



# The Torture of People With Albinism in Burundi

- This report is respectfully submitted by NGO Under The Same Sun to the Committee Against Torture, Session 58 regarding Burundi.
- Under The Same Sun (UTSS) is a civil society organization committed to ending the often-deadly discrimination against people with albinism. UTSS promotes, via advocacy and education, the wellbeing of persons with albinism who are misunderstood, marginalized, and even attacked and killed because of their genetic condition. While UTSS acts globally, much of our focus has been on the crisis faced by people with albinism in Tanzania.

## **Executive Summary**

- A small, vulnerable population within Burundi regularly experiences torture with little protection from the government. Burundians with albinism are ritually hunted, attacked and murdered. Their arms and legs, bones and blood, fingers and toes are commodities. Limbs and digits are hacked off to feed an illegal trade in the body parts of persons with albinism. They are stigmatized for their lack of pigment in the skin, hair and eyes. Myths and superstitions abound. Burundi's population with albinism lives in fear of attack and murder. That fear itself is a recognized form of torture.
- Torture may be physical or mental. It may arise from discrimination. The OHCHR has documented how people with albinism face discrimination on many fronts.<sup>1</sup> Governments who are party to the Convention Against Torture have a duty to prevent the torture of their citizens in their jurisdictions.
- The Convention on Torture, Article 1 defines torture as: “...*any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person ... for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”<sup>2</sup> (emphasis added).*
- The key element that engages the Convention on Torture is the failure of the state to protect its citizens with albinism. Article 2 S1 stipulates: “*Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.*”<sup>3</sup>
- The government of Burundi has not prevented the torture of many people with albinism within its borders via intentionally inflicted, severe pain and physical and mental suffering.



- Under the Same Sun makes several recommendations in the area of policy, the judiciary, policing, public awareness and health to address the torture of people with albinism in Burundi.

### What is Albinism?

- Albinism is a rare, non-contagious, genetically inherited condition characterized by a lack of pigmentation in the hair, skin and eyes. It occurs regardless of ethnicity or gender. Both parents must carry the gene for it to be passed on, even if neither have albinism themselves.<sup>4</sup>
- The majority of people with albinism are “legally blind” and very sensitive to light. Eyeglasses can only partially correct this problem. While most can read large print and don’t require Braille, they cannot see a blackboard in a regular classroom. This limited vision often meets the criteria of a disability. In most cases, structural barriers prevent participation in society on an equal basis with others.<sup>5</sup>
- Across Africa, between one in 5,000 and one in 15,000 have albinism.<sup>6</sup> UTSS believes this range is a conservative estimate, since data is inconsistent across the continent.
- A 2010/2011 census by RCN Justice & Democracy and **Albinos Sans Frontière** found 863 people with albinism in Burundi. The majority were living in Bujumbura, Gitega and Ruyigi. In 2013, the population of Burundi was 10.16 million.
- With no melanin or pigment for protection, skin burns immediately in the sun. Most Africans with albinism have severely sun-damaged skin, acquiring dramatic, visible skin damage at an early age. Fatal skin cancer will claim the vast majority before they reach 30 to 40 years of age.<sup>7</sup> There is little awareness of the need for sun protection and sunscreen is not commonly available or affordable.

### Torture and Killings

- Over the last decade there have been 38 reports of violence against people with albinism in Burundi. There have been 21 murders, 13 have survived attacks and four graves have been robbed to obtain body parts.<sup>8</sup> In 2009, Albinos Sans Frontières was compelled to begin burying descendants with albinism in secret locations.
- Acts of violence against Burundians with albinism continue to occur, largely with the acquiescence of public officials in Burundi. People with albinism are not adequately protected from such attacks. Ritual violence is not effectively policed, prosecuted and punished. Those who trade in body parts are not sufficiently pursued. In some provinces, officialdom turns a blind eye to such crimes.
- The attacks are part of a wider, cross-border black market spanning 26 African countries. Since 2000, there have been 482 reported attacks, including 185 documented murders of people with albinism and 297 cases of missing persons,



assault, mutilation, rape, attempted abductions, grave violations and other acts of violence.<sup>9</sup> These numbers are likely very low, as data is sparse and reporting inconsistent.

- Myths persist that body parts of persons with albinism bring fortune and good health. A corpse can be worth up to US\$75,000. Family members are often complicit. Attacks increase around election times. Allegedly, political candidates seek potions made from body parts in hopes of good luck at the polls.
- In many African countries, including Burundi, many erroneously associate albinism with magical powers. In Burundi, the birth of a child with albinism is often thought to be God's punishment for adultery. Others see it as punishment for women who mock or insult other women who give birth to children with albinism. Many think albinism occurs as a result of conception during menstruation.
- Ritual murders are most concentrated in Tanzania. But their influence has crept across the border, making Burundi a major site for attacks. Crackdowns by Tanzanian authorities have led to the sourcing of body parts across borders, putting those with albinism living near the Tanzanian frontier at greater risk.
- Since 2012, Under The Same Sun has been working in close partnership with three albinism groups in Burundi; Albinos Sans Frontières (ASF); Association des Femmes Albinos Espoir (AFAE) and Organisation des Personnes Albinos du Burundi (OPAB.)

### **Other Forms of Torture**

- In addition to the pain, health impacts and trauma of losing body parts to non-lethal attacks, the fear of those attacks inscribes itself deeply on the lives of Burundians with albinism. Many have gone into hiding. Many fear strangers and have become alienated from family and community. This fear also creates mental health issues and barriers to accessing justice and healthcare.
- Women with albinism are often targets of sexual violence. According to OHCHR (2013), common myths associated with albinism include that: "sexual intercourse with a woman or a girl with albinism can cure HIV/AIDS."<sup>10</sup> Victims of sexual violence also experience increased health complications such as Post Traumatic Stress Disorder (PTSD), pregnancy and the contracting of Sexually Transmitted Infections (STIs).
- Low education and associated barriers to indoor employment leave Burundians with albinism vulnerable to skin cancer, which kills most Africans with albinism before they reach 30 to 40 years of age.<sup>11</sup>
- Women with albinism have been recognized by both the CEDAW and the ACERWC<sup>12</sup> as being particularly vulnerable in conflict and disasters. They are affected by violence more frequently and more severely than others. This



violence is often committed without social sanction, prosecution or consequence.<sup>13</sup>

- Family members are often complicit in attacks on children with albinism. Mothers often face threats of reprisal and violence after testifying against their husbands or family members. Reprisal can come from the family of the husband or the community at large.
- In 2014, UTSS gathered 182 different insulting names for a person with albinism from around the world. A few examples reported from Burundi in the Kirundi language include: Iboro (money,) Nyamweru (supernatural) and Kitabona (scorned or mocked person.)<sup>14</sup>

### Specific Cases of Torture and Murder

- On March 24, 2016, a four year-old girl with albinism was kidnapped from her home by unidentified men armed with machetes at around midnight, in colline Musemo, comune Mishiha, province Cankuzo, not far from the Tanzanian border. Five days later, OHCHR was informed by police sources that the body parts of the little girl were found in a jerry can and that three men were arrested in relation to the case. One of them had already been convicted for a 2008 killing of person with albinism.<sup>15</sup>
- On February 17, 2016, at around 1:30 AM, a four-year-old girl with albinism named Cimpaye was murdered in the Province of Kirundo, commune of Busoni, in the area of Muterwa, Hill of Irenga. She was sleeping when a gang of attackers armed with machetes burst into the home of her parents, Nyabenda Pascal and Modeste Rwaswa. One attacker wore a military shirt of the National Defence Force. Three of the gang members broke into the house to abduct little Cimpaye. About 30 meters from the house they killed her, chopping off her arms and taking them. Cimpaye's parents wanted to bury their daughter in their yard but have been denied since they do not own the premises.
- Officials with Organisation des Personnes Albinos du Burundi were concerned about the safety of the remaining residents with albinism of the commune of Busoni, since it has the highest number of persons with albinism in the province of Kirundo. In October of 2015 another child with albinism narrowly escaped murder in the same commune.<sup>16</sup>
- On October 6, 2015, a 10-year-old girl with albinism named Alice Girukwishaka survived an attack at her home in Busoni town, in the province of Kirundo, in Muyange-Gisozi, Northern Burundi. Men armed with machetes attacked the family she was living with. Neighbours intervened, ending to the attack but not before Alice sustained injuries to the head and shoulder. She underwent intensive treatment at Kanyinya Hospital in Kirundo. The attackers escaped before being identified.<sup>17</sup>



- On March 20, 2015, Ndagijimana Debok, a 28-year-old man with albinism was attacked with a machete. His left leg severely injured. The incident took place in Gihanga, Bubanza. The victim received treatment in a local hospital. Ndagijimana's neighbour is suspected.<sup>18</sup>
- On December 12, 2014, Cyriaque Minani was ritually murdered in the province of Makamba, in the town of Kayogoro on the hilltop of Rutenderi area of Gatabo. The 27-year-old man with albinism was heading for home in the evening when he encountered his attackers. He was suffocated and his left leg was hacked off. The attackers absconded with the limb, leaving his lifeless body lying at the edge of the path to be found by passers-by the next morning. Minani was married with 3 children including a newborn. One suspect has been arrested for further investigation. According Albinism Association in Burundi: "For now, we are inclined to link this murder to false beliefs surrounding albinism (muti / juju purposes) as elections are underway."<sup>19</sup>
- On 6 May 2012, Chantal Ngendakumana was murdered. She was a 19-year-old student, in Kabezi commune, province of Bujumbura Rural. While the family slept, the children were attacked by six people, heavily armed with guns and machetes. The household were all tied and gagged. Chantal was abducted and murdered about two kilometres from the family home. Her hands and legs were hacked off and the rest of the body was found covered with a blanket in a hole.
- In August of 2012, the grave of a woman with albinism by the name of Tabu was robbed. Her head was stolen. The perpetrators were not identified. Tabu had died of skin cancer eight months earlier, and was buried in the cemetery of the Bugarama area, in the town of Muramvya in the province of Muramvya.

### Progress on Government Initiatives

- **Temporary Shelters for those under attack have been neglected.** The Government accommodated some persons with albinism in police stations. However, challenging conditions prevented this from being more than a very temporary measure. Lacking adequate shelter, some spent the night outside. Some became ill because of the lack of warm clothes and blankets during the rainy season. Some lacked food because they could no longer work in their farms and were not fed while in police stations. Some requested farmlands in close proximity as a means of subsistence, but were refused. As a result some left police custody, returning to their houses without protection. On January 13, 2011, in Shombo commune in the province of Karusi a police officer reportedly raped an individual under their protection. He was arrested shortly thereafter.
- **The prosecution of attackers is weak and limited.** Eleven suspects have been arrested in connection with a few attacks. Six managed to escape while the others remain in prison for at least some period of time. One was sentenced to 15 years and fined 500,000 Burundian Francs. But these are exceptions.



- **The Escort Programme for Protection was arbitrarily ended.** In 2010 and early 2011, persons with albinism were escorted to school by police for security concerns. However, this was stopped because according to the police they were no longer at risk. The reasons for this conclusion are not clear and seem unjustified. As mentioned above, a series of attacks have taken place since. Many with albinism stopped going to school and dropped out.
- **Policy development stalled.** In 2010, following increased attacks on persons with albinism, the government and NGO partners started developing a national policy on people with albinism. A study was planned, but progress is uncertain.
- **More progress is needed on Awareness Campaigns.** Challenging myths and providing factual, scientific information about albinism is a key way to reduce torture and killing of Burundians with albinism. These campaigns are heavily supported only by civil society groups and the European Union, *Coopération Belge, Projet d'appui au Développement Communautaire et Sociale (PRADECS), Fond de Droit Humaine Mondiaux (FDHM) and RCN Justice and Democracy*. Awareness campaigns on the protection and promotion of people with albinism were organized in seven of Burundi's 17 provinces (Ruyigi, Cankuzo, Bujumbura, Makamba, Ngozi, Kirundo and Gitega) where people with albinism were most vulnerable. The Ministry of Human Rights and Gender provides books every year to the albinism community.

## Recommendations

- **Protection:** At temporary shelters, the government should ensure the protection of persons with albinism taking refuge there from further abuse include from the facility's caretaker. Temporary shelters must have the basic necessities of life, including clothing and food. The withdrawal of any protection measures such as police escort can only occur after careful assessment of the situation and consultation with albinism NGOs. The government of Burundi should work with neighbouring countries where attacks are concentrated (such as Tanzania and Kenya) to develop a regional approach for protecting persons with albinism.
- **Advance National Policy on Albinism:** The national policy announced by the government in 2011 for the protection and promotion of human rights of persons with albinism must be completed. The UN Independent Expert on Enjoyment of Human Rights by Persons with Albinism is available to provide technical assistance on approaches for the prevention of torture and to consult on all recommendations made by Under the Same Sun.
- **Health Care:** The government of Burundi should provide access to rehabilitation, physiotherapy and other medical supports to survivors of torture attacks, including medical, psychological, financial, vocational and social support and assistance. Skin cancer treatment is also critical. In collaborate with civil society, best practices that have shown success in other countries should be used.





- **Public Education:** Continue and enhance sustained and wide-reaching awareness campaigns on albinism in partnership with civil society. These must be ongoing, targeting areas most exposed to attacks.
- **Legal:** The government should provide adequate witness protection to people with albinism affected by violence and/or wish to testify against perpetrators. Legal counsel should be made available at no cost to survivors and witnesses of attacks who testify during trials to ensure procedural fairness and justice. Education for people with albinism should be made available on existing legislation, policy, law and human rights mechanisms so they can better advocate for themselves.

## Conclusion

- Burundi's ongoing political and social instability contributes to the vulnerability of people with albinism.
- People with albinism in Burundi are still vulnerable to torture and murder. The failure of state institutions and officials to protect them requires urgent action. Attacks have continued in periods when authorities believed the risk had abated. The 2010 increase in attacks led the government to implement some protective measures. But in 2012, officials assumed the risk had passed and measures were stopped. The torture and attacks are back. They never really stopped. Only data and awareness of attacks abated, not the attacks themselves.
- The state needs to make a sustained effort to protect this small, vulnerable population from torture and murder. Civil society groups like Under the Same Sun are prepared to partner in such an effort.

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<sup>1</sup> OHCHR “Not Ghosts But Human Beings” <http://albinism.ohchr.org/> accessed July 4, 2016

<sup>2</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 1  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx> accessed July 4, 2016

<sup>3</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 2  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx> accessed July 4, 2016



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- <sup>4</sup> Brilliant, Murray H. "Albinism in Africa: A Medical and Social Emergency." *International Health*, 2015; 7: 223-225
- <sup>5</sup> From the Convention on the Rights of Persons with Disabilities, Article 1, paragraph "e"
- <sup>6</sup> Hong, Zeeb and Repacholi. "Albinism in Africa as a public health issue" *BMC Public Health* 2006, 6:212 [www.biomedcentral.com/1471-2458/6/212](http://www.biomedcentral.com/1471-2458/6/212) Accessed on October 10, 2015
- <sup>7</sup> Yakubu, Alkassim, Mabogunje and Oluwatope. "Skin Cancer in African Albinos" *Acta Oncologica*, Vol. 32, No. 6, pp. 621-622. 1993.
- <sup>8</sup> Under the Same Sun. "Reported Attacks of Persons with Albinism (PWA)-Summary" June 21, 2016. Violence is under-reported. [http://www.underthesamesun.com/sites/default/files/Attacks%20of%20PWA%20-%20extended%20version\\_0.pdf](http://www.underthesamesun.com/sites/default/files/Attacks%20of%20PWA%20-%20extended%20version_0.pdf) Accessed July 3, 16
- <sup>9</sup> Ibid UTSS 2016
- <sup>10</sup> Persons with albinism: Report of the Office of the United Nations High Commissioner for Human Rights. 12 September 2013 at paragraph 17.
- <sup>11</sup> Yakubu, Alkassim, Mabogunje and Oluwatope. "Skin Cancer in African Albinos" *Acta Oncologica*, Vol. 32, No. 6, pp. 621-622. 1993.
- <sup>12</sup> CEDAW Report: A/63/38, 2008. ACERWC: African Committee of Experts on the Rights and Welfare of the Child.
- <sup>13</sup> ACERWC, "The Addis Ababa Declaration on Ending Discrimination and Violence Against Girls in Africa," Addis Ababa, Ethiopia, 5 November 2013.
- <sup>14</sup> Under the Same Sun. "Names Used for PWA" 2014 <http://www.underthesamesun.com/node/492> accessed August 19, 2015.
- <sup>15</sup> Source: Jean-Claude Kalume Misenga; Human Rights Officer; Office of the High Commissioner for Human Rights New York Office (OHCHR NYO)
- <sup>16</sup> Report sent to UTSS on February 17, 2016, by Moise Nkengurutse, legal representative of Organisation des Personnes Albinos du Burundi
- <sup>17</sup> Source: Moise Nkengurutse, Legal Representative of the of Burundi albinism association
- <sup>18</sup> Report provided on March 28, 2015, by Mr. Pascal Matabishi, member of Albinos Sans Frontières
- <sup>19</sup> Reports from Moise Nkengurutse, legal representative of the Organization for People with Albinism of Burundi and Nathalie Muco, Chairperson of the Association of Women with Albinism