



PERMANENT MISSION OF THE  
UNITED REPUBLIC OF TANZANIA  
GENEVA

OHCHR REGISTRY

27 MAR 2013

Recipients :.....*S.P.D.*.....

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The Permanent Mission of the United Republic of Tanzania to the United Nations Office and other International Organizations in Geneva presents its compliments to the office of the High Commissioner for Human Rights in Geneva, and with reference to a joint allegation letter sent by the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Special Rapporteur on violence against women, its causes and consequences dated, referenced AL G/SO 214 (33-27) G/SO 214 (53-24) G/SO 214 (89-15) TZA 1/2013 of 18 March 2013, has the honour to share a copy of government's response addressed to H.E Navi Pillay, High Commissioner for Human Rights, which provides detailed information on various measures undertaken by the government to combat the crime on the attacks on people with Albinism in Tanzania.

A copy of the government's response is attached herewith.

The Permanent Mission of the United Republic of Tanzania to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the office of the High Commissioner for Human Rights in Geneva the assurances of its highest consideration.

Geneva, 27 March 2013



Office of the High Commissioner for Human Rights,  
**GENEVA**

Attn: Ms. Jane Connors, Chief, Special Procedures Branch

THE UNITED REPUBLIC OF TANZANIA  
ATTORNEY GENERAL'S CHAMBERS

Telegrams "LEGAL" Dar es Salaam

Telephone: +255-2118178/82

Fax Number: +255-2113236

In reply please quote:



P.O. Box 9050,  
Dar es Salaam,  
Tanzania

TANZANIA PERMANENT MISSION

Ref. No. AGCC/H 50/6/14

21 MAR 2013

21<sup>st</sup> March, 2013

GENEVA

Excellency Navi Pillay,  
High Commissioner for Human Rights,  
Office of the UN High Commissioner  
for Human Rights,  
Palais Des Nations,  
CH-1211 GENEVE 10

RE: RESPONSE BY THE GOVERNMENT OF THE UNITED REPUBLIC  
OF TANZANIA TO THE PRESS RELEASE ISSUED BY THE UN HIGH  
COMMISSIONER FOR HUMAN RIGHTS ON THE ATTACKS ON PEOPLE  
WITH ALBINISM IN TANZANIA, THE 05<sup>TH</sup> MARCH 2013.

Kindly reference is hereby made to the  
abovcaptioned subject matter pursuant to your Press  
Release dated the 5<sup>th</sup> day of March, 2013.

The Government of the United Republic of Tanzania  
acknowledges receipt of the Press Release issued in  
Geneva Switzerland by the UN High Commissioner for  
Human Rights on the 05<sup>th</sup> day of March 2013 in relation

to albino killings and attacks with grief. The said press release has condemned "abhorrent" attacks and killings on persons with albinism in Tabora, Simiyu and Rukwa Regions, which were allegedly documented in a period of 16 days between January 31<sup>st</sup> and February 15<sup>th</sup> 2013

In response to these allegations, the United Republic of Tanzania wishes to reiterate at the outset its continued commitment to the promotion and protection of human rights. It has, in the past, and will continue, to work with the international Community, the United Nations bodies and all willing nations to promote and protect Human rights worldwide and at home. The United Republic's commitment to the protection of human rights, the right to life in particular, cannot be over emphasized.

The Government is mindful of the fact that over the past six years, there has been incidents of murder and attacks on persons with albinism by people who believe that body parts and limbs of these persons can be superstitiously used to generate wealth. The available data show that since these heinous crimes began in 2007, a total of 73 incidents have been reported. The Government condemned the incidents of murder and acted quickly and swiftly to bring the perpetrators of such acts to justice. Various steps have been taken by the Government to combat the crime, including;

- The establishment/formation of a multidisciplinary National Task force for purposes of brainstorming, researching and suggesting ways to eliminate the problem. This

was established at both the Regional and District levels.

- The Government conducted a country wide campaign to identify suspected perpetrators of albino killings. Through this campaign, members of the public aired their opinion through a secret ballot and the information gathered was used as a database for conducting criminal investigations for the criminal prosecutions. The exercise was conducted with strict observance to basic human rights standards and respect for fair trial principles including presumption of innocence for persons suspected of committing these heinous acts.
- Up to February 2013, on the reported incidents, a substantive number of suspects have been apprehended and some of them have been charged with the offence of murder, which offence carries a death sentence in our penal system. Investigations are still going on with regard to the remaining suspects. The Government has been reporting on the issue to various bodies occasionally and when necessary.
- The Government also made a firm decision to fast track the investigation and prosecutions of these cases. To date a total of five murder cases have been heard and judgments delivered. All the accused persons were found guilty and convicted of murder. In exercise of their right to appeal, four out of five of them, appealed to the Court of Appeal of Tanzania and 3 cases were dismissed. One appeal case awaits the judgment

of the court. Apart from these murder cases, there was one conviction related to the offence of human trafficking and abduction which involved the trafficking and abduction of a person with albinism from Kenya to Tanzania.

- A national census was conducted by the Government to ascertain the number of persons with albinism in Tanzania for purposes of protecting them. Temporary Shelters were provided by the Government, to persons with albinism for purposes of protection.
- Public awareness campaigns to educate people that it is only through hard work that one can earn his or her living and not through sale or use of body parts of fellow human beings have been carried out, including, as an immediate and temporary measure, the suspension of all the practicing certificates of traditional healers who were believed to be party to the crime.

All these measures contributed greatly to the declining rate of the killings of persons with albinism. Of late, there have been isolated incidents of attacks on persons with albinism.

With regards to the incidents of murder of a 7 year old boy in Tabora<sup>1</sup> and attempted murder of a 10 year old boy in Rukwa<sup>2</sup> Region, the government took immediate measures to contain the situation. It immediately

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<sup>1</sup> Which occurred on the 31<sup>st</sup> day of January 2013

<sup>2</sup> Which occurred on the 15<sup>th</sup> day of February 2013.

dispatched an investigation team backed with a special task force to investigate and bring the culprits to justice. The team openly and covertly continues its investigation in relation to the murder. Ultimately the culprits will be apprehended and prosecuted accordingly.

In relation to the attempted murder of a 39 year old woman on the 11<sup>th</sup> day of February 2013 in Rukwa region, as rightly stated by the UN High Commissioner for Human Rights, five people have been arrested and charged with attempted murder. The trial of the said case can take place any time from now.

Similarly, regarding the incident reported to have taken place on the 5<sup>th</sup> of February 2013 at Nyaluhande Village, Busega District in Simiyu Region, involving a 7 month old baby [REDACTED], (who is alleged to have narrowly escaped death after attackers attacked his home in Simiyu Region), we wish to point out that the facts presented are not correct. The truth is that, the alleged attacker, in the company of his friends, was just a man who had gone to propose for a marriage of the mother of the alleged victim, known as [REDACTED], 19 years of age. The villagers chased them away believing that they had gone to attack the baby, given her skin condition. The matter was reported to the police station, of which it was realized that one of the men had just gone to propose for marriage. A statement which is supported by the mother of the victim. However, as a precautionary measure and for security reasons the matter was drawn to the attention of the Village authority for their protection.

In view of the foregoing, we agree with Madam Pillay, the High Commissioner for Human Rights that, persons with albinism, like any other individual, are entitled to the right to life, non discrimination, liberty and security in accordance with the Constitution and human rights Conventions ratified by the Government. Based on the efforts done by the Government as shown above, we are mindful of the fact that the Tanzanian authorities have the primary responsibility to protect these vulnerable persons and fight against perpetrators of these crimes, which responsibility the Government of Tanzania has been relentlessly discharging.

The Government is committed to protecting the most vulnerable in society and create stronger partnerships with its citizenry with the aim of preventing abuses of human rights. By this, the investigation agencies of state have been treating any killing or deliberate assault and injury intentionally caused on Persons with Albinism as top priority. The investigation agencies have further been backed up by a Special Task Force to aid in the quick investigations and prosecutions of the culprits. The Government has also created partnerships with NGOs and its citizenry by introducing community policing to supplement the work done by the Police. Various campaigns have been launched by the police such as "ulenzi wetu kwanza" (our protection first) aimed as a pre-emptive measure to tackle crimes of all sorts by way of civil informants. It also insists that the duty to protect our communities against crime is ours.

With regard to the allegations that successful prosecutions are extremely rare, the Government wishes to state that, it is mindful of the provisions of

equality before the law and fair trial as enshrined in the Constitution of Tanzania. It realizes that people with albinism are a special group that needs special protection, not because of their uniqueness but apparent vulnerability. While every intentional killing of any citizen is contrary to the Penal laws of the country and the standard of proof in court does not differ, the investigation procedures and court processes are the same; in the case of killing of persons with albinism, the Government finds it not only prudent but also responsible to not derogate from these principles for public good and the promotion and protection of human rights.

While there are a number of reported homicides of persons with albinism, only those cases with suspects, whose evidence is sufficient, are prosecuted in court. Based on the statistics of already determined cases, the government has had a 100% successful conviction rate. While we are mindful of the rules of procedures in prosecuting criminals as established by the laws of the land, the Government makes a commitment to adhere and respect those rules by not arbitrarily profiling individuals to fit cases which are not supported by evidence. We re-assure the international community of our resolve to abide to due process and respect the Rule of Law and Independence of the Judiciary at all times. We therefore crave for the indulgence of the Office of the High Commissioner for Human Rights and the international community on the outcome of these cases in Courts.

The Government of the United Republic of Tanzania further assures the UN High Commissioner for Human Rights and the International Community that, its

commitment to protection of human rights and the most vulnerable groups in society including persons with albinism will never waive and that it will continue to hunt the perpetrators of these heinous acts wherever they may be hiding with a focus on preventing such disgraceful acts to occur. We note the fact that investigations and successful prosecutions are important, but since this problem is linked with witchcraft beliefs, there is a need for addressing it through a multipronged approach, with a focus on education and awareness raising campaigns, of which undertaking the Government has been doing in collaboration with the Civil Society and the Faith Based Organizations, just to name the few players.

We welcome any consultations with the Office of the UN High Commissioner for Human Rights with a view to discussing ways of totally eliminating the problem in Tanzania.

Please accept, your Excellency High Commissioner, the assurance of my highest consideration.

  
George M. Masaju  
DEPUTY ATTORNEY GENERAL

CC: Ambassador Ombeni Y. Sefue,  
Chief Secretary,  
President's Office,  
State House,  
P. O. Box 9120,  
DAR ES SALAAM.

Permanent Secretary,  
Ministry of Foreign Affairs and  
International Cooperation,  
P. O. Box 9000,  
DAR ES SALAAM.

Permanent Representative of the United Republic of  
Tanzania to the UN, Geneva,  
47th Avenue Blanc,  
1207 Geneva, Switzerland.

UN Representative in Tanzania,  
Office of the UN Resident Coordinator in Tanzania,

Regional Representative,  
Office of the High Commissioner for Human Rights,  
REGIONAL OFFICE- ADDIS ABABA,