had happened already in 2013. But in Nampula attacks also happened, even though the province has no border, because the myth already existed that the person with albinism does not die. That he is special. This existed already in Mozambique, and when then the crimes came from Tanzania, this helped to start the crimes of organ extraction also in Mozambique. It is based on misinformation and ignorance.”

An official from the MJCR affirms that, “These barbarian acts did not happen here, but were imported by foreigners. The ‘executors’ could not say where they take the organs. Or who they are. Principally, this was brought in by Tanzanians.”

Contrary to this, the Attorney General in Cabo Delgado declared, that there has always been the practice of using organs of humans for *“feiticaria”*. “These ‘executors’ did not know who sent /who was the *‘mandante’*; if it was a *‘curandero’* or someone else. One of the indicators pointing at foreigners could be that there was a strong influx from foreigners in the years the crimes happened. People say it is the Tanzanians who commit this crime, but those who were caught as ‘executors’ were Mozambicans. However, a lot of *‘curandeiros’* from Tanzania make publicity in Cabo Delgado and Nampula, and they may not be members of AMETRAMO. I already spoke to some *‘curanderos’*, and they said they do not practice this. But the use of body parts was always part of the witchcraft. But that albino brings richness is new...”

CEMIRDE, in its recent report⁸³ states, that according to some of their informants, trafficking networks are complex and transnational; consisting of organized criminal syndicates with individuals engaged in the recruitment, transport and housing of victims. They work just like drug trafficking networks. Whoever is “caught” is always the worker and the boss is never known. “There are several middlemen. The one who commits the crime will get a pittance and that’s the one who will be caught”, said one informant. In organized crime, not all members of the organization know the other members to assure that they cannot reveal who is involved. The belief that the “constituents” are foreigners, particularly from the

83 CEMIRDE, Study on Trafficking in Persons and Organs of Persons in the North of Mozambique, 2018

neighboring countries, Malawi and Tanzania, is widespread. However, CEMIRDE also makes the point, that “it is necessary to emphasize that there are no facts to prove this theory, because so far only Mozambican citizens have been accused and prosecuted”.

6.2. Cross-Border Trafficking

Criminal trials instructed at national level to date have failed to demonstrate the involvement of foreign citizens in the attacks. Yet the concentration of cases in border provinces has led the national judicial authorities to believe in the active role of transnational criminal groups in the trafficking of organs and body parts, operating across the borders of Mozambique with Malawi and Tanzania.⁸⁴

Dismantling such networks, including perpetrators, intermediaries and masterminds (*mandantes*), would require the assistance of foreign law enforcement bodies and judicial authorities. However, as it will be clarified below, mutual legal assistance in cases of attacks against persons with albinism remains non-existent at this stage.

The UNIE notes that even though some cases may have a cross-border dimension, in the vast majority of cases reported, there is no indication of an international dimension to the crimes committed. She concludes, however, that there is a, “lack of information on the overall chain of command for the commission of these crimes, including patterns of crime, actual amounts paid, details on end users and the masterminds behind them”. Therefore, “any conclusions drawn concerning this matter are at best a reasonable probability and not a certitude.”

According to UTSS, data on the cross-border TiP of persons with albinism and their body parts is recorded by very few NGOs and news agencies in sub-Saharan Africa. However, according to UTSS, even though only limited data is available, it is, “strongly suggestive of a market in body parts of persons with albinism across borders in the sub-Saharan African region.”

This situation analysis could, neither from the desk review nor from primary data collection, conclude with certainty if a cross-border dimension exists. Many interviewees believed that the crime had reached Mozambique only recently and that, because these practices had been already reported from neighboring countries, they were “imported” to Mozambique.

It is clear, that the crimes of killing and dismembering of persons with albinism have been committed in Mozambique, but it cannot be said with certainty if the body parts are used in Mozambique or are being trafficked to neighboring countries.

Some government officials in Maputo believe, that given the fact that most cases occur in the north, the crime was brought in from Tanzania.

In Tete a key informant argued that the origin of these crimes may come from outside the country, but has now rooted in Mozambique and is, by now, also practiced in Mozambique. Clearly, all believe that Mozambicans take part in the market of trafficking body parts of persons with albinism.

In Tete, interviewees stated that, in the past, this crime did not exist but that nowadays Mozambique provides these ‘products’ and brings them out of the country. “There are strong indications that people take out organs of persons with albinism, but where these people who do it are from, we don’t know.”

84 On the existence and modus operandi of transnational organized criminal rings involved in trafficking of organs and body parts in Mozambique see Mozambican Human Rights League, *Tráfico de órgãos e partes do corpo humano, um crime organizado aos olhos do Estado* (2010-2014), 2014, pag. 123-130. Document shared with UNICRI (not publicly available).

In Tete a woman said: “I hear people say that persons with albinism are being sold to ‘*curandeiros*’. People from outside, especially from Tanzania, are interested in the bones. I think that Mozambicans are contracted by foreigners to do the job.”

The fact that more crimes have been reported in the north may be an indicator that these crimes are linked to bordering countries and /or to immigrants from countries who arrived in the north of Mozambique, but no conclusion can be drawn.

A recent study of CEMIRDE, outlines that in the province of Niassa, especially in the north of the province, Mozambicans are said to supply the Tanzanian market”. On the other hand, in the south of the province, it is considered to be practices coming from neighboring Malawi. According to some informants, the bodies of persons with albinism with missing organs have been found in almost all districts of Niassa. “They kill the person to take some part of the body that interests them,” said one informant⁸⁵.

The crime also needs to be seen in the context of TiP and the use of persons’ – not only persons with albinism – organs in witchcraft in general, which some interviewees claimed, has been a practice in Mozambique for a long time⁸⁶.

In all three provinces, there are interviewees who believe that the use of organs of persons with albinism had always happened in Mozambique, but it was hidden, and that only since the media picked it up it has come out “of the secrecy that surrounds witchcraft”.

“Already when I was a child, I heard the story ‘*o albino não more, o albino só desaparece*.’ So, this started a long time ago. Only now with the human rights debate, we start to realize that this is a crime. It’s an old thing, only we did not discover it until now.”

“This has been an old practice, it was not imported and does not come from outsider nor is it practiced by ‘*curandeiros*’ from outside.”

In Cabo Delgado, interviewees seem to believe strongly, that this is not a practice that has been carried out in Mozambique for very long. Even though they assert that the problem was brought from Tanzania, the ‘executors’ are Mozambicans. “The Tanzanians can be those who order, but the ‘executors’ are Mozambicans”.

“It started a long time ago, but in Tanzania; then, after a while only, it came to Mozambique. There they said persons with albinism are good for ‘*feitçaria*’. When the government in Tanzania started to have stricter controls, they came to Mozambique. Here, with our ‘*curandeiros*’, it did not exist. The Mozambicans nowadays take a finger and bring it to Tanzania to the ‘*curandeiro*.’” Men in Cabo Delgado were especially assertive with one man even ready to, ‘put his hand in the fire so that no Mozambican ‘*curandeiro*’ would do it⁸⁷.”

CEMIRDE, in the recent study reflects that whereas in Cabo Delgado, abductions and murders of persons with albinism were widely reported, particularly between Montepuez and Balama, no cases were reported from the District of Palma, in the proximity to Tanzania. Furthermore, the study raises the question, if the silence is indicative of an actual absence or rather of a greater tendency for people to be silent about these crimes.

Whereas in Mozambique, there is a belief that this crime was brought in from neighboring countries, including Malawi, Malawi perceives the crime as being “imported” from Tanzania

85 CEMIRDE, Study on Trafficking in Persons and Organs of Persons in the North of Mozambique, 2018

86 In the 90s a head of a person in a bag was found in the mosque in 24 Julio (Street in Maputo). It was never found who had mandated the murder. The perpetrators said: “we bring it to a patrão...” they can only say: “he said he will call and tell us where to bring the head”.

Also, CEMIRDE: Study on Trafficking in Persons and Organs of Persons in the North of Mozambique, 2018:

In the early 1990s, rumors of child murders and transport of their heads from Zimbabwe to South Africa alarmed the region's population. Child sacrifice served as an explanation for the sudden enrichment of people (White, 1997). Likewise, in Mozambique cases of children's heads transported to South Africa through the Ressano Garcia border were reported.

87 When asking the FGD participants if anyone else would also put their hand into the fire, they were smiling, but no one agreed.

and Mozambique and banned all foreign witchdoctors in 2016, including witchdoctors from Mozambique, in a bid to curb a rising wave of abductions, attacks and killings of persons with albinism⁸⁸ based on the information that some witchdoctors who were banned in Tanzania and Mozambique, had fled to Malawi and were fueling attacks against persons with albinism.”

Even though no final conclusion can be drawn from court decisions, literature and primary data collection, there are indicators, that cross-border trafficking exists. Thus, considering all conflicting statements, there is reason to be alarmed, that organs of persons with albinism may be used by witchdoctors in neighboring countries as well as in Mozambique and thus a “market” exists in Mozambique as well as in neighboring countries. This may lead to organs being trafficked internally in Mozambique but also across borders. As one interviewee remarked: “It is the ‘*curandeiros*’ who want this. In Mozambique and in the neighboring countries”.

Furthermore, public awareness that persons with albinism were targeted precisely because of their condition only developed in recent years. For this reason, there is a strong likelihood that prior judicial statistics on murders and other serious crimes failed to take into account persons with albinism as a specific category of victims.

One could also conclude with the assumption, that the use of body parts in witchcraft, including body parts of persons with albinism, has always existed in Mozambique, but that in recent years the element of “commercialization” was added to it; meaning that some people decided to sell body parts and that this has prompted a “chain of command”, which makes it difficult to know who actually was the person who “ordered” the crime. The added element of “commercialization” may have contributed towards breaking the silence around this crime, as it is not only the witchdoctor who is involved, and who demands utter secrecy, but as it became more prominent, also it also became more visible to the media.

88 www.news24.com/Africa/News/malawi-bans-foreign-witchdoctors-over-albino-murders-20160527

7. Current Situations of Attacks against Persons with Albinism and Persisting Challenges

Although official statistics of attacks against persons with albinism are not available after 2015, the decrease of reported cases is reflected in data on the prosecution of human trafficking cases in Mozambique. In 2017, seven cases were filed, against 19 in 2016, representing a decrease of 12, namely, that is 63.2 per cent. This trend marks a second annual reduction in the number of reported trafficking cases in Mozambique, which had decreased from 51 in 2015 to 15 in 2016.⁸⁹

According to primary data collection, various factors have contributed to the reduction of cases of attacks.

The Office of the Attorney General credits the capacity building and awareness raising activities carried out in the last three years, including identification of risk factors, training of judges, police officers, labour inspectors from the province and Maputo City, social workers and border post agents.⁹⁰

Persons with albinism related that they are much more careful now, and protect themselves, by having restricted their movements. With very few exceptions, persons with albinism try to avoid walking by dark or walking alone altogether. Women especially have limited their movements drastically and only leave the house when absolutely necessary. Parents of children with albinism do not allow their children to walk to school by themselves.

Police has been observing the movements of persons with albinism at check points more carefully and question when they travel, for what purpose they travel and with whom they travel. This was perceived as positive by most, however, despite of the good intention to protect the person with albinism, it sometimes led to more stigma and discrimination. A woman in Pemba describes: “The situation in 2014, 2015 and 2016 was very alarming, I used to travel a lot in these years. Once I travelled to Nampula, just sitting next to someone was a problem. The police asked me to get out of the bus and sent me back to Pemba, where I had to go to the police commando, answer questions, complete a form, and only then I was allowed to travel.”

A young man in Pemba relates: “In 2016 in Metuche, 50 km form Pemba, a young man threatened me. He said, that he would like to sell me. He was ‘joking’. I put a complaint forward to the police; the young man did not show up at the police. But he threatened me again, then I said that I will go to the ‘Procuraderia’. The police said, ‘No, we sort this out together.’ The young man was put in prison. And had to pay a fine. Nowadays when someone ‘jokes’ it could be the truth. I was really scared.”

Mostly, however, interviewees claim that the incidents reduced due to awareness raising efforts. Key informants also led the reduction of incidents back to the strict sentences for crimes against persons with albinism.

89 See Annual Report of the Office of the Attorney General to the Parliament of Mozambique, 2017 edition, (Informação Anual do Procurador-Geral da República à Assembleia da República), pag. 33-35, available at: www.pgr.gov.mz/images/documentos/informe-anual/Informe_pgr_2017.pdf

90 See Annual Report of the Office of the Attorney General to the Parliament of Mozambique, March 2018 edition, (Informação Anual do Procurador-Geral da República à Assembleia da República), pag. 35. Document shared with UNICRI (not publicly available).

However, the question, of whether the crimes have really reduced or are less reported, remains. In her report, the UNIE comments, that the systematic prioritization of cases of attacks as recommended by guidelines from the Supreme Court, combined with proportionate sentencing and the publicity surrounding these cases, can reasonably be linked to the recent decline in the number of reported attacks. The UNIE in 2016 praised the government's efforts to stop attacks on persons with albinism. At the same time, she expressed concerns over the authorities' inability to identify and arrest perpetrators of such crimes.

Key informants from the national judiciary and civil society organizations agree that several factors hamper the investigation and prosecution of attacks against persons with albinism including a lack of cooperation from potential witnesses, family members or relatives of the victim. This can be due either to the involvement of family members in the attacks, or to the secrecy surrounding witchcraft practices, as well as to the influence of traditional healers on the community. The respondents confirmed that beliefs in witchcraft are not confined to the poorest and most fragile sectors of the population, but tend to be widespread even among influential businesspersons and politicians seeking re-appointment.

The lack of adequate financial means and training of law enforcement authorities and the judiciary is the second prominent obstacle to the expedite treatment of cases. Rural provinces face special constraints, such as poor access to forensic technologies to assist in the investigation of murders and availability of medical examiners to conduct autopsies on victims. Moreover, some attacks fail to be reported due to the remoteness of rural areas from police stations which are not evenly distributed in the national territory.

According to the National Human Rights Commission, criminal networks actively try to bribe law enforcement dealing with serious crimes, to obstruct justice and preserve the trafficking routes.

At this stage, it also needs to be emphasized, that, there is reason to believe, that many crimes against persons with albinism are hidden, due to:

- a) The strong indication that attacks against persons with albinism are related to witchcraft and the secrecy surrounding witchcraft.
- b) The involvement of family members and the reluctance to report family members to authorities.
- c) The absence of government authorities in remote areas.
- d) "Curandeiros" being a 'local authority' that people respect and also fear.

A representative of a human rights organization claimed that, "I believe violations against persons with albinism are more frequent. There are more cases. They are not known, but kept secret because the persons are from the family or close to the family. People prefer to solve this amongst themselves, because they do not want to attract the attention of the authorities and create problems for themselves. And people are scared to present cases to us, because often their own family members are involved and they are worried that they will be imprisoned."

Another representative said: "In Tete the information system is worse than in Nampula and Zambezia; this is why we have a lower reported number of cases. It does not mean that we do not have cases."

8. Special Considerations

8.1. Childhoods of Persons with Albinism

Attitudes of disdain, rejection and contempt against children with albinism are manifested in various forms. They happen to be excluded from playing with other children due to existing prejudice and misbeliefs.

It is even widely believed that the birth of a child with albinism is a curse on the family⁹¹, which can contribute to discrimination of the child within the family and eventual abandonment of children with albinism; which is not uncommon⁹². It was also reported to the UNIE during her visit that children with albinism and their mothers were frequently abandoned⁹³. Furthermore, parents and caregivers of children with albinism can be encouraged to give up their children for monetary or other rewards.

When asked about their childhood, most of the female participants in FGD and interviews said that their families accepted them. However, most had difficulties at school. Teachers showed little understanding for their special needs. Other children were teasing them. “Teachers did not know how to deal with it, they think it is a transmissible sickness.” “Children did not want to sit next to me, families did not want their children to play with me; it made me feel very bad”.

Several of the male participants said that their father had rejected them. “I grew up in a big family, being a child with albinism was a big problem. My father rejected me, my mother was very important to me; there was a lot of discrimination as I had a lot of siblings. Until I was twelve they did not send me to school as the parents said I was not capable of studying. I had to beg my parents to go to school.”

A representative from civil society in Tete related that, “in the rural and traditional areas, the question is more complicated than in town. Most parents do not accept the children with albinism. The fathers will refuse parenthood. The mother accepts the child. Living with persons with albinism is normal in town, but not in the districts. They say the albino brings wealth and they became targets of persecution. Only 75 km from here, in Marara, we met this child with albinism, three-years-old, full of sun burns and sick with malaria. The father lived in the same compound with another woman. The grandmother was looking after the child; the father said he did not have the means to take the child to hospital, but it was just discrimination against the child.”

Female FGD participants related that most had suffered during childhood, not so much at family level, but especially in school, either because of the teacher or the students. “After I started school, I lived with discrimination, on the school way and in school. Children did not accept to sit next to me. I stayed in the house for a year because children called me

91 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

92 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

93 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

names.” Some teachers advised the girls not to continue school, others did not give them credit when they complained about deprecating behavior from classmates.

Some girls had also problems at community level: “The person from my zone told my mother, ‘we don’t like that girl’, but my mother said, ‘I cannot kill her, it’s my daughter. She will die when she is sick, but I will not kill her.’ I wanted to study and started attending school, but other children beat me, flipped dirty water on me and more of these stories. I did not manage to study and left school at 10th class”.

In one of the two FGD, all participants said they had been traumatized during childhood, but had learnt to deal with it and accept it now. “Other children would cry when they saw me or disappear. In the district, the discrimination was worse; here in the city it’s already better. They learnt already.”

A man recounts from his childhood: “At the beginning, my life was complicated. My parents accepted me but at school it was difficult and when I was in 5th class, I had problems at school, which got my father upset; he believed that I should not go to 6th class, and that I would not be able to use my education anyway. It was very difficult. When the professor wrote on the black board I could not read. This is a difficulty for persons with albinism in general. The teacher said, ‘let’s see how we can help you’, but he never helped.”

In Cabo Delgado a woman explained: “First it was difficult to believe that I am an albino. I experienced a bit of rejection from my mother at birth. When my mother and my father separated, I stayed with the father; then my mother had another child with albinism, which made her realize that the problem came from her. There was always discrimination from colleagues, professors and even from friends. With my friends and family, I have a good relationship now, but in the street in transport there is no lack of insults.”

Parents of children with albinism in Maputo and Tete⁹⁴ talked about a loving environment for children with albinism at immediate family level but with some problems at school. Not all teachers seem to be aware of or are willing to accommodate the needs of children with albinism; especially their need to sit in a front row due to problems with their vision. None of the parents in Maputo had any offers from family members or strangers to take the child away from the family for study or work purposes.

Parents try to cope with the situation, whereas mothers are usually the ones who care, but fathers sometimes abandon the family after the birth of a child with albinism. Discrimination is often experienced from the enlarged, not the immediate family. Parents are, however, not always sure how best to deal with the situation. In Tete a mother recalled: “At some stage I did not want to take the girl outside, because they were teasing her. But now, the girl starts asking why do I have this color and my brothers not? I do not know how to tell her, so I tell her, that once she is ten or eleven, she will be like us.”

Exiting studies confirm the primary data finding: Faced with the reality of discrimination, contempt and potential attacks, many parents and caregivers of children with albinism prefer to segregate them. Thus, many children with albinism are not attending public schools, fearing the discrimination they may suffer in that environment⁹⁵. Feeling shame, some families even hide their children, siblings or relatives with albinism, to keep them out of the eyes of the community⁹⁶.

94 No parent could be interviewed in Cabo Delgado.

95 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

96 Idem

8.2. Gender Dimension

Existing reports and studies provide hardly any evidence of the gender dimension of human rights violations that persons with albinism face. There is no disaggregated information regarding the impact of albinism on women and men.

During FGD and interviews with persons with albinism, in relation to finding a partner, the overall opinion was, that men have it easier. A man in Maputo mentioned, that he had never met a woman with albinism who had been treated well by her husband and that women with albinism are exposed to insults and neglect from their intimate partners. Women say that some men feel that they “would take on too much” with a woman with albinism, due to her needs, referring especially to health issues. Whereas some said that women with albinism feel discrimination in a much harsher way as they are foremost already discriminated due to their gender, and secondly due to their albinism. Some men, reinforcing gender roles, said women have it easier as they “stay more in the house, do not go out like men and do not need to go out to earn an income”. When it comes to attacks, abduction and trafficking, this “exposure” also makes men more vulnerable than women.

One study outlines gender issues in relationship to mothers of children with albinism. The report describes, that generally all responsibility of any issue regarding sexual and reproductive health - ranging from fertility, sexually transmitted infections to giving birth to a child with disability - are socially attributed to the woman. At the time of birth of a child with albinism, it is often the case that a woman is simply abandoned by her husband. It is generally assumed that she is responsible for the “anomaly” of the newborn because of behavior considered improper during pregnancy, of an alleged infidelity or of a reputed family line less “pure” than that of the husband⁹⁷. FGD and interviews confirmed that fathers frequently abandon the mother and the newborn; distancing themselves from the baby with albinism. Only in rare cases, the mother abandons or rejects a child with albinism.

A further gender dimension can be found in the report of the UNIE, when it comes to the family’s conduct towards a child with albinism. The report states that relatives, including fathers, have been implicated in attacks against children with albinism, however, there are no reported cases involving the birth mothers of persons with albinism in Mozambique. Nevertheless, there seems to be an immense amount of familial pressure on mothers to abandon their children with albinism at birth.⁹⁸

Women in Maputo mentioned that there is belief that a woman with albinism has a ‘different flavor’ than other women and that men are curious to discover this. Women with albinism thus get remarks from men while walking in the “*bairro*” that qualify for sexual harassment and make them feel uncomfortable and threatened⁹⁹.

Albinism also impacts on women in a different form, as it is misunderstood as being a cure of diseases such as AIDS. According to Adélia Desejada, president of the ‘Amor a Vida’ Association in Nampula, “a belief exists that having sex with a girl with albinism can cure AIDS; with the consequence that there are many girls with albinism who are being raped”¹⁰⁰. It has to be said that there was no question regarding this issue and it was not raised in any of the interviews or FGD.

97 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

98 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

99 The primary data collection had not included any questions on sexual and gender-based violence.

100 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

9. Other Human Rights Issues

This section illustrates other human rights issues and violations that persons with albinism face, including health, education and the right to work.

a) The Right to Health

The lack of melanin results in two major health concerns for persons with albinism: a particular vulnerability to skin cancer with life threatening consequences and high sensitivity to bright light, as well as a significant vision impairment. No figures are available for Mozambique about incidents and deaths by skin cancer. However, statistics from other parts of Africa indicate that persons with albinism die early from skin cancer; specifically between the ages of 30 and 40. Whereas in Mozambique, persons with albinism have free access to dermatological and ophthalmological services. However, the three regional central hospitals that provide free dermatological and ophthalmological services are not readily accessible, in terms of both cost and distance, to people living in rural and remote areas. In addition, there is a lack of awareness of the existence of such services among persons with albinism, including organizations representing them. In all FGD and in most interviews, despite not being asked explicitly, persons with albinism expressed concerns about their health, especially their skin and eye sight.

b) The Right to Education

Mozambique has an inclusive education policy and subsequent strategic plans of education. However, the number of children with disability having access to inclusive education within the formal system - three inclusive education centers - is still limited. Persons with albinism and the organizations working towards the realization of their rights seem, for the most part, to be unaware of the existence of the centers. Other challenges of the inclusive education program include a lack of training among teachers on the concept of inclusive education, including on the special education needs of students with albinism.

Interviews and FGD with persons with albinism reflect that not all teachers showed sensitivity towards their students with albinism. They do not always seem to be aware of the impaired vision of persons with albinism, and thus the need of sitting in the front rows and, at times, the need for assistance. Persons with albinism also describe unfair treatment in relation to their classmates and that when being teased, bullied and called names by their classmates, the teachers do not always condone this behavior, but support the children against the children with albinism.

As persons with albinism recounted that oftentimes, a child who has been going through traumatic experiences before reaching a school going age will not even want to go to school. Moreover, during the years 2014-2017, parents were often afraid to let their children go to school. In all interviews with parents of children with albinism, they revealed that they at least accompanied the child to and from school.

Thus, stigma, discrimination, bullying, lack of attention from teachers as well as fear of attacks can inhibit children with albinism from going to school. The lack of education negatively impacts their transition to and integration into in the labor market.

c) The Right to Work

Discrimination, stigma, a lack of education and the low level of qualifications that prevails in this group¹⁰¹ have contributed significantly to the exclusion of persons with albinism in the labor market; where they are often labeled as incapable, unproductive and invalid, as society, and more particularly employers, reduce persons with albinism to their albinism, thus ignoring their real capabilities¹⁰².

Persons with albinism face challenges in finding employment and especially in the current economic context. From various parts of the country, they reported that although they were often interviewed based on their applications, after a face-to-face meeting with the employer they were often not recommended for the post.¹⁰³

This was confirmed in interviews and FGD, as when asked about discrimination, they were mostly related to work. Most of the persons with albinism who participated in FGD have neither employment nor do they work in the informal market.

A woman in Tete lamented: "They say we have no capacity to do the work. We are not integrated; the majority of us has no work. To work you need a certain level of education. But there are persons with albinism who have a good level of education and still do not get work."

A woman in Maputo recounted: "I keep looking for work to wash clothes, iron, clean houses, look after children. But, because of my albinism, people say, 'she will not manage to work.'" When people call her on the phone, they ask her to come but when they see her, she does not get the job.

A man in Maputo said that a person with albinism in Mozambique is not considered as a person capable of working. And a man in Tete told that: "They may take you, but in reality, they prefer someone who is without albinism. If they offer me a job, they know that I cannot work in the sun; they need to put me in a shed. So, they do not want that restriction. Even selling in the street; people do not want to buy from me."

And there was also a concern that persons with albinism had about finding work: "I had asked the parents to help me get a job, but they do not want me to work and expose myself. They are afraid that the employer will steal and sell me. They will get a lot of money because they believe that my bones and my brain have gold. They have to sell to those who are interested to buy. Those who are interested are Mozambicans." The other participants disagree, the one who executes is Mozambican the one who buys is from outside the country, but "we do not know from where".

101 Faz-Tudo, Judite Vilares. 2013. Shangulo: um estudo sobre o processo de inserção dos "albinos" no mercado de trabalho. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://196.3.97.216/bitstream/10857/4155/1/MONOGRAFIA%20FINAL.pdf>

102 Faz-Tudo, Judite Vilares. 2013. Shangulo: um estudo sobre o processo de inserção dos "albinos" no mercado de trabalho. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://196.3.97.216/bitstream/10857/4155/1/MONOGRAFIA%20FINAL.pdf>

103 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

10. Protection of Persons with Albinism in Mozambique

10.1. Legislation Protecting Persons with Albinism in Mozambique

Attacks against persons with albinism, ranging from discriminations to serious violations such as trafficking in organs and body parts, constitutes an infringement of human rights established in numerous international instruments ratified by Mozambique, such as the International Covenant on Civil and Political Rights (ICCPR); the African Charter on Human and People's Rights; the Convention on the Rights of the Child (CRC); the Convention on the Rights of Persons with Disabilities (CRPD); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Convention Against Torture (CAT); as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children¹⁰⁴ and the regional framework, including the Maputo Protocol, the Disability Protocol, the African Commission for Human and Peoples Rights and the African committee of Experts on the Rights and Welfare of the Child¹⁰⁵.

The State's obligations to protect the rights of persons with albinism in Mozambique are enshrined in the national Constitution, the Penal Code, the Anti-Trafficking Law, as well as in a dedicated Multisectoral Action Plan.

Article 35 of the Mozambican Constitution establishes the formal equality of all citizens before the law; who enjoy of the same rights and are subjected to the same duties, regardless of colour, race, sex, ethnic origin, place of birth, religion, educational background, social status, or political preference.¹⁰⁶ In the same perspective, Article 37 takes into account the situation of citizens with disabilities, who fully enjoy the rights established in the Constitution and are subject to the same duties, excluding the exercise or fulfilment of those for which, on grounds of disability, they are exempted.

While no specific law on the protection of persons with albinism has been adopted, the judicial authorities resort to provisions of the national Penal Code and other special laws to prosecute attacks against this vulnerable group and impose proportionate criminal sanctions on the perpetrators.

In 2014, the Government adopted a new Penal Code¹⁰⁷, replacing the previous version of 16 September 1886. The revised Code provides the police and the judiciary with adequate tools to deal with cases of attacks against persons with albinism, ranging from discrimination to trafficking in organs and body parts. In particular, Article 243 of the Penal

104 The right to life is recognized in Article 6(1) of the ICCPR, Article 6(1) of the CRC and Article 10 of the CRPD.

The right to liberty and personal security are established in Article 3 of the UDHR, Article 9 of the ICCPR, Article 14 of the CRPD and Article 5 of the ICERD. Equally important are Article 5 of the UDHR, Article 7 of the ICCPR, Articles 2 and 16 of the CAT, Article 37(a) of the CRC, Article 15 of CRPD and Article 5 of the ICERD, prohibiting torture and other cruel, inhuman or degrading treatment or punishment.

For a detailed analysis of the states' duties under international law to prevent human rights violations and attacks against PwA, see *passim* International Bar Association (IBA), "Waiting to disappear" - *International and Regional Standards for the Protection and Promotion of the Human Rights of Persons with Albinism*, June 2017. Available at: www.ibanet.org/Human_Rights_Institute/HRI_Publications/Waiting-to-disappear-albinism.aspx

105 www.ibanet.org/Human_Rights_Institute/HRI_Publications/Waiting-to-disappear-albinism.aspx

106 The full text of the Constitution of Mozambique is available at: www.portaldogoverno.gov.mz/por/Media/Constituicao-da-Republica

107 The full text of the revised Penal Code is available at: www.wlsa.org.mz/wp-content/uploads/2014/11/Lei-35_2014Codigo_Penal.pdf

Code prohibits discrimination and punishes with imprisonment of up to one year whoever injures others using expressions which reflect prejudice as to race, colour, sex, religion, age, disability, illness, social status, ethnicity or nationality and aimed at offending the victim in their honour and consideration.

Of particular importance to address the discriminations faced by persons with albinism to access the labour market is Article 243(3), establishing a custodial sentence from two to eight years against acts of discrimination aimed at preventing or hindering the access of a duly qualified person to any position in public or private employment, as well as harming their professional development.

Furthermore, the Penal Code criminalizes not only the trafficking in persons and organs – the traditional subject matters of national anti-trafficking laws – but also the illicit trafficking in body parts; which is often not directly covered by such laws and represents a specific threat to persons with albinism in Mozambique. Article 161 thus enables the prosecution of illicit trafficking in human bones, limbs, hair and skin; which would not match the definition of organs, but are often hacked off, trafficked and sold.¹⁰⁸ It is worth noting that Article 161 criminalizes all the operations related to the trafficking of organs or body parts from the extraction to the transport and sale.

The custodial sentence imposed on perpetrators ranges from 12 to 16 years. Heftier penalties, from 16 to 20 year prison terms, are foreseen for instigators, who may convince a third party to carry out trafficking in human organs or body parts, in exchange for a personal or professional advantage. Such crimes can be prosecuted upon motion of the prosecutor (*ex officio*), irrespective of a report from a victim or a third party.

It remains controversial whether Article 161 of the Penal Code was introduced to address the specific threat of trafficking in organs and body parts of persons with albinism. During the interviews, key informants expressed different views on this subject, so that no conclusive evidence is available on a possible connection between the two events.

A representative of the judiciary from the Nampula province suggested that the introduction of Article 161 provided a legal basis to counter criminal groups trafficking human organs, especially kidneys, from Mozambique, through South Africa to Brazil, which had risen significantly in 2014.

Irrespective of the intentions of the legislature, Article 161 of the Penal Code currently serves as a useful tool to prosecute the most serious cases of attacks against persons with albinism; jointly with Article 199 on kidnapping and Article 263 on grave tampering.¹⁰⁹

The above analysis shows that criminal penalties are generally viewed as proportionate to the seriousness of the attacks. At the same time, the judicial authorities are able to prosecute the most serious attacks against persons with albinism as heinous crimes. In line with Article 160 of the Penal Code, heinous crimes are those committed with extreme violence, cruelty, or with no sense of compassion or mercy by the culprit; causing deep reprobation and social alarm.

108 Article 161 Penal Code of Mozambique reads:

- “1. Whoever holds, possesses, transports and trafficks human organs, body parts, blood, blood products or human tissues in violation of legal provisions, shall be punished with imprisonment from twelve (12) to sixteen(16) years.
2. Anyone who instigates others to commit the acts provided for in paragraph 1 of this article, with promise of success in sentimental or professional life or similar engagements, shall be punished with imprisonment from sixteen (16) to twenty (20) years.
3. Anyone who entices others to commit the acts provided for in paragraph 1 of this article, in exchange for a payment or the promise of a financial compensation, shall be punished with the penalty of the previous number”.

109 Article 199 of the Penal Code establishes that “Whoever, through violence, threat or fraud, abducts another person with the purpose of subjecting them to extortion, or violence, in order to obtain a ransom, or to force a public authority or a third party to commit or to refrain to commit a certain action, or to bear the consequence of a certain action, shall be punished with imprisonment from twenty (20) to twenty-four (24) years”.

Article 263 of the Penal Code states that “Whoever commits violation of tombs or graves, practicing before or after the burial any facts tending to disrespect a corpse, shall be punished with imprisonment up to one (1) year and a monetary fine”.

According to Article 160(2)(d), such offences include kidnapping followed by the death of the victim, and are sanctioned with a custodial penalty from 20 to 24 years. Pursuant to Article 160 (3), for the purpose of sentencing, the Court must apply the extraordinary aggravating circumstances established in Article 118 of the Penal Code, mandating that the custodial penalty applicable to heinous crimes can be increased up to two thirds. For these reasons, the judicial authorities in Mozambique may punish the kidnapping and murder of persons with albinism with a prison term up to 40 years resulting from the aggravation of the maximum principal penalty namely, that is a 24-year prison term, up to 16 years.

The approval of a new Penal Code represents a positive development in the national legal framework against trafficking in organs and body parts.

The national Anti-Trafficking Law (Law 6/2008), in fact, did not punish trafficking in human organs or body parts as such. Such conducts were prosecuted merely as bodily harm or in connection to trafficking in persons for sexual exploitation, forced and bonded labour¹¹⁰.

Thanks to the new code, a person found in possession of human organs or body parts can be punished, as well as the instigator of the crime, regardless of the prior identification of the victim¹¹¹.

A similar approach allows for overcoming the possible lack of cooperation from witnesses and relatives of the victim, intimidated by the threat of reprisals by witchdoctors or members of the criminal group¹¹².

International analysts have welcomed the reform of the Mozambican Penal Code, noticing that national courts have tended to sentence those convicted of the murder and kidnapping of persons with albinism more harshly than those convicted of similar crimes not committed against this vulnerable social group¹¹³.

10.2. Multisectoral Action Plan to Respond to the Problem of Persons with Albinism and their Protection

The Multisectoral Action Plan to Respond to the Problem of Persons with Albinism and their Protection “*Plano de Acção Multisectorial para Responder à Problemática da Pessoa Albina e Sua Protecção*”, adopted on 24 November 2015 by the Council of Ministers, aims to address discrimination in the enjoyment of socioeconomic rights, disability rights, health rights and other human rights; while including emergency and priority responses in the area of protection and prevention regarding attacks.

The MJACR is the main entity tasked with ensuring the enjoyment of human rights by persons with albinism in Mozambique. This is done through its Directorate of Human

110 Article 10 of Law 6/2008 defined human trafficking as the recruiting, transporting, hosting, providing or receiving a person by any means, including under the pretext of domestic or foreign employment or training or apprenticeship, for the purpose of prostitution, forced labour, slavery, involuntary servitude or bonded labour. Such conducts are punished with a custodial sentence from sixteen (16) to twenty (20) years.

111 The same view is expressed in Comissão Episcopal para Migrantes, Refugiados e Deslocados Internos (CEMIRDE), Estudo sobre o Tráfico de órgãos e partes do corpo humano na Região Sul de Moçambique, 2016, pag. 55, available at: www.talithakum.info/files/news/2016/Trafico_de_rg_os_Mozambique_pPZCBzG.pdf

112 Ibid.

113 See US Department of State, Mozambique 2017 Human Rights Report, 2017, pag. 20, available at: www.state.gov/documents/organization/277271.pdf

See also Office of the High Commissioner for Human Rights (OHCHR), Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 2016, page 9, available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/34/59/Add.2

Rights and Citizens¹¹⁴. The Directorate coordinates the Multisectoral Commission whose main task is to ensure the full implementation of the action plan.

The Commission is composed of representatives of the MJAR, the Ministry of Health, the MGCAS, the Ministry of Culture and Tourism, the Ministry of Internal Affairs, the Ministry of Education and Human Development, the Ministry of Science, Higher Education and Professional Training, the Ministry of Public Administration, the Ministry of Youth and Sports, Labour and Social Security, Instituto de Investigação Socio-Cultural (ARPAC), GABINFO, UEM, AMETRAMO and three civil society associations: Associação Defendendo os Nossos Direitos (ADoDs), Amor e Vida and Albimoz.

The overall objective of the plan is the protection of persons with albinism. Specific objectives include a) promote education, information and sensibilization of families and communities; b) grant protection and social assistance to persons with albinism; c) assure prevention, judicial assistance and procedural help and dissemination of punishments of perpetrators of crimes; and d) realize socio-anthropological studies that can provide scientific evidence for a formulation of public policies regarding this issue.

In the short and medium run, the plan places emphasis on emergency responses in the area of criminal justice in order to curb the wave of attacks; while addressing discrimination against persons with albinism in the enjoyment of socio-economic, disability and health rights in the long term.

Under the heading “*Ensuring legal assistance; an expedite procedure and disclosure of judicial decisions*”, short- to medium-term criminal justice measures include the duties to ensure free legal assistance to the victims, disseminate the judgments against perpetrators and impose custodial sentences proportionate to the seriousness of the crimes. Equally important are the commitments to approve a law on traditional medicine and its implementing regulation, as well as to ensure that the masterminds of attacks against persons with albinism are identified and held accountable jointly with the perpetrators.

According to the UNIE and the Directorate of Human Rights and Citizenship, some aspects of the action plan should be strengthened to ensure its full implementation, comprising the inclusion of dedicated budget lines to all activities and assuring that the action plan caters for both, emergency response, and medium- and long-term aspects. Furthermore, the UNIE sees another challenge in the lack of collaborative engagement between the Multisectoral Commission and key human rights mechanisms such as the National Commission on Human Rights and the Office of the Ombudsman and a lack of participation from civil society, particularly organizations of persons with albinism, in the meetings of the Multisectoral Commission and in the implementation of measures. It also seems that the action plan is not well known amongst state institutions and civil society organizations, especially at the provincial level.

The representative of the Directorate of Human Rights and Citizens of the MJCRA also mentioned that several obstacles for the implementation of the plan, of which the most prominent is that, even though the plan also has a medium- to long-term outlook, the plan was designed to address an emergency situation and needs to be adapted to plan for stronger mid- and long-term action. Also, the responsibilities attributed to the various stakeholders do not always reflect their actual capacity and area of expertise.

114 The Directorate is the driver of initiatives to implement human rights in Mozambique. It does so through engagement with international organizations as well as by coordinating the Inter-Ministerial Working Group for Human Rights, which monitors and evaluates the implementation of recommendations of the universal periodical review. Despite its broad mandate, the Directorate is small and has few human and financial resources. (Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3).

The National Human Rights Commission also revealed several challenges related to its implementation. First, the adopted measures have a merely hortatory value (soft law) and were not transposed in a specific law on the protection of persons with albinism. For this reason, the plan may orient the work of law enforcement and judicial authorities, but does not set in itself additional binding commitments on state organs.

Moreover, the Plan's funding is not ensured by a dedicated central budget, but each participating entity is requested to devote part of their budget to the execution of their tasks. In this framework, concurring priorities of each entity may affect the uniform implementation of the plan; ultimately defeating the purpose of its measures to protect a vulnerable social group. In the same perspective, the plan does not specify the financial resources earmarked for some of the criminal justice measures; notably for the free legal assistance scheme available to victims, and for special enforcement activities aimed at dismantling organized criminal networks and holding the masterminds of attacks accountable.

Interviews with representatives of the Institute of Sponsorship and Legal Assistance (IPAJ) revealed that the adoption of the plan has not resulted in the introduction of a comprehensive legal assistance scheme to the benefit of persons with albinism so far. Conversely, national NGOs advancing the rights of persons with albinism continue to play a key role in raising public awareness, reporting attacks and providing legal services pro bono to the victims.

At the same time, interviews with representatives of the judiciary indicated that neither specific publication mechanisms have been put in place to disseminate criminal judgments against perpetrators, nor are sentencing guidelines in use to account for the specific characteristics of these crimes.

Under the coordination of the Ministry of Health, a third major commitment of the Multi sectoral Action Plan concerns the approval of a law to discipline the traditional medicine in Mozambique and the adoption of its implementing regulation. This reform is credited as an effective means to address the attacks against persons with albinism, through effective oversight measures, such as the compulsory inscription in a public registry of licensed practitioners, periodic inspections on the activities of traditional healers, carried out by the public authorities or self-regulation boards, applying binding provisions to disqualify and report any member which instigates or condones attacks. Although the involvement of witchdoctors in attacks against persons with albinism was confirmed in all the interviews, none of the respondents could provide details on the ongoing debate on the national bill on traditional medicine.

The final commitment adopted by the state consists in ensuring that not only the perpetrators, but also the masterminds of attacks against persons with albinism are identified and held accountable. Yet to date, there are no registered cases in which a clear link was established between perpetrators and moral authors; resulting in the identification and criminal liability of the latter. This is due to the complexity and articulated structure of the criminal networks involved in trafficking in organs and body parts, comprising several intermediaries which are deliberately kept unaware of the identity of their accomplices.

Overall, all respondents agree that the adoption of the Multisectoral Action Plan contributed to draw public attention to the condition of persons with albinism in Mozambique, but further progress is needed in the implementation of short- to medium-term criminal justice measures and legal reforms. To that end, priority could be given to the development of key indicators to monitor the performance of the state's obligations. Alternatively, Mozambique could adopt and implement the Regional Action Plan on Albinism, as urged by the African Commission on Human and People's Rights in the [resolution](#) that is endorsing the Plan, Resolution 373¹¹⁵.

The informants also shared the view that criminals cannot be held accountable without the presentation of adequate evidence by the public prosecutor, which in turn is likely to depend on the human and financial means devoted to the investigations. A second suggestion thus consists of the creation of specialized sections within law enforcement authorities and prosecutor's offices dedicated to the protection of vulnerable groups, including persons with albinism.

10.3. Action Plan for Persons with Disabilities

In 2015 the government approved an action plan for persons with disabilities, including those with albinism. The general objective is to ensure the care and assistance of persons with albinism as well as to prevent criminal acts against them. The actions include measures to raise awareness, civic education and anthropological partner studies, but also measures that allow greater speed in the processing of the issues that this group faces. The plan promotes the rights of people with disabilities; conditions are also created for access to services knowing that persons with albinism *are a priority group for the national health service*, as far as dermatology is concerned, and also a work is done, at family level, to prevent the social rejection of persons with albinism.

10.4. Human Rights Entities

The National Commission on Human Rights of Mozambique, established by law on 22 December 2009 and operational since September 2012, is also the National Mechanism for the Prevention of Torture. It can receive individual complaints and release public statements. Despite the extent of its mandate, the Commission has been unable to conduct missions to evaluate the human rights situation of persons with albinism outside of Maputo; owing to limited resources. The Commission has, however, conducted an awareness-raising campaign and subsequently received complaints from persons with albinism regarding discrimination in access to education and in everyday life.

The Ombudsman, elected by the parliament in May 2012, has as main duty to ensure the protection and promotion of citizens' rights in the action of public servants and institutions. He hears complaints and receives petitions and makes specific recommendations to the department against which the complaints were made. As those departments are not bound by the recommendations of the Ombudsman, the impact of this mechanism remains, to a certain extent, limited.

10.5. Reference Groups for Child Protection and Combating Trafficking in Persons

Reference groups were formed a few years ago at National, Provincial and District level with the mandate to strengthen the strategy of prevention, suppression and assistance, including the reintegration of victims and respond rapidly against the crime of TiP and all forms of violence' primarily against children. Membership includes government entities, traditional authorities and members of civil society. With the increase in reports of attacks against persons with albinism, reference groups promptly incorporated the issue of kidnapping and trafficking of body parts of persons with albinism in their operations. Their method of work includes rapid information-sharing across their networks, alert systems and coordinated action. Furthermore, reference groups make frequent use of media, particularly community radio, as a means of spreading useful information to the country's mostly rural population¹¹⁶.

116 UN Human Rights Council, Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, www.refworld.org/docid/58b00dea4.html

10.6. Associations Assisting Persons with Albinism in Mozambique

Albimoz, Kanimambo and Amor a Vida are associations that advocate the rights and well-being of persons with albinism by communicating to the community the problems experienced by them and generally seeking greater dissemination about what it means to be a carrier of this genetic deficiency¹¹⁷. With the exception of Amor a Vida, these organizations have no self-representation by persons with albinism, are present only in a few provinces and have limited funding.

AMETRAMO plays an important role in supervising the work done by practitioners of traditional medicine. Despite the efforts of AMETRAMO to screen its members and ensure that they are traditional healers and that they do not practice witchcraft, it appears that many practitioners of traditional medicine are not registered with the Association and that the organization lacks concrete mechanisms to ensure the systematic follow-up and monitoring of its members. Furthermore, it is clear — and AMETRAMO concurs — that advertisements in newspapers and radio purportedly posted by traditional healers that offer to make people richer, cure incurable diseases, get people out of prison and other apparently unreasonable goals pointing to witchcraft are not part of traditional medicine; such assertions should not be made by any registered traditional healer¹¹⁸.

The Association Defending Our Rights (ADODS)¹¹⁹ was created to address the challenges faced by persons with albinism, to overcome stigma and discrimination in order to be perceived as “normal” people. Thus, it seeks to create awareness on albinism and the problems persons with albinism face. Through the dissemination of relevant information, ADODS promotes lectures, seminars, entertainment programs and publishes papers, brochures and leaflets on the various problems faced, challenges, day-to-day stories and some advice for those with albinism¹²⁰.

In the northern region of Mozambique, with special emphasis on the province of Nampula, the communities and associations of the provincial reference group have been campaigning to repudiate the phenomenon, with the ultimate aim of demystifying the various beliefs and myths surrounding the phenomenon. The albinism-affiliated members of the associations have adopted a different stance in relation to their movements to and from homes, schools and workplaces, moving in small groups and always accompanied as a way to protect each other¹²¹.

10.7. Regional Efforts to Protect Persons with Albinism

Regionally, Mozambique is involved in the Cross-Border Cooperation Plan on Preventing and Combating Trafficking and the Protection of Persons with Albinism in Malawi, Tanzania and Mozambique. The first meeting, organized by IOM and UNICEF in partnership with the General Prosecutor of the Republic of Mozambique, the Prosecutor of Cabo Delgado province and Albimoz took place in Pemba in May 2017. The main goals of the meeting

117 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

118 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to Mozambique, 14 December 2016, Human Rights Council Thirty-fourth session 27 February-24 March 2017 Agenda item 3.

119 The association Defending Our Rights is a national association created on 30 March 2009, non-profit and based in Maputo. It was created in order to fight for the rights of people with albinism.

120 Gune, Atineja. 2017. Já me chamaram de fantasma: um estudo sobre a construção do indivíduo a partir das pessoas com albinismo na cidade de Maputo 2016. Monografia para obtenção do grau de licenciatura em Sociologia na Faculdade de Letras e Ciências Sociais, Universidade Eduardo Mondlane. <http://monografias.uem.mz/handle/123456789/311>

121 Munhequete, Angelica. 2017. Reflexão sobre as Percepções Sócio-Antropológicas do Albinismo em Moçambique. Embondeiro: Publicação Sócio-Cultural do Arpac: 49-56. www.arpac.gov.mz/images/Revista/Revista_Imbondeiro.pdf#page=49

were: multisectoral cross-border cooperation; investigation and prosecution; prevention and community-based approaches; protection and victim assistance.

For Africa, the Regional Action Plan on Albinism in Africa (2017–2021), based on various recommendations by international bodies and mechanisms and endorsed by the African Commission on Human and Peoples' Rights during its 60th ordinary session in May 2017 to address attacks and related human rights violations against persons with albinism (see *A/HRC/37/57/Add.3*) sets out 15 specific, concrete and time-bound measures in key areas, such as public education and awareness-raising, systematic data collection, research on the root causes of violence, the use of legal and policy frameworks to deter harmful practices related to witchcraft and trafficking in body parts, and measures to fight impunity and to ensure support for victims.

Mozambique is a signatory of the SADC Protocol on Mutual Legal Assistance in Criminal Matters and various bilateral treaties.

As attacks against persons with albinism represent a regional issue, the cooperation of Mozambican authorities with neighbouring states in the framework of the SADC in the fields of law enforcement and mutual assistance in criminal matters is key to curb trafficking rings operating in more than one state.

Since 1996, the SADC Organ for Politics, Defence and Security promotes security and the rule of law in the region, managing cooperation programmes in numerous areas, including policing and criminal justice¹²².

In the sector of policing, SADC states created the Southern African Regional Police Chiefs Co-operation Organisation (SARPCCO), as the law enforcement cooperation body against transnational crime in the region. This organisation is supported by the sub-regional bureau of INTERPOL in Harare, which coordinates its activities and programmes.

Under the auspices of SARPCCO, SADC member states have signed an *Agreement in Respect of Cooperation and Mutual Assistance in the Field of Crime Combating*.¹²³ Article 3 of the treaty enables police officers to travel across borders in the region to undertake investigations or the seizure of exhibits, and question witnesses in connection with an offence committed in the territory of the visiting police officers. Nevertheless, the police force of the host state maintains the exclusive authority to carry out the material operations requested for the purpose of the joint investigation.

In the sector of criminal justice, SADC members states have developed their cooperation through the conclusions of two protocols.

On the one hand, the *Protocol on Extradition* binds the signatory parties to surrender any person within their jurisdiction who is wanted for prosecution or the imposition or enforcement of a sentence in the requesting state for an extraditable offence. Extraditable offences are those crimes punishable under the laws of both state parties by imprisonment or other deprivation of liberty for a period of at least one year, or by a more severe penalty¹²⁴.

On the other hand, the *SADC Protocol for Mutual Legal Assistance in Criminal Matters* commits member states to provide each other with the widest possible measure of mutual

122 Further information on the mandate of the SADC Organ for Politics, Defence and Security is available at: www.sadc.int/sadc-secretariat/directorates/office-executive-secretary/organ-politics-defense-and-security/

123 As clarified in Article 4 of the SARPCCO Agreement in Respect of Cooperation and Mutual Assistance in the Field of Crime Combating. The text of the agreement is available at: www.saps.gov.za/resource_centre/agreement_memo/downloads/mutual_assistanc.pdf

124 See Article 4 of the SADC Protocol on Extradition. The full text of the Protocol is available at: www.sadc.int/documents-publications/show/817

legal assistance in criminal matters, including investigations, prosecution or proceedings relating to transnational organized crime, corruption, taxation, custom duties and foreign exchange control.

The notion of assistance is broadly interpreted to include the identification of persons and objects; serving documents; providing information, documents and record; conducting searches and seizures; taking evidence and obtaining statements; as well as authorizing the presence of officials from the requesting state at the execution of requests¹²⁵.

10.8. International Criminal Justice Cooperation and Attacks against Persons with Albinism

The Deputy National Prosecutor and representatives of the judiciary clarified during the interviews that they attach great importance to international cooperation; highlighting that Mozambique is a signatory to the SADC *Protocol on Mutual Legal Assistance in Criminal Matters* and has concluded memoranda of understanding to facilitate mutual legal assistance with South Africa.

Despite not being a party to the SADC *Protocol on Extradition*, Mozambique would be committed to follow up on requests for extradition of foreign citizens originating from other countries, in accordance with its national Extradition Act (Law 17/2011)¹²⁶.

Respondents also emphasized that the country participates in the Africa Prosecutors Association, an organisation established in 2003 to enhance cooperation between prosecution agencies of 30 African countries¹²⁷.

With respect to the fight against TiP, the Deputy National Prosecutor specified that, in recent years, Mozambique has successfully cooperated with Rwanda and South Africa to dismantle criminal groups trafficking victims for the purposes of sexual exploitation, forced labour and organ removal. Moreover, SADC member states have appointed national focal points against human trafficking which ensure the exchange of information and the sharing of best practices.

Yet despite the social alarm provoked by the wave of attacks against persons with albinism in SADC countries, the respondents confirmed that no joint investigation or prosecution has been conducted in Mozambique against the trafficking in organs or body parts of persons with albinism so far. Moreover, the informants stated that SARPCCO has not elaborated a common position on attacks against persons with albinism.

At the same time, due to the challenges in the identification of masterminds, Mozambique has neither requested the extradition of foreign suspects to third countries nor has it received requests from third countries to extradite foreigners present on its territory.

Representatives of the judiciary also voiced concerns over the effectiveness of the procedure for criminal justice cooperation under SADC rules. The signature and ratification of the related Protocols must, in fact, be supplemented with the conclusion of bilateral memoranda of understanding with neighbouring countries defining the details of provisions of the law enforcement and judicial cooperation.

125 See Article 2(5) of the SADC Protocol for Mutual Legal Assistance in Criminal Matters. The full text of the Protocol is available at: www.sadc.int/documents-publications/show/807

126 In line with the SADC Protocol on Extradition, Article 3(2) of Law 7/2011 defines extraditable offence as crimes punishable under the laws of both State Parties by imprisonment or other deprivation of liberty for a period of at least one year, or by a more severe penalty.

127 Further information on the Africa Prosecutors Association is available at: <http://africaprosecutorsassociation.org>

The right of police officers or members of the judiciary to operate in another country, is exercised in accordance with the domestic law of the hosting state; which maintains the exclusive authority to carry out the material operations requested¹²⁸.

In the absence of a bilateral memorandum of understanding, law enforcement and judicial cooperation are, thus likely to be delayed or ineffective.

The Mozambican judicial authorities face particular constraints when requiring the assistance of foreign public entities other than law enforcement or judicial authorities through ordinary diplomatic channels. Lacking a specific cooperation framework, there are few remedies to the inaction of the foreign counterpart which hampers the investigations and ultimately benefits transnational criminal groups.

In these circumstances, the fight against transnational criminal groups involved in attacks against persons with albinism will benefit from stronger law enforcement and judicial cooperation between Mozambique and other SADC countries. Advisable measures include the signature of bilateral memoranda of understanding to establish detailed provisions of the execution of requests for assistance, as well advancing the protection of persons with albinism in regional fora such as SARPCCO and the Africa Prosecutors Association.

Mozambican police cooperate with the police forces of other countries either directly or through the International Criminal Police Organization (INTERPOL); border services agents also cooperate with the corresponding forces of Mozambique's six neighboring countries. The Extradition Act 17/2011 may also be a tool for facilitating transnational efforts and cooperation.

128 As established in Article 3(3) SARPCCO Agreement in Respect of Cooperation and Mutual Assistance in the Field of Crime Combating and Article 4 of the SADC Protocol for Mutual Legal Assistance in Criminal Matters.

11. Findings and Recommendations

11.1. Data on the Population of Persons with Albinism

- a) No accurate data on the population of persons with albinism exists.
 - i) Recommendations:
 - a. Make a nationwide survey of people with albinism to be able to work with and count the real numbers.
 - b. Include questions on albinism (identification of persons with albinism; disaggregated data) in the Demographic Health Survey (DHS) and other national surveys (disability, health, education).
 - c. Modify the Washington Group Short Set of Questions to include albinism as a separate indicum. Currently, persons with albinism can only choose blind/problem seeing. This not only rules out persons with albinism who do not have problems seeing - even though there are the minority - it also fails to allow one to know those who need health attention for skin cancer or who face discrimination based on color. The practice of having albinism as a separate question has just been accepted into the census of Kenya next year. It was also used in Namibia, Tanzania and next year, in Malawi.

11.2. Human rights violations

- a) Discrimination:
 - i) Discrimination and stigmatization against persons with albinism are rife in Mozambique, and are fueled by ignorance about albinism and myths.
 - ii) Discrimination and stigma follow the persons with albinism throughout their life, during childhood especially at school, at times at family level but especially in public spaces and at the work place.
 - iii) Discrimination is caused by the intersectionality of both disability and color. This intersectional approach is important as it gives constitutional protection on two grounds: disability and color. This also illustrates that the discrimination experience of persons with albinism is aggravated even at its starting point. Gender and age make things worse on top of the aggravated starting point.
 - iv) Discrimination was especially rife when trying to find work.
 - a. Recommendations:
 - i. Public education and awareness campaigns. Strengthen awareness on the origin of albinism in schools with teachers and students, in the communities, with health services, social workers and other social service providers. Awareness raising activities should be for at least two years continuously and should not be ad hoc and focus on rural and border areas.

Include the question of the protection of people with albinism in the school curriculum.

11.3. Verbal, emotional and physical abuse, sexual harassment, abduction, torture, killing, organ trafficking

- a) Abductions, organ extraction and trafficking of organs of persons with albinism need to be seen in the African regional context. Whereas countries in the region have a tendency to blame the neighboring countries, when it comes to abduction and murders for organ extraction, these human rights violations against persons with albinism emerge in all countries.
 - i) Recommendations:
 - a. Strengthen regional cooperation. The basis for this already exists in various agreements (SADC) and action plans (African Regional Action plan). Build on first workshop, held in Pemba, Cabo Delgado, between Mozambique, Tanzania and Malawi Law enforcement officials.

11.4. Causes of Human Rights Violations

- a) Root causes of human rights violations against persons with albinism include ignorance about albinism, long standing myths about persons with albinism, poverty and, more than any other cause: witchcraft, which is in turn linked to greed for wealth and power.
 - i) Recommendations:
 - a. Intensify awareness raising activities.
 - b. Trafficking of organs of persons with albinism needs to be put within the larger context of TiP and witchcraft and in the context of poverty and a lack of social services, especially health services.
 - c. Find ways to grant support/social security/access to social welfare and access to health services; grants to poor parents of children with albinism.
 - d. Address witchcraft in the context of human rights.
 - i. Increase human rights education in schools and communities
 - ii. Address witchcraft as a source of human rights violations (also other human rights violations that attacks persons with albinism)
 - iii. Provide AMETRAMO with resources to address the issue of witchcraft.
 - iv. Raise awareness about the difference between the “*curandeiro*” and the “*feiticeiro*” and the implications of the use of “*feiticaria*”
 - e. Approve the law to regulate traditional medicine in Mozambique and adopt its implementing regulation (this will include: effective oversight measures, such as the compulsory inscription in a public registry of licensed practitioners, periodic inspections of the activities of traditional healers carried out by the public authorities (external oversight) and through self-regulation boards, applying binding provisions to disqualify and report any member which instigates or condones attacks).
 - f. Increase graveyard protection to end grave vandalism.

11.5. Children as Victims

- a) Children comprise most of the victims. Children are more likely to be lured by a perpetrator to go with them, thus more susceptible for abductions – the crimes against persons with albinism are opportunistic crimes.
 - i) Recommendations:
 - a. Assure that children with albinism are integrated with other children in all areas of life (early childhood development, schools, service provision, leisure activities at community level; special child protection mechanisms). Awareness raising on the causes of albinism and the importance of integrating children with albinism as well as paying attention to their special needs (sitting in front rows in school, having access to reading glasses, sun protection, skin creams).
 - b. Prevent any form of segregation of children with albinism from other children.

11.6. Human Rights Violations against Persons with Albinism in Rural Areas

- a) HR violations against persons with albinism seems to be more prevalent in rural areas. This can be linked to several factors: Districts far from the provincial capitals are not reached by protection and other governmental services; districts are not sufficiently covered by education and information; health services are scarce thus the use of “*curandeiros*” is predominant. Provincial capitals are safer for persons with albinism than districts.
 - i) Recommendations:
 - a. Special efforts to reach rural and remote areas through awareness raising and service provision to strengthen prevention and protection of persons with albinism.
 - b. Strengthen the resources of services, including human rights institutions and the human rights focal points of the provinces to reach remote areas.

11.7. Perpetrators

- a) The secrecy around witchcraft, the fear of witch doctors, the chain of command – several people are involved in abductions and trafficking – the enormity of the crime and the money involved make it difficult to find the “*mandante*”.
- b) Criminals cannot be held accountable without the presentation of adequate evidence by the public prosecutor which, in turn, is likely to depend on the human and financial means devoted to the investigations.
 - i) Recommendations:
 - a. It is imperative that not only the perpetrators, but also the masterminds of attacks against persons with albinism are identified and held accountable:
 - b. Training and resourcing all law enforcement personnel including border guards. Strengthening community-based protection structures beginning with traditional authority. (African Regional Action Plan)

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- c. Creation of specialized sections within law enforcement authorities and Prosecutor's offices, dedicated to the protection of vulnerable groups, including persons with albinism.
 - d. Disclose the cases sentenced to discourage similar actions.

11.8. Cross-Border Trafficking

- a) Different reports and indicators lead to the belief that there is cross-border trafficking of organs and body parts of persons with albinism
 - i) Recommendations:
 - a. Sign bilateral memoranda of understanding with the judicial authorities of SADC member states; establishing detailed provisions on the execution of requests for mutual legal assistance;
 - b. Advance the protection of persons with albinism in regional fora, such as SARPCCO and the Africa Prosecutors Association.
 - c. Continuation of the cross-border meetings between Mozambique, Malawi and Tanzania

11.9. Underreporting of Violations

- a) There is reason to believe that there is under-reporting, due to:
 - i) involvement of family members or friends and neighbors
 - ii) disregard for persons with albinism and the myths surrounding them
 - iii) fear of the "*feiticeiro*"
 - iv) fear of powerful "*mandante*"
 - a. Recommendations:
 - i. Awareness raising about albinism and human rights.
 - ii. Government to undertake a situational analysis with the cooperation of NGOs working on the issue to obtain and record cases and follow-up.
 - iii. Empower civil society organizations and national human rights institutions in monitoring and recording cases regarding persons with albinism either on their own or in the larger context of efforts to combat trafficking and/or discrimination.

11.10. Organizations Assisting Persons with Albinism

- a) Persons with albinism have limited self-representation and are not represented in all provinces.
- b) Organizations assisting persons with albinism have limited or no funding
 - i) Recommendation:
 - a. Organizations that work for persons with albinism should have a level of self-representation and increase the representation of persons with albinism in their organizations

11.11. Funding

- a) Limited funding restricts awareness raising activities, service provision, and response to human rights violations against persons with albinism, including law enforcement and investigations.
 - i) Recommendation:
 - a. Persons with albinism in Mozambique are most vulnerable and have been suffering continuous discrimination, stigmatization and been exposed to gross human rights violations. It should be imperative to dedicate funding to prevent these human rights violations and assist victims and families of victims who have suffered these violations.

11.12. Multisectoral Plan to Respond to the Problem of Persons with Albinism and Their Protection

- a) The Plan was developed in a situation of emergency. Even though, mid- and long-term actions are included, the allocated budget does not correspond to the needs.
 - i) Recommendations:
 - a. Revise and strengthen the Multisectoral Plan, considering some of the recommendations of this analysis and assuring that budget is allocated. Integrate and assure activities that are listed in the African Regional Action Plan
 - b. Alternatively, adopt and implement the Regional Action Plan on Albinism, as urged by the African Commission on Human and People's Rights in the [resolution](#) that is endorsing the Plan.
 - c. Monitor the implementation of the Multisectoral Action Plan as well as yearly reporting on progress and HR violations.

11.13. Legislation and Application of Law

- a) Adopt sentencing guidelines to account for the specific characteristics of crimes against persons with albinism.
- b) In the most serious cases of attacks against persons with albinism, the prosecution authority and judges should consider applying Article 118 of the Penal Code, mandating that the custodial penalty (imprisonment) applicable to heinous crimes can be increased up to two thirds.
- c) Pursue with the implementation of the Multisectoral Action Plan, in particular the measures approved under the heading *Ensuring Legal Assistance, Procedural Celery and Disclosure of Judicial Decisions*.
- d) National human rights institutions to bring test cases on behalf of persons with albinism under all applicable law in the areas of protection, discrimination (disability, color and health).
- e) Extend criminal laws on threats and harassment.

11.14. Capacities of Relevant Stakeholders:

- a) Capacity building/strengthening regarding TiP and human rights violations against persons with albinism for relevant actors, including immigration officials, police, prosecutors, judges and other relevant stakeholders from government and civil society.

11.15. Other:

- a) Assure that persons with albinism are increasingly involved in advocating and acting on their behalf.
- b) Pay special attention and guarantee special protection for persons with albinism during pre-election times in Mozambique as well in neighboring countries (especially Malawi and Tanzania).
- c) Strengthening national, provincial and district level Reference Groups for Child Protection and Combating Trafficking in Persons, especially when it comes to capacity and awareness on all issues related to persons with albinism.
- d) Strengthen collaboration and efforts between public institutions and civil society, community and religious leaders.
- e) Approve the draft National Action Plan against Trafficking in Persons, as well as of the regulation implementing the provisions on the protection of victims of trafficking, established in Articles of Law 6 /2008 against Trafficking in Persons.
- f) Plan for more studies on human rights violations, including:
 - i) Situation analysis on human rights violations against persons with albinism in Nampula, Zambezia and Niassa
 - ii) Susceptibility to believing in witchcraft and the link to human rights violations, including human rights violations against persons with albinism
- g) Media/press needs to report more carefully on violations against persons with albinism. Special attention needs to be paid that the media not disclose the results of the investigations before their conclusion and thus inadvertently warn the “*mandantes*”.
- h) The problem of discrimination and other human rights violations also occurs in the family environment, which calls for specific actions, including awareness raising and behavior changing activities directed at family members.
- i) Widely share outcomes of cases of violence against persons with albinism ;
- j) Share results of the situation analysis with persons with albinism, especially, but not only, with those who participated in this study.

12. Annexes

12.1. Annex 1: Definitions

a) Albinism

Albinism is a relatively rare, non-contagious, genetically inherited condition characterized by hypopigmentation in the skin, hair, and eyes, due to a reduced or complete lack of melanin pigment production; occurring in both genders regardless of race in all countries of the world. The lack of skin pigmentation in the hair, skin and eyes, causes vulnerability to sun exposure and bright light. Persons with albinism are more susceptible to serious medical issues such as skin cancer, extreme sensitivity to sunlight, and visual impairment. Both parents must carry the genetic trait of albinism – even when neither have albinism there is a 25% chance at each pregnancy that baby will have albinism. Normal pigmented children born to such parents may carry genetic trait for albinism. Incidences of Albinism are higher in Africa - 1 in 5,000 to 1 in 15,000 with estimates as high as 1 in 1,000 in some groups (WHO) - than in in North America / Europe: 1 in 17,000 people.

There are different types of albinism. The best-known type is oculocutaneous albinism, which affects the skin, hair and eyes. Within this type are subtypes that may reflect varying degrees of melanin deficiency. A lack of melanin in the eyes results in high sensitivity to bright light and significant vision impairment, with the level of severity varying from one person to another. This vision impairment often cannot be completely corrected. In addition, one of the most serious health implications of albinism is vulnerability to skin cancer, which is still a life-threatening condition for most persons with albinism in certain regions. All violations of civil and political rights relating to albinism reported to date have been linked to its oculocutaneous form, which is also the most visible form¹²⁹.

b) Disability

Article 1 of the UN Convention on the Rights of Persons with Disabilities (2007) provides the definition of disability as, “Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

c) Albinism as a Disability

The understanding coming from the UN Convention (2007) on the Rights of Persons with Disabilities corroborates the proposed idea of a change from the in the medical perspective to one of fundamental rights. The term “person with disability” emphasizes the individual rather than an adjectivization and rejects a medical vision because it is associated with the notion of illness.

Thus, the social model of disability recognizes that the person with albinism must be recognized as a subject of rights oriented by the dignity of the human person.

129 Report of the Independent Expert on the enjoyment of human rights by persons with albinism on her mission to the United Republic of Tanzania, 20 December 2017

By understanding disability as a social construct, the model subsidized the struggle for the social integration of people with disabilities. The social model originates from the critical need for the majority understanding of disability, the medical model (understood as a biological phenomenon), understood as universal and neutral, and thus also perceived socially because of its proximity to common sense.

France (2013), the definition of disability, comprises as a lifestyle imposed on people with certain injuries marked mainly by exclusion and oppression.

Thus, people with albinism fall within the concept coming from the UN Convention, that is, “those who have a long-term physical, mental, intellectual or sensorial impediments which, in interaction with several barriers, may make it impossible to participate fully and effectively in society on a level playing field with other people.”(UN, 2009)

As the UNIE in her report to the General Assembly¹³⁰ outlines, “Persons with albinism are a constituency of persons with disabilities” and reports to the Independent Expert indicate that access to this protection framework is often granted to them on the basis of their visual impairment alone.

d) Trafficking in Persons

Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, 2000:

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.

Note:

While article 3 (a) of the protocol refers to trafficking in person for the purposes of exploitation, including removal of organs, it does not apply to cases of trading in body parts.

130 http://ap.ohchr.org/documents/dpage_e.aspx?si=A/72/131

12.2. Annex 2: List of Institutions and Organizations met

a) Maputo

- Attorney General's Office
- ALBIMAZ
- Canadian High Commission
- Ministry of Justice, Constitutional and Religious Affairs
- Ministry of Gender, Children and Social Action
- Police of the Republic of Mozambique (Department of Family and Minors, Victims of Violence)
- Amor a Vida
- Kanimambo
- CEMIRDE
- Police of the Republic of Mozambique
- Human Rights League
- Maputo City Court
- Institute of Sponsorship and Legal Assistance
- Human Rights Commission
- Central Office for Combating Corruption (*Gabinete Central de Combate à Corrupção, GCCC*)
- *Servicio Nacional de Investigação Criminal, SERNIC*
- National Association of Traditional Healers (*Associação de Médicos Tradicionais de Mozambique, AMETRAMO*)
- Eduardo Mondlane University, Department of Geography, *Faculdade de Letras*
- UNESCO
- REDECAME

b) Tete

- Attorney General's Office
- Ministry of Labor
- Ministry of Gender, Children and Social Action
- Police of the Republic of Mozambique
- AZIMAP
- SENAMI
- Mozambican Human Rights League
- Ministry of Justice, Constitutional and Religious Affairs
- Fundação Apoio Amigo

c) Cabo Delgado

- Attorney General's Office
- SENAMI
- Police of the Republic of Mozambique
- Mozambican Human Rights League
- Ministry of Justice and Constitutional Affairs
- REPRODIC

12.3. Annex 3: Adolescents and Young People Knowledge of Albinism – SMS-BIZ



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INTERNATIONAL ALBINISM AWARENESS DAY – 13TH OF JUNE

REPORTING RESULTS

Platform used:

SMS BIZ – a peer-to-peer sexual and reproductive health counseling service for adolescents and young people aged 10-24 years old, aimed at improving adolescents and young people's access to comprehensive and personalized SRH and HIV information through SMS.

Knowledge and Attitude:

From the **98,090** adolescents and young people reached out with the International Albinism Awareness Day poll, **24,782 (25 per cent response rate)** have participated and **21,106 (Males: 9,457; Females: 11,240 and 409 blanks)** by responding to the questions of the poll.

The poll was composed of five (05) questions and the participants who have responded to each question vary from question to question depending on the interest.

That being said, **59 per cent** of the total number of participants who have responded the first question chose **option A “albinism is a genetic disease that causes the skin to be very sensitive and fragile to the sun causing burns”**, **26 per cent** chose **option B “albinism is a disease that can cause vision problems due to lack of pigmentation in the eyes”** and **15 per cent** have chosen **option C “Other Options”** but literally describing what albinism is, in their own words, which ended up fitting either in **option A or B**. In that same line of thought, very few participants had **“nothing to say”** about albinism.

In addition, **at least 21,335 participants** have responded the second question **“Do you know anyone with albinism?”**. From that number, **79 per cent** said **“yes”** acknowledging that they know someone with albinism, **16 per cent** said **“no”** recognizing they do not know anyone with albinism and **5 per cent** are assumed to be **people with albinism**.

Furthermore, at least **21,142** participants have responded the third question **“A child is born with albinism because... A. inherit from their parents; B. the parents are cursed; C. the child is bad”**. From this number, **75 per cent** have said a child is born with albinism because he/she inherits it from his/her parents, whereas **14 per cent** said a child is born with albinism because his/her parents are cursed. Despite low, **11 per cent** of participants, still believe a child is born with albinism because he/she is bad.

Moreover, out of the **23,656** SMS Biz beneficiaries that reached out have responded to the fourth question **“Albinism affects the lives of adolescents and young people through, A: bullying in school, being kidnapped and even killed; B: prone to poverty; C: both options A & B; 19,572** have provided their views on the challenges people with albinism can face in the society.

From this number, **72 per cent** believe persons with albinism **are often bullied in school, kidnapped and even killed** because of discrimination and myths. **15 per cent**, on the other hand, believe persons with albinism **are prone to poverty and lack of education** because of the way society treats them.

Although a small percentage at **12 per cent**, few participants believe both answers (A and B) together better describe the challenges faced by persons with albinism in Mozambique.

Finally, **18,537 out of 22,161 participants** reached out in the last, fifth question “**How can we protect persons with albinism?**” on the poll and had something to say about **how to protect persons with albinism in Mozambique**.

For instance, most of the participants (**54 per cent**) believe persons with albinism should be treated equally and with respect because they are no different from other human beings. The next biggest group of participants (**21 per cent**) believe they can be protected them by ensuring they are included in the decision-making process to ensure their rights are not violated. Surprisingly, **24 per cent** believe the combination of **option A** and **option B** better describes how persons with albinism can be protected in Mozambique.

Only **2 per cent** had a slightly different opinion regarding how persons with albinism could be protected in Mozambique. Few provided the following opinions: “**Ensure maximum protection and pay more attention to their education**”; “**Look at them as normal human beings because that is what they are**”; “**Creation of more comprehensive and punitive laws for crimes against albinos. And clarification of these myths**”; “**May they be able to make their own decisions and say NO to sexual harassment in schools**”.

Two people said, “albinism is a disability” and “persons with albinism should be killed”.

A positive conclusion can be made as majority of participants aged 10-24 years old believe persons with albinism should be treated equally, granted access to education, be included in the decision-making process as to not have their rights violated and that albinism is inherited from a child’s parents. Although very few participants think otherwise, this clearly indicates that more information needs to be directed to them as to help them understand what albinism really is and what role each one of us plays.

More participation has been noticed in three main provinces: **1) Maputo (4,606 participants); 2) Nampula (3,800 participants) and 3) Zambézia (3,415 participants)** where the age groups who took part ranged between 10-24 years old and the majority of the participants were adolescent girls and young women (11,240). The males all together have amounted to a total of 9,457 spread all over the 11 provinces of Mozambique.

Other provinces:

- Southern region (Gaza: 2,296; Inhambane: 739);
- Centre region (Manica: 481; Sofala: 1,021; Tete: 670);
- Northern region (Cabo Delgado: 1,969 and Niassa: 1,401);
- Blanks: 708

More details of the poll can be found at: <https://mozambique.ureport.in/poll/2786/> .

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12.4. Annex 4: Cases Under the Same Sun, Most Recent, October 2018 Report

Most recent murder: On Wednesday, September 13, 2017, a 17-year-old teenage boy with albinism whose name has not been released was brutally mutilated and killed in the Benga area, Moatize district in the province of Tete (northwest), Mozambique. The murderers amputated the young man's arms and legs, removed his hair, and then smashed his skull and removed the brain. Lurdes Ferreira, a spokesman for the Tete Province police said "We launched an operation to arrest those responsible for this macabre crime." (Sources: France papers: www.ledauphine.com/france-monde/2017/09/16/un-adolescent-albinos-tue-et-ampute-de-son-cerveau; www.24matins.fr/mozambique-adolescent-albinos-tue-mutile-niveau-de-bras-de-jambes-de-cerveau-602047; www.dna.fr/actualite/2017/09/16/un-adolescent-albinos-tue-et-ampute-de-son-cerveau; Swiss papers: www.arcinfo.ch/articles/monde/mozambique-un-jeune-albinos-de-17-ans-demembre-son-crane-fracasse-son-cerveau-emporte-70141; www.20min.ch/ro/news/monde/story/Un-ado-albinos-massacr--ses-membres-emport-s-26161517; Belgium paper: www.msn.com/fr-be/actualite/monde/mozambique-un-ado-albinos-de-17-ans-assassiné-son-cerveau-empoté/ar-AAAs0Nni?li=BBqiQ9T; African paper: www.pressafrik.com/Mozambique-un-adolescent-albinos-assassine-son-cerveau-emporte_a170682.html; Malaysia paper: www.nst.com.my/world/2017/09/280591/brain-harvested-murdered-mozambique-albino-boy)

Most recent survivor: On January 15, 2018, Mozambican police announced that it had aborted an attempt to kidnap an 11-year-old child with albinism in the central province of Zambezia, near the border of Malawi, and Mozambique. The child had been targeted by a gang of five traffickers in human body parts. By the time police were able to intervene and rescue the child; the gang had shaved his head and cut off his ears. "We are on the trail of the other members of this gang believed to be those who ordered this macabre crime", said Zambezia provincial police spokesperson Miguel Caetano at a Monday press conference in Quelimane, the provincial capital. (Source: CLUB OF MOZAMBIQUE: *Police rescue albino child from traffickers*; Source: AIM; January 16, 2018; <http://clubofmozambique.com/news/police-rescue-albino-child-from-traffickers/>)

Most recent grave robbery: During the first week of May, 2016, the grave of a man with albinism was violated and robbed in a family cemetery in the northern city of Nampula in the neighbourhood of Namutequilia, Mozambique. The grave raiders allegedly removed the body, cut off the arms, and then dumped the rest of the body in a bush near the cemetery. On May 11, 2016, Nampula provincial police spokesperson Zacarias Nacute reported that Mozambican police arrested eight people for tampering with the grave. Police said the grave contained the body of an albino citizen and the gang raided it to steal body parts. Thanks to the investigations undertaken by the police, it was possible first to arrest three of the suspects who had a bag containing 16 fragments of bone from the body. Later we managed to arrest the other five criminals, said Nacute. The public broadcaster reported that the suspects confessed to the crime. Two of the grave robbers were witchdoctors, recruited both to assist in selling the bones, and to use magic that would prevent the criminals from being caught. (Source: StarAfrica.com; *Mozambique nabs eight for interfering with albino grave*; May 12, 2016; Posted by APA; <http://en.starafrica.com/news/mozambique-nabs-eight-for-interferring-with-albino-grave.html>)

Most recent missing: On July 9, 2018, a 10-year-old boy with albinism was abducted at dawn from his parents' residence in the city of Lichinga, Niassa province, northern Mozambique. The boy's father, Pires Ernesto who was working on a night shift at the time of the abduction, alleged that the kidnappers dug a hole in the wall of his house and went straight to the bedroom where his four children were sleeping. Ernesto said that only his son with albinism was taken. Alves Mate, the spokesman for the police in Niassa said: "As soon as the police received the information about this incident, the utmost attention was paid to the case and it was immediately referred to SERNIC (National Criminal Investigation Service)." Trindade Guilherme, a representative of the albinism association 'Amor à Vida' [Love of Life] in Niassa province, views the re-occurrence of albino kidnappings as a great concern. "We ask the police to re-double their investigative efforts so that we can live with more tranquility". (Source: Email on September 11, 2018, from Margarida Carneiro - mmsrfc@gmail.com - of the Kanimambo group in Mozambique, made UTSS aware of: Deutsche Welle / BBC / *How an albino boy was snatched from his bedroom in Niassa, Mozambique*; Jul 11, 2018; <http://clubofmozambique.com/news/how-an-albino-boy- was-snatched-from-his-bedroom-in-niassa-mozambique/>; *Albino boy, 10, abducted from his home in Mozambique – report*; Jul 11, 2018; www.news24.com/Africa/News/albino-boy-10-abducted-from- his-home-in-mozambique-report-20180711)



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