

Legislative approaches to addressing harmful practices
related to witchcraft accusations and ritual attacks:

a global review

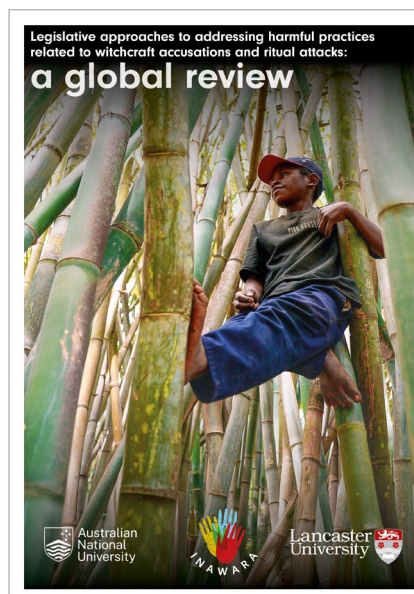


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Uncertain future | Paul Wolfram

Publications page

Legislative Approaches to Addressing Harmful Practices Related to Witchcraft Accusations and Ritual Attacks: A Global Review

Authors: Miranda Forsyth, Biobele Danagogo, Charlotte Baker

Copyeditor: Felicity Tepper

Editorial review: Leethen Bartholemew and Samantha Spence

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Affiliations

Miranda Forsyth is a Director of the International Network Against Witchcraft Accusations and Ritual Attacks and a professor in the School of Regulation and Global Governance at the Australian National University

Biobele Danagogo is a Research Assistant for the International Network Against Witchcraft Accusations and Ritual Attacks and a PhD student in the School of Law at Lancaster University

Charlotte Baker is a Director of the International Network Against Witchcraft Accusations and Ritual Attacks and a professor in the School of Global Affairs at Lancaster University

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Honouring New England's First Witch Trial Victim, Alice Young | Joshua Hutchinson

Harmful practices related to accusations of witchcraft and ritual attacks are a form of extreme human rights abuse occurring across many parts of the world today.¹ While the exact number of victims is unknown, credible evidence indicates that thousands of people are accused of witchcraft each year globally, often with fatal consequences.² A 2019 study found over 20,000 victims of such harmful practices reported in the last decade across 60 countries, many of whom had suffered torture, mutilation, banishment and death.³ Victims are predominantly the weak and vulnerable, including widowed and divorced women, children and individuals living with disabilities. It is likely that the cases reported in the media and that proceed through the courts represent only the tip of the iceberg, as such crimes are frequently not reported due to fear of retribution and a prevailing culture of impunity, which leads to a lack of trust in the justice system.

There has been increasing pressure on national governments to address these forms of harm, both as a result of advocacy from civil society organizations (such as human rights groups, women's organizations and community activists), and from the international community, including the United Nations (UN) and regional organizations. On 12 July 2021, the Human Rights Council adopted Resolution A/HRC/RES/47/8, the first UN statement to explicitly target the elimination of harmful practices related to accusations of witchcraft and ritual attacks.⁴ Follow-up efforts have aimed at implementation; for example, the UN Office of the High Commissioner for Human Rights (OHCHR) produced a thematic study (A/HRC/52/47) in early 2023 analyzing the global situation of human rights abuses linked to witchcraft beliefs.⁵

A common thread in advocacy is to call on national governments to ensure that perpetrators of these harmful practices are prosecuted, and that victims and survivors receive justice.⁶ For instance, Resolution A/HRC/RES/47/8 urges States 'to bring to justice all perpetrators of violations and abuses of these rights in compliance with applicable international law.'⁷ In March 2023, the Pan-African Parliament issued Guidelines on Accusations of Witchcraft and Ritual Attacks: Towards Eliminating Harmful Practices.⁸ These Africa-wide guidelines urge member States to criminalize harmful witchcraft accusations, protect victims, and harmonize customary practices with human rights norms.

Some states have responded to these calls for action by reviewing their legislative frameworks and introducing new laws aimed at prosecuting and preventing such harmful practices. In some countries, this has included repealing older, often colonial-era, laws deemed no longer fit for purpose.

¹ United Nations Human Rights Office of the High Commissioner, 'Witchcraft and Human Rights' www.ohchr.org/en/special-procedures/ie-albinism/witchcraft-and-human-rights#:~:text=At%20the%20very%20least%2C%20it,killed%20for%20witchcraft%2Drelated%20rituals, accessed 8 April 2025.

² *ibid.*

³ UN Human Rights Office of the High Commissioner (n 1).

⁴ United Nations Human Rights Council, 'Elimination of Harmful Practices Related to Accusations of Witchcraft and Ritual Attacks' Res. 47/8 (2021) docs.un.org/en/A/HRC/RES/47/8, accessed 28 May 2025.

⁵ United Nations Human Rights Office of the High Commissioner, 'Study on the Situation of the Violations and Abuses of Human Rights Rooted in Harmful Practices Related to Accusations of Witchcraft and Ritual Attacks, as well as Stigmatization' Res. 52/47 (2023) www.ohchr.org/en/documents/thematic-reports/ahrc5247-study-situation-violations-and-abuses-human-rights-rooted, accessed 30 May 2025.

In other countries, governments have introduced legislation explicitly geared towards targeting these harmful practices. Courts in several countries have also grappled with the legal complexities raised by the jurisprudence regarding accusations of witchcraft and ritual attacks, such as whether accusations can be a mitigating factor, or whether laws banning the practising of ‘witchcraft’ are compatible with constitutional standards in modern societies.

So, what forms has new legislation specifically targeting harmful practices related to belief in witchcraft taken around the world? More importantly, to what extent has this legislation been used in practice? What impact, if any, has it had on the prevalence of this form of abuse?

This report, prepared by members of the Working Committee of the International Network Against Accusations of Witchcraft and Associate Ritual Attacks (INAWARA), represents the start of an effort to answer these questions.

Overall, we have found:

On a positive note:

- A number of countries (15) have enacted specific legislation to address harmful practices related to accusations of witchcraft and ritual attacks.
- Many countries are using general criminal laws to prosecute harmful practices related to witchcraft accusations and ritual attacks.
- Some countries have enacted legislation designed to prevent the activities of individuals who create fear around witchcraft, such as diviners, or who exploit people’s belief in witchcraft for financial gain, such as so-called “witch doctors”.

On a negative note:

- In general, the specific legislation has not been widely used in practice to prosecute harmful practices related to witchcraft accusations and ritual attacks. This suggests that enactment of legislation alone is not sufficient to address the problem.
- Courts (and the justice system and media) often do not reference belief in witchcraft as a feature of the case, as they are subsumed under general categories such as “murder,” making tracking of cases difficult.
- Some countries problematically continue to treat belief in witchcraft as a mitigating factor in relation to the commission of criminal offences.
- Rather than addressing the violence and social dynamics behind harmful practices related to accusations of witchcraft and ritual attacks some countries are actively doing the opposite and prosecuting alleged witches through state courts.

⁶ Humanist International calls on African Commission to Tackle Witchcraft-related Human Rights Abuses (2020) humanists.international/2020/11/humanists-international-calls-on-african-commission-to-tackle-witchcraft-related-human-rights-abuses/#:~:text=Humanists%20International%20has%20urged%20the,States%20of%20the%20African%20Union accessed 8 May 2025; Lameck Masina, ‘Group Launches Campaign to Help Suspected Witches in Malawi’ (2013) www.voanews.com/a/campaign-launched-to-help-witchcraft-suspects-in-malawi/1616170.html accessed 8 May 2025; Amnesty International, ‘Ghana: Hundreds Accused of Witchcraft Urgently Need Protection and Reparation’ (2025) www.amnesty.org/en/latest/news/2025/04/ghana-witchcraft-accusations/#:~:text=Background,-been%20changed%20to%20protect%20identity accessed 8 May 2025.

⁷ United Nations Human Rights Council, *Elimination of Harmful Practices Related to Accusations of Witchcraft and Ritual Attacks*, Res. 47/8 (2021) docs.un.org/en/A/HRC/RES/47/8 accessed 28 May 2025, para 3.

⁸ United Nations Human Rights Office of the High Commissioner, ‘Pan African Parliament Guidelines on Accusations of Witchcraft and Ritual Attacks: Eliminating Harmful Practices and other Human Rights Violations’ www.ohchr.org/en/documents/tools-and-resources/pan-african-parliament-guidelines-accusations-witchcraft-and-ritual accessed 30 May 2025.

1. CONTEXT AND BACKGROUND

There is a long and varied history of laws relating to witchcraft and associated beliefs across many countries. While the specifics of these laws differ by region and period, these legal approaches are often shaped by two main factors:

- The particular behaviours being targeted - most commonly vigilante violence against those accused of witchcraft; fraudulent exploitation of beliefs in witchcraft; ritual attacks, such as those against people with albinism;⁹ and, in some cases, the alleged use of witchcraft itself; and
- The legal system's underlying assumption about whether witchcraft is a real force capable of causing harm.

During the British colonial era, many countries enacted witchcraft suppression acts that sought to stop witch-hunts – typically understood here as acts of collective or vigilante violence against those accused of practising witchcraft - through a policy of 'deny and suppress', often criminalizing both accusations and the act of 'pretending' to use magic to cause harm. However, these laws were rarely used and, in recent years, have been criticized for being inconsistent with religious and cultural practices, leading to attempts to overturn them.¹⁰

There continues to be significant debate in many countries today about how to balance human rights with cultural beliefs surrounding witchcraft. Many policymakers are seeking to reconcile the protection of human rights with the widespread belief in witchcraft, and the common perception amongst many populations that it poses a genuine threat to personal or collective security.¹¹ In some countries, such as Cameroon, occult harm – that is, harm believed to be caused through supernatural means - is criminalized by the state in the hope of dissuading people from taking justice into their own hands (vigilante justice). However, many scholars and activists argue that this criminalizing approach can inadvertently validate belief that witchcraft as a real threat and may be exploited to settle personal scores.¹² For these reasons, legislative frameworks that seek to address harm arising from witchcraft related accusations are often highly political and controversial.

This report focuses on providing an overview of the extent to which countries across the world are using legislation to either reduce or, in some cases, increase the risks of harmful practices related to accusations of witchcraft and ritual attacks.

⁹ For a discussion of the drivers of attacks on persons with albinism, see the reports of the UN Independent Expert on the Rights of Albinism www.ohchr.org/en/special-procedures/ie-albinism/reports Charlotte Baker, Patricia Lund, Julie Taylor and Richard Nyathi, 'The Myths surrounding People with Albinism in South Africa and Zimbabwe', *Journal of African Cultural Studies* 22.2 (2010) 169-181; Charlotte Baker, Patricia Lund, Bonface Massah and Jones Mawerenga (2010), 'We are human, just like you: Albinism in Malawi – Implications for Security', *Journal of Humanities* 29.1, 57-84.

¹⁰ See www.justice.gov.za/salrc/dpapers/dp158-p135-Revised-Review-WitchcraftSuppressionAct.pdf.

¹¹ For a discussion of many of the legal issues involved see Forsyth, M., 'The Challenges Belief in Witchcraft and Sorcery Pose for National and International Justice Systems' in Birch, P et al (eds) *Crime, Criminal Justice and Religion: A Critical Appraisal* (2022) Routledge.

¹² See, for example, [humanists.international/2023/03/malawi-humanists-express-concern-over-proposal-to-recognize-existence-of-witchcraft/#:~:text=In%20a%20statement%20at%20the,%E2%80%9D](https://www.humanistsinternational.org/2023/03/malawi-humanists-express-concern-over-proposal-to-recognize-existence-of-witchcraft/#:~:text=In%20a%20statement%20at%20the,%E2%80%9D)

2. AIMS AND FOCUS

This report maps the development of legislation targeting witchcraft accusations and ritual attacks globally and initiates an evaluation of the effectiveness of selected laws. Our research set out to answer the following key questions:

- How many countries have passed legislation specifically to address harmful practices related to accusations of witchcraft and ritual attacks? What sorts of offences have been created?
- To what extent has that legislation been used in practice? What trends can we detect? Have any issues arisen?
- To what extent are countries bringing perpetrators of violence against those accused of witchcraft to justice through their general criminal laws (eg murder, arson etc)? What trends can we detect?
- Are there countries that still criminalize acts of witchcraft? To what extent are these still being used?
- What lessons can we learn about the experiences of countries using legislation and judicial processes to address this issue? How can these lessons help other countries that are grappling with the issue and wondering what role the justice system may play?

Importantly, legislative reform in this area must be understood as part of a state's broader international human rights obligations. Instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD) impose binding obligations on states to prevent, punish, and eradicate all forms of violence and discrimination, especially against women, children, and other marginalised groups. Witchcraft accusations and ritual attacks often constitute gender-based and child-specific violence, and their persistence reflects a broader failure to uphold these obligations. Legislative frameworks that criminalise harmful practices, protect victims, and prohibit impunity are thus not merely optional or symbolic, they are legal necessities under international law.

3. RESEARCH METHOD

We used a desk research method to identify relevant legislation and case law through online legal databases and repositories of published judgements. Our focus was on primary sources of information, principally legislation and judicial decisions, rather than scholarly or grey literature.¹³ The databases consulted were: TanzLII, Kenya Law, LawLibrary.Org. Za, ZambiaLii, MalawiLII, ZimLII, ULII, NamibLII, Kanoon, PacLII, GHALII, LawPavilion, SwaziLII, NATLEX, NEPAL IN DATA. We focussed on legal databases in countries where specific legislation exists, noting that this means we have focused on the global South, and there is much more research to be done in the global North where there is emerging evidence of witchcraft accusation and belief related cases.¹⁴ We used keywords such as ‘witchcraft’, ‘witchcraft accusations’ and ‘sorcery’ to locate relevant legislation and case law.

We also used AI search engines (ChatGPT and Perplexity) preliminarily to identify potential leads on witchcraft legislation across different continents. To ensure accuracy, we cross-checked all AI-generated leads by directly searching official databases for the legislation texts. Where countries had multiple levels of law (national and state/provincial, as in India and Nigeria), we documented both levels. Key provisions criminalizing witchcraft accusations were identified and recorded.

This study has several important limitations. First, our assessment of legislative effectiveness looked solely at reported cases where provisions had been applied. We acknowledge that legislation can influence harmful practices in many ways beyond formal implementation – law possesses a variety of powers, including shaping social norms, signalling official stances and supporting change.¹⁵ For instance, the mere passage of legislation can play an important signalling role: if the law is not actively enforced, it may send a powerful message to society that it is merely window dressing; conversely, active enforcement can shift public attitudes, legitimize protections, and support advocacy efforts by demonstrating official recognition. However, these broader social and political effects are hard to measure through desk research alone and would require empirical research methods such as interviews, surveys or fieldwork.

¹³ A previous review of the scholarly literature was done in 2016 and now requires updating. See: www.annualreviews.org/content/journals/10.1146/annurev-lawsocsci-110615-084600.

¹⁴ See for example the work being done by *End Witch Hunts* (endwitchhunts.org) to track these cases in the U.S.A.; see uncommongroundmedia.com/witch-hunting-from-salem-to-san-jose-arely-proctor-and-dorothy-good/; and in the United Kingdom: Harriott, S., & Stobart, E. (2020). *Child Abuse Linked to Faith or Belief: Learning from Case Reviews 2000–2019*; Stobart, E. (2006). *Child Abuse Linked to Accusations of “Possession” and “Witchcraft”*. Department for Education and Skills (DfES); www.theguardian.com/society/2025/feb/24/thousands-of-children-england-falsely-accused-witchcraft-kindoki-witch-boy

¹⁵ See Miranda Forsyth, *Activating the Five Powers of Law*, PeaceLab (13 February 2019) peacelab.blog/2019/02/activating-the-five-powers-of-law accessed 30 May 2025.

Secondly, our ability to access all decided cases in many countries was limited by the coverage of online legal databases. For instance, trial court cases addressing witchcraft accusations in India were not available, so we relied on appeal case judgements instead. Consequently, while we found that many countries have apparently not utilized their specific legislation this may indicate gaps in publicly accessible case reporting rather than an absence of application.

A third limitation concerns the fact that our searches were conducted exclusively in English, meaning that relevant legislation or cases in other languages may have been omitted.

Despite these limitations, this report represents a foundational effort towards producing a more comprehensive global mapping of legal responses to eliminating witchcraft accusations and ritual attacks. We encourage researchers and practitioners with additional information and data to contribute, so together we can continue to grow our mutual understanding. We intend to keep this database publicly available and regularly updated on the website of the International Network Against Witchcraft Accusations and Ritual Attacks (INAWARA)¹⁶.

¹⁶ www.theinternationalnetwork.org



Diagnosis | Joe Wood



Experiments with legislation in Jharkhand, India²¹

The state of Jharkhand has one of India's highest records of witch-hunting-related deaths. It enacted The Prevention of Witch Hunting Practices Act, 2001, aiming to prevent the identification of women as witches and eliminate the torture, humiliation, and killings associated with the practice, particularly in tribal areas. However, despite this legislative framework, Jharkhand continues to record the highest number of witch-hunting deaths, pointing to the law's limited deterrent effect.

The Act contains significant shortcomings: section 3, which criminalizes identifying someone as a witch carries a maximum sentence of only three months' imprisonment or a nominal fine. Section 4, which addresses harm based on such identification, permits imprisonment of up to six months. These lenient penalties do not reflect the gravity of harm caused by witchcraft accusations, which often lead to extreme public humiliation, torture, and even fatalities. The law underestimates the serious physical and psychological harm inflicted on victims, often committed under the influence of local witch-doctors or diviners, and does not adequately capture the collective, often premeditated nature of witch-hunting violence. It also lacks higher penalties for aggravated abuse.

Crucially, the Act is silent on victim compensation, rehabilitation, or resettlement, despite the routine ostracism and loss of livelihood and shelter faced by women survivors. It has no requirements for state-led intervention or awareness-raising, and no accountability mechanisms for police or local authorities who fail to protect vulnerable individuals. By failing to explicitly classify witchcraft accusations as discriminatory customary practices that violate women's constitutional or human rights, the law - though framed as a 'special law' - does not confront the embedded social and cultural structures that normalize witch-branding and impede access to justice.

Repeated judicial interventions have not spurred government action. In a 2015 suo motu case in the Jharkhand High Court, the government was unable to provide comprehensive data on witchcraft-related deaths or demonstrate effective implementation of awareness campaigns. Initiatives such as witch-hunt awareness vans were short-lived due to lack of funding. Although an action plan was prepared jointly by the Social Welfare Department and the Jharkhand State Legal Services Authority in 2016, the High Court criticized the lack of follow-through. Subsequent government responses have remained largely procedural, with no evidence of sustained institutional measures to curb the menace.

²¹ Adapted from Amit Anand's doctoral thesis '*Unheard and Unnoticed: Violence Against Women in India – A Study of Practice of Witch-Hunting, Honour Killing and Devadasi System*', available at [www.research.lancs.ac.uk/portal/en/publications/unheard-and-unnoticed\(a3696708-3e8d-4972-a33d-ec10b099412f\).html](http://www.research.lancs.ac.uk/portal/en/publications/unheard-and-unnoticed(a3696708-3e8d-4972-a33d-ec10b099412f).html), with permission from author.

4. FINDINGS

In this section, we set out our findings in relation to each of the questions that guided our research and analysis (see section 3). Where relevant, we also note the limitations on the data and indicate further areas for research.

4.1 How many countries have passed legislation specifically to address harmful practices related to accusations of witchcraft and ritual attacks? What sorts of offences have been created?

Overall, we found that 15 countries¹⁷ have introduced legislative provisions specifically addressing harmful practices related to accusations of witchcraft, while two countries have proposed bills containing provisions addressing witchcraft accusation.¹⁸ In some countries these laws exist only at state level in some states, whereas in some countries the laws are national. The countries and their relevant legislation are set out in Appendix A.

The presence of specific legislation is strongly shaped by geography. Countries in North America, South America, and Europe do not have legislation specifically addressing witchcraft accusations. The UK's Witchcraft Act 1735 was repealed in 1951, Canada repealed its law against 'pretending to practice witchcraft' in 2018,¹⁹ and Australian states progressively abolished colonial-era witchcraft provisions over the mid-20th century.²⁰ Today, specific anti-witch-hunting legislation – laws aimed at preventing violence and abuse linked to witchcraft accusations – is primarily found in Africa, Asia, and Oceania, regions where these harmful practices related to witchcraft accusations continue to be most prevalent.



The Weight | Adam Browne

¹⁷ See Appendix A.

¹⁸ Ghana and Pakistan. See Appendix A.

¹⁹ Riley Klassen-Molyneaux, 'Bad Religion and Bad Business: The History of the Canadian Witchcraft Provision' (2024) 1(20) Canadian Journal of Law and Society 1, 2.

²⁰ Brendan C. Walsh, 'Nature Religions are Growing in Australia – Though Witchcraft was Illegal in Some Territories Just 10 Years Ago' (2023) The Conversation theconversation.com/nature-religions-are-growing-in-australia-though-witchcraft-was-illegal-in-some-territories-just-10-years-ago-205943 accessed 30 May 2025.

The specific offences created under national legislation addressing harmful practices related to accusations of witchcraft vary considerably across jurisdictions, both in terms of scope and language. These offences typically prohibit actions such as accusing someone of being a witch,²² imputing the use of witchcraft to another,²³ naming or inciting another person to accuse someone of being a witch,²⁴ subjecting a person to any kind of physical torture or mental abuse by making allegations that they are a witch,²⁵ and killing a person after accusing them of witchcraft or sorcery.²⁶ The definitions of witchcraft, sorcery and other supernatural practices in the legislation varies considerably – some do not define it, some define it by what it includes, others by what it does not include, and there is great variance in the language and scope.

In India, at least eight states have introduced dedicated legislation to address harmful practices related to accusations of witchcraft. Some of these include broader provisions aimed at preventing what are referred to in legal or policy terms as ‘superstitious practices’ – a category that may include witch-hunts alongside other practices deemed harmful or exploitative. These state laws typically make it a criminal offence to accuse a woman (or man) of being a witch, to subject a person to any ritual of exorcism that is harmful, to ostracize an individual from the community, or to engage in witch-hunting violence. There is continuing advocacy for the creation of a national law to ensure consistency in legal protections, definitions of offences and enforcement mechanisms across the whole country.²⁷

Does it matter to whom the accusation is reported?

In some countries, such as Kenya²⁸, Zambia,²⁹ Uganda,³⁰ Malawi³¹ and Tanzania,³² the relevant legislation includes a provision which provides that the crime of accusing another person of being a witch does not apply to an person who makes an accusation to an official such as a District Commissioner, a police officer, a chief or any other person in authority. In effect, this means that accusations can be made but must be made to the appropriate authorities for formal investigation. Such clauses diminish the effectiveness of protections against witchcraft accusations, as individuals may still lodge malicious reports with authorities, accusing someone of causing harm by practising witchcraft. Malicious allegations could lead to unjust treatment of the person being accused of practising witchcraft based on suspicion alone. It also gives credibility to the idea that an accusation of witchcraft can be justified. However, the provision arguably offers some protection to victims because it prevents individuals from taking the law into their own hands, provided the authorities understand the rationale for the provision and how to apply it lawfully.

²² Witchcraft Act, 1925, Cap, 67 Laws of Kenya (revised 2012), section 6; Laws on the Protection of the Child (2009), art 160; Witchcraft Act, 1911, Chapter 7:02, Laws of Malawi (2014), Section 4; Criminal Law (Codification and Reform) Act, Chapter 9:23, 2005, Zimbabwe, section 99(1).

²³ Witchcraft Suppression Act, No. 3 1957, South Africa, section 1(a)(i); Witchcraft Act, 1957, Chapter 124, Laws of Uganda section 3; Witchcraft Suppression Proclamation 27 of 1933 Namibia, section 1(a).

²⁴ Witchcraft Act 1928, Chapter 18, 2002, Tanzania, section 4; Witchcraft Act, 1914, Chapter 90, Laws of Zambia (1996), section 3(a).

²⁵ Prevention of Witch Practices Act, 1999 of 1999 (The Prevention of Witch (Daain) Practices Act, 1999 (Bihar) s 4.

²⁶ Papua New Guinea Criminal Code Act section 299A.

²⁷ See for example: [juriscentre.com/2023/10/09/penalising-witch-hunting-a-need-for-a-central-legislation/](https://www.juriscentre.com/2023/10/09/penalising-witch-hunting-a-need-for-a-central-legislation/); calr.in/wp-content/uploads/2021/09/Witch-Hunting-in-India---Need-for-a-Central-Legislation_Vidya-Kakra.pdf

²⁸ Witchcraft Act, Kenya (n 19) section 6

²⁹ Witchcraft Act, Zambia (n 21) section 3

³⁰ Witchcraft Act, Uganda (n 20) section 3

³¹ Witchcraft Act, Malawi (n 19) section 4

³² Witchcraft Act, Tanzania (n 21) section 4

While imperfect, these laws may represent a step towards curbing vigilante violence and signal that witchcraft allegations should be handled by formal authorities, not mobs.

A better approach is that reported to have been adopted by a village court in Jamshedpur, Jharkhand state, India. It has passed a resolution not to hear any case related to witch-hunting – in other words, not to dignify any accusations of witchcraft by allowing them into the local legal system. The Gram Pradhan of Sarjamda village told the New Indian Express that this decision was made in order to forestall witchcraft-accusation-related killings: there had been an increase in “incidents of killing women and elders after branding them as witches during Panchayat meetings.” The court also amended the traditional self-governance system to state that there is no such thing as witchcraft, and that any complaints accusing someone else of witchcraft would result in the complainant being referred for counseling³³

There are some countries considering introducing legislation, such as South Africa, and others that have pending Bills. For instance, in 2023, Ghana passed an anti-witchcraft bill, which aims to prohibit anyone from accusing another person of being a witch.³⁴ However, this bill has not yet been signed into law by the President, despite widespread demands for its enactment to protect vulnerable individuals.³⁵ The delay has been criticized as detrimental to those accused of witchcraft, stalling protection measures that could help them and preventing victims from seeking justice and compensation. The bill was reintroduced in March 2025 and is once again awaiting presidential assent.³⁶

Use of legislation to stop “child-witch” branding

In Nigeria, important developments have emerged at the state level to combat the harmful practice of accusing children of being ‘child witches’, particularly in regions such as the Niger Delta. This issue became acute in the 2000s, when some evangelical pastors began publicly labelling children as witches, leading to widespread abandonment and abuse. In response, Nigeria’s southern state of Akwa Ibom enacted legislation in 2008 to prohibit the accusation and labelling of children as witches, followed by Cross River State in 2023. These legal reforms in Nigeria are part of a broader effort, often supported by NGOs and religious organizations, to shift public attitudes and hold perpetrators accountable. However, enforcement remains uneven, and the phenomenon of child witch accusations persists in some communities.

³³ Mukesh Ranjan, New Indian Express, www.newindianexpress.com/nation/2025/May/29/village-panchayat-in-jharkhand-passes-resolution-to-reject-witchcraft-related-complaints.

³⁴ Amnesty International Ghana, ‘Demand that the President of Ghana Signs the Anti-Witchcraft Bill into Law’ [amnestyghana.org/petition/demand-that-the-president-of-ghana-signs-the-anti-witchcraft-bill-into-law](https://www.amnestyghana.org/petition/demand-that-the-president-of-ghana-signs-the-anti-witchcraft-bill-into-law) accessed 25 April 2025.

³⁵ *ibid.*

³⁶ Amnesty International, ‘Stand with the Women Accused of Witchcraft in Ghana’ www.amnesty.org/en/petition/stand-with-the-women-accused-of-witchcraft-in-ghana/#:~:text=The%20bill%20was%20passed%20by,the%20new%20President%20John%20Mahama accessed 25 April 2025.

- ³⁷ www.reuters.com/world/africa/children-accused-witchcraft-find-shelter-east-congo-2023-02-08/#:~:text=Children%20who%20end%20up%20in,receive%20them%20from%20family%20members.
- ³⁸ Witchcraft Suppression Proclamation, Namibia (n 20) section 1(b).
- ³⁹ Witchcraft Act, Zambia (n 21) section 4.
- ⁴⁰ Witchcraft Act (Chapter 09:02) (Proc. 7, 1927) Botswana, section 3.
- ⁴¹ The Chhattisgarh Tonahi Pratadna Nivaran Act, 2005, Act 17 of 2005, section 6; The Prevention of Witch (Daain) Practices Act, 2001 (Jharkhand) sections 5 and 6; Prevention of Witch Practices Act, 1999 (Bihar) (n 22) sections 5 and 6.
- ⁴² Papua New Guinea Criminal Code (n 23) section 520B.
- ⁴³ See, for example, pngnri.org/images/Publications/Issues_Paper_No_36.pdf.
- ⁴⁴ Forsyth, Miranda, et al. Putting Data Around Intergroup Violence and Sorcery Accusation-Related Violence in Papua New Guinea. US Institute of Peace, 2024. <http://www.jstor.org/stable/resrep61322> accessed 25 May 2025
- ⁴⁵ Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013; Karnataka Prevention and Eradication of Inhuman Evil Practices and Black Magic Act, 2017.
- ⁴⁶ Bertha Ismail, 'Tanzania Ordered to Revise Witchcraft Laws to Protect People with Albinism' (2025) The Citizen www.thecitizen.co.tz/tanzania/news/court-news/tanzania-ordered-to-revise-witchcraft-laws-to-protect-people-with-albinism-4913926?utm_source=chatgpt.com accessed 26 April 2025.
- ⁴⁷ www.wvi.org/stories/uganda/world-vision-celebrates-parliaments-passing-two-bills-protecting-children. The bill is available at: bills.parliament.ug/uploads/3716Prevention_and_Prohibition_of_Human_Sacrifice_Bill,_2020.pdf
- ⁴⁸ See, for example, HelpAge International. Using the Law to Tackle Accusations of Witchcraft: HelpAge International's Position www.helpage.org/silo/files/using-the-law-to-tackle-accusations-of-witchcraft-helpage-internationals-position.pdf accessed 30 May 2025; and Wikipedia, 'Efforts to End Witch-Hunting' en.wikipedia.org/wiki/Witch_hunts_in_India#:~:text=pending accessed 30 May 2025.

Similarly, the Democratic Republic of Congo (the DRC) included provisions in its Child Protection Law of 2009 explicitly forbids accusations of witchcraft made towards children. This law made it a criminal offence for anyone (including religious leaders) to label a child as a witch and is a significant legal step. Following the law's implementation, the DRC set up specialized police units and juvenile courts to handle cases in which children had been accused of witchcraft. Shelters (often run with support from NGOs or the Catholic) have been established for rescued children.³⁷ In theory, the DRC presents an instructive model by coupling support for administrators of the justice system implementing the new law with parallel support for victims. However, there is currently no available research on the impact, if any, this law is having.

Use of legislation to criminalize diviners

Some countries have specific legislative provisions that target individuals who incite others to make witchcraft accusations or who make fraudulent and exploitative claims based on people's belief in witchcraft. Namibia,³⁸ Zambia,³⁹ Botswana,⁴¹ India,⁴⁰ and Papua New Guinea (PNG)⁴² each have laws that contain provisions that specifically apply to witch-finders, witchdoctors and diviners (collectively referred to as 'diviners' in this section). Given the growing evidence that diviners, witch-doctors and religious leaders and preachers are often instrumental in inciting fear and violence in relation to harmful practices, these laws have become essential.⁴³

A positive example of the use of laws that criminalize diviners comes from PNG, which currently faces very high levels of witchcraft accusation related harm.⁴⁴ As part of PNG's actions to redress this harm, it has taken several legislative steps. In 2013, it repealed the former Sorcery Act 1971, which had previously permitted belief in sorcery to be used as a partial defence. In the same year, it also added a specific crime to the Criminal Code that specifically outlawed murder 'on account of accusation of witchcraft'. In 2022, following mounting evidence of the problematic role played by diviners or 'glasman' in PNG, special legislation was passed to criminalize accusations and glasman activities. Known as the 'Glasman Act', this legislation has started to change the narrative around the legitimacy of using a glasman to identify or accuse individuals of practising witchcraft. In 2025, the first successful prosecution was brought under this new legislation and was widely publicized (State v Mon [2025] PGNC 101). This case involved two accused. The first was a community leader who made an accusation against a mother of five, who was subsequently killed by a group from her community. This individual was prosecuted and found guilty and sentenced to five years imprisonment. The second accused was a 'glasmeri' (female diviner) who legitimized the accusation by her actions.

At the time of publishing, her trial is still pending.

Criminalizing ritual attacks

A number of states in India have enacted legislation specifically addressing ritual attacks and killings⁴⁵. Meanwhile, the African Court on Human and Peoples' Rights has recently directed Tanzania to revise its witchcraft laws and criminalize violence against people with albinism as an aggravated offence.⁴⁶ If implemented as directed, this reform would aim to protect persons with albinism from persecution, killings and mutilations. Uganda has already taken such a step with the passage of the Prevention and Prohibition of Human Sacrifice Act, passed in 2021.⁴⁷

4.2 To what extent has that legislation been used in practice? What trends can we detect? Have any issues arisen?

Our most significant finding is that, in general, legislation that specifically targets harmful practices related to accusations of witchcraft and ritual attacks is rarely implemented in practice. This finding corroborates similar findings in earlier studies.⁴⁸

Out of the 15 countries that have legislation addressing harmful practices related to accusations of witchcraft, we had access to cases from 12 of those countries. Out of these 12 countries, based on available data, only nine were found to have used the legislation to prosecute cases. These nine countries are: Kenya,⁴⁹ South Africa,⁵⁰ India,⁵¹ Zambia,⁵² Uganda,⁵³ Namibia,⁵⁴ Eswatini,⁵⁵ PNG⁵⁶ and Nigeria.⁵⁷ Also, out of the nine countries, only two - South Africa and India - were found to have used this legislation more than once, according to information available to us.

For example, in South Africa, the case of *S v Tyolo* [2024] ZAECGHC 28, involved an accused person charged with the offence of naming another person a 'wizard' and with the murder of a female victim. The victim was struck several times on the head after suspicion arose that she was a witch using witchcraft to cause the illness of another person. The accused was found guilty and sentenced to life imprisonment for murder and an additional twenty years for naming another person a wizard, with the sentences to be served concurrently.

Among the countries reviewed, India stands out as having used specific anti-witchcraft legislation more frequently than others, though this use is uneven across different states and regions. Our research identified 26 court cases in India involving witchcraft-related violence.⁵⁸ Of these, 12 cases included charges brought under state-level witchcraft legislation in addition to other criminal charges such as murder, assault, or conspiracy.

⁴⁹ Director of Public Prosecution v Chakanda & another [2022] KEMC 31 (KLR).-

⁵⁰ *S v Tyolo* [2024] ZAECGHC 28; *S v Manundu and Others* [2022] ZAECMHC 13; *S v Latha and Another* (CC 20/12) [2012] ZAECGHC 29; 2012 (2) SACR 30 (ECG) (9 May 2012); *Velemani v S* (CC18/2020) [2022] ZAECMHC 40 (6 October 2022).

⁵¹ *Raju Khoya vs State of Jharkhand Criminal Appeal* (DB) No. 1235 of 2007; *Bhola vs State of Chhattisgarh CRR No. 181 of 2016*; *Kumma Bhaskar vs State of Chhattisgarh Criminal Appeal No. 1403 of 2021*; *Sheonath Bhuiyan vs The State of Jharkhand Cr. Appeal* (DB) No. 684 of 2014; *Raidhar vs State of Chhattisgarh Criminal Appeal No.1088 of 2016*; *Dadol Baiga vs State of Chhattisgarh Criminal Appeal No. 716 of 2017*; *Bukai Murmu vs The State of Jharkhand Cr. Appeal* (SJ) No.1294 of 2007; *Mathu Mahli vs State of Jharkhand Cr. Appeal* (DB) No. 164 of 2008; *Dembo Tudu vs State of Jharkhand Cr.Appeal* (DB) No. 1207 of 2005; *Sulo Devi & Ors vs State of Jharkhand Cr. Appeal* (DB) No.320 of 2005; *Jageshwar vs State Of Chhattisgarh Criminal Appeal No. 1524 of 2015*; *Jitu Murmu vs State Of Odisha BLAPL No.3707 of 2020*.

⁵² *The People v Sindala* (3D/27/23) [2023] ZMSUB 2.

⁵³ *Uganda v Ogwang* (Criminal Revision 45 of 1991) [1991] UGHC 68 (26 February 1991).

⁵⁴ *S v John* (CC 14 of 2019) [2022] NAHCNLD 12.

⁵⁵ *Rex v Mlotshwa* [1980] SZHC 7 (25 March 1980).

⁵⁶ *State v James Mon* [2025] PGNC 101

⁵⁷ *Ukoh & Anor v. State* (2022) LPELR-56711(CA).

⁵⁸ See the Indian cases listed above in fn 50.

In these 12 cases, the accused were not only prosecuted for general criminal offences but also specifically charged under relevant provisions of witchcraft prevention laws.

These included offences such as accusing someone of being a witch (or daain), causing them physical harm, performing harmful exorcism rituals, or inciting witch-hunting activities. This dual charging approach is significant: it recognises the nature of witchcraft-related violence as a distinct category of harm, and it affirms the state's commitment to addressing the socio-cultural dynamics that fuel such abuse.

While general criminal charges (e.g., under Section 302 of the Indian Penal Code for murder) typically carry more severe sentences than state-level witchcraft laws, the inclusion of both types of offences in the charge sheet is symbolically and practically important. It ensures that the witchcraft-related dimension of the crime is acknowledged, documented, and addressed, rather than being subsumed under broader criminal categories. This, in turn, contributes to the visibility of witchcraft-related violence within the legal system and provides a clearer basis for policy reform and advocacy. It also facilitates data collection on the criminalisation of witchcraft-related violence, which often remains invisible in official statistics due to generic categorisation under broader criminal law provisions.

Use of the death penalty

An issue identified during research was the use of the death penalty in some cases involving witchcraft accusation-related violence.⁵⁹ Most recently, in Nigeria, five men were sentenced to death by hanging in Kano State for the murder of a woman they had accused of practising witchcraft.⁶⁰ On 2 April 2025, INAWARA released a statement reaffirming its opposition to the death penalty as a form of punishment in all circumstances.⁶¹ INAWARA advocates for rehabilitation, active accountability, and humane approaches to addressing violence.⁶² It emphasises that the cycle of violence cannot be broken by responding with more violence.⁶³ A positive step in this direction was taken by PNG in 2022, when it amended its Criminal Code (Amendment) Act 2022. The provision on the wilful murder of a person accused of sorcery was revised to replace the words 'shall be sentenced to death' with 'shall be sentenced to life imprisonment and is eligible for parole after 30 years'.⁶⁴

⁵⁹ Republic vs Baton Kimbawala and Others (Criminal Session Case 30 of 2020) [2022] TZHC 15481; Republic vs Shimba s/o Igishaminjala @ Hatili & 3 Others (Criminal Session Case 11 of 2021) [2023] TZHC 19492 (2 January 2023); Republic vs Sungwa Mpelwa (Criminal Session Case 34 of 2017) [2022] TZHC 11873 (11 March 2022); Republic vs Augustino John @ Nyomezi & Others (Criminal Session No. 86 of 2022) [2024] TZHC 9304 (1 November 2024); Republic vs Omary Mhambo @ Dohoi (Criminal Sessions Case 59 of 2019) [2020] TZHC 4061 (6 November 2020).

⁶⁰ Mansur Abubakar, 'Five Sentenced to Death in Nigeria over 'Witchcraft' Murder' BBC (4 February 2025) www.bbc.co.uk/news/articles/clyeg4q71wko#:~:text=Five%20men%20have%20been%20sentenced,and%20stabbing%20her%20to%20death accessed 15 May 2025.

⁶¹ International Network Against Witchcraft Accusations and Ritual Attacks, 'INAWARA Statement on Use of the Death Penalty' (2 April 2025) www.theinternationalnetwork.org/statementdeathpenalty#:~:text=However%2C%20INAWARA%20does%20not%20support,by%20responding%20with%20more%20violence accessed 15 May 2025.

⁶² *ibid.*

⁶³ *ibid.*

⁶⁴ Criminal Code (Amendment) Act 2022, section 299A.

4.3 To what extent are countries bringing perpetrators of violence against those accused of witchcraft or other related harmful practices to justice through their standard criminal laws? What trends can we detect?

As noted above, while countries that have enacted specific legislation to address harmful practices relating to belief in witchcraft and ritual attacks have not been using that legislation, we found that they have been using general criminal provisions to prosecute such cases. Moreover, judges in some jurisdictions have been calling for harsher penalties in an attempt to increase deterrence.⁶⁵ Appendix C sets out selected cases from a variety of countries demonstrating how both specific legislation and general criminal and civil laws are being used. These cases are not comprehensive and were chosen for illustrative purposes only.

Our analysis shows that in the 12 countries with specific legislation, individuals who accuse, target, assault, attack or even kill someone based on suspicions of practising witchcraft are typically charged under general criminal laws rather than under provisions specifically addressing witchcraft-related accusations. These general charges include offences such as murder, arson, manslaughter, assault with intention to do grievous bodily harm under the penal code of the relevant country. Furthermore, in our records of relevant civil suits, we noted that defamation is another option that is sometimes pursued. Appendix D sets out the categories of offences and the numbers of cases in which each offence has been used.⁶⁶ For completeness, Appendix D also includes the civil action of defamation. The analysis reveals that murder is by far the most common offence, suggesting that prosecution tends to occur only in response to the most serious forms of harmful practices – those resulting in death. For the most part, a broader culture of impunity persists in many countries.

Unfortunately, tracking these cases in a systematic way is time-consuming and difficult because references to the belief in witchcraft is often not reported in court judgements. There is a pressing need to track all available cases on a jurisdiction-by-jurisdiction basis, and to develop an integrated database that will allow researchers and policymakers to make comparisons across different jurisdictions, both within and between states. Examples of judgement tracking work carried out to date can be found in relation to PNG⁶⁷ and India.⁶⁸

⁶⁵ For example, in PNG. See devpolicy.org/publications/policy_briefs/PB21-Prosecution-of-SARV-in-PNG-Aug-2021.pdf

⁶⁶ In Kenya, South Africa, Zambia, Malawi, Tanzania, Zimbabwe, Uganda, Namibia, India, PNG, Nigeria and Eswatini – countries with witchcraft legislation or provisions addressing witchcraft accusation, and in Ghana (proposed bill) – at least two cases were found which concerned crimes committed as a result of witchcraft accusations. In Solomon Islands, Nauru, Vanuatu, and Fiji – countries without witchcraft legislation or provisions specifically addressing witchcraft accusations – at least two cases were found which concerned crimes committed as a result of accusing someone of practising witchcraft

⁶⁷ Forsyth, Miranda, et al. Putting Data Around Intergroup Violence and Sorcery Accusation-Related Violence in Papua New Guinea. US Institute of Peace, 2024. <http://www.jstor.org/stable/resrep61322> accessed 25 May 2025.

⁶⁸ See www.actionaidindia.org/story/witch-hunting-its-prevalence-and-our-efforts-to-make-it-history

Belief as a mitigating factor

Concerningly, we found cases in each of Namibia, Zimbabwe and Zambia, where belief in witchcraft was treated as a mitigating factor against capital punishment. For example, in *S v Nyamande* (871 of 2022) [2022] ZWHHC 871, a case heard in the High Court of Zimbabwe, the accused was charged with two counts of murder for killing his father and his father's sister, whom he believed had bewitched him, bringing misfortunes and illness into his life. He struck his father with an axe, killing him instantly, and then went to the second deceased's house and struck her with a hoe, causing her to bleed to death. The court found the accused guilty of both counts of murder under section 47(1) of the Criminal Law (Codification and Reform) Act, and sentenced him to 35 years' imprisonment. Unfortunately, the accused's belief in witchcraft was viewed as a mitigating factor against capital punishment, with the judge stating that although belief in witchcraft is not a legal defence, it could be considered as a mitigating factor during sentencing. According to the judge:

It shall not be a defence to murder, assault or any other crime that the accused was actuated by a genuine belief that the victim was a witch or wizard, a court convicting such person may take such belief into account when imposing sentence upon him or her for the crime.

At sentencing, the judge clarified that, if not for the accused's belief in witchcraft, the case would have been considered appropriate for the death penalty.

As discussed in Section 5.2, INAWARA advocates against the use of the death penalty in all circumstances as it is never an acceptable or just response to crime. It is equally troubling when violence against individuals accused of practising witchcraft is downplayed or partially excused through references to belief. Mitigating a sentence on the basis of such belief, particularly in the context of potential capital punishment, risks legitimizing harm against those targeted by witchcraft accusations and undermines efforts to treat such violence as serious and unacceptable.

Bringing mobs to justice?

One of the challenges of achieving justice in cases involving harmful practices related to witchcraft accusations is that often such cases involve huge crowds and many perpetrators. This can overwhelm justice systems that may already be stretched to their limits. However, there are some indicators that some justice systems can occasionally rise to the challenge. In PNG in 2018 there was a mass arrest and prosecution of 96 individuals following one case of sorcery accusation related violence where eight people had been killed.⁶⁹ Recently in India it was reported that a court in Assam sentenced twenty-three people to life in prison for killing a woman on suspicion of witchcraft in 2012. According to the son of the deceased, his mother was tortured, killed, and burned by a mob after she was accused of witchcraft. Twelve men and eleven women were found guilty of the murder; in addition to life imprisonment, they were each fined 5,000 rupees each (50 euros).

The secretary of the village defence force was also fined, though not imprisoned, “for not taking action despite being informed about the incident,” according to a lawyer involved.⁷⁰

4.4 Are there countries that still criminalize acts of witchcraft? To what extent are these still being used?

Many countries around the world still criminalize acts of witchcraft. – meaning actions believed to involve supernatural powers intended to cause harm, influence events, or affect people or outcomes. Countries that criminalize acts of witchcraft include Algeria,⁷¹ Cameroon,⁷² Central African Republic,⁷³ Vanuatu,⁷⁴ Solomon Islands,⁷⁵ Fiji,⁷⁶ Republic of Benin,⁷⁷ Côte d'Ivoire,⁷⁸ and Gambia.⁷⁹ Each of these countries contain provisions in their Penal Codes that criminalize acts of witchcraft. These countries and their legislation are set out in Appendix B.

There are also countries where no specific witchcraft legislation or provisions exist, yet individuals are severely punished by the state for so-called acts of witchcraft. For example, in Saudi Arabia, witchcraft and sorcery – terms often used interchangeably but which can have different meanings anthropologically and culturally – are criminalized, despite the absence of clear legal definitions or a codified penal code specifying what constitutes these crimes or the evidence required for conviction.⁸⁰ This stems from Saudi Arabia's legal system, which has historically relied on judicial interpretation of Islamic law rather than using written law, making rulings highly dependent on individual judges' discretion.

⁶⁹ State v Kakiwi [2018] PGNC 273

⁷⁰ ETV Bharat, www.etvbharat.com/en/!state/assam-court-sentences-23-to-life-imprisonment-for-killing-woman-over-witchcraft-suspicion-enn25052000714

⁷¹ Law No. 24-06. 2024, article 303.

⁷² Law No. 2016/007, Relating to the Penal Code, 2016, section 251.

⁷³ Law No. 10.001 of January 6, 2010, on Central African Penal Code, section 149.

⁷⁴ Penal Code, Cap 135, Laws of the Republic of Vanuatu, Consolidated Edition 2006, section 151.

⁷⁵ Penal Code, Chapter 26, Laws of Solomon Islands, section 190.

⁷⁶ Crimes Act 2009, section 263.

⁷⁷ Law No. 2018-16 of December 28, 2018 establishing the penal code in the Republic of Benin, article 457.

⁷⁸ Law No. 2019-574 Instituting the Penal Code Côte d'Ivoire, article 237.

⁷⁹ Criminal Code Chapter 37, Gambia, section 294.

⁸⁰ Human Rights Watch, 'The Origins of the "Witchcraft" Charge' www.hrw.org/reports/1997/saudi/Saudi-03.htm accessed 24 April 2025.

⁸¹ Ryan Jacobs, 'Saudi Arabia's War on Witchcraft' (2013) *The Atlantic* www.theatlantic.com/international/archive/2013/08/saudi-arabias-war-on-witchcraft/278701/ accessed 24 April 2025.

⁸² *ibid.*

⁸³ BBC, 'Saudi Woman Executed for Witchcraft and Sorcery' (2011) www.bbc.co.uk/news/world-middle-east-16150381 accessed 25 April 2025.

⁸⁴ *ibid.*

⁸⁵ BBC, 'Saudi Man Executed for Witchcraft and Sorcery' (2012) www.bbc.co.uk/news/world-middle-east-18503550 accessed 25 April 2025

⁸⁶ Law No. 1 of 2023 on Criminal Code, Law of the Republic of Indonesia, section 252. Note that this law has not as yet come into force.

⁸⁷ Penal Code, Chapter 26, Laws of Solomon Islands.

⁸⁸ Federal Law by Decree No. (31) of 2021, Promulgating the Crimes and Penalties Law, United Arab Emirates, section 366.

⁸⁹ The Syariah Penal Code, section 152(1).

In 2009, a 'Special Anti-Witchcraft Unit' was established 'to educate the public about the evils of sorcery, investigate alleged witches, neutralise their cursed paraphernalia, and disarm their spells'.⁸¹ Citizens of Saudi Arabia are encouraged to report any suspected 'magical misdeeds' to local officials.⁸²

In several cases in Saudi Arabia, individuals have been sentenced to imprisonment and, on some occasions, have received the death penalty for practising acts of witchcraft. In 2011, a Saudi woman, Amina bint Abdul Halim bin Salem Nasser, was beheaded after being convicted of practising witchcraft and sorcery, a charge rooted in accusation rather than verifiable criminal acts.⁸³ She was the second person to be executed following a conviction for practising witchcraft in 2011, with a Sudanese man having been executed earlier in the year.⁸⁴ The following year, a Saudi man was beheaded after conviction on charges of sorcery and witchcraft.⁸⁵

In addition, a few countries have legislative provisions criminalizing the use of 'supernatural powers', 'magic', or 'black magic'. The countries that have these provisions in their legislation are Indonesia,⁸⁶ Solomon Islands,⁸⁷ United Arab Emirates,⁸⁸ and Brunei.⁸⁹



Targeted | Under the Same Sun

5. CONCLUSION AND WAY FORWARD

This report makes clear that the enactment of legislation and use of the criminal law can be a critical component in the fight against human rights abuses flowing from harmful practices related to accusations of witchcraft and ritual attacks. Specific legislation sends a strong message about the criminality of such conduct and reflects the state's moral and legal stance towards such conduct as wrongful. This helps explain the growing public advocacy and increasing calls for stronger action against witchcraft accusations worldwide.

However, legislation is not the silver bullet many hope for. Enacting new laws, or repealing outdated or harmful ones, is not, on its own, sufficient to bring about changes in attitudes and everyday practices. Many of the laws currently in place contain critical design gaps, impose inadequate sentences and penalties, and fail to provide essential protections for victims or mechanisms for institutional accountability. Furthermore, generalised poor implementation reflects systemic governance deficits, including weak state capacity, lack of funding, and inadequate awareness.

What is required is the development of comprehensive, victim-centric, and rights-based legal frameworks and implementation packages specifically targeting harmful practices related to accusations of witchcraft and ritual attacks. These reforms should include stringent punishment (excluding the death penalty), provision for rehabilitation, judicial and police training, measures for ensuring the accountability of police and local officials, and proactive educational initiatives at the community level. Achieving this will require both strong political commitment and adequate resourcing. Without these complementary efforts, legislation alone is unlikely to deter violence or offer real protection to those at risk, and the current cycle of impunity around witchcraft-belief related harm will likely persist.

This report has also documented a worrying trend in some countries where the state continues to criminalize witchcraft practices. While such provisions are sometimes designed with the intention to prevent vigilante justice they represent a retrograde step. Criminalizing witchcraft confuses the essential message that accusations of witchcraft, and the enormous suffering they cause, are unacceptable. Countries that still prosecute individuals for practising witchcraft should revoke such legislation to ensure that legal frameworks do not legitimize or reinforce harmful responses to belief in witchcraft.

The following lessons emerge from this focused review of legislation, along with our recommendations:

Lesson #1: Address the need for enactment, utilization and enforcement of legislation

Countries must actively implement and enforce their laws concerning witchcraft accusations specifically, as well as any applicable general criminal laws that are broken in cases of harmful practices related to witchcraft accusations and ritual attacks. In many cases, the obstacle to achieving justice is not the absence of laws but the failure to enforce them. States should avoid enacting laws ‘for show’ in response to pressures to be seen to be doing something about the issue – instead, they must invest in training law enforcement and judicial actors on how to apply these laws effectively. In contexts where laws addressing witchcraft accusations are rarely enforced, governments have a responsibility to investigate the underlying barriers. Understanding why these protections are underused is essential to ensuring that legal frameworks effectively safeguard citizens and uphold their fundamental human rights.

Recommendation #1:

Governments should identify the barriers to the enforcement of existing laws on witchcraft accusations and related violence and ritual attacks. Three areas in particular are likely to address enforcement gaps:

- Develop and deliver targeted training for police officers, prosecutors, and judges to increase understanding of the issue and the legal mechanisms to address it.
- Invest in community outreach programmes to educate people about the unacceptability of harmful practices and the penalties for engaging in such behaviour, and improve trust in legal systems and encourage reporting.
- Ensure that new legislation is supported by implementation frameworks and adequate resources, avoiding symbolic laws that are never put into practice.

Lesson #2: Treat motive as relevant

Even when perpetrators are prosecuted under general laws, such as a charge of murder, it is important that the motive – belief in witchcraft as harmful – is brought to the fore in court. Prosecutors and judges should explicitly address when a crime was driven by a belief in witchcraft. As noted in this report, while the sentence for murder may far exceed any minor penalty for a witchcraft accusation, recognizing the belief-based motive matters. Charging or referencing the context of the belief in witchcraft as harmful helps legally acknowledge the particular nature of the violence and contributes to creating an accurate legal and public record. This not only raises public awareness of the problem and consequences of witchcraft accusation-related violence, but also ensures that clear data is available for informing future policy responses.

When crimes like murder or assault are committed in the context of a witchcraft accusation, that context should be reflected in both the charge and legal proceedings. This could be achieved either by making an additional charge under specific witchcraft accusation legislation or by formally recognizing the witchcraft accusation as an aggravating factor that justifies a harsher sentence (excluding capital punishment). Doing so helps ensure that this form of harm is clearly acknowledged in the justice system's outcomes, rather than being swept under the rug of generic crime.

Recommendation #2:

States should issue prosecutorial and judicial guidance encouraging the explicit recognition of witchcraft-belief motives in relevant cases. This can include:

- Amending legal frameworks to allow witchcraft-belief motives to be treated as aggravating factors in sentencing.
- Ensuring that police, prosecutors, and judges receive training on identifying, documenting and addressing witchcraft belief-related motives.
- Encouraging the inclusion of such motives in legal charges or sentencing remarks, even when prosecuted under general law. This will help raise public awareness and assist others in the justice system in addressing harmful practices related to accusations of witchcraft and ritual attacks.

Lesson #3: Undertake legal reform where needed

In countries that still criminalize the practice of witchcraft or have contradictory laws that simultaneously criminalize witchcraft and prohibit witchcraft accusation-related violence, reform should be considered. An approach that outlaws witchcraft can inadvertently lend credibility to the idea that witchcraft causes real harm to others, thereby legitimizing mob violence and enabling state prosecution of already vulnerable classes of people.

Recommendation #3:

Countries should review and amend their legislation to reform any provisions that criminalize the practice of witchcraft, while simultaneously strengthening laws that prohibit violence, discrimination and persecution linked to making accusations of witchcraft against others. This legal clarity is critical for ensuring that the law does not inadvertently endorse harmful beliefs or abuses.

Judicial training is also essential to ensure that any discretion exercised in interpreting or sentencing under these laws is grounded in human rights principles, and does not reinforce harmful beliefs, stereotypes or lead to inconsistency in the application of the law.



Across Generations | Adam Browne

Lesson #4: Make documentation and data accessible to all

As suggested in the findings, making judgements publicly available and improving data collection on witchcraft accusation cases are important next steps. Governments and civil society organizations could collaborate to establish and maintain a centralized database of incidents and legal responses. An excellent model is the FGM/C Research Initiative.⁹⁰ Such data would support evidence-based policymaking, can inform further action by NGOs and faith-based organizations, and will help researchers to evaluate whether legal or other interventions are reducing the prevalence of witchcraft accusation-related violence. For example, if Ghana's proposed law is enacted, tracking the number of accusations, violent incidents and prosecutions before and after its implementation will be crucial to evaluate its impact.

Recommendation #4:

Governments should establish and support systems for consistent data collection and public reporting on witchcraft accusation-related violence and legal and other justice system/civil society responses. This can include:

- Publishing court judgements (anonymised if needed) and legal outcomes in a searchable format.
- Creating or contributing to national or state/province databases tracking reported incidents, arrests, prosecutions, and outcomes related to managing witchcraft accusation harms and ritual attacks.
- Ensuring data is disaggregated by gender, age, community role/position, region and other relevant factors. This information is invaluable for tracking trends and informing targeted interventions.



Sleeping Rough | Adam Browne

⁹⁰ See www.fgmc.org

Lesson #5: Support community engagement and education

Legal approaches work best when paired with community-level initiatives. Many individuals accused of being witches are attacked by their own relatives or neighbours, often in response to personal misfortunes or unexplained events. Community education campaigns can play a vital role in debunking myths, such as, explaining illnesses or accidents in scientific terms and medical reasoning rather than supernatural causes. It can also promote conflict resolution through lawful means and give people the skills to resolve conflict in non-violent ways. When people and communities understand that accusing someone of being a witch is both unjust and illegal, the social tolerance for such accusations can gradually diminish.

Recommendation #5:

We recommend that governments invest in and support community-based education and awareness campaigns that aim to dispel harmful beliefs around witchcraft and promote peaceful, constructive conflict resolution. These initiatives will work best when developed in collaboration with local leaders, civil society organizations and grassroots NGOs, and health professionals to ensure cultural relevance and credibility.

Lesson #6: Establish and sustain protection mechanisms

In the interim, while harmful beliefs and accusations remain widespread, protection for those at risk is essential. This can include emergency response teams to rescue people who are accused, such as the interventions led by NGOs in Nigeria's Cross River and Akwa Ibom states for rescuing children, as well as the provision of safe shelters. In situations where victims are willing to testify against their attackers, inclusion in witness protection programmes and/or relocation to a safe community should also be considered and properly resourced.

Recommendation #6:

Governments should consider establishing or supporting rapid protection mechanisms and safe houses or communities for individuals accused of witchcraft, including emergency services, temporary shelters, and access to witness protection schemes where applicable. These services should be designed with input from the grassroots and civil society organizations who have direct experience in protecting vulnerable individuals and responding effectively to accusations.

Lesson #7: Foster international and regional cooperation

The issue of witchcraft accusation-related violence has gained international visibility. Countries can learn from one another's experiences – for example, legal drafters in one country can look at laws in other countries that can help them to draft clear language on prohibiting witch-hunting and witchcraft accusation-related violence. Regional bodies are well-placed to facilitate workshops where lawmakers, police, civil society actors, and activists from different countries can convene to exchange best practices, legal models, enforcement strategies, and awareness-raising successes. Such knowledge-sharing and comparative legal learning are powerful tools that often go underutilized.

Finally, opportunities feedback and continuous improvement should be built into efforts to address witchcraft accusation-related harm. The global network of researchers and activists (such as INAWARA, along with academic experts working on this issue) should remain actively engaged. As new cases arise and legislation emerges or evolves, these developments should be documented and analyzed. This report itself can be updated over time with contributions from those who may have knowledge of additional or undocumented cases, laws or emerging practices that were not captured here.

Recommendation #7:

International, regional organizations and activist networks should facilitate cross-country collaboration on law reform, enforcement approaches, success stories, and ways to support awareness around witchcraft accusation-related harm. Some suggestions to achieve this are:

- Organize workshops or roundtables for legislators, law enforcement, and NGOs. This can be in-person where funds permit, or alternatively, held online through virtual meetings.
- Maintain a centralized, living database of legal texts, court judgements/case law and best practices from different justice systems.
- Support South-South and South-North legal learning and exchange on culturally appropriate strategies (taking care to ensure that cultural justifications are not used to excuse violence or undermine universal human rights protections).
- Encourage academic networks and civil society actors to continue monitoring developments and provide feedback to improve databases, legal models and future reports.



Looking ahead

The fight against witchcraft accusation-related violence is multi-faceted. Legal tools are indispensable, but they are most effective when they form part of a broader strategy of sustained community engagement, respectful dialogue, locally-led advocacy, education, and victim support. Each of these approaches can, over time, foster cultural change, especially when supported by legal reforms, awareness-raising, and strengthened protection efforts. Countries with experience in implementing laws targeting witchcraft accusation-related violence and ritual attacks have demonstrated that consistent enforcement and community buy-in are key to making a positive difference. Countries beginning to tackle this issue can be reassured that, although challenging, progress is possible. Through clear laws that prohibit this violence and protect the innocent, strong state support for the consistent prosecution of offenders, and compassionate, long-term assistance for victims, it is not beyond the realm of possibility that the age-old scourge of witch-hunts and the violence associated with witchcraft accusations can - finally - be brought to an end in the 21st century.

International Network Against Witchcraft Accusations and Ritual Attacks (INAWARA)

The International Network Against Witchcraft Accusations and Ritual Attacks (INAWARA) was formed in 2022, with the dual aim of raising awareness about the human rights abuses taking place as a result of harmful beliefs regarding witchcraft or sorcery and encouraging action by states and individuals to end these abuses. INAWARA aims to raise support for the United Nations Human Rights Council's Resolution on the Elimination of Harmful Practices Related to Accusations of Witchcraft and Ritual Attack (July 2021). It focuses solely on the harmful practices that are related to such beliefs, such as attacks, torture and stigmatisation of those accused of witchcraft and those individuals who are ritually attacked as a result of such beliefs.

The International Network carries out the following activities:

Inform: Provide the public with comprehensive information on the issue of harm arising from accusations of witchcraft and associated practices.

Connect: Connect people and groups working on the issue in different countries and regions.

Advocate: Raise awareness about the issue and socialise the UN Resolution on Elimination of Harmful Practices Related to Accusations of Witchcraft and Ritual Attacks with a view to getting more countries to sign it and action it.

Share knowledge: Disseminate knowledge about what is being tried to address the issue, and what is having impact and what is not.

Gather and share data: Monitor trends and make the data available and accessible

Please reach out to INWAWRA at www.theinternationalnetwork.org/contact for any feedback or updates about cases and legislation addressing witchcraft accusations and ritual attacks.



Engaging Communities | Joe Wood

Appendices

The following pages contain Appendices A to D, which provide summarized details of the legislative provisions and case law discussed in the report.

Appendix A

Countries with legislation that addresses witchcraft accusations and ritual attacks

Appendix B

Countries with legislation that criminalizes witchcraft and related practices

Appendix C

Selected court cases on harmful practices related to witchcraft accusations from multiple countries

Appendix D

Record of types of offences in court cases found on witchcraft accusations



APPENDIX A

Countries with legislation that addresses witchcraft accusations and ritual attacks

S/N	Country	Legislation Against Witchcraft Accusations	Notes About Legislation
1	Botswana	Witchcraft Act (Chapter 09:02) (Proc. 7, 1927)	A colonial-era law still in force, it makes it an offence to impute the use of witchcraft to another person, amongst other things. Botswana's Act explicitly states it is illegal to name or indicate someone as a witch or wizard.
2	Democratic Republic of the Congo	Law on the Protection of the Child, 2009) (In French: translating provision to English with Google Translate	Although not a standalone 'witchcraft act', Article 160 of this child protection law explicitly criminalizes accusing a child of witchcraft.
3	Eswatini	Crimes Act, Act 6 of 1889 (1998)	This law is originally from the colonial era and contains provisions against witchcraft similar to those in South Africa's laws. It criminalizes accusing someone of witchcraft, the use of charms, and related practices.
4	Ghana (proposed Bill)	Criminal Offences (Amendment) Act, 2022 (proposed bill)	Ghana's amendment to the Criminal Offences Act would criminalize witchcraft accusations and the exploitation or eviction of accused persons. It was passed by Parliament in July 2023 but still awaits presidential assent.
5	India	Prevention of Witch Practices Act, 1999 9 of 1999 (The Prevention of Witch (Daain) Practices Act, 1999 (Bihar) Odisha Prevention of Witch-hunting Act, 2013, No. 2096 I-Legis-20/20/2013/L The Prevention of Witch (Daain) Practices Act, 2001 (Jharkhand) The Chhattisgarh Tonahi Pratadna Nivaran Act, 2005, Act 17 of 2005 Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015 The Rajasthan Prevention of Witch-Hunting Act, 2015 Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013 Karnataka Prevention and Eradication of Inhuman Evil Practices and Black Magic Act, 2017 The Prevention and Prohibition of Witch-Branding and Witch-Hunting and Other Harmful Practices Act, 2022 (proposed bill)	India does not have a national law on witchcraft accusations, but several states with high incidence of witch-hunt violence have enacted their own laws. These laws generally criminalize accusing someone of witchcraft, the humiliation or violence against them, and the activities of witch-doctors (ojha/tantrik) who instigate witch-hunts.

APPENDIX A

Countries with legislation that addresses witchcraft accusations and ritual attacks

6	Kenya	Witchcraft Act, 1925, Cap. 67 Laws of Kenya (revised 2012)	This colonial-era law that remains in force. It criminalizes accusing someone of witchcraft, amongst other acts, while allowing reports to authorities.
7	Malawi	Witchcraft Act, 1911, Chapter 7:02, Laws of Malawi (2014)	Malawi's law, inherited from the British colonial administration, criminalizes accusing someone of witchcraft as well as 'pretending to be a witch'. It reflects the colonial-era stance that witchcraft itself is not legally recognized, but accusations and witch-finding are punishable. In 2021, Malawi's Special Law Commission recommended amending or replacing it to acknowledge the existence of witchcraft and punish actual harmful witchcraft practices, while still banning false accusations. No legislative change has been enacted yet, so the 1911 Act technically remains in effect, maintaining the illegality of accusing someone of being a witch.
8	Namibia	Witchcraft Suppression Proclamation 27 of 1933	This law was inherited from South Africa's administration of south west Africa, this law, similar to South Africa's 1957 Act, prohibits accusations of witchcraft and the practice of so-called witchcraft. It is still law in Namibia.
9	Nepal	Witchcraft-related Accusation (Crime and Punishment) Act, 2015 The National Penal (Code) Act, 2017	Nepal in 2015 enacted a special law imposing up to 10 years' imprisonment for accusing or assaulting someone as a witch. In 2017, Nepal integrated the offence into its new Penal Code (Section 168) with penalties up to 5 years' imprisonment and fines.
10	Nigeria	Criminal Code Act, Cap C38 LFN 2004 Cross River State Child Rights Law of 2023 Akwa Ibom State Child Rights Law, 2008 Penal Code Act, Chapter 53 LFN (Abuja)	Nigeria's federal criminal laws criminalize certain witchcraft-related acts. Due to issues of children being accused of witchcraft in certain regions, Akwa Ibom State in 2008 and Cross River State in 2023 enacted laws to explicitly criminalize branding children as witches or subjecting them to exorcism rituals.
11	Pakistan (proposed bill)	The Prevention of Witchcraft Act, 2017	This was a private member's bill introduced in the Senate to outlaw practices of 'black magic' and punish frauds claiming magical powers. However, it contains a provision addressing witchcraft accusation. The bill was forwarded by a Senate committee in 2018, but as of 2025, it does not yet appear to have become law.

APPENDIX A

Countries with legislation that addresses witchcraft accusations and ritual attacks

12	Papua New Guinea (PNG)	Criminal Code (Amendment) Act 2022	In 2013, PNG repealed its old Sorcery Act (which had allowed sorcery beliefs to be considered in murder sentencing) and instead strengthened the Criminal Code: it added section 299A in 2013, making sorcery-related killings an aggravated offence. Further amendments in 2022 explicitly criminalized the act of making sorcery accusations that lead to violence, and outlawed the activities of diviners called <i>glasman</i> or <i>glasmeri</i> (witch-finders who identify people as witches for a fee).
13	South Africa	Witchcraft Suppression Act, No. 3, 1957	An apartheid-era law that prohibits identifying someone as a witch or witch doctor, as well as practices of 'pretended witchcraft'. South Africa's Law Reform Commission has been reviewing this Act as of 2022 to better address modern challenges.
14	Tanzania	Witchcraft Act 1928, Chapter 18, 2002	This law makes it an offence to accuse any person of being a witch, and also to engage in witchcraft practices.
15	Uganda	Witchcraft Act, 1957, Chapter 124, Laws of Uganda The Prevention and Prohibition of Human Sacrifice Bill, 2020	The Witchcraft Act prohibits accusing others of witchcraft and various related acts. This legislation aims at criminalizing and eradicating the practice of human sacrifice, particularly targeting vulnerable groups such as children and persons with albinism.
16	Zambia	Witchcraft Act, 1914, Chapter 90, Laws of Zambia (1996)	This law makes it an offence to accuse anyone of witchcraft or to practise witchcraft.
17	Zimbabwe	Criminal Law (Codification and Reform) Act, Chapter 9:23, 2005	Zimbabwe repealed its old Witchcraft Suppression Act and, in 2006, enacted Section 97 of the Criminal Law Code, which criminalizes 'engaging in practices commonly associated with witchcraft' with intent to cause harm, and falsely accusing someone of witchcraft. Notably, under this law, one cannot be convicted for witchcraft unless there is intent to harm and some overt act – mere reputation of being a witch is not a crime. Conversely, making a witchcraft accusation that leads to harm is punishable.

APPENDIX B

Selected court cases on harmful practices related to witchcraft accusations from multiple countries

1	Algeria	Law No. 24-06, 2024 (In French: Translating with Google Translate)
2	Brunei	The Syariah Penal Code
3	Cameroon	Law No. 2016/007, Relating to the Penal Code, 2016
4	Central African Republic	Law No. 10.001 of January 6, 2010, on Central African Penal Code (In French: Translating with Google Translate)
5	Côte d'Ivoire	Law No. 2019-574 Instituting the Penal Code
6	Fiji	Crimes Act 2009
7	Gambia	Criminal Code Chapter 37, Gambia
8	Indonesia	Law No. 1 of 2023 on Criminal Code, Law of the Republic of Indonesia
9	Solomon Islands	Penal Code, Chapter 26, Laws of Solomon Islands
10	The Republic of Benin	Law No. 2018-16 of December 28, 2018 establishing the penal code in the Republic of Benin (Google Translate from French)
11	United Arab Emirates	Federal Law by Decree No. (31) of 2021, Promulgating the Crimes and Penalties Law, United Arab Emirates
12	Vanuatu	Penal Code, Cap 135, Laws of the Republic of Vanuatu, Cosoli-dated Edition 2006



APPENDIX C

Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
1	Eswatini	Rex v Shongwe (13 of 2022) [2022] SZSC 41 (22 September 2022)	22 September 2022	Murder	The accused (one male) killed victim (one female) because he alleged that the victim threatened him with death by witchcraft.	Accused person was convicted of Culpable Homicide and sentenced to imprisonment for ten years without option of fine.
		Rex v Shabangu (435 of 2014) [2019] SZHC 246 (10 December 2019)	10 December 2019	Murder; Assault with intent to cause grievous bodily harm	Accused person (one male) believed that victim (one female) had bewitched him.	Accused person was convicted on both counts and sentenced to imprisonment for 18 years on Count 1 and imprisonment for 3 years on Count 2, both to run concurrently.
		Rex v Thwala (363 of 2011) [2019] SZHC 125 (12 July 2019)	12 July 2019	Murder	Accused person (one male) believed that the victim (one female) was responsible for the illness of his daughter who attended the same school with victim's granddaughter.	Accused was convicted of murder and sentenced to 20 years' imprisonment.
2	Fiji	State v Ului [2018] FJHC 53; Criminal Case 52.2014	5 February 2018	Murder	Accused persons (4) suspected victim (one male) of using witchcraft to have an effect on them.	The first accused was found guilty of murder and convicted. The second accused was found guilty of manslaughter and convicted. The third and fourth accused persons were found not guilty and acquitted.
		State v Salu-salu [2015] FJHC 772; HAC086.2015S (15 October 2015)	15 October 2015	Manslaughter	Accused person (one male) suspected the illness of his father was caused by the victim (one male) practising witchcraft.	Accused was found guilty of manslaughter and sentenced to 4 years imprisonment, with a non-parole period of 3 years imprisonment.
		State v Visikara [2012] FJMC 302; Criminal Case 149.12 (16 November 2012)	16 November 2012	Two counts of indecently insulting any person	Accused person (one male) accused female victim of practising witchcraft.	Accused person was ordered to enter into a bond for the sum of \$500 to be bound over to the Court for the period of six months to keep the peace and be of good behaviour.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
3	Ghana	Manu vrs Kubon (A5/1/2024) [2023] GHADC 1132 (25 September 2023)	25 September 2023	Defamation	Defendant (one male) accused the plaintiff (one female) of being a witch and practising witchcraft.	Statement made by defendant was declared to be defamatory and defendant was ordered to retract statement and render apology to plaintiff. Damages awarded against defendant and cost was awarded in favour of plaintiff.
		Ketorwoko vrs Gakpetor (A5/02/2023) [2024] GHADC 344 (19 March 2024)	19 March 2024	Defamation	Plaintiff (one female) claimed that defendant (one female) used defamatory words against her, calling her a witch and trying to kill her.	Case was dismissed.
4	India	Gopi Binjia @ Bindia v. The State of Assam CRL.A(J) /36/2020	4 April 2023	Appeal by Accused Persons: Convicted of two counts of murder. Accused persons sentenced to life imprisonment and a fine.	2 accused persons led a mob to the house of the victims (one male and one female) and lynched them on suspicion that they were practising witchcraft.	The appeal was dismissed and the conviction of the appellants was affirmed.
		Raidhar vs State of Chhattisgarh Criminal Appeal No.1088 of 2016	3 January 2022	Appeal by Accused Person: Convicted of Murder; Identifying Tonahi; Harassment of any person identified as Tonahi.	Accused person (one male) killed the victim (one female) due to suspicion that she was practising witchcraft.	The appeal was dismissed. The conviction of the accused person was affirmed. Accused person was sentenced to imprisonment for life and fine; imprisonment for 3 years and fine; Imprisonment for 3 years and fine for offence.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		Sheonath Bhuiyan vs The State of Jharkhand Cr. Appeal (DB) No. 684 of 2014	4 August 2022	Appeal by accused person: convicted of murder; voluntarily causing hurt by dangerous weapons or means; voluntarily causing grievous hurt by dangerous weapons or means; identification of witch; damage for causing harm by identifying a witch.	Accused person (one male) attributed the death of his son to the practice of witchcraft by deceased victim (one male).	The appeal failed and was dismissed. Sentence upheld. Accused person was sentenced to life imprisonment with fine; imprisonment for 6 months and a fine; imprisonment for three years; imprisonment for 10 years, all to run concurrently.
5	Kenya	Republic v Sirya Kalale & 3 others [2020] KEHC 7355 (KLR)	27 February 2020	Murder	The accused persons (four accused) jointly killed the victim (one male) on suspicion that victim had bewitched another.	Accused persons were found guilty of murder and sentenced to a term imprisonment of 30 years.
		Ali Ngumbao Baya & 2 others v Republic [2019]	23 October 2019	Appeal by accused persons: convicted of murder. Accused persons were sentenced to death.	Accused persons (3 accused) alleged that the victim (one male) bewitched another, causing illness.	Sentence was substituted to 25 years' imprisonment from date of arrest.
		Republic v Kadenge & 2 others [2020] KEHC 1377 (KLR)	27 November 2020	Murder	Victim (one male) was suspected of bewitching the wife of one of the accused persons (three accused).	Accused persons were found guilty of murder and sentenced to a term imprisonment of 35 years' imprisonment each.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
6	Malawi	Chiwanda v Amoni & Ors. (Civil Cause 547 of 2006) [2007] MWHC 82	13 July 2007	Defamation	The defendants (one male and two female) stated that the plaintiff (one female) practised witchcraft and taught children witchcraft. Plaintiff claimed that her reputation was seriously damaged and she suffered distress and embarrassment. Plaintiff claimed that people were stoning her at meeting and calling her a witch as a result of the defamatory statement.	No damages were awarded to the plaintiff as there was no proof of any special damage as required in a case of slander.
		R v Elube Chalema & Ors. (Criminal Case No. 36 of 2008) [2010] MWHC 17	11 July 2010	Murder	The victim (one female) was beaten and burnt to death by 6 accused persons on suspicion of being a 'Chiwanda' or an apparition.	1st, 2nd and 3rd accused persons were found guilty of murder and convicted. The 4th, 5th and 6th accused persons were also found liable for murder.
7	Namibia	S v John (CC 14 of 2019) [2022] NAHCNLD 12	22 February 2022	Murder; Imputing to another the use of non-natural means in causing any disease in any person; assault by threat.	Accused person (one male) alleged that victim (one female) was a witch and she bewitched his mother and his siblings who had already died.	Accused was found guilty of murder and sentenced to 30 years' imprisonment. Accused was also found guilty of imputing to another the use of non-natural means in causing any disease in any person or indicating another a witch and sentenced to 2 years' imprisonment.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		S v Alfred (CC 11 of 2013) [2016] NAHCMD 15	2 March 2016	Murder	The accused person (one male) killed the victim (one female) because he believed that she was a witch and that she provoked him by bewitching him, his brother and his mother.	The accused was convicted of murder and sentenced to 23' years imprisonment.
		S v Jacob (3) (Sentence) (CC 22 of 2012) [2018] NAHCN-LD 114	31 October 2018	Assault with intention to do grievous bodily harm; murder.	Accused person (one male) claimed that the female victim had bewitched him and that he was advised by a witchdoctor to kill the deceased if he wanted to be healed.	Accused was found guilty of assault with intent to do grievous bodily harm and murder. For the offence of assault with intent to do grievous bodily harm, he was sentenced to 5 years' imprisonment. For the offence of murder, he was sentenced to 25' years imprisonment.
8	Nauru	Republic v Baguga [2022] NRSC 16; Criminal Case 18 of 2019 (8 June 2022)	8 June 2022	Murder	Accused person (one male) blamed the victim (one female) for carrying out witchcraft on him and his son which caused them to have skin diseases and caused the accused to have a swelling at the back of his neck.	Accused person was found guilty of murder and sentenced to life imprisonment.
9	Nigeria	Ukoh & Anor v. State (2022) LPELR-56711(CA)	9 February 2022	Appeal by 2 accused persons out of four initially charged: charged with conspiracy to attempt murder, accusation another of witchcraft; attempted murder.	Male victim was accused of being a wizard and that he wanted to bewitch the child of one of the accused persons (4 accused person).	The appeal was dismissed for lack of merit. Judgment and sentence passed by trial court affirmed. One accused person was convicted of the offence of accusation of another of witchcraft and sentenced to 12 months' imprisonment all suspended but 3 months. The other accused person was found guilty of attempted murder and sentenced to 10 years' imprisonment.

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S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		Ilu v. State (2014) LPELR-24609(CA)	14 November 2014	Appeal by accused person:- convicted of criminal conspiracy; culpable homicide punishable by death.	The victim (one male) was alleged to be a witch who was responsible for the death of the mother and father of the accused person (one male) and also, accused person stated that he was seeing victim in his dream trying to kill him.	The appeal was dismissed for lack of merit. Judgment and sentence passed by trial court affirmed. Accused person was sentenced to 2 years' imprisonment for criminal conspiracy and to death for culpable homicide punishable with death.
		Njokwu v. State (2013) LPELR-19890(SC)	1 February 2013	Appeal by accused person: convicted of murder.	Accused person (one male) claimed that victim (one male) dropped a charm which killed his son and was told by victim his two sons would die.	The appeal failed and was dismissed.
10	Papua New Guinea	State v Boka [2024] PGNC 226; N10892 (14 June 2024)	14 June 2024	Attempted murder; in the alternative, unlawfully causing grievous bodily harm with intent	The Provincial Police Commander deployed a team of policemen to arrest suspected sorcerers from his village, who were allegedly using sorcery on him. Two elderly men were detained and severely beaten up. One of them sustained a broken leg, the other died.	3 of the accused persons were found not guilty of attempted murder and acquitted. They were however found guilty on the alternative charge of causing the victim grievous bodily harm with intent. The other accused persons were found not guilty of both charges and acquitted.
		State v Aaron [2024] PGNC 70; N10723 (15 April 2024)	15 April 2024	Wilful murder	The accused person (one male) blamed the victim (one male) who was known in the village as a sorcerer as the one who made sorcery on his brother that caused his injury.	Accused person was found guilty and sentenced to 28 years' imprisonment.
		State v Benny [2018] PGNC 620; N9243 (19 September 2018)	19 September 2018	Wilful murder	5 accused persons killed victim (one male) on suspicion that he was practising sorcery.	3 of the accused persons were sentenced to 40 years' imprisonment. Two of the accused persons were sentenced to 35 years' imprisonment.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
11	Solomon Islands	R v Bitana [2020] SBMC 8; Criminal Case 100 of 2019 (1 April 2020)	01 April 2020	Arson	The accused person (one male) blamed the victim's (one male) son of causing the death of another using sorcery.	The accused person was found guilty and sentenced to 33 months' imprisonment or 2 years and 9 months' imprisonment.
		R v Arunaala [2020] SBMC 10; Criminal Case 39 of 2020 (29 April 2020)	29 April 2020	Arson	The accused person (one male) accused the victim (one male) of practising sorcery that caused the death of his brother and aunt.	The accused person was found guilty and sentenced to 2 years and 6 months' imprisonment.
		Regina v Thugea [2016] SBHC 31; HCSI-CRC 285 of 2014 (11 March 2016)	11 March 2016	Murder	The accused person (one male) alleged that the victim (one male) used witchcraft to kill a child who was closely related to the accused person.	The accused was found guilty of murder and convicted accordingly.
12	South Africa	S v Manundu and Others [2022] ZAECM-HC 13	17 June 22	Imputing witchcraft on another; arson; murder.	The victim (one female) was killed by accused persons (5 males) on allegations of being a witch.	The 5 accused persons were found guilty of imputing witchcraft on victim. 4 of the accused persons were found guilty of murder of the victim. One of the accused persons was found guilty of assault with intent to do grievous bodily harm on victim. All of the accused persons were found not guilty of arson.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		S v Latha and Another (CC 20/12) [2012] ZAECGHC 29; 2012 (2) SACR 30 (ECG) (9 May 2012)	09 May 2012	Murder; imputing to another of using supernatural means to cause disease or naming another a wizard; common assault.	The victim (one female) was suspected by the accused persons (2 males) of bewitching several persons including one of the accused persons.	The first accused was sentenced to 20 years' imprisonment for the offence of murder and 18 months' imprisonment for contravention of section 1(a) of the Witchcraft Suppression Act. The second accused was sentenced to 15 years' imprisonment for the offence of murder, 3 months' imprisonment for common assault and 12 months' imprisonment for contravention of section 1(a) of the Witchcraft Suppression Act.
		S v Tyolo [2024] ZAECGHC 28	14 March 2024	Naming or indicating another person a wizard; murder.	The accused person (one male) killed victim (one female) on suspicion that she was a witch and used witchcraft to cause the illness of another.	The accused was found guilty and sentenced to life imprisonment for murder and 20 years for naming another person a wizard, to be served concurrently.
13	Tanzania	Republic vs Augustino John @Nyomezi & Others (Criminal Session No. 86 of 2022) [2024] TZHC 9304 (1 November 2024)	01 November 2024	Murder	4 accused persons suspected victim (one female) of bewitching another resulting in death.	The accused persons were convicted of murder and sentenced to death by hanging.
		Republic vs Omary Mihambo @ Dohoi (Criminal Sessions Case 59 of 2019) [2020] TZHC 4061 (6 November 2020)	06 November 2020	Murder	The accused person (one male) believed that the victim (one female) was involved in witchcraft and bewitched several children, including his (accused's) son who passed away in questionable circumstances.	The accused person was convicted of murder and sentenced to death by hanging.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		Republic vs Baton Kim-bawala and Others (Criminal Session Case 30 of 2020) [2022] TZHC 15481	15 December 2022	Murder	Victim (one female) was killed by three accused persons as a result of witchcraft allegations against her.	The accused persons were found guilty and were convicted for the offence of murder. They were sentenced to death by hanging.
14	Uganda	Uganda v Mawa & Ors (Criminal Session Case No. 161 of 2014) [2018] UGHCCRD 189	02 November 2018	Murder	The victim (one female) was attacked and beaten with sticks due to allegations of being a witch and accused of bewitching the son of one of the accused persons (4 males).	3 of the accused persons were found guilty of murder and sentenced to 20 years' imprisonment each. The fourth accused person was convicted of the offence of incitement to commit an offence and sentenced to community service of 75 hours at the nearest health centre to his residence.
		Uganda v Tumuhimbise (Criminal Sessions Case 225 of 1992) [1994] UGHC 107 (15 June 1994)	15 June 1994	Man-slaughter	Accused person (one male) claimed he killed victim (one female) for practising witchcraft on his children.	The accused person was found guilty of man-slaughter and sentenced to 3 years' imprisonment to run from the time he was remanded in custody.
		Uganda v Tako (Criminal Session Case 258 of 1993) [1994] UGHC 52 (9 May 1994)	09 May 1994	Murder	Victim (one male) was suspected of having poison and being a wizard by accused person (one male).	The accused person was found not guilty of murder but convicted of man-slaughter.
15	Vanuatu	Public Prosecutor v Almele [2024] VUSC 57; Criminal Case 258 of 2024 (26 April 2024)	26 April 24	Premeditated intentional homicide	Accused person (one male) killed victim (one male) on suspicion that victim used witchcraft to cause the sickness of his son.	Accused person was found guilty and sentenced to 18 years and 14 days' imprisonment.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		Public Prosecutor v Obed [2015] VUSC 39; CR 03 of 2015 (16 April 2015)	16 April 2015	Unlawful assembly with intention to commit criminal offences; Intentional cause of death	Victims (2 males) were killed due to allegations by 12 accused persons of practising witchcraft and causing the death of 3 persons through acts of witchcraft.	5 of the accused were found guilty of intentional homicide and unlawful assembly and sentenced to 15 years' imprisonment and 1 year's imprisonment, to be served concurrently. 7 of the accused were found guilty of unlawful assembly and sentenced to 1 year's imprisonment, 80 hours of community work and 6 months' probation on religious education, to be conducted by the leaders of their churches.
		Public Prosecutor v Dinglespo [2021] VUSC 268; Criminal Case 3117 of 2021 (15 October 2021)	15 October 2021	Premeditated intentional homicide	The accused person (one male) stabbed and killed the victim (one male) on suspicion that victim used witchcraft to kill accused's wife.	Accused person was convicted and sentenced to 19 years' imprisonment.
16	Zambia	The People v Sindala (3D/27/23) [2023] ZMSUB 2	21 June 2023	Naming a person as a wizard; using insulting language.	Victim (one male) was verbally attacked and accused of being a wizard by the accused (one male). The accused ascribed the killing of his grandparents to victim. Victim stated that he feared for his safety and was unable to leave what he perceived to be his safety net.	Accused was found guilty of naming a person to be a wizard, contrary to the Witchcraft Act. Accused was found not guilty of using insulting language.

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Selected court cases on harmful practices related to witchcraft accusations from multiple countries

S/N	Country	Case	Date Of Decision	Offence	Reason For Attack/Action	Decision
		People v Zulu and Another (HP 44 of 2013) [2013] ZMHC 12 (24 April 2013)	24 April 2013	Murder	Accused persons (two male) believed victim (one male) was a witch.	Accused persons were convicted of murder and sentenced to life imprisonment with hard labour from dates of arrest.
		Pabipe v People (Appeal 1 of 2021) [2022] ZMCA 26 (25 March 2022)	25 March 2022	Appeal by accused person:	There had been suspicion of witchcraft in the village due to unexplained deaths, a witchfinder was consulted and the victim (one male) was identified as the person responsible for the deaths in the village using charms and fetishes. He was killed by accused person (one male).	The appeal was dismissed for lack of merit.
17	Zimbabwe	S v Tshuma (171 of 2022) [2022] ZWBHC 171	08 June 2022	Murder	The accused (one male) killed the victim (one female) in order to punish victim for allegedly bewitching him and sucking his blood.	The accused was found guilty of murder and sentenced to 20 years' imprisonment.
		S v Chiurunge (CRB 147 of 2014) [2014] ZWHHC 395	01 October 2014	Murder	The accused (one male) assaulted the victim (one female) in order to punish victim for allegedly practising witchcraft.	The accused was found guilty of murder and sentenced to 18 years' imprisonment.
		S V Mabonga & Anor (CRB 37 of 2017; CRB 38 of 2017 ; HMA 4 of 2018) [2018] ZWMSVHC 4	18 January 2018	Culpable homicide	The accused persons (2 male) assaulted the victim (one male) with their fists which led to his death. The accused persons believed the victim practised witchcraft and blamed him for the deaths in their family.	The accused persons were found guilty of culpable homicide and were sentenced to 3 years' imprisonment.

APPENDIX D

Record of types of offences in court cases found on witchcraft accusations

S/N	OFFENCE	No. CASES
1	Arson	14
2	Assault with intent to do grievous bodily harm	13
3	Attempted Murder	7
4	Conspiracy to kill	2
5	Criminal Conspiracy	3
6	Culpable homicide	4
7	Defamation	14
8	Manslaughter	6
9	Murder	166
10	Sexual assault	2



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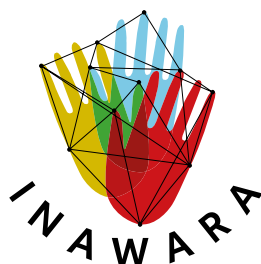




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