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International Law and Persecution of People Living with Albinism

Do the acts of discrimination and persecution inflicted on persons with albinism constitute eligibility for Refugee Status?

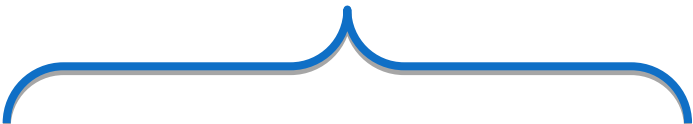


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Third Year Bachelor of Law

Academic Year 2014-2015

ACKNOWLEDGMENT



I would like to thank everyone who has helped me to complete this paper. Maître Jean-Pierre Jacques taught me how to discover my abilities as well as to overcome the many challenges associated with writing this paper including identifying the extent of the subject matter.




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INTRODUCTION

There are human rights transgressions in the world that have gone unchecked. Particularly in states where these exist, people have not yet received all the proper consideration they deserve. This is also a major concern for universal consciousness. In this law school bachelor paper I highlight one of them, often unnoticed, concerning abuse and persecution experienced by people with albinism, especially oculocutaneous albinism which is the most common form.

This is not a random choice on my part. It is both personal and expedient. For one, being a person living with albinism I am both subject and author of the paper. Secondly, the occasion affords me the opportunity to deliver opinions, provide considerations, explore medical implications, pose social queries and above all, introduce the legal perspective internationally.

Part one is devoted to describing the theoretical aspects of the definition of albinism. Is it pathology? What about a genetic defect? Is it a physical handicap? Does it exist as a predetermined terminal state? Each of these questions is addressed in the definition of albinism. These questions indicate how complex albinism is, even its definition. In this paper, due to the limits of the vocabulary of terms used to address people living with albinism, the reader will find various related ways to define them.

To this we must add semantic complexity, in part which stems from the "phenotype" of the person called "albino" since this disturbs images projected in world society where the subjects are categorized in terms of "race", "gender", "size", "color", "facial and body features". In Part Two, the voices of people involved with albinism will be heard, both in Europe and Africa and abroad. For better or worse, the situation of people living with albinism in Africa has received wide coverage. There, but also here, in the Western world, people are enduring hardship and death just for being who they are. This characterization of the so called "albino" noted above is discriminatory because it promotes abuse and persecution suffered by the person with albinism, particularly in African coun-

tries. These exceptional violations of the fundamental rights of the person living with albinism are especially made possible by the collective imagination within those countries where animist myths, legends and supernatural beliefs dominate. In these societies the white skin color is said to suggest ghosts from beyond the grave which are the dead ancestors who return for their own and often unknown reasons. This is a primary sociological concept used by the "witchdoctor" to manipulate others. Too often, in these cultures, the "healer" or "seer"; is a person who utilizes these culturally archaic beliefs for personal gain. He or she takes advantage of their "magic" position in society to strengthen their hold on the community by claiming that the person living with albinism as a "good luck" object. The manipulated person believes that carrying a portion of the body of a person with albinism in their possession, like a "fetish", will benefit and build on their status in society.

In fact, the core effort in publishing this paper is for building a stronger awareness and legal solutions for a relatively invisible population globally. The result produced will hopefully impact laws positively, engendering the basis of protective rights, especially internationally, that every person is entitled to.

PART1 THEORETICAL FRAMEWORK

Chapter 1 Albinism

People who live with albinism have been the victims of all kinds of abuse for centuries. This is because of the fact that they have physical characteristics which differ from normally pigmented people. Albinism occurs as a result of genetics. Therefore, it is essential to understand what "albinism" is before addressing the legal issues. The definition of albinism highlights the challenges that people who have this condition face daily. The existence of these difficulties gives us sufficient reason to take specific measures in order to guarantee that everyone can have a dignified life, which is the right of every human being.

What is "albinism"?

According to the 2013 UN preliminary report ***"Albinism is a rare, non-contagious, genetically inherited condition present at birth. In almost all types of albinism, both parents must carry the gene for it to be passed on, even if they do not have albinism themselves. The condition is found in both genders, regardless of ethnicity and in all countries of the world. Albinism results in a lack of pigmentation (melanin) in the hair, skin and eyes, causing vulnerability to the sun and bright light. As a result, almost all peoples with albinism are visually impaired and are prone to developing skin cancer. There is no cure for the absence of melanin. Many types of albinism exist: the most common form is known as oculocutaneous albinism (OCA) and affects the skin, the hair and the eyes. There are different types and subtypes of OCA, with varying degrees of melanin deficiency. The main ones are tyrosinase negative (OCA1) and tyrosinase positive (OCA2). In OCA1, there is little or no melanin production. In the more prevalent-particularly in African countries- OCA2 type, some melanin is produced, giving rise to sandy-colored hair and light brown irises in those affected. Another less common form is ocular albinism (OA) which only affects the eyes. A more rare form of albinism is known as***

Hermansky-Pudlak syndrome (HPS) and is accompanied by bleeding disorders and large bowel (colitis) and lung diseases."

This definition is clear but some points need further discussion. Albinism is a congenital disorder¹. This implies that people living with this condition are born with metabolic disorders depending on the form of albinism from which they suffer. All of the forms are characterized primarily by a dysfunction in the synthesis of melanin. This occurs in the skin, body hair and pigment epithelial cells (the third of three layers of the eye) of the retina, although the body has a normal number of melanocytes and the structure of the skin and eyes is ordinary. It is necessary to distinguish between classical forms of albinism and syndromic forms of albinism. On the one hand, classical forms of albinism are associated with eye diseases and disorders of the optical system. One could examine the following important quote of O.Camand, M.Menasche and M.Abitbol, in their joint publication on albinism. "*The existence of ocular abnormalities and visual system is the sine qua non for the diagnosis of Oculocutaneous albinism whatever type or, a fortiori, that of ocular albinism.*" On the other hand, syndromic forms are associated with immune system disorders, as well as the dysfunction of other systems and organs, including Hermansky Pudlak syndrome blood coagulation disorders. Chediak-Higash (syndromic) causes immune deficiency syndrome. Only molecular tests can differentiate between the classic forms and the syndromic forms. Albinism is the most common hereditary disease relating to pigmentation.

The prevalence of the genetic condition known as albinism is difficult to determine. The focus of this paper is on Oculocutaneous albinism. Oculocutaneous albinism type 2 is the most common form worldwide. Still, and critically, figures provided by different institutions vary and no specific data on albinism has been collected by the UN for Africa, where it is a growing political issue. Currently, the scientific community agrees on the fact that Type 2 albinism Oculocutaneous strongly affects sub-Saharan African populations.

¹ <http://www.britannica.com/EBchecked/topic/132266/congenital-disorder>

What are the characteristics of ocular abnormalities in albinism?

Alterations of the Visual System:

Strong **hypo pigmentation** of the retina

The images captured by the optical nerve are formed on the retina, the black center of the organ. The retina is composed of three layers. The third layer is known as the retinal pigment epithelium and is prone to malfunction. The lack of melanin in this layer causes visual discomfort (**photophobia**).

Transillumination/ hypo pigmentation of the iris

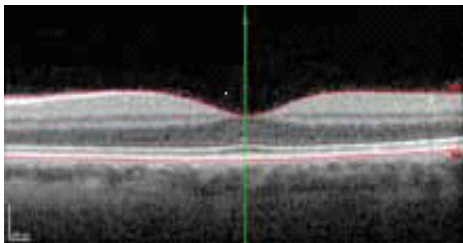
The iris is the colored part of the eye. The iris controls the amount of light by retracting and expanding. The lack of melanin in the iris sabotages its role by letting in too much light.

Hypo pigmentation of the retina and the iris causes photophobia.

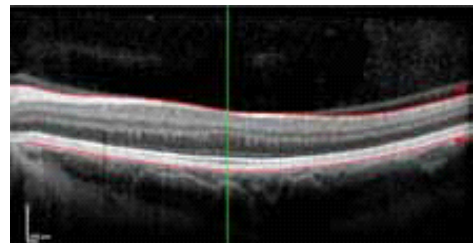
Partial or total absence of fovea / **foveal depression**

The area where the visual acuity is the highest is in the center of the retina (the macula). In other words, it is in this area which determines twenty-twenty vision or less. A normal macula has a cavity in its center called a fovea. In the eye of a person who has albinism this hollow doesn't exist. The lack of the fovea causes problems with visual acuity. (**Amblyopia**)

Cross section of a normal retina



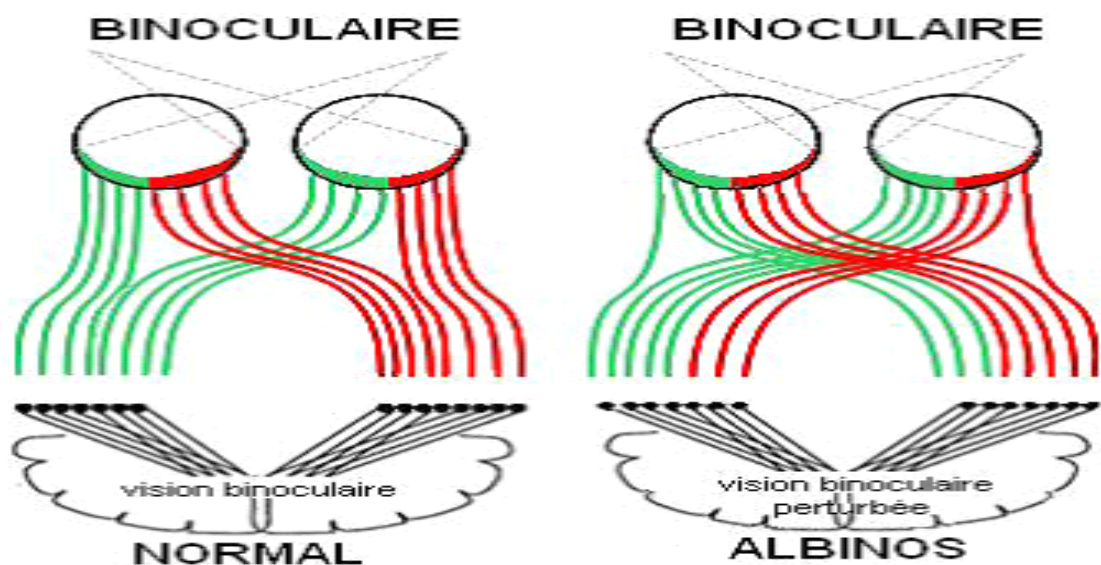
Cross section of an albino retina



The Optic Nerves cross default

In an albino person, crossing of the optic nerves that connect the eye to the brain is disrupted. This disturbance is responsible for causing a condition known as *congenital nystagmus*², which produces constantly moving eyes. This is what prevents the eyes from focusing properly on an image and thus giving clear vision.

Pictured below is a diagram which shows the connection between the eyes and the visual areas of the brain in a normal eye and an albino eye:



What are the cutaneous abnormalities in albinism?

The main complications of cutaneous hypo-pigmentation

Actinic keratoses

Actinic keratosis occurs in the cells of a body part which has been exposed to excessive sunlight. The cell function of the upper layer of the epidermis becomes uncontrollable. This creates a precancerous lesion which can disappear spontaneously or with appropriate treatment. This is the first stage.

² Nystagmus whose cause is present from birth he opposed acquired nystagmus

Basal cell carcinomas and squamous

If one continues to be exposed to excessive sunlight the cells will definitely become *squamous*. This is a more developed stage than *actinic keratosis* and is in fact when the cells actually become cancerous. At this point the precancerous cells become malignant. There is also a risk that burns and chronic wounds which are excessively exposed to the sun will become cancerous as well. This is an invasive carcinoma, which can reach into the deep layer of the dermis and cause metastasis. Several treatments are possible, depending on the severity of the cancer, such as surgery to remove the tumor and related tissue, radiation therapy, chemotherapy and dissection.

These anomalies impact on the lives of people living with albinism substantially. Until now there has been no remedy for complications caused by the lack of melanin in pigmentation. The treatments which exist are mainly preventative because there is no cure. It is imperative for people with Albinism (PWA) to avoid exposure to the sun unless they have adequate protection such as clothing (hats, long sleeve shirts, pants etc.) and sunscreen, which should be applied every two hours. Outdoor activities should be avoided during the sunniest hours. Regular visits to a dermatologist to detect any precancerous cells are highly recommended. Wearing eye protection in the form of sunglasses is necessary to achieve a certain level of visual comfort.

To summarize, type 2 albinism/Oculocutaneous, therefore requires special attention. Unfortunately, all countries are not on the same footing. In Western countries, health services are accessible to a large part of the population which is not the case across Africa. Access is limited by a lack of resources.

In addition to the intrinsic difficulties of the disease, this has shown a negative light on people called albinos who then gain a reputation for being difficult and demanding too much attention. A distinction between two groups within the minority can arise. On the one hand there is the "good" albino and on the other, the "bad" albino. There is a view that people living with albinism are to be appreciated, even envied; they may require special care. The latter are strongly

criticized and mocked. When all is said and done, most if not all are excluded from society and only the reasons vary.

A social barrier is organized progressively around the fringe of society. Witch doctors have seen it as an opportunity to enrich themselves by taking advantage of their traditionally symbolic position and ignorance of many of the people. They encourage social exclusion, physical mutilation and even the murder of people living with albinism. In this atmosphere, these influential individuals spread rumors. Here are some myths that cause those living with albinism to suffer ill treatment:

- The body parts of an albino person can be used to make potions that make pigmented people rich, give them power to succeed or allow politicians to be elected.
- Having sex with an albino person cures AIDS.
- That persons with albinism exist only in Africa.
- People with albinism are not human beings. They do not die. In fact, they disappear.
- People born with albinism are a punishment by the gods because of bad behavior of the parents.
- Drinking the blood of a person living with albinism gives magical powers.
- People with albinism are mentally retarded: they cannot see during the day but can at night.
- Albinism is a contagious disease.
- People born with albinism have a shorter life span than normally pigmented people.

There is another tragic turn leading to infanticide and abandonment of children-in. It is said that if a child is born with albinism (AOC) is due to the infidelity of his mother. Numerous women have been rejected by their families and by their husbands. Albinism for relatives is synonymous with social rejection.

In view of the medical evidence does a legal framework that could be agreed exist? The UN Convention defines a person with a handicap in its articles.

Article 1

"[...] Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others."

This definition allows the inclusion of people suffering strokes. It poses an adequate legal framework as a first recognition of their rights element. First it states again that human rights apply to everyone equally. The Convention on the Protection of the Rights of People with Disabilities was adopted by the UN General Assembly on 13 December 2006 and entered into force on 3 May 2006. It is a continuation of what has already been done in international law human rights and does not create new rights. Among other things, the Convention of 28 July 1951 relating to the Status of Refugees (1951) - International Convention on the Elimination of All Forms of Racial Discrimination (1965) - Convention against Torture and Other Cruel, Inhuman or Punishment (1984).

*"Affirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need to ensure the full enjoyment to people with disabilities without discrimination."*³

Then it recognizes that the environment and maladaptive behaviors themselves represent a handicap.

"Recognizing that disability is an evolving concept and that disability results from the interaction between persons with

³ UN Convention on the Protection of the Rights of People with Disabilities Preamble point C

*impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with other."*⁴

Finally, it insists on the implementation of specific measures to ensure that persons with disabilities are not human beings second zone.

*"Recognizing also that discrimination based on disability is a denial of the dignity and worth inherent in the human person."*⁵

*"Recognizing the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support."*⁶

*"Concerned those despite these various instruments and undertakings, persons with disabilities continue to face barriers to their participation in society as equal members of it and be the subject of violations human rights in all parts of the world."*⁷

Belgium has signed it on March 30, 2007 and ratified it on 2 July 2009. This ratification is driven by Article 22ter of Title II of the Constitution. At the national level it entered into force on 1 August 2009.

Article 22ter of Title II of the Constitution:

⁴ UN Convention on the Protection of the Rights of People with Disabilities Preamble point E

⁵ UN Convention on the Protection of the Rights of People with Disabilities Preamble point H

⁶ UN Convention on the Protection of the Rights of People with Disabilities Preamble point J

⁷ UN Convention on the Protection of the Rights of People with Disabilities Preamble point K

"Every disabled person has the right to receive, depending on the nature and severity of their disability, measures which ensure the autonomy and cultural integration, social and professional. The law, decree or rule referred to Article 134 guarantees the protection of this right. "

Chapter 2 Abuse of Persons with Albinism

In his preliminary report submitted on 12 September 2013, the United Nations High Commissioner for Human Rights provided a non-exhaustive list of abuses suffered by people with Type 2 Oculocutaneous Albinism (AOC).

2.1. Reprehensible acts

2.1.1 Attacks threaten the lives of people with albinism and their physical and moral integrity.

Aggression for the Purpose of Rituals

This type of aggression is carried out by attackers who have the intention of using the body parts of people with albinism in cults. These cults promise participants success, wealth and health. The stigmatization of the target group has reached such a stage of severity that the attackers prefer to maim their victims while they are still alive. It's believed that the cries of the victims increase the power of amputated limbs.

Organ Trafficking

The sale of body parts and organs belonging to people with albinism is a lucrative business. This market is expanding and prices vary depending on the ability of the customer to pay. Buyers are rarely simple villagers or city dwellers as the price for a full set of members and albino organs range from \$75,000 to \$150,000. According to the preliminary report of the UNHCR⁸, a "full set of members" includes:"[...] all four limbs, the genitals, tongue and the nose." The price varies between \$1,000 and \$3,000 for a hand or foot.⁹

It should also be noted that looters ransack the graves of the victims to recover their bones, hair and teeth¹⁰. Noted author, Joan Delaney, expressed in her ar-

⁸ United Nations High Commissioner for Human Rights

⁹ Joan Delaney, *Albinos under Siege in Tanzania: Witchcraft behind rash of killings*, 3 Dec.2008, Epoch Times, www.theepochtimes.com

¹⁰ Vicky Ntetema, *Black & White: Crimes of Color*, 2010

ticle on the subject: "To add insult to injury, after the torso of the victim is buried the attackers will often return and raid the grave for the bones and additional body parts. To prevent this, the graves have to be cemented over or the victims buried inside the home." In the documentary *Black & White: Crime of Color*, a grandfather decided to bury his granddaughter under his bed so that people wouldn't steal her bones. This is in itself the source of another atrocity; the trafficking of human beings.

Human Trafficking

The act of trafficking people is motivated by money and takes many forms; labor and sexual exploitation for example. The Office of the United Nations High Commission of Human Rights lacks verifiable and relevant statistical data regarding this subject in its preliminary report. Despite this fact there are several known cases. Let's examine a few.

Mr. Nathan Mutei tried to sell his friend, Robinson Mkawa, age 20, to a witch-doctor for \$250,000. When arrested by the Tanzanian Police, he confessed and admitted that he actually sold his own friend with the intent of trafficking his organs. Mutei was sentenced to 17 years in prison¹¹.

Mr. Koko Haruma age 24 fled South Kivu in the Democratic Republic of Congo, where he was studying at the University after having confirmed that someone was plotting to kidnap him. After he arrived in Burundi the situation did not improve. With the help of local authorities, he later fled to Tanzania, where a group tried to assassinate him. Eventually, he sought asylum in Malawi, where he has been a resident of the Dzaleka refugee camp since 2011¹².

Infanticide and Child Abandonment

Children born with albinism are viewed in some communities as being a curse as well as evidence of the infidelity of wives. Thus newborns are killed at birth. This is the case for example, in Masai and Digo, Kenya. The Sukuma, a nomad-

¹¹ Muthee Thuku, *Myths, Discrimination and The Call for special Rights for Persons With Albinism in Sub-Saharan Africa*, Feb.2011

¹² Percy Chikwela, *Malawi: les réfugiés atteints d'albinisme trouvent de l'aide au camp*, 28 Janv. 2015

ic ethnic group spanning over several countries, had a ritualistic practice of burying children born with albinism alive with the tribal chief presiding at the funeral.

Some women are so afraid of being rejected by their family and friends that they are driven to commit infanticide or to abandon their albino children. In some cases it's other members of the family who sell children to witchdoctors. These facts have been reported by the United Nations Special Representative on Violence against Children in the preliminary reports on the situation¹³.

Children are the first target of all attacks mentioned above. Being of docile nature, they are easy to spot. They are unable to defend themselves and escape attackers. They do not attract the attention of the authorities since it is not uncommon for a child with albinism to be accompanied by pigmented adults.

A Kenyan physician, Dr. Pius Kamau, wrote of an experience he had at Nairobi airport, Kenya. In April 2012, he noticed a little boy with albinism traveling with three suspicious looking men. They were flying from Tanzania and in route to Burkina Faso. He observed that the boy seemed to be drugged. The men should have drawn the attention of the authorities because they were seen arguing with a representative of the Kenya Airways who wanted to know why the boy did not have a passport. To the amazement and horror of Dr. Kamau, the airline allowed the child to travel with these men despite the fact that he didn't have a single travel document.

Kamau, IK and others will spend the rest of their lives wondering about the fate of this little boy.

The World Bank publishes an annual list of the world's richest countries. It uses such indicators such as the Gross National income per capita to determine where a country ranks.

¹³ Persons with albinism Report of the Office of the United Nation High Commissioner for Human Rights

One can see by viewing this table, how cause and effect as well as poverty levels of certain populations are linked concerning attacks against people with Type 2 AOC.

Indeed, African countries for which information was provided to the United Nations High Commissioner for Refugees (UNHCR) on this issue are in the top rankings. That is to say that they are among the poorest countries with the highest number of attacks.

Organizations working in the field have noted a spike in demand in the run up to elections. As referenced in the preliminary report:"[...] the demand for human body parts tends to increase in the lead-up to and during elections, thereby generating greater risks for persons with albinism during these periods." And Muthee Thuku¹⁴ in his publication *Myths, Discrimination and the Call for Special Rights for Persons with Albinism in Sub-Saharan Africa* states that "The killings are known to peak during election times as demand increases for magical portions by politicians seeking election or re-election."

It can therefore be concluded that only politicians, industrialists and the wealthy are in a position to offer this kind of talisman. These powerful people are known as the cash providers of this macabre trade. *They instigate the attacks, pay the perpetrators and witchdoctors for fetish.* Similarly they corrupt the authorities to avoid any investigation. One particular case was reported to the UNHCR where four high-ranking police officers were arrested for accepting bribes. In Africa "The matter of attacks against Persons with Albinism" is so politically sensitive that the dates, locations or identities of the corrupt elites involved are not revealed. There isn't any information about this issue contained in the UN Preliminary Report.

It is also important to note that people who help albinos are also subject to persecution. There have been reports of cases in Tanzania and Burundi, where attackers have brutalized and intimidated family members of people with albi-

¹⁴ Muthee Thuku, an ethno-botanist and researcher for the African Initiative for Alternative Peace and Development (AFRIPAD), specializes in the relationship between traditional African cultures and their natural environment. Thuku has worked with several ethnic minorities in Kenya, including the Yiaaku people, to develop projects that preserve their traditional way of life and enable them to achieve economic self sufficiency.

nism¹⁵. In Harry Freeland's documentary *In the Shadow of the Sun*, the mother of the main character is desperate to find a refuge for her son, Vedastus. She suffers from AIDS and men have told her that if she were to die they would come to cut off the legs and arms of her son.

The BBC journalist Vicky Ntetema had to flee her country, Tanzania, after denouncing these practices in *In Black & White: Crime of Color*, a documentary depicting the involvement of politicians, members of the security forces as well as those of the high society in an assault. Ms. Ntetema obtained the prize "Courage in Journalism," awarded in 2010, by The International Women's Media Foundation for her research and determination around the issue of corruption¹⁶.

2.1.2 Discrimination

People with albinism face various obstacles with regard to discrimination in their lives. As stated in The United Nations preliminary report, acts of discrimination against persons with albinism occur globally. *"Structural discrimination against and marginalization and social exclusion of persons with albinism have been reported as a global phenomenon"*

This finding was supported by Miss Ikponmwosa Ero, International Advocacy Officer of *Under the Same Sun*, an NGO which works on behalf of people living with albinism. She was present during the screening of the documentary *In the Shadow of the Sun* at "Film UN" on 18 February 2015 in Brussels, Belgium. To the assertion that discrimination against persons with albinism occurs only in the African countryside, Miss Ero responded sharply. The lawyer stated that if this was really the case we wouldn't find associations all around the world which are trying to defend their rights.

¹⁵ UTSS Honor Roll <http://www.underthesamesun.com/docs/survivor-honour-roll.pdf>

¹⁶ BBC News, *Vicky Ntetema Wins Bravery Award for BBC Albino Report*, <http://news.bbc.co.uk/2/hi/africa/8428688.stm>

A case brought by the *Albinos Without Borders* at the UNHCR clearly illustrates the social segregation.

"I have never known happiness in my life, and every time I think about my future tears flow in my eyes, I wonder if I would be happy one day? I still remember my difficult childhood, my father has always rejected me because I am an "albino". One day he told my brothers that I represented the devil, that I was not his daughter. He refused to send me to school. My maternal uncle enrolled me in a public school where I studied until third grade. Teachers and students made fun of me because I could not see the class-board. I could not endure all these insults, so I dropped out of school. This is how I found myself on the street, helpless. When I tried to sell some goods on the market nobody wanted to buy what I was selling. I was raped by a man and have a 15-month-old child. I feel desperate and lost."

A quote from an anonymous woman whose case was brought before *Albinos Without Borders* at the UNHCR

All forms of discrimination and segregation that people with albinism are subject to are linked and interdependent. Indeed, there is a general lack of awareness on the part of the authorities, who don't acknowledge that people with albinism need to be accommodated as well as provided with access to and appropriate care (sunscreen, sunglasses sight aids, etc). This is prevalent. This lack of care promotes educational deficiencies. As mentioned in the first chapter of this paper, visual acuity of people with albinism is substantially reduced. This lack of care ultimately restricts them to a situation of living in poverty which, in itself, promotes a shorter life span than the rest of the population.

The Office of the High Commissioner for Human Rights seems to be lacking in pointing out the existence of other important forms of discrimination. For exam-

ple, the fact that terms used to describe people with albinism are negative is in itself discriminatory. Muthee Thuku explained the pejorative connotations of some of these terms in the publication mentioned above. For example, in Kiswahili, albinos are called *Zeru Zeru* which means "ghost as a creature". "*Mzungu*" means "white man" in Yoruba. "Ayarin" in the Igbo language and the term "Edo" in the Ebo language both mean "fake white man." These dialects are spoken in Nigeria. In Lingala, the language spoken in the Democratic Republic of Congo, the term *Ndundu* resembles the word *Dundus* which is used in Jamaica to describe albinos. Mrs. Virginia L. Small wrote:

"In the Dictionary of Jamaican English, blacks with albinism are specifically described by a term known as a "dundus". The dictionary states that a dundus is "an albino Negro; a freak. Someone who is not viewed as being normal."¹⁷

The term "Belgian" defines a person's nationality. But only his or her nationality. However, the term "albino" is used to describe much more than just a person's nationality or genetic condition. Mumbi Ngugi of Albinism Foundation of East Africa wrote:

[...] "In a world where color has defined so much of people's fate, from slavery to colonialism, we are in the unfortunate position of not having been born with any, or with very little, and thus remain eternal outsiders."¹⁸

Given the influence of the surrounding larger society, the media has a crucial role to play in terms of having influence on public opinion. It is not helping to improve the situation. On the contrary, it encourages a lack of awareness, makes urban legends and even considers albinos as people apart from the mainstream society. Virginia L. Small states:

¹⁷ Virginia L Small, *Sociological Studies of People of Color with Albinism*, 1998

¹⁸ Mumbi Ngugi, *They call us "Albinos"- The Rights to Mock and Kill Fellow Human*.

"The mystique of albinism still intrigues people who exploit the condition in many genres. Modern movies, novels, television programs, etc. still insist on using albinism for its shock value. Rather than present the facts about the condition since these do not lend themselves to an interesting story. Instead, storytellers choose to use the physical appearance of albinism to invent their own fantasies, and expose their own superstitions and fears."

These words, which are from 1998, are still relevant. For example, in the best-selling novel *The Da Vinci Code* adapted to film and video game, one of the main characters is a man with albinism. He's a fanatic who practices sadomasochism.

Also the media does not bother to do any research or obtain any information before the broadcasting many programs, including news reports. Such was the case of the *blonde angel* who stirred the media world for several weeks two years ago. On October 16, 2013 Greek police found Maria, a young child, in the home of a couple in a Roma camp. According to various newspapers, the authorities acted because of the physical characteristics of the girl (blonde-red hair and blue eyes.) Unlike other children who had a darker complexion, due to her pale complexion, Maria's case received a lot of attention. The police decided to ask the parents to agree to have a DNA test which revealed that they were not her biological parents. Maria's biological parents happened to be Ash and Athanas Roussev who were forced to abandon their daughter in Greece for economic reasons according to what they said to the Bulgarian authorities

This case was broadcasted around the world and discussed to the point where an international investigation was opened by INTERPOL. According to *The Daily Mail*, the FBI investigated whether or not Maria was *Lisa*, the American child who had disappeared at the age of 11 months. The magnitude of this incident in the news reached Ireland where two children with the same physical characteristics as Maria had been removed from two families of Roma people living in the country. After DNA tests they were returned to their parents.

As it turns out, the children in each of these cases had albinism. But the question of the possibility of albinism was never considered. This resulted in an unnecessary media circus and in the last two cases, the obstruction of the exercise of parental rights of the families concerned.

Chapter 3: Specific Measures

Time line



United Nation Resolutions

Human Rights Council resolution 23/13 on attacks and discrimination against persons with albinism adopted 13th June 2013

Trough this resolution the Human Rights Council reproves the assaults against PWA and requires the Office of the United Nation High Commissioner for Human Rights (OHCHR) to expose the situation in particular, discrimination, stigmatization and the widespread social exclusion they suffer in a preliminary report at its twenty-fourth session in September 2013.

It requires states to take all necessary measures to ensure the protection of these people and their families, to take measures to fight against discrimination and to bring the perpetrators to justice.

Report of the Office of the United Nation High Commissioner for Human Rights on PWA (12/08/13)

It gives an overview of the ongoing attacks and discrimination PWA are facing, brings out the areas where studies need to be conducted.

Human Rights Council resolution 24/33 on technical cooperation for prevention of attacks against PWA adopted in September 2013

The Council requests the Advisory Committee to study on the situation of human rights of PWA and submit it at its twenty-eighth session.

Human Rights Council resolution 26/10 on International Albinism Awareness Day

This third resolution adopted in June 2014 proclaims the 13 June International Albinism Awareness Day. The General Assembly followed the recommendation of the Council on 18th November 2014 and decided to proclaim 13 June as International Albinism Awareness Day from 2015.

Human Rights Council Advisory Committee report on the study on the situation of human rights of persons living with albinism.

This report first provides an overview of the several obstacles faced by persons living with albinism in their enjoyment of their human rights and includes the types and severity of the human rights violation involved. Second, it enunciates some measures taken at international level and by OHCHR. Ultimately, it recommends further initiatives to resolve some of the identified problems.

Specific Measures Worldwide

The African Union discussed during its 54th Ordinary Session held from 22 October to 5 November 2013 in Banjul (Gambia), a resolution on the prevention of attacks and discrimination against persons with albinism. It requires states to take all necessary measures to ensure the protection of these people and their families, to take measures to fight against discrimination and to bring the perpetrators to justice. It also invites the AU member states to work in collaboration with relevant regional and international organizations, and encouraged bilateral, regional and international initiatives aimed at protecting persons with albinism.

Earlier in the pivotal year 2013, the UN was also busy looking for solutions in the matter of people living with albinism. Due to the dehumanizing propaganda that too often degrades people living with albinism, it is necessary that member states act decisively. Notably in those nations affected by the most serious acts

of violence, governments must initiate projects and actions to protect the rights of this group who find themselves in a particularly difficult situation. It is difficult for them to access and benefit from legal services. In the first place, civil associations that assist them lack resources. Secondly, as it was mentioned in the previous chapter PWA are living in autarky. Indeed the UN's preliminary report says that the lack of access to justice is due to:

*"[...] the fear of further attacks, reprisals or further stigmatization; difficulties in finding witnesses owing to ostracism they face within their community and, frequently, the involvement of family and community members in the attacks; lack of awareness of legal rights; the lack of financial resources; the inadequate capacity of the judicial system to address such cases; the lack of legal aid and adequate legal representation; and the lack of knowledge of or confidence in the law enforcement and justice systems."*¹⁹

To fight against the brutalization of the population, it is useful that the member states fight against impunity of those involved in these injustices. The authorities can start by taking adequate legal measures in order to investigate, prosecute and convict perpetrators. The preliminary report states its opposition:

"[...] The State violates its obligation to ensure the right to life and the prohibition of torture and ill-treatment by failing to take appropriate measures to prevent, investigate, prosecute, punish or redress the harm cause by attacks on persons with albinism committed by non-State actors."

The right to victims of violations of human rights to claim compensation is recognized in particular by the Universal Declaration of Human Rights **Art. 8**. Indeed there are the Covenant on Civil and Political Rights **Art. 2.**, the Convention against Torture **Art.14** and the Convention on the Rights of Child **Art. 39**.

¹⁹ Persons with albinism Report of the Office of the United Nation High Commissioner for Human Rights § 53.

As well, there is the International Convention on the Elimination of All Forms of Racial Discrimination **Art. 6**.

The actions to ensure greater access to justice and punish acts of violence against PWA must be conducted in parallel with preventive operations. The following provisions have already been implemented by the (undisclosed) concerned states:

- Public condemnation of attacks and killings of PWA;
- Appointment of a person living with albinism as Member of Parliament or Cabinet;
- Banning of witchdoctor licenses;
- Public awareness raising campaign
- Provision and temporary shelter to persons under the threat of attacks.

These initiatives have yet to demonstrate their effectiveness but their limitations and weaknesses are already being felt. It is possible that they may do more harm than good through accentuating the marginalization and isolation of PWA. Similarly, they could create and amplify trauma among children separated from their families. Burundi maintains two camps where persons with albinism are taken to in order to be protected from society. Closed and guarded by armed officers, living conditions in the camps are more than deplorable, with no food or clothing supplied by Burundi's government. Realities there are contrary to the objective in housing the people which means a return to "humanity" to this social group. The High Commissioner for Human Rights reported concerns about hygienic conditions, overcrowding of the camps and the lack of available food for residents. A young woman has said to Josephat Turner, a Tanzanian activist living with albinism, that she would rather be in her own village than in the camp. She said that though she is at a point in her life where she could be killed at any moment, still she thinks it's better to be at "home" because nothing can replace home.

The association Albinos without Borders reported to the OHCHR the following facts:

"Due to increased insecurity of albinos, the Government of Burundi took certain measures to ensure their security. Some were taken to police stations where they spent the nights under difficult conditions. Some were lodged in houses near the communes where they could easily be protected by the police. However, their stay there could not last long because of the difficult conditions. They lacked adequate shelter as some spent the night outside. Some became ill because of the lack of warm clothes and blankets during the rainy season. They lacked food because they could no longer work in their farms and were not fed while in the police stations. Some requested farm lands around the communes but were refused. As a result some of them left the police stations and went back to their house without any protection. They were instructed not to stay out late, to stay indoors at night, not to go to isolated areas and to report any incident to the police."

The governments, globally, must represent their citizens without discriminating. Leadership should take useful measures to encourage the people to succeed as an ever improving nation. For this reason the choice that Burundi's government made to open two camps where people with albinism from different towns and countries are taken to, is not well thought out. Quoting Josephat Turner, *"We are living as refugees in our own country."* Can these measures actually help people with albinism?

In contrast to Burundi, Kenya made a groundbreaking move by changing its constitution in 2010 to reflect some rights available to disabled people, including albinism. Persons with albinism have a constitutional basis when claiming or defending their rights. A few noticeable changes in Kenya:

Article 260 of the new constitution defines disability as:

" any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long-term effect on an individual's ability to carry out ordinary day-to-day activities."

Under **article 27 (4), (5)** the Kenyan constitution bans any form of discrimination perpetrated by either the state or by a non-governmental entity. It also obliges the state to take legislative and other measures including affirmative action programs and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.

Article 54 gives special attention to the rights of persons with disabilities:

"A person with any disability is entitled—

(a) to be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning;

(b) to access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person;

(c) to reasonable access to all places, public transport and information;

(d) to use Sign language, Braille or other appropriate means of communication; and

(e) to access materials and devices to overcome constraints arising from the person's disability.

(2) The State shall ensure the progressive implementation of the principle that at least five percent of the members of the public in elective and appointive bodies are persons with disabilities."

The special needs required by people with albinism are included in the above constitutional article from Kenya's parliament in 2010.

In conclusion, United Nations' international and regional mechanisms have made recommendations to the governments of member states where there was enough data to quantify the situation of persons with albinism as a serious matter of concern. Besides that, states took initiatives independently or in collaboration among themselves. Governments are in position to analyze the special needs of persons with albinism and their place in national legislation.

Chapter 4 Albinism and International Protection

Introduction

The awareness of governments and outreach work of various country populations will take time, so it is essential that the international community in general and the United Nations in particular step in and play supporting roles. This starts with making recommendations to member states but also there is the need to take into consideration the suffering of victims. This is no small undertaking and relates to the historical mandate laid down in 1948.

Indeed, the United Nations has time after time noted the will to draw lessons from past conflicts and has reminded governments of their humanitarian duties. A primary matter is in regard to their halting the most vulnerable of the populations from being attacked indiscriminately. After more than 60 years of experience in the peaceful resolution of conflict at least in the management of the inevitable consequences of these human rights violations, the United Nations has a legal arsenal. Of course it greatly depends on the goodwill of member states as consenting parties. The United Nations effectively can help return to people their integrity, as all people deserve, which was lost when they became victims.

The abuses endured by people because of their albinism are an expression of suffering against which the United Nations claims to struggle against. It is similar in some ways from that experienced by girls who undergo female genital mutilation or persons terrorized because of their sexual orientation. But are international protection provisions flexible enough to include the need for protection of people with albinism?

4.1. Refugee Status

International regulations relating to refugee matters have origins in the disastrous social effects of internal political conflict within or between states including the two world wars, both from 1914 to 1918 and from 1939 to 1945. These up-

heavals and wars have thrown into the street children, women, prisoners of war, not knowing where to go and in a state of total disarray.

Huge change came with the creation at the end of the Second World War of the United Nations, "UN", which has integrated in its aims the search for the resolution of international conflicts through peaceful means. There was also the reaffirmation of the fundamental inalienable human rights and the right of peoples to self-determination or the right to take charge of their own destiny. These humanitarian concerns were reflected in the principles proclaimed in the Universal Declaration of Human Rights of 1948.

But this declaration must be ratified and whether or not the member states ratify declarations or not has a real impact on peoples' lives. Only the act of ratifying engages member states to be responsible in converting the principles into conventional practice.

The United Nations Convention relating to the Status of Refugees was developed to function in this role. Adopted July 28, 1951, this states that the signatories respect the standards contained in the convention for the treatment of refugees. Decades later, with the nature of the political and social problems faced by people having diversified and their movements around the world increased, the 1967 Protocol was adopted to extend the scope of the Convention. A universal definition is based on the principle of a "well-founded fear of persecution" and is the bedrock in the doctrine of the international protection of refugees. These are not just considered for persons collectively, but also individually.

An important principle of refugee law places an obligation on states not to return or threaten in any way a refugee claimant with return to a country where she or he would be threatened with persecution. This principle works in coordination with the principle of acknowledging a well founded fear of persecution.

This conventional legal mechanism is strained by situations of violence and systematic violation of human rights in various locations worldwide. This essentially political problem is compounded by irregular migration. This flow is due to hun-

ger, poverty and poor living conditions resulting from the effects of economic globalization that compels groups of women, men and children to seek refuge. Residents of many nations find themselves within the mechanisms provided by the international law and its asylum procedures.

Protection of refugees must also be ensured through the new generations of conflicts such as Boko Haram in Nigeria, Islamic State warfare in Syria, Iraq and Libya and other humanitarian catastrophes. Concerns about human organ trafficking and trafficking in human beings are complicated when asylum seekers who have been rejected by states become at risk or return to these dangerous risks.

This study adds to the known conventional legal canon, the ignored issue of the persecution of people with albinism simply because of their condition. The industrialized countries, in a protective reflex regarding their economies, tend to react to the increase in illegal immigration and real or perceived abuses.

Governmental fright of illegal immigration often means that legislation becomes more restrictive concerning the UN convention definition of refugee status. In Europe during the last decade and a half, the EU has had to demand that EU directives are followed to ensure compliance.

The UN Refugee Status determination process works in two steps; the first establishes the facts in each case. The second step is to compare the gathered facts to the criteria of the definition of the 1951 Convention on Refugees and its 1967 amended Protocol. The provisions of the 1951 Convention distinguish 3 groups of criteria; clauses such as "inclusion", "cessation" and "exclusion". In the first group, inclusion, there is a positive result because the criteria have been fulfilled and there is recognition for the person to receive refugee status. The following, cessation, results in termination of the opportunity to benefit from the 1951 Convention. Exclusion denotes that although a person meets the requirements for inclusion, there are numerous reasons why she or he cannot receive refugee status. In this chapter the emphasis will be on the first group, inclusion, and the determination of UN Convention Refugee Status.

To be recognized as a refugee, a person must meet the criteria of the definition, **Article 1 § 2 section A** of the 1951 Convention. It defines a refugee as:

"Any person who has a well founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, has a particular political opinion, and who is outside of the country of their nationality or official residence. Owing to such fear, and who is unwilling to avail himself of the protection of that country [...]"

Limitations on time and geography were recognized prior to 1967. The political will of the concerned member states' governments at the time of drafting of the 1951 Convention regarding temporal and territorial parameters were eliminated with the adoption of the Additional Protocol of 1967. The words *"well founded fear of being persecuted"* represent the mainstay of this definition. First, there is a need to consider that fear varies and is subjective for each person. Then, it is necessary to determine the basis for that fear, which must result from an objective analysis of the existing situation in the country of origin of the asylum seeker.

According to the High Commissioner for Refugees (UNHCR), the subjective element is predominant: *"[...] The determination of refugee status will therefore be more in the assessment of the applicant's statements than a judgment made on the situation existing in his country of origin."* Yet, Mr. J. Hathaway²⁰, in his book *The Law of Refugee Status*, finds that the objective element prevails. According to him, the concept of "well founded fear" does not include the applicant's state of mind but stressed the importance of a review which anticipates the future realistically.

In this instance, the various reports and resolutions of the UN and numerous NGOs underline the difficulty of assessing the situation of people living with al-

²⁰ Jim Hathaway is a leading authority on international refugee law and related aspects of human rights and public international law. Hathaway's scholarly publications focuses on international human rights and refugees.

binism. This is particularly a reality because of the lack of records on assaults of people living with albinism. At this stage, it is necessary for the agent in charge of the examination of the application to reflect on the applicant's testimony. Only this testimony will help compensate for the absence of material elements and establish recognition of the foundation of fear.

It seems that Belgian law reconciles the two points of view by not carrying out a separate analysis. Quoting Wautelet and Collienne, *"Obviously Belgian case law does not organize a separate analysis of objective and subjective aspects of the reasons given to support a return to the country of origin."*²¹

The applicant cannot fear anything but persecution. The Handbook on Procedures and Criteria for Determining Refugee Status notes it. There is no universal definition of what constitutes persecution. Nevertheless, two elements illuminate this concept; the persecution must firstly be linked to a pattern and also to an act.

Persecution patterns are summarized in Article 1 of the 1951 Convention:

"[...] because of his race, religion, nationality, membership of a social group, political opinion."

In view of the subject of interest, only two grounds will be examined; race and membership of a social group. The 1951 UN Convention does not give more details about these concepts but the Handbook on Procedures has some comments on them.

The concept of race, like persecution, has no universal definition. In fact, race has no scientific basis:

²¹ Patrick Wautelet and Fleur Collienne, *Droit de l'immigration et de la nationalité: fondamentaux et actualités*, 2014.

"A classification category of the human species according to morphological or cultural criteria, is without any scientific basis and employment of such is the basis of racism and practices. (Facing human diversity, a classification of the most prominent criteria which is immediately apparent [skin color above] was established and prevailed throughout the nineteenth century. Advances in genetics today lead to a rejection of efforts of racial classification in humans.);"²²

This concept of defining violations of human rights based on race remains a part of international law. It is rooted in laws of many nations. Unless we decide to suppress it for good, we should try to understand it's meaning under the International legislations.

According to the Handbook on Procedures race is "[...] the concept of race should be understood in its broadest sense [...] Often this concept will also include membership of a social group of common descent forming a minority within a larger population." Consider that people with albinism do not constitute a separate ethnic group. Yet due to their albinism they form a distinct minority group. This is the case although they have the same origin with the rest of the population from a given region.

Racial discrimination is universally condemned, the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965 defines in Article 1 the term racial discrimination and includes a consideration of color. The Handbook on Procedures recognizes that this discrimination is often a type of persecution under the 1951 Convention. Still, usually having membership in a racial group is insufficient to justify recognition of refugee status. How-

²² <http://www.larousse.fr/dictionnaires/francais/race/65899>

ever, in cases where it justifies itself via fear of persecution, it will be considered as such.

Article 10 of the Qualification Directive incorporates the grounds of Article 1 of the 1951 Convention and provides clarity for the reader. Regarding race, the directive is very clear:

"The concept of race shall in particular include considerations of color, [...]"

Several factors may be involved in the examination of a single applicant's file. Therefore it is justified to consider the request of an applicant living with albinism based on a fear of persecution because of his race.

Membership of a particular social group under The Handbook on Procedures and Criteria for Determining Refugee Status: "A "particular social group" normally comprises persons of similar background, habits or **social status**."

*Under the Belgian law of 15 December 1980 relating to access to the territory, residence, establishment and removal of foreigners **article §4 d)** which states that a group must be considered a particular social group where, inter alia, its members share **an innate characteristic** or common roots that cannot be changed, or share a characteristic or belief that is so fundamental as to identity or conscience that should not be charged to a person to renounce it, and that group has a distinct identity in the relevant country, because it is perceived as being different by the surrounding society;*

Albinism is a hereditary condition, and is a feature in-born. In the concerned countries people with albinism are sidelined cannot study, eat in public and go out with others socially.

The applicant must be outside the country of his nationality or outside the country of his former habitual residence. This element distinguishes IDPs (Internally Displaced Persons) that do not cross borders and remain in the territory of their countries though they could be asylum seekers. International protection plays

its critical role only when a person is outside his country of origin. The procedure for applying for refugee status is no different when it comes to an embassy. A person who takes refuge in a foreign embassy is no longer under the jurisdiction of his country but remains in the territory of the latter. We cannot consider this application as the same as one involving a border crossing and cannot examine the attempt at the embassy for refugee status under the 1951 Convention. This is a case of diplomatic asylum. The American Edward Snowden is a famous example in this regard.

Additionally, applicant for refugee status must be unable or, owing to such fear, is unwilling to avail himself of the protection of his country of origin. The *Handbook on Procedures* states that it is for reasons beyond his control that the applicant cannot seek the protection of his home country. For example, serious trouble that prevents the government to offer the applicant effective protection. One example is Burundi, which has had for some time political tensions and armed clashes. Burundi is a country based on current information which has the highest rate of assaults against persons with albinism.

This protection under law in the country of origin may have also been refused. This matter of refusal should be approached by the country in which the applicant for refugee status is seeking asylum with the utmost seriousness. Here, persecution may not be based as much on political reasons but a sociological problem that affects all backgrounds including the ruling class. The governments have been known to minimize the problem to avoid it. The *Handbook on Procedures* cautions that the refusal of protection must be analyzed case by case.

The only possibility for an applicant for not wanting to seek the protection of his country is the fear of persecution. According to *The Handbook on Procedures*, where a claimant accepts the protection of his country there is no reason to apply for international protection. However, as the two documentaries, *In the Shadow of The Sun and Black & White; Crime of Color show*, the means implemented by the governments are obsolete are inadequate.

The notion of persecution must also be linked to actions. International law (1951 Convention) specifically refers to actions contrary to the life or safety of any person on the basis of five grounds specified in **Article 1** of the 1951 Convention. **Article 33**, prohibits the return of a refugee to a country where he is a victim of such actions or other serious violations of human rights for the same reasons.

In addition to these serious violations of human rights, a person may be or be threatened with wrongdoing. An example given by *The Handbook on Procedures* of discriminatory acts is the restriction of the right of access to educational institutions usually open to all. This is an experience shared by many people with albinism. The question whether this constitutes persecution depends on a case-by-case basis of analysis due to the subjective character of fear of persecution felt by the asylum seeker.

European law meanwhile pays significant attention to rights which no derogation is possible. **Article 9 a)** of the *Qualification Directive*:

"Acts considered as persecution within the meaning of Article 1A of the Geneva Convention must: be sufficiently serious by their nature or repetition as to constitute a violation of fundamental human rights, especially the rights from which no derogation is possible under Article 15.2 of the European Convention on human rights and fundamental freedoms "

Article 15.2 ECHR allows no derogation from the right to life, prohibition of torture, prohibition of slavery and forced labor, not to be convicted for an act which is not an offense under national or international law. In its preliminary report the UNHCHR emphasizes that murders and other violent attacks on persons with albinism violate the right to life, the right to security and the prohibition of torture and ill-treatment enshrined in various treaties of Law Rights / Humanitarian Law.

Jean-Yves Carlier²³ thinks the proportional appearance counts more than the qualification of the act.

*"More freedom affected is fundamental, less treatment should be quantitatively or qualitatively serious. Conversely, reaching a threshold of persecution, unless the affected freedom is fundamental (economic, social and cultural rights), more treatment should be quantitatively or qualitatively serious"*²⁴

Article 9 of the Directive provides a non-exhaustive list of types of treatment that are not hierarchical and likely to form persecution. This leaves room for factual examination and follows the original intent of the authors of the 1951 Convention to encompass future forms of persecution

"The kinds of persecution listed above among others may take the following forms

- a) Physical or mental violence, including sexual violence;*
- b) Legal, administrative, police and / or judicial measures which are in themselves discriminatory or implemented in a discriminatory manner*
- f) Attacks against people because of gender or against children.*

[...]"

This provision was transposed in *Article 48/2 of the law of 15 December 1980 relating to access to the territory, residence, establishment and removal of foreigners.*

²³ Jean-Yves CARLIER is professor at the Catholic University of Louvain, in the department of international law.

²⁴ J.-Y. Carlier, *Qu'est-ce qu'un réfugié?*, Bruxelles, Bruylant, pp.749-750.

4. 2. Subsidiary Protection

It was adopted in 2004 by the European Union. This aims to provide assistance to those who cannot claim refugee status on grounds of personal persecution but still require the right to international protection.

Member states were already applying a form of protection to supplement refugee status; the criteria were left to the functions of each government. Since 2006 there has been a harmonization of legislation in this area and the EU states agreed on minimum standards for granting subsidiary protection.

Article 2 of the Directive "qualification" defines the criteria justifying the granting of subsidiary protection. It should be noted that the subsidiary protection is less "subjective" than refugee status reflecting a partial element when it comes to fear of persecution. *Article 15* clarifies what is meant by serious. It is in *Article 48/4 of the Law of 15/12/1980 pertaining to access to the territory, residence, establishment and removal of foreigners*, that are transpose the provisions of the Directive.

"§ 1st. The subsidiary protection status is granted to an alien who cannot be considered a refugee and who is not entitled to section 9ter, and for which there are substantial grounds to believe that , if returned to his country of origin or, in the case of a stateless person, in the country of his former habitual residence, he would incur a real risk of suffering serious harm referred to in paragraph 2, and is unable or, because of that risk, is unwilling to avail himself of the protection of that country and that, provided it is not concerned by the exclusion clauses under Article 55 / 4.

§ 2. The following are considered as serious:

- a) the death penalty or execution; or*
- b) torture or inhuman or degrading treatment or punishment of the applicant in the country of origin; or*
- c) serious threats against the life or person of a civilian by*

reason of indiscriminate violence in situations of international or internal armed conflict "

It is difficult to analyze in depth subsidiary protection due to it depends directly on the impossibility of recognizing refugee status and without a legal basis.

Yet and still, it is interesting to consider the case of the Democratic Republic of Congo which has been at war for over 20 years. Indeed, the region of South Kivu, despite a few periods of calm, there are repeatedly violent clashes between armed groups over the Congolese soil which is rich in minerals. This situation has led to violence of all kinds, namely people who rape, pillage, who engage in slavery and who recruit child soldiers. In this context of permanent insecurity myths about albinism are transformed into a climate for spontaneous crimes which were reported in the previous chapters.

Questions can be asked concerning the above case of The Congo in assessing whether there can be rights extended to albino persons for subsidiary protection. Are they eligible?

4. 3. L'article 9 ter de la loi du 15 décembre 1980

Thorough analysis of this article, covered by EU subsidiary protection (all member states have been ordered to comply with it), is partly a personal choice. This paper presents the various types of persecution and the scope of discrimination against people living with albinism. Decidedly, the question must be asked, "Is the 2006 amendment (9ter) enough for the protection of people living with albinism arriving in Belgium?"

First of all, globally, people living with albinism are suffering from a lack of adequate care and don't have proper treatment to address often life threatening visual and skin difficulties.

In Article 9ter the legislature differentiated between the following: the exceptional circumstance where a person may waive the prior residence permit and the specific and exceptional circumstance such as a medical case. The latter called

for a medical examination of the applicant as well as the analysis of the availability and accessibility of required drugs in the applicant's country of origin. It is from this perspective that Article 9ter is discussed in this section.

PART 2: PRACTICAL FRAMEWORK

Chapter 1: Faces of Persons with Albinism

The Storyteller

Mister Harry Freeland is an award winning British Documentary filmmaker and photographer. As a director and cinematographer Mr. Freeland's passion is for human-interest, observational, issue based stories and his love of Africa in particular has led him to travel and work in more than 15 African countries. He has worked as a Director and Cameraman on films for BBC, ITV, PBS, The British Council, MTV, Sky, EMI.

From Cameroon to Belgium

Annie Mokto was born in Cameroon in the 80s and she has six siblings and everyone grew up in Cameroon. Her family helped her a lot when it was very difficult to go to school: *"I knew that I was skilled, yet society, like my reports, presented me with an image of myself as an incompetent. Some teachers were mean to me, they hit me when I could not read, they insulted me when I got bad marks, they overtly despised me when I hadn't done anything, they could not understand that I was not to blame. I never talked in class, too afraid to attract attention around me and thereby to start the never-ending flow of insults. I envied others: they could see clearly."* She ended up alone and locked up in a bubble she did not choose. Then she decided to quit school: "I myself had entered the circle of the unspoken. My struggle to integrate myself had left me weary. Anyway, whom was I fighting for? What was I fighting for?" Few years later she decided to understand why she was born so different from others. This decision changed her life for the best. In Belgium she went to an information

centre dedicated to blind partially sighted persons in Bruxelles where she got everything taught back from the beginning: French, mathematics and many other things: "Learning was wonderful [...] I could accomplish my secondary course (the Belgian CESS). Certain technical adaptations helped me go through my studies and eased my way to university."

She decided to be an ambassador of tolerance and created The International Non-Profit-Making Organization "ECRAN TOTAL". Since she has been informing parents, family, and friends about her experience and the fact that similarity does not exist, the only norm is the difference we share.

The Activists

Ikponwosa "I.K." Ero was born and raised in Nigeria. She emigrated to Canada at the age of 15 and subsequently received higher education, ending up as a lawyer. Miss Ero has a rich personal and professional understanding of albinism from global, western as well as African perspective. Since 2013, she has been working as International Advocacy Officer for Under The Same Sun dividing her time between Canada and Geneva.

Adrienne Ntankeu was born in Cameroon. At the age of 5 years, because of her albinism, she was sent to France, with a member of her family. She had a very hard childhood, suffering humiliation and mistreatment constantly. Supported by social services at the age 19 years, they offer her the opportunity to return for 6 months in Cameroon, to reconnect with her family. She began to understand the extent of the difficulties encountered by those albinos in Africa. In February, 2011, outraged by the killings of albinos in Africa, she created the ANIDA association.

Dialogues Between Sisters

Judith is 27 and lives in France. She has a degree in Applied Foreign Languages in English and Chinese and currently she is reorienting her professional

career to communication. In school, she could not see a thing on the classroom board:" It was often far away and the teacher wrote very small or with a red or yellow piece of chalk. Especially when the sun was beating down on the board in the morning. The view was very green and dark." From her 4th (third year of college) she began equipping herself a magnifying glass and then binoculars with which she could see from afar whatever her place in the class.

"At work, I was approached by a person who didn't understand that I needed more time to find some information on a computer screen. This person was aggressive and impatient, even though I always I explain my problem in order for life to go smoothly."

Chapter 2: Global Perspectives

Standing Voices

The makers and key protagonists of the documentary film *In the Shadow of the Sun* created Standing Voice. It promotes social inclusion and works to stop human rights violations against marginalized groups.

"We do this wherever people are being abused, silenced and ostracized. We exist to give the disempowered vital tools and platforms to speak back their society and reassert their presence and equality. We strive to nurture people's understanding of others so that in the future they will be embraced by society. And in the meantime we provide the essential basic need they have been unrightfully denied."²⁵

²⁵ <http://standingvoice.org/>

Under The Same Sun

Under The Same Sun promotes, via advocacy and education, the wellbeing of PWA who in many parts of the world are marginalized, misunderstood, abused and at times mutilated and killed because of their genetic condition. Committed to social inclusion and seeing an end to the general and sometimes deadly discrimination against persons with albinism (PWA).

While UTSS is active at the UN and globally, much of its current focus is on the crisis faced by PWA in Tanzania. We have developed offices there with a highly innovative and effective approach to this issue. From there, UTSS is reaching across Africa and the world to stimulate a movement that roots out stigma and discrimination by planting the seeds of empowerment for people living with albinism.²⁶

Genespoir

Genespoir, French association of albinismes (different forms of albinism) 1901 law association, was created in 1995 in Rennes by Fabienne Jouan, a mother of three, two of whom are suffering from Oculocutaneous albinism. Since its creation the association has been at the forefront of research on albinism. That is why in 1997 Fabienne Jouan met Dr. Marc Abitbo, Director Certo (therapeutic ophthalmic research center) at the Necker Sick Children hospital in Paris. In 1998, the first research program on albinism was launched Genespoir decided to award a three-year PhD fellowship to a young researcher, Olivier Camand. Unique as the only association specializing in albinism, Genespoir has grown rapidly in Britain but also in France. In its second year, Genespoir was organized on the national level by creating branches of the association via regional representative offices. It has grown from a hundred people to more than 320 members.²⁷

²⁶ <http://www.underthesamesun.com/>

²⁷ <http://www.genespoir.org/fr>

Black and White: Crime of Color

In July 2008, Vicky Ntetema, a BBC radio journalist, began an investigation into the black market traffic of PWA body parts. Her reportage earned her the award for courage in journalism from the IWMF (International Woman's Media Fund). In "White and Black" she examines the superstitions and fears surrounding PWAs in Tanzania. She shows us the brutal consequences of these prejudices and tracks down the healers who prey on them for profit. Vicky befriends Semeni and Shida Bahati, two sisters with albinism. Their father is in prison. He conspired to kill their sister, Eunice, in exchange for money for her body parts. Eunice's murderers are still on the loose, so Semeni and Shida must leave their village for a new life. They will attend a school where no one can see their albinism: a school for the blind. Manyasi, a young boy with albinism, has miraculously survived the murder of his sister and must also go to this school. Vicky meets the friends and kin of ordinary Africans with albinism. She admires their struggle for equality, and she finds hope for future generations in the key figures fronting the PWAs' fight for their rights.²⁸

In The Shadow of The Sun

Through this intimate portrait of two men with albinism, Josephat Turner and Vedastus Harry Freeland immerse us in their inspiring journeys to realize their dreams despite the immense challenges they face as people with albinism in Tanzania. The film offers us an illustration of the impact of the superstitions and misconceptions surrounding people living with albinism. Those myths have grown so strong that persons living with albinism now fear for their life. The director began shooting footage in 2006; six years during which Mr. Freeland was the witness of Josephat's combat to educate his entire community albino or not. Josephat called for more solidarity. Freeland has seen the growth of determination of young Vedastus in an environment that never ceased being hostile towards him. Mr. Freeland lends his eyes to the viewer and offers a fair, sincere testimony.

²⁸ <http://www.cultureunplugged.com/>

CONCLUSION

My paper's main objective was to highlight discrimination and other persecution albinos are subjected to. To do this I have explored the international legislation concerning the protection of human rights in order to extract the relevant provisions. Through this approach, the 1951 UN Convention on refugee status appears to be the most appropriate legal instrument.

Nevertheless, I saw that there were other forms of alternative protection, including subsidiary protection and a particular aspect, (Belgian article 9ter) of it related to foreigners with diseases that contribute and are linked to situations of real danger of inhuman or degrading treatment.

Writing this paper has shown me that there is a lack of information available about violations of human rights of people with albinism. This is an issue that is both sociological and legal and has repercussions in various other fields. Thus, our observations lead us to urge that particular attention and constant efforts are implemented:

- Research should be conducted in the medical profession to find effective treatments for example to protect the skin optimally or alleviate photophobia.
- The media would do better to address their use of terms describing people with albinism. Indeed, the term albino cannot be used to address a person without pejorative connotation. Therefore, the use of this term can be justified only in the specialized environment (medical). For example, it is not sane to call a person battling cancer "*a cancer*" in everyday life.
- Increased consciousness of teachers and educators is necessary to provide these very vulnerable but no less competent students, a better working environment.
- Governments should ensure that their laws enable the development of more favorable measures of equality and insertion for persons with albinism.

Clearly, the fight against human rights transgressions concerning albinism is in its infancy. My goal has been to inform and inspire. Ultimately there is no greater suffering than that of being rejected by his neighbor.

GLOSSARY

Melanocytes

Skin cells derived from the neural crest that produce the protein pigment melanin.

Hypo pigmentation

Abnormally decreased pigmentation resulting from decreased melanin production.

Photophobia

An abnormal sensitivity to or intolerance of light, especially by the eyes, as may be caused by eye inflammation, lack of pigmentation in the iris, or various diseases.

Transillumination

The shining of light through a translucent membrane. This is principally used to better visualize ocular tumours, cysts or haemorrhages within the eye. It is accomplished by directing a narrow intense beam of light on the side of the eye.

Example: If a tumour is present in the eye some light will not be reflected and the pupil will appear partially or completely black, instead of bright red as when the healthy eye is thus illuminated.

Amblyopia

Amblyopia is an uncorrectable decrease in vision in one or both eyes with no apparent structural abnormality seen to explain it. It is a diagnosis of exclusion, meaning that when a decrease in vision is detected, other causes must be ruled out. Once no other cause is found, amblyopia is the diagnosis. Generally, a difference of two lines or more (on an eyechart test of visual acuity) between the two

eyes or a best corrected vision of 20/30 or worse would be defined as amblyopia. For example, if someone has 20/20 vision with the right eye and only 20/40 with the left, and the left eye cannot achieve better vision with corrective lenses, the left eye is said to be amblyopic.

Congenital nystagmus (congenital hereditary nystagmus)

nystagmus usually present at birth, usually horizontal and pendular, but occasionally jerky and pendular; the nystagmus may be caused by or associated with optic atrophy, coloboma, *albinism*, bilateral macular lesions, congenital cataract, severe astigmatism, and glaucoma.

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Internationale Legislation

- Universal Declaration of Human Rights;
- European Convention on Human Rights and Fundamental Freedoms;
- International Convention on the Elimination of All Forms of Racial Discrimination;
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Appendix 2: Ranking of the richest countries by the World Bank,
<http://donnees.banquemondiale.org/>

Appendix 1: Absence of fovea in eyes of a person with albinism, Société française d'ophtalmologie, J.-L Dufier et J. Kaplan, *Œil et génétique*, Masson, 2005

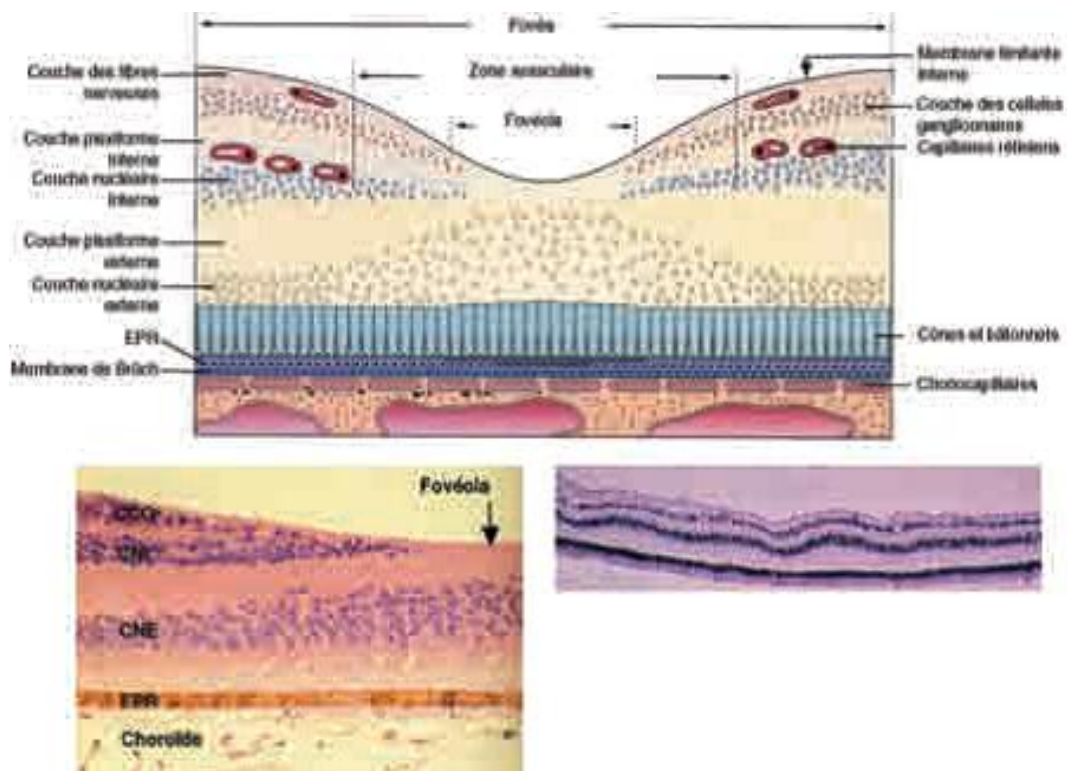


Fig. 30-3 – Absence de fovéa dans la rétine albinos. a. Schéma d'une coupe de rétine humaine au niveau de la fovéa. b. Coupe d'une rétine humaine au niveau de la fovéa. Le centre de la fovéa, la fovéola, est situé à l'extrémité droite de l'image. c. Photographie d'une coupe de rétine au niveau de la fovéa provenant d'un patient albinos. Dans ce cas, la rétine ne possède pas de fovéa. CCG, couche des cellules ganglionnaires ; CNI, couche nucléaire interne ; CNE, couche nucléaire externe ; EPR, épithélium pigmentaire de la rétine.

Appendix 2: Ranking of the richest countries by the World Bank

	Country name	2010	2011	2012	2013
1	Burundi	200\$	220\$	240\$	260\$
2	Malawi	350\$	360\$	320\$	270\$
3	République centrafricaine	490\$	490\$	490\$	320\$
4	Niger	370\$	370\$	390\$	400\$
5	Libéria	270\$	330\$	370\$	410\$
6	Congo, République démocratique du	320\$	350\$	400\$	430\$
7	Madagascar	420\$	420\$	430\$	440\$
8	Guinée	400\$	410\$	440\$	460\$
9	Éthiopie	380\$	390\$	420\$	470\$
10	Érythrée	310\$	390\$	450\$	490\$
11	Gambie	580\$	510\$	520\$	500\$
12	Togo	460\$	470\$	490\$	530\$
13	Guinée-Bissau	560\$	610\$	590\$	590\$
14	Ouganda	510\$	550\$	590\$	600\$
15	Mozambique	460\$	490\$	540\$	610\$
16	Rwanda	520\$	560\$	610\$	630\$
17	Sierra Leone	470\$	500\$	520\$	660\$
18	Mali	660\$	670\$	660\$	670\$
19	Afghanistan	510\$	570\$	690\$	690\$
20	Népal	540\$	610\$	700\$	730\$
21	Burkina Faso	590\$	630\$	690\$	750\$
22	Bénin	710\$	720\$	750\$	790\$
23	Haïti	660\$	710\$	760\$	810\$
24	Comores	800\$	820\$	820\$	840\$
25	Tanzanie	700\$	740\$	780\$	860\$
26	Zimbabwe	560\$	730\$	820\$	860\$
27	Soudan du Sud	1 080\$	940\$	840\$	950\$
28	Cambodge	740\$	810\$	880\$	950\$
29	Tadjikistan	730\$	780\$	880\$	990\$
30	Bangladesh	780\$	870\$	950\$	1 010\$
31	Tchad	920\$	900\$	1 000\$	1 030\$
32	Sénégal	1 040\$	1 030\$	1 030\$	1 050\$
33	Mauritanie	940\$	970\$	1 040\$	1 060\$
34	Kenya	990\$	1 020\$	1 080\$	1 160\$
35	République kirghize	850\$	880\$	1 040\$	1 210\$
36	Cameroun	1 170\$	1 200\$	1 220\$	1 290\$
37	Yémen, Rép. du	1 300\$	1 080\$	1 220\$	1 330\$
38	Pakistan	1 060\$	1 140\$	1 250\$	1 360\$
40	République démocratique popu-	980\$	1 090\$	1 260\$	1 450\$

	laire lao				
41	Côte d'Ivoire	1 290\$	1 220\$	1 340\$	1 450\$
42	Sao Tomé-et-Principe	1 140\$	1 240\$	1 310\$	1 470\$
43	Lesotho	1 160\$	1 360\$	1 480\$	1 500\$
44	Soudan	1 210\$	1 420\$	1 580\$	1 550\$
45	Inde	1 290\$	1 440\$	1 530\$	1 570\$
46	Îles Salomon	930\$	1 160\$	1 490\$	1 600\$
47	Viet Nam	1 270\$	1 390\$	1 560\$	1 740\$
48	Ghana	1 260\$	1 420\$	1 580\$	1 770\$
49	Nicaragua	1 470\$	1 590\$	1 690\$	1 790\$
	Zambie	1 380\$	1 470\$	1 730\$	1 810\$
	Ouzbékistan	1 300\$	1 510\$	1 700\$	1 880\$
	Papouasie-Nouvelle-Guinée	1 290\$	1 470\$	1 860\$	2 020\$
	Honduras	1 890\$	2 050\$	2 140\$	2 180\$
	Bhoutan	1 990\$	2 180\$	2 320\$	2 330\$
	Moldova	1 820\$	1 990\$	2 150\$	2 470\$
	Bolivie	1 760\$	1 960\$	2 220\$	2 550\$
	Congo, République du	2 210\$	2 200\$	2 480\$	2 590\$
	Kiribati	1 980\$	2 100\$	2 520\$	2 620\$
	Nigéria	1 460\$	1 710\$	2 460\$	2 710\$
	Swaziland	2 800\$	2 890\$	3 100\$	2 990\$
	Maroc	2 870\$	2 940\$	2 910\$	3 020\$
	Vanuatu	2 700\$	2 850\$	3 010\$	3 130\$
	Égypte, République arabe d'	2 510\$	2 730\$	2 980\$	3 140\$
	Sri Lanka	2 260\$	2 580\$	2 910\$	3 170\$
	Philippines	2 740\$	2 620\$	2 960\$	3 270\$
	Micronésie, États fédérés de	2 870\$	3 050\$	3 230\$	3 280\$
	Guatemala	2 750\$	2 900\$	3 130\$	3 340\$
	Géorgie	2 680\$	2 850\$	3 290\$	3 560\$
	Indonésie	2 500\$	2 920\$	3 420\$	3 580\$
	Cabo Verde	3 430\$	3 570\$	3 530\$	3 620\$
	El Salvador	3 350\$	3 490\$	3 600\$	3 720\$
	Guyane	2 780\$	3 050\$	3 440\$	3 750\$
	Mongolie	1 900\$	2 340\$	3 080\$	3 770\$
	Arménie	3 370\$	3 430\$	3 700\$	3 800\$
	Kosovo	3 440\$	3 610\$	3 770\$	3 940\$
	Ukraine	2 990\$	3 140\$	3 640\$	3 960\$
	Samoa	3 190\$	3 460\$	3 800\$	3 970\$
	Paraguay	2 810\$	3 120\$	3 310\$	4 010\$
	Tunisie	4 160\$	4 050\$	4 170\$	4 200\$
	Îles Marshall	3 770\$	3 900\$	4 000\$	4 310\$
	Fidji	3 650\$	3 710\$	4 020\$	4 370\$
	Tonga	3 490\$	3 740\$	4 220\$	4 490\$
	Albanie	4 360\$	4 390\$	4 370\$	4 510\$
	Belize	4 140\$	4 310\$	4 420\$	4 510\$
	Bosnie-Herzégovine	4 680\$	4 680\$	4 600\$	4 780\$
	Macédoine, ex-République yougo-	4 570\$	4 720\$	4 710\$	4 870\$
	slave de				
	Jordanie	4 120\$	4 370\$	4 660\$	4 950\$

Angola	3 850\$	4 010\$	4 520\$	5 170\$
Jamaïque	4 580\$	4 800\$	5 190\$	5 220\$
Algérie	4 350\$	4 460\$	5 010\$	5 330\$
Thaïlande	4 320\$	4 620\$	5 250\$	5 340\$
Maldives	5 490\$	5 680\$	5 430\$	5 600\$
Équateur	4 400\$	4 880\$	5 360\$	5 760\$
République dominicaine	5 140\$	5 320\$	5 570\$	5 770\$
Iran, République islamique d'			6 570\$	5 780\$
Tuvalu	4 720\$	5 080\$	5 650\$	5 840\$
Namibie	4 350\$	4 990\$	5 600\$	5 870\$
Serbie	5 850\$	5 900\$	5 730\$	6 050\$
Pérou	4 390\$	4 890\$	5 680\$	6 270\$
Saint-Vincent-et-les Grenadines	6 030\$	6 070\$	6 340\$	6 460\$
Chine	4 240\$	4 900\$	5 730\$	6 560\$
Iraq	4 400\$	4 870\$	6 070\$	6 720\$
Biélorus	5 990\$	6 130\$	6 400\$	6 730\$
Turkménistan	4 070\$	4 660\$	5 410\$	6 880\$
Dominique	6 810\$	6 970\$	6 820\$	6 930\$
Sainte-Lucie	6 580\$	6 910\$	6 920\$	7 060\$
Monténégro	6 890\$	7 210\$	6 940\$	7 250\$
Azerbaïdjan	5 370\$	5 530\$	6 290\$	7 350\$
Bulgarie	6 630\$	6 870\$	7 070\$	7 360\$
Afrique du Sud	6 240\$	7 050\$	7 640\$	7 410\$
Grenade	7 050\$	7 180\$	7 160\$	7 490\$
Colombie	5 480\$	6 100\$	7 020\$	7 590\$
Botswana	5 840\$	6 930\$	7 710\$	7 770\$
Roumanie	8 430\$	8 520\$	8 570\$	9 050\$
Suriname	7 800\$	8 320\$	8 920\$	9 370\$
Costa Rica	6 910\$	7 750\$	8 850\$	9 550\$
Maurice	7 970\$	8 320\$	9 010\$	9 570\$
Liban	8 440\$	9 020\$	9 520\$	9 870\$
Mexique	8 730\$	9 000\$	9 720\$	9 940\$
Malaisie	8 150\$	8 840\$	9 820\$	10 430\$
Gabon	8 280\$	8 850\$	10 020\$	10 650\$
Panama	8 050\$	8 110\$	9 030\$	10 700\$
Turquie	9 980\$	10 510\$	10 810\$	10 970\$
Palaos	9 500\$	9 970\$	10 550\$	10 970\$
Kazakhstan	7 440\$	8 190\$	9 780\$	11 550\$
Brésil	9 520\$	10 700\$	11 640\$	11 690\$
Venezuela	11 520\$	11 760\$	12 460\$	12 550\$
Antigua-et-Barbuda	12 620\$	12 370\$	12 850\$	13 050\$
Seychelles	10 270\$	11 300\$	11 690\$	13 210\$
Pologne	12 580\$	12 620\$	12 990\$	13 240\$
Hongrie	13 050\$	13 020\$	12 830\$	13 260\$
Croatie	13 740\$	14 040\$	13 460\$	13 420\$
Fédération de Russie	10 010\$	10 820\$	12 740\$	13 850\$
Saint-Kitts-et-Nevis	12 650\$	13 020\$	13 080\$	13 890\$
Guinée équatoriale	13 620\$	13 430\$	14 040\$	14 320\$
Lituanie	12 260\$	13 050\$	13 910\$	14 900\$

Uruguay	10 110\$	11 840\$	13 670\$	15 180\$
Chili	10 730\$	12 290\$	14 290\$	15 230\$
Lettonie	12 680\$	13 330\$	14 030\$	15 290\$
Trinité-et-Tobago	15 800\$	13 810\$	14 780\$	15 760\$
Estonie	14 390\$	15 610\$	16 500\$	17 780\$
République slovaque	17 130\$	17 430\$	17 400\$	17 810\$
République tchèque	19 210\$	19 380\$	19 280\$	18 970\$
Porto Rico	16 650\$	17 320\$	18 370\$	19 210\$
Malte	20 090\$	20 100\$	19 990\$	20 980\$
Portugal	22 930\$	22 620\$	21 200\$	21 270\$
Bahamas	21 750\$	21 550\$	21 480\$	21 570\$
Grèce	27 580\$	24 980\$	23 690\$	22 690\$
Slovénie	24 540\$	24 560\$	23 290\$	23 220\$
Chypre	28 280\$	29 070\$	26 410\$	25 210\$
Corée, République de	21 320\$	22 620\$	24 640\$	25 920\$
Arabie saoudite	19 360\$	21 210\$	24 660\$	26 260\$
Espagne	32 130\$	31 280\$	30 120\$	29 940\$
Israël	29 480\$	31 170\$	32 160\$	33 930\$
Italie	37 690\$	37 690\$	36 240\$	35 620\$
Chine, RAS de Hong Kong	33 620\$	35 680\$	36 280\$	38 420\$
Royaume-Uni	40 470\$	40 090\$	40 600\$	41 680\$
Irlande	43 760\$	42 060\$	41 460\$	43 090\$
France	43 790\$	44 220\$	43 160\$	43 520\$
Islande	36 740\$	37 710\$	40 580\$	46 290\$
Japon	41 980\$	45 190\$	47 830\$	46 330\$
Belgique	47 200\$	47 130\$	46 900\$	46 340\$
Allemagne	44 780\$	46 410\$	46 700\$	47 250\$
Finlande	49 320\$	49 900\$	48 590\$	48 820\$
Autriche	49 340\$	50 410\$	50 310\$	50 390\$
Pays-Bas	53 320\$	53 130\$	51 760\$	51 060\$
Canada	44 450\$	46 860\$	50 660\$	52 210\$
États-Unis	49 110\$	50 350\$	51 920\$	53 470\$
Singapour	44 790\$	48 630\$	51 090\$	54 040\$
Danemark	60 820\$	61 470\$	60 720\$	61 670\$
Suède	53 810\$	56 010\$	58 600\$	61 710\$
Australie	46 490\$	50 060\$	59 760\$	65 400\$
Luxembourg	69 340\$	71 070\$	69 300\$	69 880\$
Qatar	66 440\$	70 860\$	79 330\$	86 790\$
Suisse	77 360\$	79 320\$	84 410\$	90 680\$
Norvège	86 830\$	89 000\$	98 880\$	102 700\$
Sint Maarten (Dutch part)				
Polynésie française				
Monaco				
Oman	17 990\$	16 910\$	25 150\$	
Libye				
Cisjordanie et Gaza	2 310\$	2 560\$	3 070\$	
Saint-Martin (fr)				
Guam				
Saint-Marin				

Îles Turques-et-Caïques			
Curacao			
Cuba	5 630\$	5 890\$	
Liechtenstein			
Corée, République démocratique de			
Andorre			
Îles Féroé			
Bermudes	111 020\$	105 210\$	104 610\$
Djibouti			
Koweït	42 920\$	45 130\$	
Émirats arabes unis	33 690\$	34 400\$	38 360\$
Barbade	15 710\$	15 660\$	15 080\$
Nouvelle-Zélande	29 090\$	31 420\$	35 760\$
Bahreïn	18 810\$	18 050\$	19 700\$
Somalie			
Mariannes			
République arabe syrienne			
Île de Man			
Îles Caïmans			
Nouvelle-Calédonie			
Argentine			
Aruba			
Myanmar			
Brunéi Darussalam			
Îles Vierges (EU)			
Timor-Leste	3 000\$	4 080\$	3 940\$
Région administrative spéciale de Macao, Chine	46 510\$	55 770\$	64 050\$
Groenland			
Samoa américaines			