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Issue Paper ALBANIA BLOOD FEUDS May 2008

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Source: United Nations. June 2004. Department of Peacekeeping Operations. Cartographic Section. "Albania." (Map No. 3769 Rev. 6)

GLOSSARY

AFCR

Albanian Foundation for Conflict Resolution and Reconciliation of Disputes

AIIS

Albanian Institute for International Studies

ATA

Albanian Telegraphic Agency (Agjencia Telegrafike Shqiptare)

CRS

Catholic Relief Services

CNR/NRC

Committee of Nationwide Reconciliation (also National Reconciliation Committee)
(Komiteti i Pajtimit Mbarëkombëtar)

IMIR

International Centre for Minority Studies and Intercultural Relations

1. INTRODUCTION

Albania's long-reigning Communist government fell in 1990. Since then, the country has continued to experience political turmoil and poverty (Freedom House 2007; see also US 6 Mar. 2007). In particular, corruption is rampant and Albanians have little confidence in the justice system (Freedom House 2007; AI 2007).

An official at the Embassy of Albania in Ottawa provided the following information in correspondence with the Research Directorate:

At the early phases of the democratic processes in our country, in the early nineties, an immediate increase of the blood feud and revenge crimes was noticed. ... The commitment of these crimes reactivated the institutionalization of the old Kanuns [traditional codes], more specifically the Leke Dukagjini Kanun, as a Kanun that has survived all times. (5 Feb. 2008)

This Issue Paper addresses the situation of blood feuds in Albania with emphasis on issues, events and incidents from 2004 to 2007. It also updates Research Directorate publications available in IRB Regional Documentation Centres and on the [IRB website](#).

2. DEFINING BLOOD FEUDS

2.1. Definitions

The Albanian blood feud is a centuries-old custom that draws on tribal tradition and customary law (BBC 23 Sept. 2005; IMIR 2004, 2). In a report by the International Centre for Minority Studies and Intercultural Relations (IMIR) in Sofia, Bulgaria, blood feud, or *gjakmarrya*, is defined as "a system of reciprocal 'honour killings'" (2004, 2). The Albanian Institute for International Studies (AIIS), an independent policy research institute (n.d.), refers to blood feud as a self-governing practice that "exist[s] parallel to the state authority" (2007, 5; see also IHF 24 June 2003, 4). Stéphane Voell, a professor specializing in Albania at Philipps Universität (Germany), stated that "blood feud is a culturally embedded action of groups, contrar[y] to vengeance, where individuals take [the] law in their own hands" (12 Jan. 2008).

Alex Standish, Honorary Research Associate in the Department of Anthropology at Durham University (UK) and recognized expert on blood feuds (Durham University 21 Mar. 2007), stated in a telephone interview with the Research Directorate that a distinguishing feature of blood feuds that differentiates them from other crimes is that the perpetrators of blood feud killings want people in their community to know they are responsible (20 Nov. 2007). Standish explained that, in ethnic Albanian society, it is extremely important that blood feuds be carried out publicly and not privately (20 Nov. 2007). Professor Roland Littlewood of University College London's (UCL) Centre for Behavioural and Social Sciences in Medicine and the Department of Anthropology states the following on the UCL website: "However the feud starts, from quarrels over boundaries or insults to women, its continuation has an almost inexorable public form. The blood feud is a collective concept involving the whole community" (Oct. 2004).

2.2. The Kanun

The *Kanuni I Lekë Dukagjinit* (*Kanuni* 1989), or *Kanun*, is the code of customary laws

passed down mostly by oral tradition that "prescribes practices of daily life," including rules governing blood feuds (*The Washington Post* 23 Aug. 2007; UCL Oct. 2004; see also US 6 Mar. 2007, Sec. 1a). Lek Dukagjini, a 15th-century feudal leader, is credited with crafting the code (*Sunday Telegraph* 3 June 2007; IMIR 2004, 2).

The 2004 IMIR report includes the following description of a blood feud based on the Kanun:

If a man is deeply affronted, his family has the right to kill the person who has insulted him. However, by doing this, the family will become a target for revenge on the part of the victim's family. The victim's closest male relative is obliged to kill the murderer of his family member.

In a *Washington Post* article, Ismet Elezi, a Tirana University law professor, offers the following description of a blood feud:

A killing takes place, the victim's family demands blood retribution, then the members of the killer's family take refuge in their homes -- which are considered inviolate under kanun -- for at least 40 days and seek forgiveness. If forgiveness is granted or a life is taken in retaliation, the feud ends. Otherwise, the isolation period can continue indefinitely. (23 Aug. 2007)

Littlewood states on UCL's website that, in Albania, "customary laws prevail in the absence of a nationally enforced system of justice" (Oct. 2004). Of these customary laws, the Kanun is "the most influential" (UCL Oct. 2004). Although successive Albanian rulers have attempted to curb the Kanun's influence (AIIS 2007, 8), its popularity has surged since the collapse of communism (*The Washington Post* 23 Aug. 2007; *Sunday Telegraph* 3 June 2007). Kiosks throughout Albania now sell paperback versions of the Kanun (*The Washington Post* 23 Aug. 2007).

Besjan Pesha, co-founder of the Albanian non-governmental organization (NGO) *MJAFT!*, stated in a telephone interview with the Research Directorate that northern Albanians, in particular, have enormous respect for the Kanun and have transmitted its prescriptions from generation to generation for hundreds of years (4 Jan. 2008). According to Pesha, there is "no respect for the laws of the Albanian state" (4 Jan. 2008; see also Marku 7 Dec. 2007). Voell states that "even if *kanun* is often not considered as useful anymore, the virtues of *kanun* are often highlighted" (12 Jan. 2008).

2.3. Honour

All blood feuds under the Kanun involve violations of honour (Standish 20 Nov. 2007; Fischer 19 Dec. 2007). Professor Bernd Fischer, chair of the Department of History at Indiana University and expert on the Balkans (IPFW n.d.), explained that if a person's honour is violated, it is incumbent upon the person to take action to reclaim their honour (19 Dec. 2007). Antonia Young, Honorary Visiting Research Fellow in the Research Unit in South East European Studies at the University of Bradford (UK) (University of Bradford 14 Sept. 2007), stated in correspondence with the Research Directorate that if an individual deemed to have an obligation to act under the Kanun refuses to do so, they may face ridicule or ostracization (Young 18 Dec. 2007).

Standish noted that the definition of honour in Albania is very broad and covers matters

that non-Albanians might not evaluate as "serious" (20 Nov. 2007). For example, under the Kanun, appropriate hospitality is an issue of honour (Standish 20 Nov. 2007; *Kanuni* 1989, Chapter 18). If a third party offends the guest of a host, then the third party is "in blood" with both the host and the host's guest, thus creating a three-way blood feud (Standish 20 Nov. 2007; *Kanuni* 1989, Chapter 18). Standish related the details of an actual blood feud case where a person had insulted the wife of a guest at a wedding (20 Nov. 2007). The insult not only started a blood feud between the offender and the husband of the insulted wife but also between the offender and the host of the wedding (Standish 20 Nov. 2007).

2.4. Causes

Blood does not have to be spilled in order to trigger a blood feud (Fischer 19 Dec. 2007; Pano 20 Nov. 2007; Young 18 Dec. 2007). Causes of blood feuds include:

- insults (Marku 7 Dec. 2007; Pano 20 Nov. 2007; Standish 20 Nov. 2007; Young 18 Dec. 2007);
- issues regarding property (Fischer 19 Dec. 2007; Marku 7 Dec. 2007; Standish 20 Nov. 2007);
- trafficking of persons (Marku 7 Dec. 2007; Standish 20 Nov. 2007);
- accidental killing (Marku 7 Dec. 2007; Standish 20 Nov. 2007);
- murder (Fischer 19 Dec. 2007; Marku 7 Dec. 2007);
- conflicts over water rights (Fischer 19 Dec. 2007; Young 18 Dec. 2007);
- being disrespectful of a woman (Fischer 19 Dec. 2007; Standish 20 Nov. 2007); and
- accusing a person of lying (Fischer 19 Dec. 2007).

Gjin Marku, Chairman of the Committee for Nationwide Reconciliation (CNR), also cited the following incidents as potential causes of blood feuds: "love connection without the permission of the parents, ... divorce without any betrayal causes, betrayal by [a] woman, unjust imprisonment of a person or hostage taken... [and] theft followed by death" (7 Dec. 2007). Please consult Section 4.2 of this Issue Paper for blood feud causes as outlined in the Kanun.

2.5. Classic blood feud

According to Standish, the classic blood feud can only pass through the male bloodline (20 Nov. 2007). For example, if a young man kills someone, therefore incurring the blood of the deceased person's family, his paternal uncles will be drawn into the feud but not his maternal uncles (Standish 20 Nov. 2007). Standish explained that, according to tradition, a woman's blood cannot have honour (20 Nov. 2007). In Chapter 19 of the Kanun, articles 698 to 703 differentiate between the father's and mother's sides of the family, referring to the father's side as the "Tree of Blood" and the mother's side as the "Tree of Milk" (*Kanuni* 1989).

Fischer also referred to the classic blood feud and stated that this type of feud tends to happen in northern Albania and follows the procedures of the Kanun more closely, procedures such as the involvement of village elders, the formal announcement of a blood feud, the use of specific rhetoric such as "being in blood" and "owing blood," self-confinement and the extension

of *besa* (truce) for thirty days (19 Dec. 2007).

Article 854 of Chapter 22 of the Kanun describes *besa*, or truce, as "a period of freedom and security which the family of the victim gives to the murderer and his family, temporarily suspending pursuit of vengeance in the blood-feud until the end of the specified term" (*Kanuni* 1989). According to Pesha, *besa* relates to honour and, with respect to blood feuds, is the protection that is offered to someone in a feud (4 Jan. 2008). Standish described *besa* as a truce that permits individuals and families who are involved in a blood feud to meet to discuss terms of reconciliation (20 Nov. 2007). Reconciliation is further discussed in Section 4.3 of this Issue Paper.

2.6. Modern blood feud

Following the collapse of communism, the modern type of blood feud emerged in addition to the classic blood feud (Fischer 19 Dec. 2007). Due to economic hardship, Northern Albanians relocated to other parts of the country and subsequently transplanted their traditions elsewhere (*ibid.*). In this manner, blood feud rules and traditions evolved and changed (*ibid.*). In modern blood feuds, people no longer firmly adhere to strict rules such as the minimum age requirement of 16 years to be involved (*ibid.*; see also Standish 20 Nov. 2007; AIIS 2007, 22). Another feature of modern blood feuds is that women, traditionally exempt from blood feuds, have become targets of killings (US 6 Mar. 2007, Sec. 1a; AIIS 2007, 22; Pano 20 Nov. 2007). According to Fischer, individuals are interpreting the Kanun in new ways and, for example, taking two or three lives for one life taken (19 Dec. 2007; see also AIIS 2007, 22). The Kanun has also been used to justify acts of revenge beyond the traditional blood feud (Fischer 19 Dec. 2007; Standish 20 Nov. 2007), such as instances of common criminality (Fischer 19 Dec. 2007).

With respect to modern versions of the blood feud, Standish made specific reference to two "mutations" from the classic blood feud: the pre-emptive strike and the paid blood feud assassin (20 Nov. 2007). The concept of pre-emptive strike, which has been practised since 1997, allows an individual who believes a rival family is looking to take blood from his family to strike first by killing a male member of the rival family (Standish 20 Nov. 2007). In doing so, the individual eliminates risk to himself and his family (*ibid.*).

In the case of the paid blood feud assassin (Fischer 19 Dec. 2007; *Sunday Telegraph* 3 June 2007), an individual deems that honour is extremely important but does not want to commit the actual murder (Standish 20 Nov. 2007). The individual will therefore pay a third party to carry out the killing (*ibid.*). Standish compared killing by means of a paid blood feud assassin to organized crime activities but emphasized that the purpose of employing a paid blood feud assassin is still to restore and "clean" one's honour (*ibid.*). The hiring of a third party to carry out blood feuds was approved at a meeting of clan elders in 2006 (*Sunday Telegraph* 3 June 2007; Fischer 19 Dec. 2007), leading to an increase in the severity and number of blood feuds (*Sunday Telegraph* 3 June 2007).

2.7. Property-related conflict

A considerable number of blood feuds are related to property issues, such as problems related to the post-communism privatization of land (Standish 20 Nov. 2007; see also Albania 5 Feb. 2008; UCL Oct. 2004). Standish explained that, normally, a civil court would be the appropriate venue in which to deal with property issues, but because of the weakness of the Albanian judicial system, "people tend to take the law into their own hands" and engage in a

blood feud (20 Nov. 2007; see also CNR 1 Nov. 2007; AIIS 2007, 8).

Law 7501 "On the Ownership of Land" contributed to the evolution of property-related blood feuds (AIIS 2007, 35-36; see also Marku 7 Dec. 2007) because, in northern Albania, the law was not implemented in the same manner as it was throughout the rest of the country (AIIS 2007, 35-36). The AIIS states the following:

The distribution of land ownership certificates lagged far behind the process of land distribution and only by 1996 did seventy percent of the land become legally titled. This situation caused many conflicts on the right to land ownership to arise. ... In some extreme cases, new owners who were newcomers to the village were evicted by force or the threat of force. (2007, 36)

2.8. Geographic distribution of blood feuds

Many blood feuds take place in remote areas where people do not want to seek recourse through the legal system (Pano 20 Nov. 2007; Standish 20 Nov. 2007). Standish stated in a telephone interview with the Research Directorate that blood feuds occur predominantly in rural, northern areas but that they also occur elsewhere in Albania such as in Tirana, Durrës, Tropoje, Kukes, Elbasan, middle Albania and as far south as Fier (20 Nov. 2007; see also *The Washington Post* 23 Aug. 2007). Blood feuds also occur in Lezhe, Shkoder and Diber (Albania 5 Feb. 2008). According to Pano, blood feuds are less common in urban areas (20 Nov. 2007).

In addition, blood feuds occur outside Albania (Standish 20 Nov. 2007; Pano 20 Nov. 2007; Fischer 19 Dec. 2007; Marku 7 Dec. 2007), including in Macedonia, Kosovo, southern Serbia (*Sunday Telegraph* 3 June 2007), Greece and Italy (Fischer 19 Dec. 2007). Pano acknowledged that blood feuds do occur outside Albania, but indicated that they are few (20 Nov. 2007).

Standish described the following blood feud that took place in Albania and the United Kingdom (UK) (20 Nov. 2007). The particulars of the case, in which the members of the injured family went to great lengths to carry out the blood feud, are also documented in a 17 October 2005 BBC news article (see also *This is Local London* 7 Dec. 2003; *Northampton Chronicle and Echo* 9 Oct. 2002).

In 2000, a young Albanian man was playing with a loaded weapon and accidentally shot and killed his best friend. The perpetrator (the young man) fled and claimed refugee status in West London (UK). People in the local Albanian community in West London determined the identity of the perpetrator and reported back to people in Albania that the perpetrator was residing in West London. Then, in June 2002, the rival Albanian family (the brother and cousin of the deceased) smuggled themselves into the UK and, with no intention of staying permanently, claimed asylum. While in the UK, they determined the perpetrator's location and, in September 2002, murdered him. Standish noted that the brother and cousin chose the method of stabbing to carry out the killing. The use of stabbing, according to Standish, is significant because it conveys a sense of dishonour for a victim. An honourable opponent is shot with a gun (Standish 20 Nov. 2007).

Upon their return to Albania, the brother and cousin received a public welcoming to celebrate the fact that they had taken extraordinary measures to carry out the blood feud. Later, the two were prosecuted in Albania with the assistance of UK authorities and, in 2005,

were sentenced to roughly 20 years in prison. The sentencing was appealed and Standish stated that at the time of his interview, he thought the appeal was still pending (20 Nov. 2007).

2.9. Trafficking of women

At a November 2005 interparliamentary meeting of the European Parliament, CNR Chair Gjini Marku stated that over 4,000 families are in "serious" conflict due to the trafficking of women (CNR Nov. 2005). Some of these conflicts have resulted in murder related to blood feuds (ibid.). According to Fischer, the Kanun is sometimes invoked in situations of criminality such as the kidnapping and forced prostitution of women (19 Dec. 2007). Standish explained that tradition stipulates that if a woman has been dishonoured through trafficking or prostitution, her family must kill her to restore honour (20 Nov. 2007). Standish noted, though, that not all Albanians continue to embrace this mindset, particularly in Tirana (20 Nov. 2007).

3. STATISTICS

Blood feud statistics varied widely among the sources consulted by the Research Directorate. Albanian Ambassador to Bulgaria Bujar Skendo explained in an interview with the *Sofia Echo* that, with respect to the number of families in blood feuds, "some say that the number is 2000, others say it is 1000" (9 Oct. 2006). Voell stated that "there are no official statistics on blood feud[s]" and added that the sources of media and NGO statistics "are mostly unknown" (12 Jan. 2008). The following is a compilation of blood feud statistics gathered from among the sources consulted by the Research Directorate.

According to the *Sunday Telegraph*, more than 20,000 people "live under an ever-present death sentence" due to blood feuds (3 June 2007; see also CNR 1 Nov. 2007). In a letter to the Commissioner for Human Rights in Europe, the CNR Chair states that 9,500 lives have been claimed by self-justice in 17 years (CNR 1 Nov. 2007). A 21 June 2006 document on the CNR's website states that 5,000 lives were claimed by self-justice in 15 years. An article on the UCL website states that, in 2001, blood feuds caused roughly 73 percent of violent deaths in Albania (Oct. 2004).

An official from the Embassy of Albania in Ottawa provided the following statistics on deaths caused by blood feuds from 1998 to 2007:

Year:	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Blood feud deaths:	45	41	41	32	13	12	11	6	5	0

(Albania 5 Feb. 2008)

In a 25 November 2004 news article based on police data, the Albanian Telegraphic Agency (ATA) provided the following statistics on the total number of murders per year and the number of those that related to blood feuds:

Year:	1999	2000	2001	2002	2003	2004
Total murders:	496	275	208	179	144	88
Murders related to blood feuds:	41	24	19	13	12	8

(ATA 25 Nov. 2004)

The ATA article also reports that 184 families with 306 members, of which 27 are children, were said to be confined due to blood feuds (25 Nov. 2004).

Country Reports 2006 states that, according to the CNR, there were roughly 78 blood feud deaths in the country in 2006 and

[a]pproximately 860 families [that] were effectively self-imprisoned during the year due to blood feuds. Property disputes accounted for four-fifths of formally declared blood feuds, with the remainder pertaining to issues of honor or violations of the home (e.g. thefts, trespassing, etc.). The NRC [CNR] estimated that there were several hundred additional blood feuds stemming from trafficking, which are typically not formally declared out of shame. Of the 738 families reported effectively self-imprisoned in 2005, 166 left the country, including 93 families that sought formal political asylum in other countries.

...

The NRC claimed that fear of revenge prevented approximately 182 children from attending school, 86 of whom were permanently confined to their houses. (US 6 Mar. 2007, Sec. 1.a)

According to the CNR, from 2003 to 2006, 1,270 men left Albania to go into hiding due to blood feuds (1 Nov. 2007). A CNR research mission from 20 May to 8 July 2005 revealed that 1,460 families were in conflict, of which 738 were isolated and 722 willing to abandon the feud if the original murderer was sentenced by the state (27 July 2005). According to the EU, the number of children confined and deprived of education due to blood feuds was 104 in 2005, 95 in 2006, and 87 in 2007 (6 Nov. 2007, 14).

4. LEGAL FRAMEWORK AND SOCIAL REMEDIES

This section covers the legal and social instruments that exist in Albania to address blood feuds. The effectiveness of these instruments is discussed in Section 5 of this Issue Paper.

4.1 Albanian legislation

Article 78 of the 1995 Criminal Code of the Republic of Albania, which was amended on 24 January 2001, states the following: "Premeditated homicide is punished by fifteen to twenty-five years of imprisonment. Homicide committed for interest, retaliation or blood feud is punished by not less than twenty-five years or life imprisonment" (Albania 27 Jan. 1995). Article 83/a states that "[s]erious threat of revenge or blood feud to a person or minor [causing them] to stay isolated is punished by fine or up to three years of imprisonment" (ibid.).

A 28 June 2006 article published by the ATA indicates that a draft law on changes to the Criminal Code was approved by the Parliamentary Law Commission. The article states that the proposed amendments to the Code deal with fines and imprisonment for involvement in blood feuds (ATA 28 June 2006). In its 2007 report, the AIIS discusses four amendments to the Criminal Code that attempt to prevent blood feuds by fining those people who induce a person to commit a blood feud-related act and those who induce "the confinement of the relatives affected by blood feud" (39; see also EU 6 Nov. 2007, 15). A copy of these latest amendments to the Criminal Code could not be found among the sources consulted by the Research

Directorate.

In March 1999, the law "On Mediation and Reconciliation of Disputes" came into effect (Voell 12 Jan. 2008). This law reportedly forms the framework for resolving disputes outside the court system (ibid.). In correspondence with the Research Directorate, Voell writes the following about the law: "[t]he goal is the laying aside of the point of struggle in accordance with existing laws and the 'good tradition' - the mediation of blood feud is not mentioned in this act" (12 Jan. 2008). A copy of the law could not be found among the sources consulted by the Research Directorate.

According to a 21 June 2006 report by the CNR, the Albanian civil and criminal codes contain 21 laws and 73 articles that deal with "self-justice." Beyond the information mentioned above, specifics on the 21 laws and 73 articles could not be found among the sources consulted by the Research Directorate. However, Fischer stated that in the last three or four years, a number of statutes have been proclaimed, emphasizing the illegal nature of blood feuds and the importance of arresting and trying perpetrators (19 Dec. 2007; see also Pano 20 Nov. 2007; ATA 25 Nov. 2005). In 2005, the Albanian parliament "approved a law establishing a coordination council, chaired by the president, to develop a national strategy against blood feuds and to coordinate activities of government agencies" (US 6 Mar. 2007, Sec. 1.a; see also Albania 5 Feb. 2008). *Country Reports 2006* also indicates that there is a serious crimes court that deals with blood feuds (ibid.; see also AP 5 Jan. 2004).

4.2 Framework of the Kanun

For Kanun prescriptions on blood feuds and related topics, please consult the sections of the Kanun that are included as Item 7.1 of the Research Directorate's 31 October 2007 National Documentation Package (NDP) on Albania, which can be found in IRB regional documentation centres and at http://www.irb-cisr.gc.ca/en/research/ndp/index_e.htm?id=780.

Book Eight of the Kanun, entitled "Honor" addresses the topics of personal honour, social honour and blood and kinship (*Kanuni* 1989, 130-186). In particular, Article 601 of Chapter 17 of the Kanun states that a man is dishonored in the following situations:

- a. If someone calls him a liar in front of a group of men;
- b. If someone spits at him, threatens him, pushes him, or strikes him;
- c. If someone reneges on his promise of mediation or on his pledged word;
- d. If his wife is insulted or she runs off with someone;
- e. If someone takes the weapons he carries on his shoulder or in his belt;
- f. If someone violates his hospitality, insulting his friend or his worker;
- g. If someone breaks into his house, his sheepfold, his silo, or his milk-shed in his courtyard;
- h. If someone does not repay a debt or obligation;
- i. If someone removes the cover of a cooking pot in his hearth;
- j. If someone dips a morsel of food before the guest, the guest is dishonored;

- k. If someone disgraces the table in the presence of a guest, after the master of the house has had the dinner utensils removed. (ibid., 130-132)

Standish emphasized the importance of Book Eight, which states that one cannot buy or sell honour and that an offence to honour can only be paid by "the spilling of blood" (*Kanuni* 1989, Article 598) or by mediation (20 Nov. 2007; *Kanuni* 1989, Arts. 597-598).

Book Nine of the Kanun discusses damages (*Kanuni* 1989, 150-153) and Book Ten addresses "The Law Regarding Crimes" (ibid., 154-187). Exemptions from Kanun regulations are addressed in Book Twelve (ibid., 216) and examples of Kanun cases are outlined in the appendix (ibid. 224-256).

4.3 Resolving blood feuds

According to Standish, it is extremely difficult to resolve blood feuds (20 Nov. 2007). A third party, usually an elder, can be approached by families in blood and asked to organize a reconciliation meeting. Individuals and representatives of the family that has incurred blood can attend this meeting under a truce (*besa*). The reconciliation meeting takes place on neutral territory. Each side of the blood feud gives its account of events and, through the mediator, tries to broker a settlement (Standish 20 Nov. 2007).

The 2004 IMIR report offers the following description of reconciliation:

In the course of reconciliation, an agreement is signed between the two feuding sides, as well as by the warrant group, affirming that no one [will] break the arrangement. No compensation is paid for the victims. The people involved in blood feuds stay confined within their homes, but after a certain period the peace-maker group allow[s] them to go out, in order to work on their land plots, for example, but without leaving the village or the town. (IMIR 2004, 5)

One way to resolve a blood feud by mediation is to arrange a marriage of two members of the rival families, creating a blood link, which is evidence that the feud is settled (Standish 20 Nov. 2007; Young 18 Dec. 2007). Standish noted that using marriage to end a blood feud is now uncommon (20 Nov. 2007). A blood feud can also be resolved through monetary compensation (Standish 20 Nov. 2007; Young 18 Dec. 2007). Standish noted, however, that in keeping with the Kanun tradition that stipulates that money itself cannot settle a feud, the feud will be resolved first and a symbolic compensation will be paid afterward (20 Nov. 2007; see also *Kanuni* 1989, Arts. 597-598). Young noted that an "agreement of the offending party to move away" and "total forgiveness without any compensation" are other ways to resolve blood feuds (18 Dec. 2007). Fischer indicated that blood feuds end either through reconciliation or by "wiping out" the male line of a family (19 Dec. 2007; see also Pano 20 Nov. 2007). In contrast, Marku stated that unless the injured party in a blood feud initiates forgiveness, calling on the services of a reconciliation committee is the only way to resolve a feud (7 Dec. 2007).

Under Chapter 18 of the Kanun, articles 668 and 669 state respectively that "[a] mediator is one who intercedes to resolve a dispute which may cause killing or some other disaster among the contending parties" and that "[a] mediator may be a man or a woman, a boy or a girl, or even a priest" (*Kanuni* 1989). There is no formal course to become a mediator and any elder in good standing, not only a reconciliation committee, can broker a settlement (Standish

20 Nov. 2007). Young states that "there are many individuals who set themselves up as mediators" even though, traditionally, community elders would act as mediators (18 Dec. 2007).

4.4 Reconciliation committees

The role of a reconciliation committee is to try and mediate a dispute between families (Pano 20 Nov. 2007; Pasha 4 Jan. 2008; Fischer 19 Dec. 2007). Article 966 of Book Ten of the Kanun states that mediators who successfully reconcile a feud are entitled to compensation (*Kanuni* 1989). In contrast, Standish explained that while it is normal for mediators to receive compensation for travel expenses, actual reconciliation services under the Kanun are to be free of charge (20 Nov. 2007). Voell questioned the intent and purpose of some reconciliation committees, stating that some focus mainly on raising funds for their organization (12 Jan. 2008).

A number of sources provided names of reconciliation committees in Albania (Standish 20 Nov. 2007; Voell Feb. 2003; US 6 Mar. 2007, Sec. 1.a; Marku 7 Dec. 2007; *The New York Times* 26 Dec. 1999). No statistics on reconciliation committees could be found among the sources consulted by the Research Directorate.

4.4.1 Committee of Nationwide Reconciliation (CNR)

Established in 1990, the Committee of Nationwide Reconciliation (CNR) (Komiteti i Pajtimit Mbarëkombëtar) is also known as the National Committee of Reconciliation (NCR) (CNR n.d.a; Standish 20 Nov. 2007; US 6 Mar. 2007, Sec. 1.a). The CNR is a non-profit, non-governmental and voluntary organization that works toward encouraging the rule of law in Albania, discouraging the use of Kanun traditions such as blood feud murder, helping confined families and rehabilitating women and children affected by blood feuds and confinement (Marku 7 Dec. 2007; CNR n.d.a). The CNR has contacts with Albanian state organizations and conflict resolution groups (Marku 16 Jan. 2008) and deals with national policy, arranges conferences and issues reports on blood feuds (Standish 20 Nov. 2007; Marku 7 Dec. 2007). Standish stated that the CNR is probably the organization that would carry the most weight in Albania with respect to blood feuds and noted that the CNR is critical of the Albanian legal system (20 Nov. 2007).

With respect to funding sources, CNR Chair Gjini Marku stated in correspondence with the Research Directorate that the CNR is supported by

international donors, Albanian businessmen, and the incomes from properties of the Committee of Nationwide Reconciliation, which are: 8 acres land and 2 rented houses. The land is set for lease and the houses are being used as hotels. (16 Jan. 2008)

The CNR has received support from international NGOs (Fischer 19 Dec. 2007), Norway's Ministry of Foreign Affairs (CNR n.d.a), the United States Agency for International Development (USAID) and Management Systems International - Albanian Coalition Against Corruption (MSI-ACAC) (ibid. n.d.b; see also US 2 Nov. 2003).

With respect to structure, Marku stated that the CNR has an administrative board and a "board of council" (7 Dec. 2007). The CNR has its headquarters in Tirana and operates centres

in Shkoder and Lushnja:

These centers have representatives and have organized the working groups in all the district[s] and [with] villagers of the Albanian country. They are volunteering and receive no support from the government. (ibid.)

Marku also provided the number of the legal registration certificate of the CNR, "K61919018E (NIPT)," which is archived at the Ministry of Finance; and the CNR's registration number at the Albanian Court, "3190" (16 Jan. 2008). Contact information for the CNR is

Rr. "M. Muca", Pall. 46, Ap. 23
Tirana, Albania
Telephone and Fax: +355 4 263 126
Telephone: +355 4 259 124
Mobile: +355 68 27 37 989. (CNR n.d.c)

4.4.2 Albanian Foundation for Conflict Resolution and Reconciliation of Disputes (AFCR)

A number of sources mention the Albanian Foundation for Conflict Resolution and Reconciliation of Disputes (AFCR) (US 6 Mar. 2007, Sec. 1.a; Shala and Chavez 2002; PeaceWomen n.d.). The AFCR was established in December 1995 (Shala and Chavez 2002) and focuses on conflict resolution and mediation (ibid.; PeaceWomen n.d.), particularly with respect to blood feuds (Shala and Chavez 2002). A 23 September 2005 BBC news article mentions that Aleksander Kola, a member of the AFCR, resolved ten feuds in two years. Two similar addresses were found for the AFCR:

Him Kolli, nr 23/1
Tirana, Albania (PeaceWomen n.d.)

and

Rruga "Him Kolli", Pall. P.F. Trade, Nr. 2-C
Tirana, Albania. (ECCP July 2005)

Both sources provided the same telephone and fax numbers for the AFCR:

Telephone: +355 42 48681
Fax: +355 42 32739. (PeaceWomen n.d.; ECCP July 2005)

4.4.3 Peace Missionaries Union

The Peace Missionaries Union, based in Shkoder, was established in November 1991 (Standish 20 Nov. 2007). Its leader was Emin Spahia, a known blood feud negotiator, who was murdered in August 2004 in a feud (ibid.; see also US 6 Mar. 2007). *Country Reports 2006* states that Spahia was the head of the Peace Missionaries League. In contrast, a 2001 news article states that Spahia was the head of the All-National Albanian Reconciliation Mission (RFE/RL 12 Oct. 2001) and the CNR states that Spahia was the head of the Foundation League of Peace Missionaries (n.d.a).

4.4.4 Other reconciliation committees

The Peace Reconciliation Missionaries of Albania was established in 2004 (Standish 20 Nov. 2007). Standish noted that there is speculation that this organization is charging sums of money to perform its services (ibid.). On its website, the CNR mentions a reconciliation committee called the Association of Peace Missionaries (n.d.a). No further information on the Peace Reconciliation Missionaries of Albania or whether they are charging for their services could be found among the sources consulted by the Research Directorate.

Voell provided the names of the following reconciliation committees in a February 2003 research paper: Besa Society, also BESA Association (CNR n.d.a); CAFOD Albania; GTZ (Projekti Mbështetje e Praktikës Ligjore Shqiptare); Qendra Drejtësi dhe Paqe and Grupi Shqiptar i të Drejtave të Njeriut. In 20 January 2008 correspondence with the Research Directorate, Voell noted, in reference to his February 2003 paper, that the Albanian civil society sector changes quickly.

Further addresses for reconciliation committees listed in this Issue Paper could not be found among the sources consulted by the Research Directorate.

4.5 Attestation letters

An attestation letter is a document that confirms whether a blood feud has occurred (Pano 20 Nov. 2007; see also Marku 7 Dec. 2007). Standish explained that, in Albanian society, it is common for people to obtain attestations from local agencies for various purposes (20 Nov. 2007). For example, ex-political prisoners that were held during the communist regime can go to the Association of Former Political Prisoners and request a certificate confirming their status as a former political prisoner. If a person is robbed, he or she can go to the local police and get a certificate to confirm the robbery (Standish 20 Nov. 2007).

Fischer explained that there is little consistency in Albanian documentation in general and that many varieties of documentation exist, in part, because of a lack of resources in Albania (Fischer 19 Dec. 2007). Fischer noted that Albanian offices sometimes use Italian-donated typewriters that do not have the diacritical marks used in the Albanian language (19 Dec. 2007). Robert Austin, specialist on Albania and Kosovo at the University of Toronto, expressed concern regarding the validity of documentation in Albania (10 Dec. 2007).

With respect to authenticating attestation letters, Standish stated that there is no formal system for authentication and often no means other than phoning the individual who wrote the letter (20 Nov. 2007). Although there is no guarantee of authenticity, Standish suggested examining the signatories on the letter and ascertaining whether the individuals exist and whether they are recognized as active in the field of blood feuds. For example, Standish described an attestation letter signed by an associate of Emin Spahia, a blood feud negotiator mentioned in Section 4.4.3 of this Issue Paper. The other signature belonged to the associate's secretary, who was a social worker and a local administrator of a Catholic NGO (Standish 20 Nov. 2007).

In contrast, Marku stated that all blood feud attestations

must be released based on the questions (materials) archived in the Committee of Nationwide Reconciliation. Every other attestation released by any other office or

organization must be verified and approved by the Committee of Nationwide Reconciliation. I emphasize that the Committee of Nationwide Reconciliation has the full authority, approved by the government and recognized by international organizations and institutions. The verification of the authenticity is carried out in terrain (by contacts with the people, families in conflict and the person that has signed the attestation document). It is also verified based on the file archived in Committee of Nationwide Reconciliation. There is a file in the Committee of Nationwide Reconciliation for every real and believed conflict. Every attestation document must be signed by Mr. Gjin MARKU, the Head of the Albanian Committee of Nationwide Reconciliation. (7 Dec. 2007)

Further information on whether the CNR is the sole authorized provider of attestation letters could not be found among the sources consulted by the Research Directorate.

5. PROTECTION

5.1 State protection

The extent of protection offered by the Albanian government to citizens who are involved in blood feuds is "rather little" (Young 18 Dec. 2007) and "marginal" (Austin 10 Dec. 2007). While the government is not in favour of blood feuds, it is unable to deal with blood feuds effectively or offer significant protection to affected citizens (Fischer 19 Dec. 2007; Marku 7 Dec. 2007; see also Pano 20 Nov. 2007). Albanian legislators have acknowledged that, in Albania, there is an "absence of the rule of law" (ATA 25 Nov. 2005). According to the AIIS, the existence of blood feuds "undermine[s] the very functioning of Albanian state institutions, public security and state legitimacy" (2007, 7). Pesha stated that although legislation exists to deal with people who commit blood feuds, there is no special law to protect victims of blood feuds (4 Jan. 2008).

5.1.1 Effectiveness of laws and prosecution

According to Pesha and Standish, there is corruption in the Albanian judiciary (Pesha 4 Jan. 2008; Standish 20 Nov. 2007; see also Austin 10 Dec. 2007). A 2003 IHF report stated that "one reason for the prevalence of the blood feud was the failure of the judicial system to operate appropriately" (24 June 2003). In a 2006 interview with the *Sofia Echo*, Albanian Ambassador to Bulgaria Bujar Skendo stated that the Kanun has experienced a resurgence of popularity because of "people's mistrust of state institutions and their disappointment with the implementation of laws" (9 Oct. 2006; see also Standish 20 Nov. 2007). On a similar note, decisions made by local Albanian councils regarding blood feuds often carry more weight than do pronouncements made by the government (*Sunday Telegraph* 3 June 2007).

Furthermore, people involved in blood feuds tend to work outside the legal system, despite formal efforts made by legal authorities to address the issue (Pano 20 Nov. 2007; see also Voell 12 Jan. 2008). According to Fischer, people may avoid contacting authorities because they fear that the person they are targeting will be prosecuted and sent to jail, hindering their ability to carry out the blood feud (19 Dec. 2007).

At the time of writing of this Issue Paper, a national coordination council [also known as the Coordinating Council in Combating Blood Feud (Albania 2007)] that was established in February 2005 to address blood feuds was not yet active (US 6 Mar. 2007, Sec 1.a; EU 6 Nov.

2007, 13; Fischer 19 Dec. 2007). Fischer noted that certain pieces of legislation regarding blood feuds have not been implemented (19 Dec. 2007). While the government has made efforts with the introduction of a special crimes court and a witness protection program, the Albanian government requires increased financial resources, and perhaps, stronger political will (Fischer 19 Dec. 2007; see also US 6 Mar. 2007, Sec. 1.a).

5.1.2 Effectiveness of prosecutions

According to Standish, relatively few blood feud cases go to court and the sentences for the cases that do are "particularly derisory" (20 Nov. 2007). In slight contrast, Pesha noted that people involved in blood feud murders receive harsher sentences than those who commit "normal murders" but end up being released from jail after only two to three, or at most, five years (4 Jan. 2008). The AIIS states the following with respect to prosecution and sentencing:

The Prosecutor's Office ... encounters problems with regard to the testimonies of the witnesses in blood feud murder cases. The witnesses would testify to the judicial police officers or the prosecutor that a murder was committed by someone in order to take the blood of a relative. However, before the court, the witnesses change their testimony, denying that the murder was motivated by blood feud. This change, however, is not a result of threats made on the witnesses by the defendant (or his relatives). Rather, it is a solidarity attitude of the community against state/legal solutions. ... The testimonies change in the presence of the judge because the role of the state as an arbiter is unwelcome Solutions given by the court are not seen as a restoration of justice, but a postponement of justice. Thus, blood feud murderers, who in accordance with the Criminal Code of the Republic of Albania shall be sentenced to over 20 years in jail, go to prison for 4 - 5 years because the witnesses change their testimonies. When a blood feud murderer gets out of prison after a short period of time, he is usually executed right away by the relatives of the victim. (2007, 40-41).

Other sources also state that imprisoned blood feud murderers are often targeted and killed upon release from prison (Young 18 Dec. 2007; Fischer 19 Dec. 2007). Fischer added that when a person is prosecuted and sent to jail because of a blood feud, the person's family members may be targeted (19 Dec. 2007).

According to the AIIS, the Albanian state "has shown itself unable to punish those guilty for murder due to conflicts on issues such as land, water, honour, jealousy, and therefore these murders bring about blood feud" (AIIS 2007, 37). Young stated that, generally, the prosecution of people who engage in blood feuds has not been effective (18 Dec. 2007).

5.1.3 Ombudsman

In February 1999, the Albanian parliament approved legislation to create an ombudsman's office called the People's Advocate (*Avokati i Poppulit*) (Albania n.d.). The ombudsman's role is to suggest ways in which public bodies can remedy rights violations (ibid). On 16 February 2000, Albanian members of parliament elected Ermir Dobjani to the position (ibid.).

According to Fischer, the ombudsman is "very supportive" of government attempts to

address blood feuds; however, his role is limited to publicizing the problem (19 Dec. 2007). At the December 2005 National Conference on Children's Rights in Tirana, Dobjani highlighted the plight of children affected by blood feuds (ATA 15 Dec. 2005). At a July 2005 meeting with German officials to discuss emigrant issues, Dobjani is quoted as saying that "residence permits should be issued to those persons demanding asylum because of blood feud..." (ibid. 21 July 2005). In its 2006 annual report, the ombudsman's office states the following with respect to the law "On the Establishment and the Functioning of the Coordinating Council in Combating Blood Feud":

Unfortunately ..., after about 20 months, the Coordinating Council [also known as national coordination council] has never convened. The Council of Ministers, too, has not issued the respective by-laws pursuant to this law. We have raised the issues to the President of the Republic, the Prime Minister and all members of the Coordinating Council. So far, it is important that all government institutions have realized that they should be more actively engaged and take actions to abolish this "wound"... Yet, we haven't seen any new development or any important government initiative to be taken, except for the non-governmental organizations. (Albania 2007)

A 2003 Stabilisation and Association Report by the EU notes that the ombudsman's office has helped "to resolve a number of highly controversial cases concerning property and blood feud" (26 Mar. 2003, 8). No further information on the ombudsman's role in resolving blood feuds could be found among the sources consulted by the Research Directorate.

5.1.4 Police

In a letter to the Commissioner for Human Rights in Europe, Marku writes that, among the legal agents of the state, police managers are "the only ones" who have supported reconciliation activities and the CNR (CNR 1 Nov. 2007). In 2004, the Director General of the State Police, Bajram Ibraj, urged the police, prosecutors, local authorities, NGOs and members of the community to join together to outlaw blood feuds (ATA 5 Apr. 2004).

In a 2007 report on blood feuds, the AIIS states that the Shkoder regional police "are characterized by a low level of professionalism" (AIIS 2007, 40). The report also states that the Shkoder police are plagued by "logistic and infrastructural problems" and challenges related to access to isolated regions (ibid.). Dukagjin, an area that experiences a high number of blood feuds, is accessible only by a six-hour car ride from Shkoder, making it difficult for police to apprehend blood feud murderers (AIIS 2007, 40).

According to Marku, police intervention in blood feuds has, at times, been problematic and has "increased the bloodshed" (CNR 1 Nov. 2007). Marku noted that there have also been cases of police officers being killed (ibid.). In contrast, the Official from the Embassy of the Republic of Albania in Ottawa stated that police work has helped to reduce the number of blood feuds in Albania (5 Feb. 2008). Further information on police and blood feuds could not be found among the sources consulted by the Research Directorate.

5.1.5 Home-school programs

People involved in blood feuds sometimes confine themselves and their children to their

homes in order to ensure their safety (IHF 24 June 2003, 4). The result of this confinement is that children are unable to go to school or play outside (ibid.; *The Washington Post* 23 Aug. 2007; ATA 1 May 2006). In order to address this problem, the Albanian government and the United Nations Children's Fund (UNICEF) jointly operate a program to home-school confined children (*The Washington Post* 23 Aug. 2007; UNICEF n.d.; ATA 28 Oct. 2004). The program educates children in Shkoder, Puka and Malësia e Madhe (ATA 28 Oct. 2004). In August 2007, there were a reported 32 teachers in Shkoder trained to teach more than 60 confined children (*The Washington Post* 23 Aug. 2007).

5.2 Protection provided by reconciliation committees

Reconciliation committees can offer little to no protection to citizens involved in blood feuds (Young 18 Dec. 2007; Standish 20 Nov. 2007; Fischer 19 Dec. 2007) beyond working to resolve the feud itself (ibid.). There have been instances of blood feud negotiators themselves being targeted (Standish 20 Nov. 2007; US 6 Mar. 2007, Sec. 1.a).

In contrast, Marku listed a number of protection-related services that reconciliation committees offer: hiding confined people and securing safe transit to other locations, securing a temporary permit from a damaged family for a confined person to move to another location, advocating for the rights of people involved in blood feuds in the courts of hosting countries, protecting the location of persons hosted in other countries, and escorting persons internally in Albania in times of emergency (7 Dec. 2007).

6. NON-GOVERNMENTAL ORGANIZATIONS

Aside from reconciliation committees, there are other NGOs and religious organizations that work in the field of blood feuds (Standish 20 Dec. 2007; Marku 7 Dec. 2007), including Catholic peace ambassadors and priests, and the Albanian Human Rights Group (ibid.). According to Marku, these groups "mainly give reconciliation messages via publication" (ibid.). According to Standish, NGOs tend to be Roman Catholic groups based in northwestern Albania that provide charitable support to confined families (20 Nov. 2007). Other examples of NGOs include the following: Reconciliation Mission Mother Theresa (Voell Feb. 2003; CNR n.d.a; Standish 20 Nov. 2007), the Association of Peace Missionaries (also mentioned in Section 4.4.4) (ibid.), and Foundation, Peace and Justice (CNR n.d.a; Standish 20 Nov. 2007). The CNR states on its website that the Association of Mothers with Orphans in Puka and the Mission of Nationwide Reconciliation in Shkoder also work in the realm of blood feuds (n.d.a).

Catholic Relief Services (CRS), based in Maryland, is a Catholic NGO that gives support to a Peace and Justice Center in Shkoder (n.d.). The centre "documents incidents of violence, offers assistance to families, and provides conflict resolution training in schools for youth, NGOs and parent councils" (CRS n.d.; see also Young 18 Dec. 2007). In 2001, the centre devoted several days for community members to hand in weapons (CRS n.d.).

In 1999, an Albanian NGO called "To the Benefit of Puka Women" started a food-for-training program that offers classes to women on employment skills (WFP 28 Aug. 2003). Women participating in the class receive portions of flour, oil and salt as encouragement to attend the classes (ibid.). Women are often the only income generators in the family as a result of the impact of blood feuds (ibid.; Standish 20 Nov. 2007) and often bear the majority of economic burden in the family (ibid.).

MJAFT!, which means "Enough!" (*Albanian New Digest* 28 May 2003), is an Albanian movement that seeks to "achieve a well-governed Albania with active citizens, strong communities and a positive image in the world" (*MJAFT!* n.d.). The initial catalyst for the *MJAFT!* movement was a four-month awareness campaign related to blood feuds (*ibid.*; *Albanian News Digest* 28 May 2003; Pesha 4 Jan. 2008).

According to Pesha, NGOs "don't do much" with respect to blood feuds and blood feuds are "more about traditions and the state" (4 Jan. 2008).

7. RESEARCH DIRECTORATE NOTE

For further information and updates on this country, please consult the documentary sources and databases available at Regional Documentation Centres and on the [IRB website](#).

NOTES ON SELECTED SOURCES

Albanian Institute for International Studies (AIIS)

The AIIS is a non-governmental research and policy institute that performs independent and in-depth analysis of Albanian security issues.

Robert Austin

Robert Austin is a specialist on Albania and Kosovo. In the past, Austin was a Tirana-based correspondent for Radio Free Europe/Radio Liberty; a Slovak-based correspondent with The Economist Group of Publications and a news writer with the Canadian Broadcasting Corporation (CBC) in Toronto. Austin is now researching lustration and transitional justice in Albania.

Bernd Fischer

Bernd Fisher is a professor and Chair of the Department of History at Indiana University, Fort Wayne. Fischer has published extensively on the Balkans, particularly on Albania. Fischer is the editor of *Albanian Studies: International Registry of Scholars and Research in the Social Sciences and the Humanities* and is Vice-President of the Society for Albanian Studies.

International Centre for Minority Studies and Intercultural Relations (IMIR)

Based in Sofia and founded in April 1992, the IMIR is a private, non-political and non-profit non-governmental organization. The IMIR works toward promoting regional cooperation and peaceful coexistence in Southeastern Europe.

Gjin Marku

Gjin Marku is the Chairman of the Committee of Nationwide Reconciliation (CNR) in Albania. Marku was the Albanian speaker on blood feuds at the 12th Inter Parliamentary meeting of the European Parliament in Tirana in November 2005.

Nicholas Pano

Nicholas Pano is a professor emeritus of History at Western Illinois University. His areas of expertise are Imperial and Soviet Russia as well as Central and Eastern Europe. Pano has published extensively on Albania.

Besjan Pesha

Besjan Pesha is currently Advisor to the Chairman and member of the Leading Committee of the political party Socialist Movement for Integration (*Levizja Socialiste Per Integrim*, LSI) of Albania. Pesha was one of the founders of MJAFT!, a non-governmental organization that engages in blood feud awareness campaigns.

Alex Standish

Alex Standish is an honorary research associate in the Department of Anthropology at Durham University (UK) and a recognized specialist in the field of Albanian blood feuds. Standish has published extensively on Albania and is currently researching contemporary mutations of the blood feud concept.

Stéphane Voell

Stéphane Voell is a scholar and professor at Philipps Universität (University) in Germany. His areas of expertise include Albania, the Mediterranean Basin and the Caucasus. Voell has published on Albania, its customary law and blood feuds.

Antonia Young

Antonia Young is an honorary research fellow in the Research Unit in South East European Studies at the University of Bradford (UK). Young specializes in the Balkans with an emphasis on Albania since 1989.

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