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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Franciscans International (FI), a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Violence against children as a result of harmful traditional practices: the case of the so-called “witch children”**

### **Introduction**

Franciscans International (FI) welcomes the report of the Special Representative of the Secretary-General (SRSG) on Violence against Children and her ongoing commitment to address the issue of violence against children worldwide.

On this occasion, FI would like to draw the attention of the SRSG and the Human Rights Council on the issue of violence against children as a result of harmful traditional practices in western Africa.

Harmful traditional practices affecting women and children have been the subject of increasing international attention in recent years. For many years, the governments concerned and the international community were reluctant to address these practices as they were considered sensitive cultural issues falling within the private sphere of the family.

Today, thanks to the pressure of Civil Society and the international community this taboo seems to be open to change and harmful traditional practices have become a recognized issue that affects the rights and dignity of women and children. The last decade has seen measurable progress in public opinion with regards to harmful traditional practices at large.

Harmful traditional practices against children constituted one of the topics of the United Nations Secretary-General's Study on Violence against Children (2006) and an area of concern for the mandate of the Special Representative of the Secretary-General (SRSG) on Violence against Children. The Special Rapporteur on Violence against Women highlighted the importance of the issue in several thematic and mission reports. SRSG on Violence against Children highlights in her initial report that: “although there are promising developments, additional vigorous efforts are needed<sup>1</sup>.”

The role of the international community and Civil Society is to demystify this misconception and to encourage the development of new instruments that more efficiently address violence against children based on harmful traditional practices. This can be achieved by identifying and attacking the root causes of harmful practices through a holistic approach that encompasses social, economic, religious and cultural components.

### **Children accused of witchcraft**

Amongst such practices, child witchcraft seems to be an increasing phenomenon especially in western African countries, such as Benin, Nigeria, Cameroon, Gabon, Liberia, and Democratic Republic of Congo (DRC). This was also emphasized in the UN Study on Violence against Children<sup>2</sup>. According to UNICEF, a wide range of children are at risk. These children can be categorized in three groups: the so-called “child witches” (orphans, children with a physical disability, those with a physical illness, or disability and specially

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<sup>1</sup> Annual report of the Special Representative of the Secretary-General on violence against children, A/65/262, 9 August 2010, § 20.

<sup>2</sup> The United Nations Secretary-General's Study on Violence against Children, 2006, p. 298.

gifted children); children whose birth is considered abnormal (premature, born in breech positions, and also twins); and children affected by albinism<sup>3</sup>.

Franciscans International continues to be extremely concerned about the phenomenon of witch children. FI is concerned more specifically about the ritual infanticide in Northern Benin, and the lack of concrete actions by the Government to address deep-rooted beliefs and customs which result in the death of innocent children. FI has undertaken various actions to raise awareness on the issue at both national and international levels. These actions include advocacy activities at the UN human rights mechanisms and engaging in dialogue with Beninese authorities. In December 2010, FI was back in Benin to encourage the Government to follow-up the UPR recommendations on witch children.

### **The infanticide of the so-called “witch children” in Benin**

In Northern Benin, especially amongst the Bariba located mostly in Borgou and Atacora, as well as in Nigeria, children whose births are considered abnormal are considered witches and are then killed or abandoned by their parents. This is the case of children who are born head first and face upwards given that birth by the head is considered as the normal position. The newborn is also considered as a witch and therefore doomed to elimination when the mother dies after childbirth. The babies are often killed in cases of premature at birth (in the eighth month) and when they are born with the germs of teeth, or when they present visible handicaps at birth. According to the tradition, a witch child is a curse for his family and the community, henceforth the salvation of the family resides in the physical elimination of the supposed “witch”. It is difficult to provide a clear picture of them, but it is estimated that in more than 60% of cases where mother dies after giving birth, babies are eliminated. Therefore, given the high birth rate in the region, the magnitude of the phenomenon is worrying<sup>4</sup>.

Methods to “deal with” witches are very cruel and inhuman and result in the death of the child. Once, the elimination of the child was made by radical methods and the baby was killed by knocking his head against a tree trunk or suffocation of the child. Nowadays, parents do not refer anymore to executioners who were in charge in eliminating children. They give them pesticide used in cotton farms which will cause the death of the child within a few hours. Sometimes, the newborn is simply abandoned to die or, if fortunate, rescued by religious charity centres, including those run by Franciscans. Even if the baby is not killed at birth, a witch child may continue to be subject of discrimination and stigmatization for life.

Infanticide based on traditional harmful practices constitutes a serious violation of the inherent right to life and development of the child (Article 6); protection against all forms of discrimination or punishment on the basis of the beliefs of the child’s parents (Article 2, Paragraph 2); protection and care as necessary for his or her well-being (Article 3, Paragraph 2),<sup>5</sup> etc.

The issue of witch children in Benin has been addressed by various UN human rights mechanisms and recommendations have been issued to the attention of the Government. The Committee on the Rights of the Child (CRC/C/BEN/CO/2, 2006, § 30 and 31), the

<sup>3</sup> UNICEF WACARO, CIMPRIC Aleksandra, Children accused of Witchcraft, An Anthropological Study on Contemporary Practices in Africa, April 2010, p.2, available at [http://www.unicef.org/wcaro/wcaro\\_children-accused-of-witchcraft-in-Africa.pdf](http://www.unicef.org/wcaro/wcaro_children-accused-of-witchcraft-in-Africa.pdf).

<sup>4</sup> Franciscans International UPR Submission, 2008.

<sup>5</sup> UNICEF WACARO, CIMPRIC Aleksandra, Children accused of witchcraft, An anthropological study on contemporary practices in Africa, op. cit., p.5.

Committee against Torture (CAT/BEN/CO/2, 2007, § 22) The Committee on Economic, Social and Cultural Rights (E/C.12/BEN/CO/2008, par.19 and 40), and the Universal Periodic Review (UPR) (A/HCR/8/L.10/Rev.1, 2008, § 19 and 22) have called upon the Government of Benin to take appropriate measures to tackle the phenomenon. Despite the fact that the Government committed to reinforce measures to prevent and eliminate such harmful traditional practice<sup>6</sup>, there is no sign of significant progress in this regard.

## **Conclusion and recommendations**

We welcome the mandate of the Special Representative of the Secretary-General (SRSG) on Violence against Children and her crucial role in the implementation of the recommendations of the United Nations Secretary-General's Study on Violence against Children (2006), especially those related to violence against children due to harmful traditional practices. We also appreciate the efforts made by the Special Rapporteur on Violence against Women who has emphasized the importance of this issue in her thematic and mission reports.

Despite these efforts, action to bring about substantial change has not received sufficient attention. Every year many children worldwide continue to be victims of traditional practices which have damaging effects on their health and development.

### **Recommendations to the Human Rights Council:**

- Make space for discussion at future sessions on the issue of witch children;
- Call on relevant human rights mechanisms to visit and monitor the phenomenon of witch children in Benin;
- Call on UNICEF to make the issue of witch children a priority of its programmes in Benin.

More specifically, Franciscans International urges a response both at national and international level based on three axes: prevention, prosecution and protection.

### **Prevention**

- Raise-awareness of local authorities, traditional leaders, health workers, families and the population in general on the impact of such practices on the health and development of the child;
- Raise-awareness at school and educational centres to enhance sensitivity since the school age;
- Undertake a comprehensive study on the issue of witch children to evaluate the magnitude of the phenomenon, define root causes and identify strategies to tackle it effectively;
- Set up an efficient birth registration system;
- Increase the number of health centres ensuring medical assistance during pregnancy and for the delivery.

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<sup>6</sup> A/HCR/8/L.10/Rev.1, 2008, § 28.

**Prosecution**

- Ensure that infanticide against witch children is explicitly defined and specifically prohibited by law;
- Ensure that severe criminal sanctions are imposed over those responsible;
- Ensure a strong presence of the Government in the regions affected to monitor and report such practices.

**Protection**

- Implement effective measures to ensure that those who survive will not suffer discrimination and stigmatisation for life;
  - Develop reintegration strategies that include an anti-stigma component;
  - Allocate funds for building shelters for mothers who refuse to kill their children for witchcraft beliefs and children who survive and flee from death;
  - Ensure national and international protection of those mothers and children who refuse and survive this practice, including measures related to the granting of refugee status in other countries.
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