



PROCEDURES SPECIALES DU  
CONSEIL DES DROITS DE L'HOMME

SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL

**Mandates of 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.**

REFERENCE: AL G/SO 214 (33-27) G/SO 214 (53-24) G/SO 214 (89-15)  
TZA 1/2013

18 March 2013

Dear Mr. Saronga,

We have the honour to address you in our capacities as Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and Special Rapporteur on violence against women, its causes and consequences pursuant to Human Rights Council resolution 17/5, 16/23, and 16/7.

In this connection, we would like to bring to your Government's attention information we have received concerning the **killings and attacks targeting People with Albinism (PWA)** in various provinces of Tanzania, including the **death of [REDACTED]** and **attacks against Ms. [REDACTED], Ms. Maria Chabanenge and [REDACTED]**.

According to the information received:

[REDACTED], aged seven, was killed on 31 January 2013, in Kanunge Village, Kinondoni Hamlet, Ulyankulu Division, Kaliua District in Tabora Region. It is alleged that [REDACTED] was killed due to his albinism. He sustained injuries in the form of lacerations to his forehead, right arm, and left shoulder. It is further reported that [REDACTED]'s left arm was severed above the elbow. During the incident his grandfather, aged 95, attempted to protect [REDACTED] during which he was also killed. Additionally, [REDACTED]'s father and grandmother sustained serious injuries during the attack.

[REDACTED], aged seven, and his mother, Ms. [REDACTED] were attacked on 5 February 2013 at approximately 21.00 hours after armed men surrounded their house, in Simiyu Region near Lamadi. It is alleged that the attackers attempted to kill Mr. [REDACTED] due to his albinism. On 6 February 2013, Ms. [REDACTED] took her son,

██████████, to the police station where they have been given temporary sanctuary.

Ms. Maria Chambanenge, aged 39, was attacked at her house in Mkowe Village, Miangalua, Sumbawanga Rural District, Rukwa Region, Western Tanzania on 11 February 2013 at approximately 02.00 hours. It is alleged that five armed men attacked Ms. Chambanenge due to her albinism while she was sleeping and severed her left arm. Five men have reportedly been arrested and charged with conspiracy and attempted murder and their trial is on-going. On 15 February 2013, Ms. Chambanenge's arm, which had been buried, was recovered by the police.

██████████, aged 10, was attacked on 15 February 2013, while returning home from school in Msia Village, Sumbawanga Rural District of Rukwa Region, Western Tanzania. ██████████ was attacked by two unidentified men who severed his left arm above the elbow. It is alleged that he was attacked due to his albinism. Authorities have allegedly arrested three men believed to have partaken in the attack.

It is alleged that in terms of local legends and various mythologies, PWAs, also known as “Zeru-Zeru” or ghosts, will vanish if killed which facilitates discrimination against PWAs. Furthermore, sexual intercourse with a female PWA is regarded as serving as an effective cure for HIV/AIDS which places such girl children and women in a vulnerable position.

It is alleged that in 2009 police officers were among suspects arrested on suspicion of killing PWA and trading in body parts.

Concern is expressed at the pattern of attacks and killings directed at PWAs. While we commend efforts already brought forward by your Government in taking action against perpetrators, concern is expressed at the low rate of successful prosecutions. Further concern is expressed at the potential impact police participation in PWA killings and allegations of police corruption may have on adequate investigations, as well as the risk faced by women and girl children.

While we do not wish to prejudge the accuracy of these allegations, we wish to recall to your Government the International Covenant on Civil and Political Rights (ICCPR), acceded to on 11 June 1976, provides that every individual has the right to life and security of the person, that this right shall be protected by law, and that no person shall be arbitrarily deprived of his or her life (article 6). Additionally in its General Comment No. 31, the Human Rights Committee has observed that there is a positive obligation on States Parties to ensure protection of Covenant rights of individuals against violations by its agents and by private persons or entities. States Parties permitting or failing to take appropriate measures or to exercise due diligence to prevent, punish, investigate and bring perpetrators to justice or redress the harm caused by private persons

or entities could give rise to a breach of the Covenant (CCPR/C/21/Rev.1/Add.13, paras. 8 and 18).

We would like to refer your Government to paragraph 4 of the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, adopted by the Economic and Social Council resolution 1989/65 according to which it is incumbent upon States to provide “effective protection through judicial or other means to individuals and groups who are in danger of extra-legal, arbitrary or summary executions, including those who receive death threats”.

Moreover, we would like to remind your Government of the duty to investigate, prosecute, and punish all violations of the right to life. We urge your Government in line with the Principles on Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions (Prevention and Investigation Principles), in particular principle 9, that there must be thorough, prompt and impartial investigations of all suspected cases of extra-legal, arbitrary and summary executions. This principle was reiterated by the Human Rights Council in Resolution 17/5 on the “Mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions” (OP 4). The Council added that this includes the obligation “to identify and bring to justice those responsible ... to adopt all necessary measures, including legal and judicial measures, in order to bring an end to impunity and prevent the recurrence of such executions.”

Without in any way implying any conclusion as to the facts of the case, we should like to appeal to your Government to seek clarification of the circumstances regarding the cases of the persons named above. We would like to stress that each Government has the obligation to protect the right to physical and mental integrity of all persons. This right is set forth inter alia in the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR).

In this context, we would like to draw the attention of your Government to paragraph 1 of Human Rights Council Resolution 16/23 which “Condemns all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment.”

Furthermore, we would like to draw the attention of your Government to paragraph 2 of General Comment No. 20 of the Human Rights Committee, which provides that, “The aim of the provisions of article 7 [on the prohibition of torture and other cruel, inhuman and degrading treatment or punishment] of the International Covenant on Civil and Political Rights is to protect both the dignity and the physical and mental integrity of the individual. It is the duty of the State party to afford everyone protection through legislative and other measures as may be necessary against the acts prohibited by article 7, whether inflicted by people acting in their official capacity,

outside their official capacity or in a private capacity.” (adopted at the 44th session of the Human Rights Committee, 1992).

We would like to bring to your Government's attention article 4 (c & d) of the United Nations Declaration on the Elimination of Violence against Women, which notes the responsibility of states to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons. To this end, states should develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence. Women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered. States should, moreover, also inform women of their rights in seeking redress through such mechanisms.

We would like to bring to your Government's attention article 4 (g) of the United Nations Declaration on the Elimination of Violence against Women which notes the responsibility of states to work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counseling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

- 1) Are the facts alleged in the summary accurate?
- 2) Please provide the full details of any protective measures put in place to ensure the physical and psychological security and integrity of the aforementioned persons and their families.
- 3) Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries which may have been carried out in relation to these cases.
- 4) In the event that the alleged perpetrators are identified, please provide the full details of any prosecutions which have been undertaken; have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?
- 5) Please indicate whether compensation will be provided to the victims or their families.

6) Please provide further information on the allegation that police have participated in killings and trading in body parts of PWA.

We would appreciate a response within sixty days. Your Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned person(s) are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Mr. Saronga, the assurances of our highest consideration.

Christof Heyns  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Juan E. Méndez  
Special Rapporteur on torture and other cruel, inhuman or degrading  
treatment or punishment

Rashida Manjoo  
Special Rapporteur on violence against women, its causes and  
consequences