

Convicted albino killers lose appeal

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By Bernard James

The Court of Appeal has upheld the death penalty against three people convicted of albino killings.

The Court also sounded a warning that wealthy individuals could be behind the wave of the murders that have tarnished the country's image.

The Supreme Court of the Land has also put the Police Force to task to work on the clues on individuals behind the barbaric killings, which are already in their hands and take necessary steps.

"Some names have been mentioned by the first appellant, but we cannot condemn them for all we know they might be innocent. But we are quite sure that, there must be some wealth people, who hire stupid young fellows like these, to perform the callous acts," the panel of three Court of Appeal judges said in their recent judgment.

The appellants; Mr Masumbuko Matata, Mr Emanuel Masangwa and Mr Charles Masangwa, were found guilty of killing Ms Matatizo Dunia and amputated her legs at the knees on belief that albino body parts are charms.

In Dec 1, 2008, the three invaded the house of Ms Grade Masunga, a crippled, and killed her albino daughter, Ms Matatizo.

High Court judge Steven Rwakibalila, sitting in Tabora in September last year, sentenced the three to death by hanging, saying the evidence against the accused was overwhelming for them to escape liability.

Led by Chief Justice Augustino Ramadhani, the panel sitting in Tabora said: "We just hope that the authorities will follow-up these clues, which are in the hands of police and save our 'Heaven of Peace' from such extremely shameful and debasing incidents."

The court heard during the trial that on the fateful day, Ms Matatizo had just returned from watching a video show with her mother, together with the second appellant, Mr Masangwa, who allegedly tried to create all sorts of excuses to be in association with them.

Shortly after they returned home, three men raided them and attacked Ms Matatizo. Acting on suspicion by the deceased mother, police arrested Mr Masangwa, who later volunteered to take them to the murderers.

Police then combed and surrounded the homestead of the first appellant Mr Matata, where they stumbled over a bundle, which contained a semi-nylon bag with two albino legs fresh cut at the knees and other items.

One of Mr Matata's wives told the police that his husband was a traditional healer and that the bush in which the bundle was found was his place for performing rituals.

Evidence from the DNA test revealed that, the two legs recovered from the premises of Mr Matata and the profiles of all bloodstains on the various articles matched those of the deceased.

The three have argued that DNA evidence was misused by a forensic DNA analyst, and that the court wrongly convicted them on evidence without first establishing its validity and reliability.

But the Court of Appeal dismissed the grounds, saying there was nowhere in the judgment, where the High Court judges used the DNA results to convict the appellant but rather their own confessions.

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