

PAN-AFRICAN PARLIAMENT

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## WORKSHOP REPORT

**THEME: Recent developments, trends and the prevailing gaps  
in the continent on the rights and protection of persons with  
albinism**

04 March 2019

## **1.Introduction**

The Disability Rights Unit of the Centre for Human Rights in collaboration with the with the office of the UN Independent expert on the enjoyment of human rights by persons with albinism hosted a workshop at the Pan African Parliament (PAP) on the rights of persons with albinism in Africa. The workshop was attended by the PAP Permanent Committees on Justice & Human Rights, and Rules, Privileges and Discipline.

The workshop was conducted during the statutory Committee sitting of the Pan-African Parliament in Midrand, South Africa on the 5<sup>th</sup> of March 2019. The main purpose of the activity was to deliberate on measures for the effective implementation of the PAP Resolution on albinism that was adopted in the May 2018 Plenary Session of the PAP.

### **1.1 Scope of the workshop**

The Resolution established a key role for the PAP to engage African Union member states and regional bodies to advance and protect the rights of persons with albinism. The roles stems from the 8 commitments outlined in the Resolution as follows;

- a) Continued condemnation on the incidences of attacks and other human rights violations against persons with albinism on the continent;
- b) Endorsement of the Regional Action Plan on Albinism in Africa (2017-2021);
- c) Urging the AU member states to review, reform or abolish, where necessary, existing legislation, policies and practices that do not comply with international and regional human rights standards or do not effectively protect the human rights of persons with albinism;
- d) Calling upon the AU member states to take all measures necessary to adopt and implement the Regional Action Plan and to ensure the effective protection and promotion of the rights of persons with albinism and members of their families;
- e) Urging the organs of the Pan-African Parliament to give due regard to the Regional Action Plan within their mandates;
- f) Encouraging state parties to ratify and ensure the effective implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and other relevant Protocols;
- g) Taking effective steps to promote regional cooperation for the prevention, detection, investigation, prosecution and punishment of cross-border

crimes affecting persons with albinism, notably trafficking of persons, children and body parts;

- h) Working in collaboration with civil society and other interested partners to demystify albinism, including through awareness raising campaigns across the five regions of Africa.

## **1.2 Objectives of the workshop**

- a) Sensitize the PAP Committee on Justice and Human Rights and the Committee on Gender, Family, Youth and Persons with Disabilities on the violations of the human rights of persons with albinism in Africa
- b) To map strategies for the implementation of the Resolution which will be presented as recommendations by the Committees to the PAP for adoption at the Ordinary Session in May 2019 with particular focus on paragraphs 4, 5, 7 & 8 of the Resolution;
- c) To deliberate and agree upon a draft Resolution which will incorporate activities to concretely support efforts to promote the enjoyment of human rights by persons with albinism on the African continent;

## **2. Human Rights and Albinism in Africa**

Ms Perpetua Senkoro from Under the Same Sun Tanzania briefed the gathering on what Albinism is as well the human rights violations against persons with albinism in Africa.

Albinism is a lack of pigmentation in the skin, hair and eyes and that in order for a child to be born with this condition, both parents have to have the gene and not necessarily have the condition. This condition is extremely rare but very random in how it spreads in society.

Persons with Albinism encounter challenges like visual impairment, which result in difficulty in adequately accessing education due to lack of accessible visual aids such as study materials in large prints and magnifying glasses.

These people are also victims of harmful social practices. Some people hold the belief that body parts of persons with albinism are lucky charms or give unnatural powers. These beliefs have contributed to the abduction, mutilation, and trafficking of body parts of persons with albinism. 29 countries have reported attacks against persons with albinism. These countries included Malawi, Tanzania, Democratic Republic of Congo, South Africa and Mozambique.

Because of these social and physical threats, persons with albinism don't live normal lives. They are stigmatised, find facilities utilised by the greater society

ill-suited for their circumstances, and generally fear seeking employment because of the stigma attached to their condition. Furthermore, people with albinism are not well served by the justice system as the laws of most countries do not have provisions that are peculiar to the challenges faces by persons with albinism.

### **3. Country experience from Malawi**

The Vice President of the Association of Persons with Albinism in Malawi, Ms Pamela Juma gave an overview of the situation of persons with albinism in Malawi.

The workshop was informed that there are 15 000 persons with albinism in Malawi. These people live in constant fear and danger from witchcraft. Since 2014, 164 cases have been lodged with the police in relation to threats and crimes directed at persons with albinism. In those reported cases, three of them were about the murder of persons with albinism. About 24 persons with Albinism were reported as missing.

In all these cases, it has been discovered that the assailants or perpetrators are known to the communities and the police. However, none of the perpetrators have been successful prosecuted. Some of the accused perpetrators have been found, on several occasions. dead in police custody. These incidents have made it difficult to successfully persecute the perpetrators.

Malawi has a national action plan that is intended to raise awareness about the plight of people with albinism and to clamp down on the killings. The existence of this plan has not yet changed the situation on the ground as there is evidence that people with albinism are not safe. Also, important government officials have not yet understood the true extent of the crisis as they have made public remarks that are not aligned with the objectives of the action plan.

### **4. Country experience from Benin**

Mr Franck Houtehou gave a personal account of his experience in school as a person with albinism. He stated that he was stigmatised and discriminated against when he was in school in Benin because of his visual impairment. He informed the gathering about the abuse and ridicule he experienced from fellow learners and teachers.

The treatment meted to persons with albinism within institutions of learning hampered their ability to learn and graduate. This contributes to the poor literacy

rate often associated with albinism. Consequently, persons with albinism are condemned to poverty or harsh jobs that are not conducive for the skins.

## **5. Human Rights Interventions and Outstanding issues**

The fourth speaker of the workshop was Ms Mwananyanda who is the deputy regional director at Amnesty International South Africa. She gave a presentation about the human rights interventions and outstanding human rights issues particularly in Malawi.

One of the initiatives Amnesty had undertaken was sending letters to the president of Malawi to draw the Presidents attention to the seriousness of the matter. In addition, Amnesty has been working with persons with albinism and communities to try and sensitise Malawians about the human rights of persons with albinism.

So far, Amnesty has reported 3 killings. One of the was a 54 years old man, another of a 14 years old boy and 1 month old baby. There has also been 3 further abductions which are still being investigated by the authorities after they were reported by Amnesty International.

The organisation has noted that there is a lack of support in terms of the criminal justice system. Whereby junior judges are appointed to deal with cases of this nature with very limited experience and as a result matters that are brought to court are not properly dealt with.

Even though the penal code has been amended to make punishment much harsher, there has been very little in terms of prosecution because whenever there are arrests and a trail leading to the killers, the suspects detained have been found dead in police custody. This trend has led to Amnesty raising this question, “Is there a connection between the criminals and the police”? To this date out of 148 reported cases only 44 have been prosecuted.

## **6. Africa Regional Plan on Albinism**

The regional chair of the Southern Africa Albinism Forum, Commissioner Nomasonto Mazibuko informed the committee about the Regional Action Plan (RAP) in Africa. So far, only 5 African Countries have signed and committed to implementing the Plan. The essence of the plan is to eradicate discrimination against persons with albinism and to lay out practical means of ensuring that these people live normal and healthy lives without intimidation and fear.

## **7. Discussions**

During the discussions, participants observed that African governments should be made aware of the fact that persons with Albinism deserve all the human rights and protection that is accorded all citizens.

The gathering roundly concurred that there is need for governments to set aside budget allocations that are meant for the welfare of persons with Albinism. The budget can be embedded in the budget for health because the needs are mostly associated with health. This will enable governments to roll out eye care and skin protection ointments to persons with albinism.

The gathering also condemned all attacks directed at persons with albinism. These attacks are unwarranted and an affront on the rights of persons with Albinisms. Member states of the PAP were urged to introduce more punitive measure meant to stamp out this barbarism.

## **8. Recommendations and Resolutions**

The following recommendations and resolutions were tabled;

- a. Adopt and fully implement, directly or through national action plans, the Regional Action Plan on albinism in Africa which lays out specific measures for addressing attacks and discrimination against persons with albinism through prevention, protection, accountability as well as equality and non-discrimination measures;
- b. Prioritize all measures to ensure the safety and security of persons with albinism and their families; and ensure that appropriate psychosocial, medical, legal and socioeconomic support is available for victims of attacks and their surviving relatives;
- c. Fund adequately and continuously, measures identified in the Regional Action Plan on Albinism, national action plans, and all relevant specific measures to promote the enjoyment of human rights by persons with albinism;
- d. Ensure that persons with albinism enjoy the highest attainable standard of health including by listing sunscreen as an essential medicine; producing it locally through existing modalities of best practices; and ensuring quality, availability and accessibility to these products including to sun-protective clothing, at no cost to persons with albinism.

- e. Further ensure that persons with albinism as a constituent of persons with disabilities are provided with reasonable accommodation for vision impairment at school and place of work including adaptive devices such as monocular, special glasses and large print materials
- f. Engage in continuous, long term awareness raising campaigns throughout the country on albinism, human rights and harmful practices related to manifestation of belief in witchcraft, with special emphasis on rural and border communities
- g. Involve persons with albinism in the development and implementation of all measures affecting them, and ensure they have political participation in crucial and relevant spheres of government
- h. Ensure the regular and systematic collection of -disaggregated national data on persons with albinism that captures, amongst others, their age, sex, ethnicity and socio-economic situation including housing conditions, health, education and employment to inform policy interventions and ensure their inclusion in appropriate social welfare schemes and poverty alleviation programs;
- i. Integrate a gender perspective in all policy-making and programmatic efforts targeting people with albinism to ensure that interventions specifically address intersecting issues relating to women with albinism
- j. Undertake an advocacy campaign on the rights of persons with albinism on International Albinism Awareness Day on June 13;
- k. Further undertake ongoing awareness raising on the rights of persons with albinism beyond International Albinism Awareness Day, leveraging on existing platforms, meetings and events convened by the PAP and the African Union as well as its regional bodies;
- l. Issue statements to condemn violations of rights of persons with albinism across the continent continually and as they arise;
- m. Develop guidelines on harmful practices related to manifestation of belief in witchcraft, which shall only become operational upon adoption by the PAP, to entrench the guidelines into existing legal and non-legal

frameworks on harmful practices as well as guide efforts aimed at mitigating their impact on all victims, including persons with albinism;

- n. Urge the African Union Commission to endorse the Regional Action Plan and to include it as an annex to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa in order to facilitate entrenchment, implementation and follow up among Member States of the AU;
- o. Encourage African Union Member States to adopt, domesticate and implement the Regional Action Plan;
- p. Urge Member States of the African Union to undertake through or beyond the Regional Action Plan, legal, policy and programmatic reform efforts for the protection and promotion of the human rights of persons with albinism within their respective countries;
- q. Further urge AU Member States to continually undertake specific measures to improve the living conditions and overall socio-economic welfare of persons with albinism in their respective countries;
- r. Advocate for continent-wide ratification, by Member States of the African Union, of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa
- s. Enhance cooperation between the PAP and all AU organs, particularly the African Commission on Human and Peoples' Rights in order to integrate their efforts to promote and protect the rights of persons with albinism in Africa, including by ensuring participation of persons with albinism in relevant policy processes.

## **9. Conclusion**

In conclusion, it must be reiterated that there is need for further sensitization on issues of albinism and human rights. This can be accomplished through open dialogue on the key issues that disadvantage persons with albinism. The Pan African Parliament, as an institution committed to the promotion of human rights in Africa should play an important role to promote the rights of marginalised citizens like people with albinism.



