

Outcome Statement from the 2013 Conference on Sorcery and Witchcraft Accusation Related Violence

Executive Summary

A three day conference on the issue of sorcery and witchcraft accusation related violence was held at the University of Goroka from 3-5 December 2013. It was organised by the Government of Papua New Guinea (Department of Justice and Attorney General) in conjunction with the Family and Sexual Violence Action Committee, State Society and Governance in Melanesia (Australian National University), the Melanesian Institute and the University of Goroka. The conference focussed primarily on the violence arising from accusations of sorcery and witchcraft, which was widely felt to be spreading and intensifying. Discussions during the conference also made clear that the issue of sorcery and witchcraft beliefs have wide-ranging negative effects on both social and economic development. If left unchecked, sorcery and witchcraft related violence will not only continue to inflict countless suffering on individuals, families and communities, it will also have a major impact on PNG's economy. This is because jealousy derived from economic inequality, a key source of sorcery and witchcraft accusations, impedes economic growth by discouraging entrepreneurship.

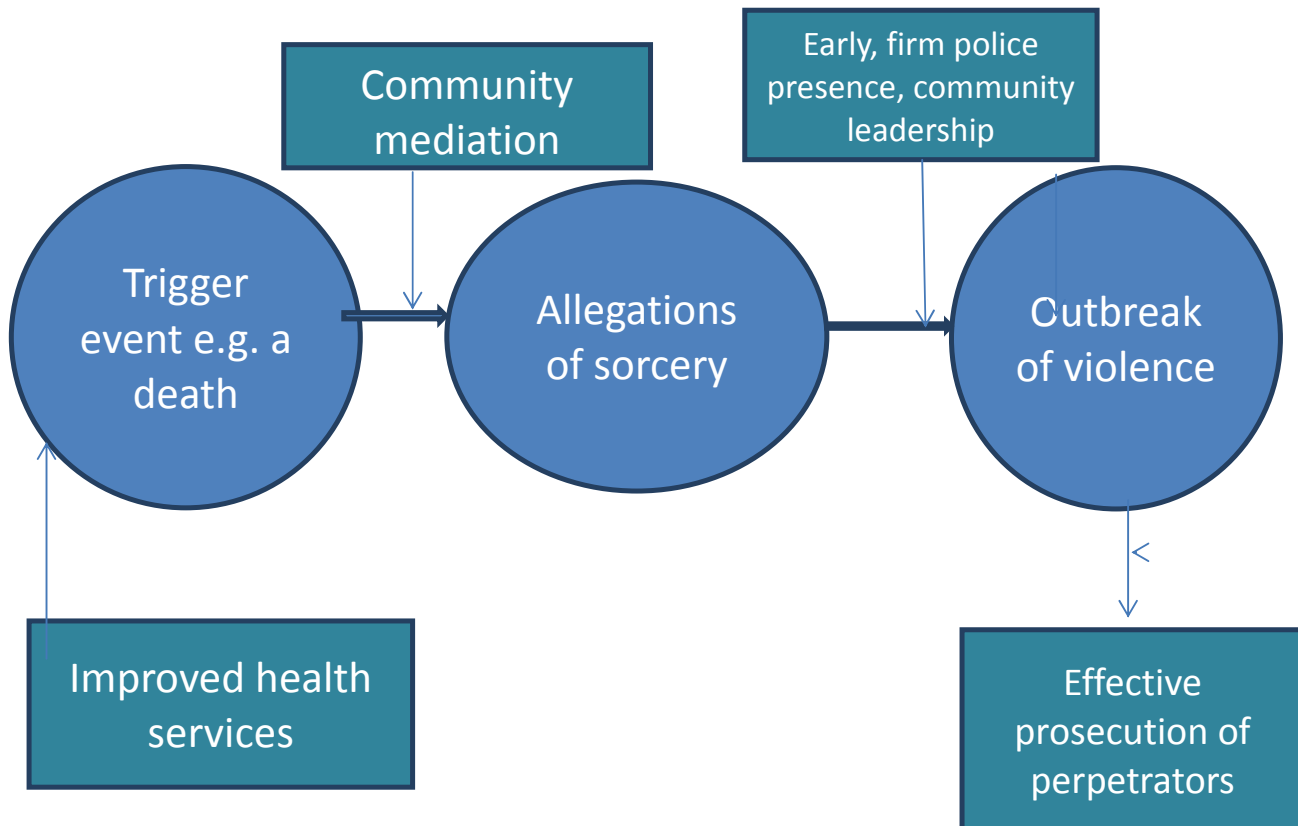
The problem of violence arising from sorcery and witchcraft accusations is not confined to PNG, rather it is a global phenomenon. Such violence, which is used to sanction certain members of the community or as an excuse to punish them, is often "legitimised" on the basis of deeply held cosmological beliefs. Policy makers and legislators around the world are generally agreed that it is an issue that will not resolve itself, but rather needs to be addressed through active intervention. Legislative responses, although important, are not sufficient in and of themselves to stem sorcery and witchcraft related violence. Similarly a regular law and order approach (for example recruiting more police and increasing penalties) is not likely to be effective unless coupled with other interventions. **What is needed is a comprehensive, holistic and coordinated approach that utilises the country's existing resources and at the same time draws on international partnerships and networks to address the problem.** At issue are not sorcery and witchcraft beliefs per se, but the accusations and violent responses that emerge in particular contexts. By acting upon the recommendations and approach set out in this document, the PNG government would position itself as a world leader in dealing with sorcery and witchcraft accusation related violence.

The various papers that were given at the conference contextualised the violence that can arise from sorcery and witchcraft accusations. Presenters demonstrated that although the belief in sorcery and witchcraft is indigenous to parts of PNG and has its roots in a traditional past, the violence seen today is very much a modern phenomenon. In particular, it appears to be associated with unexplained deaths and sickness, social stress and change, poverty, uneven development, issues of jealousy and the problem of drugs and alcohol. The gendered nature of the violence was also discussed. It was apparent that, although both men and women are victims of this type of violence, women are on the whole more adversely impacted due to a range of factors including their relative economic impoverishment.

On a positive note, the conference also heard about a wide range of initiatives by individuals and organisations, state and non-state, local and international, that are making headway against this violence. Many of these have been highlighted as being potential ways forward that could be scaled

up and deployed in other locations. The diagram below depicts just some examples of the wide variety of possible interventions that can be made in order to stop the violence from occurring.

There was a clear determination by those present at the conference to pursue a comprehensive action plan to overcome the violence associated with sorcery and witchcraft accusations. The key recommendations arising from the conference for the PNG Government and a range of other stakeholders are listed below.



Key Recommendations

The participants endorsed the view that this problem is one that needs to be dealt with by involving many different stakeholders in an integrated manner, and using existing institutions and processes wherever possible. This will allow for resources to be used most effectively, and will also ensure that the central messages are conveyed to the public as unambiguously as possible.

PNG Government

Law and Justice Sector

The Law and Justice sector was seen as being the obvious place to take the lead in developing initiatives to stop accusations leading to violence, and to deal effectively with the perpetrators of the violence; and to restore security to communities. The following recommendations were made:

- DJAG together with FSVAC to develop a public awareness campaign to push a few key messages about the illegality of resorting to violence to deal with alleged witches and sorcerers;
- DJAG, the Department of Community and Religion and FSVAC to develop a comprehensive strategy for mediating sorcery and witchcraft related accusations at the community level;
- The Village Court secretariat in conjunction with the police and higher courts to develop an action plan and training package to better equip village court officials to deal with sorcery and witchcraft accusation related violence;
- DJAG to draft legislation criminalising the making of witchcraft and sorcery accusations in certain contexts and related offences as suggested in Appendix A.
- The Police in conjunction with the courts to develop an action plan to respond to the current difficulties involved in prosecuting perpetrators of sorcery and witchcraft accusation related violence
- The Police to actively prosecute the perpetrators of the violence that led to the deaths of LenitaKepari and Helen Rumbali, and in so doing demonstrate to the public that these types of crimes will meet the full force of the law.
- DJAG in conjunction with relevant CBOs and churches to develop a restorative justice program to deploy in the context of sorcery and witchcraft related violence.
- DJAG to conduct a comprehensive review of the effectiveness of the death penalty in deterring violent crimes in the PNG context, and to determine if it has occasioned any negative unintended consequences after two years.

It was also recognised that one of the major factors in leading to police and community being helpless in the face of mob violence was the presence of youth with small arms. This leads to the recommendation that the government implement the recommendations arising from the Gun Summit in 2005 in order to limit the availability of guns in communities. These recommendations are attached in Appendix C.

Health Sector

The health sector was seen as playing a crucial role in combatting this issue for two reasons:

- a) Poor health services in communities lead to premature deaths and sickness, which are a major trigger of sorcery and witchcraft accusations;
- b) The provision of bio-medical explanations for death and sickness is a significant factor in avoiding accusations of sorcery and witchcraft being made.

The following recommendations were made:

- All health workers to receive training in effectively explaining causes of death and sickness to families and communities and avoiding explanations such as “*samtingbilongples*.” It was suggested that this training specifically deal with the issue of advising the cause of death for HIV/AIDS related deaths by telling health workers to identify the actual illness the patient died from eg pneumonia or tuberculosis;
- The National Health Department to develop an incentive system to reward health workers who avoid using the diagnosis of “*samtingbilongples*” and explain the causes of death and sickness to the community;
- The National Health Department, in conjunction with relevant CBOs, NGOs and churches to identify and scale up programs to treat alcohol and substance abuse, particularly for young men.
- The National Health Department to develop and publicise the key messages that individual citizens have the obligation to seek medical treatment as early as possible, and to follow the course of treatment prescribed.

Education Sector

The Education sector was seen as being able to play a key role in educating youth at all levels about the importance of adopting a rational and scientific-based view of death, sickness and misfortune and the importance of respecting everyone’s human rights.

- Curriculum review from elementary level upwards to determine whether human rights are being promoted and how they could be further integrated into the curriculum, and which aspects of the current curriculum could best have incorporated into it messages around countering the negative consequences of sorcery and witchcraft beliefs;
- Programs designed to teach children the importance of looking for non-magical explanations of natural events to be integrated into school curriculum from the earliest ages;
- Develop an effective way to communicate the message that violence is not an appropriate response in any situation into the curriculum;
- Developing pathways to TVET and further education for early-school leavers (in order to help youth to find meaningful occupations and avoid mob violence)

Community Development Sector

One of the major factors contributing to the mob violence that characterises the worst witchcraft and sorcery accusation incidents is youth unemployment and dissatisfaction. The Community

Development Sector was identified as playing an important role in overcoming this in the following ways:

- Identify and scale up programs developed to assist both young women and men in finding meaningful occupations, contributing to community life, and benefiting from their rich cultural heritage. Specific areas of focus proposed are:
 - Reinvigoration of traditional mechanisms that previously played an important role in regulating young men's behaviour and shaping them into contributing members of society and can be adapted for such purposes today, such as possibly men's houses;
 - Enhancing rural livelihood opportunities, for example microfinance schemes and agriculture, and marketing these specifically for youth;
 - Programs to give youth leadership skills, training and opportunities to play meaningful roles in their communities, such as for example National Service for rural development projects
 - Actively incorporating youth into different levels of community life; and
- The seasonal worker program and other options for labour mobility should also be expanded.
- Fund CSOs to carry out the recommendations identified below.

It was also recommended that a certain percentage of each District Services Improvement Program be required to be directed towards funding programs for youth.

Churches

- Member churches of PNG Council of Churches and the Evangelical Alliance, to convene a general conference on the subject of sorcery and witchcraft beliefs;
- This conference to determine best practices and explore approaches in dealing with the issue of violence and the underlying issues sorcery and witchcraft beliefs raise.
- The target of this conference should be to develop a code of conduct for churches to actively minimise their members from blaming sorcerers and witches for misfortune, death and sickness.
- Churches to consider adopting specific plans for lessening witchcraft accusations and responding to those that do occur – along the lines of the five point plan of the Catholic Church in Simbu

Civil Society Organisations and NGOs

- To participate in the public awareness campaign devised by the government and conduct all sorcery and witchcraft related activities in a manner consistent with the key messages
- To continue to assist in the provision of the following services:
 - Counselling for victims and communities affected by witchcraft and sorcery accusation related violence
 - Repatriation and support services for victims (such as HRD network)
- For theatre/ media based CSOs to develop products that can be used in communities to generate discussions about witchcraft and sorcery related beliefs and also about the use of violence

- Extending the community conversation model to facilitate discussions on sensitive matters such as sorcery, building upon the positive experiences in Gor.
- To share information about activities done in this area through existing networks such as the sorcery and witchcraft facebook page established by SSGM
- When conducting research on these issues to consider partnering with academic institutions so as to ensure academic rigour and appropriate ethics mechanisms are fulfilled

INGOs and Development Partners

- To commit to conducting research in this area in line with the approach set out in this document; and to share the research findings through the research hub that will be established
- Where relevant, to continue to fund programs that offer support for victims of this type of violence
- To support the PNG government in carrying out the recommendations in this outcomes document
- To be aware of the risks of jealousy inherent in all development projects and the need to devise projects that minimise the likelihood of this as far as possible

Academic institutions

- To conduct the research identified as priorities below, preferably in collaboration with each other, civil society and the PNG government
- To commit to making the results of academic research accessible to PNG policy makers and the general public by providing short summaries of key findings to relevant government actors
- To support academic staff in working with relevant policy makers to inform their decisions where requested
- To support NGOs research these issues so the research has validity
- To create a sorcery and witchcraft research network hub that will:
 - consolidate and provide access to the research that has already been done in this area (to the extent allowed by copyright)
 - facilitate meaningful collaborations between researchers, institutions, and donors to enable the sharing and dissemination of research findings and avoid the risk of duplication of research

It was also recommended that the issue of sorcery and witchcraft accusation related violence be made a top priority on the National Research Agenda.

Co-ordinating mechanism

It was suggested that a potential overall co-ordinating mechanism for the initiative could be FSVAC with support from DJAG and the Department of Community Development and Religion, and possibly PLLSMA (Provincial and Lower Local Services Management Authority). This would utilise FSVAC's existing networks and would also enable the momentum generated by the conference to be continued.

A possible timeline and concrete next steps is as follows:

- February 2014: FSVAC to hold a meeting in PNG whereby the various stakeholders involved in these key recommendations are asked to provide feedback and indicate their capacity and willingness to become involved
- March 2014: The feedback from the stakeholder meeting to be integrated into the outcomes statement and to be developed as a national strategy to be presented to the NEC
- April 2014: Following approval by the NEC, FSVAC to establish a sub-committee to oversee the implementation of the strategy, with members drawn from the key players involved (DJAG, the Police, Departments of Community, Education and Health, FBOs, CSOs, INGOs and donor partners).

1. Clarification of terminology and focus

Definitional clarity is needed in respect of terms such as sorcery, witchcraft and magic. It is clear that there is much confusion around the use of these terms, and that they are often used interchangeably. References to good and bad sorcery in the recently repealed Sorcery Act have only exacerbated such confusion.

Following the work of Evans-Pritchard (1937) among the Azande in Africa, anthropologists around the world have tended to distinguish between sorcery and witchcraft on the basis that witches are seemingly possessed of an innate and unconscious propensity to harm others, whereas sorcery involves the conscious and deliberate manipulation of objects and/or spells to achieve a desired outcome. It is recommended that the government adopt the same definition distinction moving forward, and that it use terms such as magic and ritual to refer to practices formally described as “good sorcery” such as gardening magic and fertility rituals.

Further clarity is also needed around the nature and extent of the problem and how it is spreading; the relationship between sorcery and tribal fighting which often go hand-in-hand; the extent to which witchcraft and sorcery are gendered; and the extent to which accusations and the violence associated with them are gendered. There is also a need to be clear about who the victims and perpetrators are, and the extent to which the violence is community sanctioned. Further research will be needed to deliver this clarity as outlined further below.

2. Social, economic and cultural context

Classical analyses of sorcery and witchcraft have correlated the increase of such beliefs, in particular places at particular times, with periods of illness, misfortune and uncertainty (e.g. Marwick 1965), and have explained witchcraft and sorcery in terms of anxieties born of radical social change, suggesting that accusations arise when communities experience dramatic upheavals and conflicts precipitated by epidemics, labour migration and political insecurity.

Certainly two of the most comprehensive studies of witchcraft and sorcery in PNG, namely Lindenbaum’s (1979) study of Kuru sorcery and Reibe’s (1987) study of Kalam witchcraft, argued that particular PNG communities have used witchcraft and sorcery to explain sudden changes to mortality rates. Lindenbaum’s study also showed that as the incidence of illness amongst the Kuru declined, so did sorcery accusations.

Other studies have shown that killings arising from witchcraft and sorcery accusations have been a feature of the social and cultural fabric of life in PNG through the pre-colonial and colonial periods through to the present. That said ethnographic research has also comprehensively shown that the killings of today are not the same as the killings of yesteryear. Indeed in many places the context, agents and victims of sorcery accusations have changed in recent years.

It is recognized that in the contemporary context sorcery and witchcraft accusations not only arise in response to unexplained deaths but are often used as excuses to mask the real tensions within communities – tensions which might include land, jealousy or inequality among others.

There was strong agreement amongst the conference goers that service delivery failure, particularly poor health services, poor education and poor transport infrastructure are the chief contributors to the premature deaths that are fuelling accusations.

There was also general agreement that perpetrators of sorcery and witchcraft related violence are typically disaffected youth. It was also agreed that the government has failed this group in particular and that interventions and programs including peer to peer training are needed.

Targeted programs in the area of livelihoods, education, sporting activities and vocational training are also needed in order to undermine the inequality that leads to jealousy and to equip young people with the skills to lead active and productive lives.

3. Good practices and programs in need of further support/ extension

Nauro-Gor Community Laws, Simbu Province, PNG

In 2005, nine clans came together to make peace after 32 years of tribal fighting, mediated through a respected Priest from the Catholic Church. Over time, the community has agreed to local laws that prohibit allegations of sorcery being made, thereby cutting the violence through prevention. An effective local community police cadre ensure the laws are maintained. In any case, the community agree and support the laws so they have local credibility. Since the laws have been in place, there has been no sorcery related violence. Ingredients for success have included: demand from local people for change, local leadership from a range of tribal elders, women's participation in decision making in devising these laws, broad based community conversations about effective approaches, involvement of facilitation from respected outside interlocutors such as the clergy, appointment of community police, appropriate resourcing and support from development partners as needed.

Women Human Rights Defenders Network

This network of women across the Highlands, that started through the Kup Women for Peace. Kup Women for Peace grew out of the activities of three women who were so driven by the atrocities they had experienced during 30 years of tribal fighting that they were willing to risk their lives by breaking custom and secretly meeting with women from enemy tribes to talk about peace. They formed a committee of women in each tribe and clan, and in 2002 peace was finally made. These women, and some male supporters, were drawn into sorcery related violence as survivors came to them for help. Their role is to provide support to (mostly) women and children survivors of violence, and to keep witness to the atrocities as they occur; recording cases and raising awareness. The Network has expanded to most of the Highlands provinces. They have trialled repatriation for women and children through accessing small amounts of money to extract survivors and enable them to settle elsewhere. They have also begun to pilot a rapid response to violence that is a coordinated response from police, church, CSOs, to arrange durable safety for survivors. The group is in urgent need of a flexible pot of funds to repatriate survivors, along with greater support from police to prosecute perpetrators. Key success factors for this work has been women's advocacy and bravery (many of the network are survivors themselves, driven by empathy), support of NGOs such as Family and Sexual Violence Action Committee, Oxfam and International Women's Development Agency (funded through DFAT), close links with effective police and law and justice advisers, local networks and connections that can help women escape quickly.

Catholic Church Five Point Plan

The Catholic Church in Simbu has established a preventative measure called the Five Point Plan. Once a death has occurred, Catholic Priests are quickly told by community members of the congregation. Respected church members, such as the bishop, or Priests go quickly to the bereaved family to provide support during the grieving process; recognising that some accusations are made because of heightened emotions due to grief. Clergy provide grief counselling and empathy, and seek explanations for the death that are not sorcery related, e.g. a proper death certificate that they can explain to the community. This has had very good effect in stopping accusations being made. Success factors are the involvement of respected church members, family involvement is key, particularly strong women advocates, intervening quickly, being close to the community to listen and see when things could escalate, having church congregational members active at community level to provide this close connection. A summary of the five point plan is in appendix B.

Restorative justice in Bougainville.

A local community women's leader was asked to shelter accused perpetrators after violence has already occurred. This leader sheltered two accused for several years while simultaneously working with families and community leaders to reintegrate these men back into the community. The allegations built on decades of conflict within families so took many years to untangle. This intervention has been successful due to a capable and brave community woman with status. This demonstrates the necessity of flexible arrangements to support these very local interventions in a sustainable way.

Lessons from FSV support

Many women's organisations are providing counselling and support to survivors of violence. Some provide safe houses and repatriation, referral networks and community advocacy. All these things are relevant for sorcery relate violence support but are already underfunded and lack capacity.

Other

There were numerous other local interventions discussed with promise that could be assessed for effect, such as *Brukimbaksaitnaholdimgraun* which is an holistic approach undertaken by the coffee industry that discourages people from doing nothing and empowers them to solve their own problems and take charge of their economic future – cottage industries, home ownership.

4. Possible framework for a regulatory response

There are two different levels at which a regulatory response is required. The first is dealing with the law and order issues that sorcery and witchcraft related accusations are currently giving rise to in some parts of PNG i.e. breaking the link between sorcery accusations and violence. The second is a more general and long-term response towards countering the whole range of these negative effects of these beliefs in PNG.

4.1 Possible Regulatory Pathway to Overcome the Violence

The conference participants largely supported the government's current approach of clamping down on sorcery-related violence by repealing the Sorcery Act and re-introducing certain offences, such as false accusations of sorcery. Some possible wording for such new sections is included in appendix A. However, it was felt that this approach could be supported by the following:

1. A public awareness campaign pushing a few key messages. A model suggested was the HIV/AIDS awareness campaign. This could include the messages that:
 - In no circumstances should people resort to violence to deal with accused witches and sorcerers;
 - Torture is illegal and what people say under torture has no credibility
 - People today are blaming witchcraft and sorcery for death, sickness and misfortune. However, with insights we have learned from science and modern logic we can discover that the real causes lie elsewhere;
 - The violence arising from sorcery and witchcraft accusations *can* be stopped by communities, churches, and the government working together

The government should be at the fore-front of such a campaign, but it could also be assisted in carrying it out through a wide range of CBOs, FBOs, NGOs, etc. Due to the potential for community confusion in this area it will be extremely important that all organisations spreading awareness are monitored to ensure that the same message is being communicated to the people.

 - **Recommendation:** FSVAC and DJAG to develop a few key messages through a consultation process for a public awareness campaign mandated by the government.

2. A comprehensive strategy to mediate sorcery and witchcraft accusations at a community level should be developed. This strategy should be implemented by existing organisations, such as village courts, peace and justice mediators, peace and good order committees, ward leaders, traditional leaders etc. It seems clear that having a plan rather than acting reactively is important in stopping violence from escalating. Further, providing a safe place for sorcery and witchcraft accusations to be discussed and, if possible, resolved, will avoid them being made covertly as simply criminalising them would. This strategy may include:
 - developing mechanisms to bring sorcery and witchcraft accusations to the attention of relevant local leaders as soon as possible (before they escalate in violence);
 - establishing mediation processes to try to stop accusations leading to violence by:
 - encouraging mediators to deal in an open minded way with witchcraft and sorcery allegations by asking the community to consider alternative explanations for the “trigger” event giving rise to the accusations (egobtaining doctors certificates that state the cause of death in plain English, and police accident reports);
 - encouraging exploration of the motivations of those who are making the accusations and so making it clear to the community that the accusations are being used as a pretext (i.e. what do the accusers have to gain?);
 - exploring customary/community responses to managing these accusations that do not involve violence;
 - considering how relations between the parties can be restored once accusations have been made (reconciliation ceremonies, saying sorry, prayer, compensation?);
 - discussing how to manage/ move forward on any tensions/ issues that underlie the accusations; and
 - establishing a procedure for monitoring the dispute after mediation

- developing referral pathways to bring in external resources (for example church support, human rights defenders, health officers, FSVAC members, outside skilled mediators, youth workers, counsellors) where these may help the situation
 - creating more village-level “special constables” with limited powers of public arrest that can be mobilised at short notice to stop violence getting out of control at a community level (but this will also require effective oversight and monitoring)
 - developing clear referral pathways to police at different levels to ensure adequate and timely response if mediation does not work; and also to ensure safety of victim and family (i.e. by evacuation if necessary). There may need to be some “basket funds” established to ensure rapid response is possible. Existing programs that are currently working in this area such as the Human Rights Defenders could be researched to see what is working and what challenges still exist.
- **Recommendation:** DJAG in conjunction with FSVAC and the Department of Community and Religion to hold a workshop to develop a mediation strategy and implementation package for use in sorcery and witchcraft accusation related violence cases. This workshop should identify key players who currently have the strength and capacity to be involved.
3. Better utilisation of the village court powers to deal with those who make false allegations of sorcery. In general, the village courts need specific training in dealing with sorcery and witchcraft related offences and also in making better use of their preventative powers and role as mediators. There is also a need for more community awareness about the role and powers of village courts so that offences such as false accusations of sorcery are brought to the courts. Village courts need to be better supported by police officials at all levels and need to develop stronger linkages upwards to District Courts and downwards to community level structures, such as customary leaders. Many Village Court Magistrates are currently fearful of being involved in such cases as they may face intimidation and threats. This must be countered by real support from both above and below.
- **Recommendation: 1.** The Village Courts Secretariat to develop a training program for village courts and others at the local level that addresses the issue of sorcery and witchcraft accusation related violence. **2.** The Village Courts Secretariat develop a strategy for obtaining better support from high level courts, the police and local communities. This should consciously build upon the experiences learnt from the 2009 Law and Justice led Awareness program in Simbu Province.
4. A firm commitment to criminal prosecutions for those who are involved in violence following sorcery and witchcraft accusations. The certainty of prosecution was felt to be more of a deterrent than the actual penalty. A major obstacle to this at present was identified as the fear that many feel in coming forward as witnesses and complainants in such cases, as well as the widespread attitudes that such violence was justified. This fear could be proactively countered as follows:
- Developing a comprehensive witness and complainant protection program (including safe houses, temporary and permanent repatriation, utilisation of village court powers to stop people interfering with witnesses, use of interim protection orders; and clarification about lengths of times victims can be locked up for their own protection)

- Encouraging police officers and community and church leaders to act as role models in both lodging complaints and acting as witnesses in these trials, and to speak out against the intimidation of witnesses
- Developing mechanisms to allow individuals and institutions (such as hospitals and social workers) to put pressure on police officers to do their jobs properly (e.g. by providing input into promotions processes, bonuses, continuation of contracts, disciplinary proceedings; making better use of the Ombudsman; making police officers wear name badges).
- Strong message from the Police Commissioner that there will be sanctions against police officers who do not actively try to assist victims of sorcery and witchcraft accusation violence (following a similar approach taken towards police officers who engage in domestic violence).
- Better referrals between police and courts and a system whereby each is encouraged to follow up the other to ensure cases move efficiently through the system and do not drop out

A further difficulty is the limited number and capacity of police, and also reluctance amongst some police officers to become involved in these types of cases. This could be countered by:

- increased recruitment of police, and provision of police in sufficient numbers to contain situations where there are large mobs with weapons. This may need to involve extra rapid response squads as well as more local police.
 - specific training for police officers in how to investigate and prosecute cases relating to sorcery and witchcraft related violence at all levels of the court system
 - examining the possibility of extending the successful initiative of Family and Sexual Violence units to deal with this area
 - creating meaningful incentives for police to proactively carry out their duties in regard to sorcery and witchcraft related cases, and sanctions for those who do not
- **Recommendation:** 1. The police in conjunction with the courts to form a committee to develop an action plan to respond to the issues identified, and considering the suggestions set out here.
 - 2. The police to actively prosecute the perpetrators of the violence that led to the deaths of LenitaKepari and Helen Rumbali and in so doing demonstrate to the public that these types of crimes will meet the full force of the law.
5. Development of an effective program to restore community relationships following and during the criminal procedure process. At present there is a lack of emphasis on restoring relations between complainants and defendants and their families following the laying of criminal proceedings and their conclusion. This is a significant disincentive for victims to use the criminal process, and contributes to further community division and mistrust. This problem may be intensified following the introduction of the death penalty. The government should therefore

develop a process for re-establishing relations in communities once criminal proceedings have been initiated and concluded. This may be done by:

- drawing on FBOs and CBOs currently involved in providing counselling and rehabilitation services
- Building upon PNG's proud history of restorative justice by encouraging the use of restorative sentences, such as compensation to the victim, public apologies and rebuilding projects
- Recommendation: DJAG in conjunction with relevant CBOs and churches to develop a restorative justice program to deploy in the context of sorcery and witchcraft related violence.

6. DJAG to conduct a comprehensive review of the effectiveness of the death penalty in deterring violent crimes in the PNG context, and to determine if it has occasioned any negative unintended consequences after two years.

Overall it was suggested that one approach to be adopted is to start by choosing a few areas to be a model and target of resources. Once it is made to work this should be publicised as an example and this may encourage other areas to develop similar strategies.

4.2 Possible Regulatory Pathways towards Countering Negative Impacts of Beliefs Generally

There was less discussion of the broader social repercussions of beliefs in sorcery and witchcraft at the conference because the focus was on violence. However, it was clearly articulated that the belief in sorcery and witchcraft has the following negative impacts:

- People often attribute deaths and sickness to witchcraft or sorcery. This both means that necessary preventative steps are not taken (such as village sanitation), and behaviour is not changed (such as quarantining sick people or living healthier lifestyles), meaning that sickness continues. These beliefs also cause people to delay taking sick people for medical treatment until it is too late.
- The belief in sorcery and witchcraft blocks economic development because it discourages people from advancing themselves from fear of becoming a victim of those who are jealous.
- People live in a state of fear, both that they will be the victim of an attack of sorcery and also that they will be accused of sorcery. This leads to mistrust and hostility in community relationships.

The participants of the conference were of the view that partially as a result of these broader factors it is not enough just to break the link between sorcery accusations and violence. Rather, the issue also needs to be conceptualised as a deeper spiritual one and engaged with at the level of belief. This requires the active participation of the churches, and a positive example was given by the Catholic Church in Simbu province with the development of the 5 point plan. Health departments also need to be involved in this program, and the importance of health workers specifying causes of death in plain English and avoiding the use of "*samtingbilongples*" was emphasised. Education was also highlighted as being crucial, and commencing in pre-school, to educate children about non-magical causes of sickness and misfortune. Finally community leaders were also identified as having an important role to play in guiding their communities through community discussion of the issues.

Government and non-government awareness programs could provide a useful catalyst to stimulate this type of discussion).

5. Areas where further research is required

There is a great deal of further research required in this area, although it was also noted that there is an existing body of research on this issue in PNG which needs to be more actively used to inform policy development.

- A literature review is required to determine whether there are lessons that can be learned from overseas initiatives in dealing with these problems (particularly in Africa and the Caribbean). This review should also highlight research networks that can be engaged with in developing an ongoing response.
- The development of new regulatory responses in specific locations needs to be carefully monitored and lessons identified for scaling up the interventions. One place to start is Gor where there have already been significant reform initiatives. It was suggested there could also be a focus on one area in each of the Provinces where sorcery and witchcraft is a major issue (mostly Highlands but not all). This might also recognise the diversity of this issue in various parts of PNG. One area identified is the lower Ambum area in Enga where there have been 3 deaths in recent years and where the Catholic Church has already started workshops with the people to try to reverse the trend.
- There is a need for better statistics on the incidence of this type of violence and government responses to it.
- Research is required into which community level dispute mechanisms currently work to stop this violence and why? How do the village courts need assistance to better deal with these issues?
- The types of restorative justice that are likely to work in the context of this type of community dispute needs to be further investigated, possibly by first focussing on the experiences in Bougainville where recourse to restorative justice and mediation has been normalised to an extent. This was contrasted with some other areas of PNG where the first response is often a resort to violence.
- Further research is required into the motivations behind perpetrators.
- Case-studies need to be documented of particular incidents, uncovering their causes, how they are being managed, and any lessons to be learnt for the future.
- The effectiveness of strategies such as 5 point plan needs to be researched and further developed.

Annexes

A. Possible Wording for Sorcery Related Legislation

The Vanuatu Law Reform Commission is currently considering new legislation concerning sorcery. A slightly adapted version of the new wording of the offenses is set out below.

1. A person is guilty of the **offence of threat of sorcery** if that person:
 - (a) threatens to cause serious harm to a person through the use of sorcery; and
 - (b) intends to cause the person threatened to fear serious harm

2. A person is guilty of the **offence of procurement of sorcery** if that person:
 - (a) engages a person to perform sorcery on his behalf against a third party; and
 - (b) intends to thereby cause serious harm to that third party

3. A person is guilty of the **offence of offering sorcery services** if that person:
 - (a) offers to someone else to perform sorcery against a third party in exchange for payment; and
 - (b) intends thereby to cause serious harm to that third party

4. A person is guilty of the **offence of sorcery divination** if that person:
 - (a) accepts payment for identifying through divination, [list the methods that *glasmen* use] an individual who is claimed by another person to have caused harm through sorcery; and
 - (b) the person is reasonably aware that such an identification may put the individual identified at risk of physical injury

5. A person is guilty of the **offence of false accusation of sorcery** if that person:
 - (a) makes an allegation that a person is a sorcerer or has practiced sorcery other than to a prescribed authority; and
 - (b) the allegation was made at least in part with the intention of causing harm to the reputation of the accused person or his relatives or associates

Note: the penalty for making such an allegation against a child should be substantially higher than against an adult. Perhaps in the case of a child element (b) should not need to be established.

A prescribed authority for the purposes of section 4 includes:

- A village court
- A local police officer
- [other]

B. The Catholic Churches' Five Point Plan

The Catholic Church in Simbu under the leadership of Bishop HenkteMaarssen and more recently Bishop Anton Bal has developed a strategy with five related components.

1. Help broaden people's understanding of the causes of illness and death.

The sanguma question is "Who caused the death" which is different from a biomedical question such as "What caused the death." Nevertheless bio-medical explanations may be accepted and may help. If an explanation such as cancer, pneumonia, or AIDS is accepted by the family they will mourn and bury the deceased with little or no talk of sorcery or sanguma. I have heard of cases where they found that the death was caused by AIDS and the mourning was curtailed, talk of "causes" was hushed up, and the person was buried with very little talk (Gibbs 2009a, p. 7).

2. Early intervention before or during a funeral.

Whenever there is news of a death, the parish priest, catechist, or a prominent church leader is to go to visit the family and be a pastoral presence there (That presence may be required with leaders taking turns for several weeks or a month). Bishop teMaarssen comments. "If the atmosphere was still quiet I would talk with them, enquire about the dead person and his or her sickness, explain the likely natural causes, show my sympathy and pray with them. This would normally stop sanguma talk in its tracks. I also remember where a parish councilor invited me to come for the funeral and celebrate Mass for the dead person at the grave to stop sanguma talk. Sure enough, the young men were annoyed and caused some disturbance on the edge of the crowd, but the presence of God caused them to call off sanguma proceedings" (TeMaarssenn.d.).

3. Immediate Family Members taking ownership.

We see an example of this at the death of prominent leader and member of parliament Joe MekTiene. His sister took ownership of the situation and she had enough authority within the family for people to listen to her. With extended families in PNG there is a wide choice as to which family member does take ownership of the situation. Hopefully it will be a person promoting peace and harmony and not one stirring up ideas of sanguma. Unfortunately in some cases good leadership is lacking in a family, in which case the situation can easily get out of hand. Also, divisions in the family can come to the fore at such a stressful time. Bishop HenkteMaarssen stresses, "Make sure that there is no family quarrel left untreated and left unsolved. So make peace, talk it over, talk it out. At the time of a funeral, people they jump on anything" (Bishop HenkteMaarssen, 2013, pers. Comm., 28 March).

4. Promoting respect for law and order.

Two years ago in the Gor Community near Mingende two older women were being threatened that if two men who were in Kundiawa hospital died, then those women would be "buried" on the same day (the implication being that the women were *kumo* persons). One woman was helped to escape across the Wahgi River to Neregaima and the local community police put the other under surveillance. The Nauro-Gor community is fortunate in having a community law that forbids accusing another of sorcery or harming another suspected of sorcery. Offenders will

be fined and if they do not pay the fine, will be sent to jail. Community policing, when functioning well helps ensure relative order within the bounds of the community. The community police also discourage alcohol and drug abuse, which runs counter to law and order. Community policing did not prevent threats in the case of the two women above, but it did help avoid greater harm. There are other efforts currently to set up community law in Simbu such as the United Kamaneku Community near Kundiawa. There have been families driven out over sorcery accusations, but no one was killed there in recent years. Both these communities and their efforts to maintain law and order are supported by churches, particularly the Catholic Church.

5. Fostering faith to influence Attitudes and Emotions.

Sorcery is part of a worldview that has both similarities and differences with a Biblical point of view, and considerable difference from a scientific post-enlightenment viewpoint. Sorcery and sanguma are a way of explaining the existence of evil, misfortune and death. I think that death is the most unevangelised dimension of life in Melanesia (Gibbs 2009b). Churches are challenged to respond to this issue. In PNG “people don’t die for nothing” and people look for answers. Some other mainline churches such as the Lutheran Church also contest sorcery beliefs and it would be good to extend the efforts of the Catholic Church with other Churches for a more collaborative approach.

One of the biggest challenges for Churches in PNG is to deepen people’s faith commitment in a way that Christian faith can provide an alternative to the traditional worldview when it comes to misfortune and death. We are dealing with attitudes to life here that touch on people’s deepest sensitivities. People with deep Christian faith are called to believe that God is the author of life and that God permits sickness and death. Various churches have different approaches to praying for the dead. The Catholic approach at a funeral is to say, “Pray and thank God for the gift of his/her life, and if you are really sorry then pray for him and for us.” This requires a shift from blame for death to thanksgiving for life.

The Catholic Church in Simbu has developed a training course with 600 copies distributed to help believers find an alternative to sanguma. They are taught that belief in sanguma and employing a diviner is a way of thinking that runs quite contrary to belief in the power of God. The course acknowledges a biblical worldview and notes a number of examples where Jesus cast out demons, but Jesus never hurt a man or woman when casting out a demon (“Jisasi no bin paitimwanpela man o meribilongrausim spirit nogut”). Ultimately there is the fifth commandment “Thou shalt not kill.” The Bishop even added a line: “Tekeweolpasinbilongsutimtoksanguma” (Eradicate the custom of sanguma accusations) in the prayer following the Lord’s Prayer at mass and suggested that all priests in the diocese follow suit.

In order to back up the policy there are also sanctions. If a person takes part in accusing another of sanguma or of injuring someone accused of sanguma they are excommunicated from the Church until they retract their accusation (see Korugl 2006, p. 3).