



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Information on witchcraft including treatment of those who are perceived to be witches. Are children of perceived witches targeted? How do the police treat such cases?

In March 2013 a publication released by *Voice of America* points out that:

“Malawi has no law outlawing witchcraft, and no legal definition of witchcraft, yet there is continuing persecution of those denounced as witches. Scores of people -- most of them women, children or the elderly -- have been imprisoned after being pressured or beaten into ‘confessing’ they were involved in witchcraft” (*Voice of America* (6 March 2013) *Campaign Launched to Help Witchcraft Suspects in Malawi*).

This document also notes:

“Sociologists from the University of Malawi and members of the Association of Secular Humanism in Malawi found that being labeled a witch brings violent consequences in nearly three-quarters of all cases. Those consequences include beatings, other physical harassment or worse. Once brutalized into confessing, suspected witches lose their property to vandals and thieves. And after release from prison they are socially and psychologically ostracized” (ibid).

Commenting on events of 2012, a report issued in April 2013 by the *United States Department of State* notes:

“On December 2, a mob in Mzimba district beat an elderly woman and burned her home in response to accusations that the woman was practicing witchcraft. Local media reported that police had arrested two suspects in connection with the case. There were no further developments in the October 2011 burning of a police unit by villagers in Mitundu and the November 2011 burning of the compound of Mariam Nazeem, who was suspected of witchcraft in Kalilima” (United States Department of State (19 April 2013) *Country Reports on Human Rights Practices for 2012, Malawi*, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons/Other Societal Violence or Discrimination).

In April 2011 a report issued by *Charles Chilimampunga & George Thindwa* states:

“Many people suspected of practicing witchcraft are subjected to all sorts of violence” (Charles Chilimampunga & George Thindwa (April 2011) *The Extent and Nature of Witchcraft-Based Violence against Children, Women and the Elderly in Malawi*, p.61).

This report also notes:

“The police is also supposed to provide suspects with protection when their life and/or their property are under threat of violence from community members. Sometimes they patrol the victim's area. They also explained that they are supposed

to counsel victims of witchcraft-based violence and provide them with temporary shelter especially when the victims have been evicted from their area” (ibid, p.69).

It is also stated in this report that:

“The majority of the police key informants admitted that often they are unable provide these services because of shortage of human and material resources such as vehicles. The police’s capacity to handle increasing numbers of witchcraft cases is under stress due to constraints on human, financial, and other resources, as well as the complication of some of the cases” (ibid, p.70).

This document also notes:

“It is clear that not all police officers understand and enforce the Witchcraft Act” (ibid, p.70).

This reports also points out that:

“...the police is supposed to conduct sensitisation campaigns on witchcraft issues so that people should be aware that the law does not recognise witchcraft and that accusing a person of being a witch and subjecting them to any form of violence, is a crime” (ibid, p.69).

This report also states:

“Key informants who had ever been suspected of witchcraft pointed out that they received some protection from the police and a few very close relatives. However, many of them observed that the police protection came late as the suspects had already been abused, physically assaulted, and some of their property destroyed. They noted that often, police come to protect them when their lives are in serious danger or either during or after the destruction of the suspects’ property. Otherwise, the suspects are at the mercy of their accusers” (ibid, p.71).

In July 2011 a report issued by the *Malawi News Agency* notes:

“Traditional leaders in the area of Traditional Authority Kachindamoto in Dedza, Wednesday, took turns pointing fingers at police officers accusing them of ‘too much’ leniency when handling witchcraft related cases. This ensued at a sensitisation meeting on gender based violence organised by the District’s Social Welfare Office which had the attendance of police officers, traditional leaders and other members of the community. The leaders alleged witchcraft practices are spreading widely in the area while police maintain witchcraft does not exist according to the Laws of Malawi whenever such cases are reported to them. Group Village Headman Kakhoma alleged young children are being initiated in witchcraft while the initiators are basking in police leniency” (Malawi News Agency (11 July 2011) *Traditional Leaders Accuse Police of Backing Witches*).

In April 2011 *IRIN News* states:

“At least 45 people are behind bars in Malawi on charges of witchcraft, although there is nothing in the country’s laws to keep them there” (IRIN News (6 April 2011) *Malawi: Suspected witches jailed*).

This report also states:

“Elderly women are most commonly accused of witchcraft, but people of all ages have been ostracized, jailed, attacked and even killed on suspicion of being witches” (ibid).

This document also points out that:

“Suspected witches can live peacefully in their communities for years without incident, but one unexplained event can trigger a violent reaction” (ibid).

This report also notes:

“Malawi inherited a 1911 Witchcraft Act from the British, which assumes that it does not exist, and makes it an offence to accuse someone of practicing witchcraft, or for an individual to claim that they practice it” (ibid).

A publication issued in June 2011 by the *Bar Human Rights Committee* notes:

“Children are also increasingly becoming prevalent targets of witchcraft accusations across Africa, including in Malawi” (Bar Human Rights Committee (16 June 2011) *Submission to the Malawi Special Law Commission established to review the Witchcraft Act Cap. 7:02*).

In June 2011 a document published by the *Consultancy Africa Intelligence* notes:

“In Malawi, elderly women still constitute the group most frequently accused of witchcraft” (Consultancy Africa Intelligence (16 June 2011) *Hunting the vulnerable: Witchcraft and the law in Malawi*).

References

Bar Human Rights Committee (16 June 2011) *Submission to the Malawi Special Law Commission established to review the Witchcraft Act Cap. 7:02*

<http://www.ein.org.uk>

(Accessed 9 December 2013)

This is a subscription website

Charles Chilimampunga & George Thindwa (April 2011) *The Extent and Nature of Witchcraft-Based Violence against Children, Women and the Elderly in Malawi*

<http://www.norway.mw/Global/SiteFolders/weblii/Final%20Witchcraft%20Report.pdf>

(Accessed 9 December 2013)

Consultancy Africa Intelligence (16 June 2011) *Hunting the vulnerable: Witchcraft and the law in Malawi*

http://www.consultancyafrica.com/index.php?option=com_content&view=article&id=783:hunting-the-vulnerable-witchcraft-and-the-law-in-malawi&catid=91:rights-in-focus&Itemid=296

(Accessed 9 December 2013)

IRIN News (6 April 2011) *Malawi: Suspected witches jailed*

<http://www.irinnews.org/report/92396/malawi-suspected-witches-jailed>

(Accessed 9 December 2013)

Malawi News Agency (11 July 2011) *Traditional Leaders Accuse Police of Backing Witches*

<http://www.lexisnexis.com/uk>

This is a subscription database

(Accessed 9 December 2013)

United States Department of State (19 April 2013) *Country Reports on Human Rights Practices for 2012, Malawi*

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

(Accessed 9 December 2013)

Voice of America (6 March 2013) *Campaign Launched to Help Witchcraft Suspects in Malawi*

<http://www.lexisnexis.com/uk>

This is a subscription database

(Accessed 9 December 2013)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted

Amnesty International
BBC News
Electronic Immigration Network
European Country of Origin Information Network
Freedom House
Google
Human Rights Watch
Immigration and Refugee Board of Canada
Internal Displacement Monitoring Centre
International Crisis Group
IRIN News
Lexis Nexis
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