



Albania – Researched and compiled by the Refugee Documentation Centre of Ireland on 9 April 2018

Would the adult male first cousin of a man who has been targeted for revenge in a blood feud in Albania be considered to be sufficiently close in relationship to the man targeted to also be at risk of harm?

Must the person who is being avenged have been killed before the blood feud arises or is an injury sufficient to bring the blood feud into play?

An article from the Chicago Tribune refers to blood feuds in Albania as follows:

“The feuds, often related to criminal rivalry, stem from an ancient code of conduct known as the Kanun, a detailed but primitive form of self-administration. A cycle of reciprocal killings that lasts for generations may start from an incident as serious as murder or as minor as a land dispute.” (Chicago Tribune (24 October 2016) *In Albania, children born into blood feuds: Cycle of revenge slayings forces youths into hiding*)

See also Al Jazeera article which states:

“It can be triggered by something as trivial as a dispute between neighbours or a disagreement among family; an incident that, anywhere else, might be forgotten with the passage of time or left to the authorities to resolve. But in northern and central Albania, where an ancient code of conduct known as the kanun still regulates life for a large portion of the population, it can descend into a blood feud spanning generations and forcing entire families into confinement.” (Al Jazeera (14 May 2016) *Albania: The dark shadow of tradition and blood feuds*)

An article from UK newspaper The Telegraph states:

“‘There have been 35 revenge murders already in 2016,’ says Gjin Marku, a former Albanian intelligence officer who now works mediating so-called ‘blood-feuds’. He produces a list of recent killings he contends are the result of feuding families – not just random acts of violence in a country awash with guns, but the result of continued adherence to an ancient Albanian code of justice known as the “kanun”, or canon.

There is a farmer who was killed after cutting down his neighbour’s tree, a lover who shot both his girlfriend’s brothers after being denied her hand in marriage, and a returning migrant worker gunned down after he went back to his village, reigniting a decades-old feud.

Such are the rules of the ‘kanun’, a tribal code of 1,262 rules laid down by the 15th-century Albanian nobleman Lekë Dukagjini, which ordains that ‘spilled

blood must be met with spilled blood’.” (The Telegraph (16 April 2016) *Behind the murky world of Albanian blood feuds*)

This article also states:

“The difficulty for British asylum tribunals is that in Albania, fact and fiction are often extremely difficult to tell apart. Home Office guidance warns that most Albanian press reports of feuds should ‘add little or no evidential weight in considering whether a feud exists’. But like many compelling stories, the blood feud phenomenon lives on because it does have at least a kernel of truth to it. The code, which was actually designed to stabilise society rather than rip it apart, was ruthlessly suppressed during the Communist dictatorship of Enver Hoxha. But after liberation it re-emerged and even today can force entire families into hiding to avoid the threat of reprisal killings.” (ibid)

A UK Home Office report quotes from a letter sent from the British embassy in Tirana, dated 17 February 2016, as follows:

“Albania has made considerable progress in recent years as it undertakes reform in order to position itself for the opening of negotiations for accession to the European Union. Albania achieved EU Candidate Status in 2014. The government’s crackdown on the criminal industry that package so called ‘bloodfeud’ asylum claims which included new instructions to police and prosecutors is notable.

References to Kanun law are misleading bearing little relation to modern Albania. Field visits by embassy and FCO staff have established through interviews with police, prosecutors, NGOs and religious organisations that the scale of ‘blood feud’ is very limited by comparison with the misleading reports produced in support of asylum claims in the UK and elsewhere. A recent 2015 OSCE report drew similar conclusions: that the scale of the issue was very limited.” (UK Home Office (6 July 2016) *Albania: Blood feuds*, pp.39-40)

This letter also states:

“As outlined above, Kanun law has little bearing on modern Albania. Blood feud was stamped out during the regime of the dictator Enver Hoxha, when penalties for feuding families were harsh. But the collapse of the regime in the early 1990s, and the law enforcement vacuum left in remote areas of the north by the absence of a functioning state, left space for revenge killings to reassert themselves. But modern revenge killings appear to bear little resemblance to the codified, almost ceremonial aspects of ‘Kanun’ based blood feud. From the 1990’s NGOs and faith groups have worked on the problem. In the case of some NGOs this has led to the development of an industry around blood feud and irregular migration, and, coupled with uncertain official statistical data, an exaggeration of the claimed numbers of affected people. Machinery of the state, such as functioning police, and prosecution services exist. Embassy research including interviews with local police, prosecutors, NGOs, and faith based groups indicate that the incidence of blood feud is limited to very small numbers of cases.” (ibid, p.40)

Referring to an alleged “blood feud industry” this letter states:

“Blood feud is a phenomenon in sharp decline in Albania, largely restricted to remote pockets in the mountain north of the country. But its manipulation to justify asylum claims in the UK and elsewhere has created a parasitic ‘blood feud industry’ among corrupt NGOs and local officials. Recent UNHCR and OSCE reports support the embassy’s findings that while official records vary, the numbers of families affected by the phenomenon are very limited. The embassy also noted evidence of false attestation letters, and non-governmental organisations with a vested interest in exaggerating numbers for monetary gain. The embassy also noted the Albanian government’s determination to tackle the blood feud industry through police action and instructions to local prosecutors.” (ibid, p.40)

A report published by the European Asylum Support Office, in a section titled “Victims of blood feuds”, states:

“Cases of blood feuds still occasionally occur, mainly in the rural northern areas of Albania. The parliament adopted a resolution and recommendations to end blood feuds following a special report by the Ombudsman. Recommendations included a coordination council on blood feuds, education and social programmes in the affected areas and increased police investigations, and investments to prevent conflicts.

Statistics on blood-feud cases vary considerably according to sources and are therefore very hard to assess. In 2013, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions concluded that the phenomenon had decreased steadily. In 2010, 2011 and 2012, there were 10 cases or less, compared to 33, 12, and 13 murders in 2001, 2002 and 2003, respectively. But the problem had not yet been eliminated. The Rapporteur found that killings ‘continue to occur in part due to a tendency of the judiciary to impose lighter sentences on perpetrators, despite the fact that the Criminal Code of Albania provides for serious penalties for blood feud murder or threat’. The Albanian Helsinki Committee reported that in 2015 no deaths had occurred due to blood feuds. In a special report on blood feuds (2013) the Ombudsman also mentioned no more than 5 cases per year in 2010, 2011 and 2012, although non-governmental organisations presented higher figures.” (European Asylum Support Office (November 2016) *Albania Country Focus*, p.36)

A document written by Cedoca, the Documentation and Research Department of the Office of the Commissioner General for Refugees and Stateless Persons of Belgium, in a section titled “Perpetuation of a traditional mentality in modern times”, states:

“During the fact-finding mission many sources indicated that contemporary Albanian society no longer legitimates or accepts blood feud murders as an integral social obligation under customary law.

Mentor Kikia stated: “Most people started to think differently; persons who were self-confined have understood now that they are no longer obligated to stay in their homes. Nowadays they go to the police and say: I have nothing to do with it and I want to live my life.”

Professor Gjuraj (Professor in Sociology and Rector of the European University of Tirana) also confirmed this:

“The younger generation has a different understanding of life. They don’t understand what has happened in the past. The meaning of life has changed. They may have heard something about the Kanun but even in the remote villages, only a tiny insignificant number is still in tune with what the old people are saying. Young people are no longer affected by it. This is also because of emigration, studies abroad, internal migration to the urban centres. Their meaning of life has changed significantly. The collective responsibility of the past has changed in favour of individualism. Blood ties are not sacred anymore. Also time has played a role. When you are born in the 1990s, you don’t connect anymore with the ancient mentality. There is also the rising awareness of the damage that is done to Albania by the phenomenon.” (Office of the Commissioner General for Refugees and Stateless Persons (CGVS/CGRA) (29 June 2017) *Blood Feuds in contemporary Albania: Characterisation, Prevalence and Response by the State*, p.7)

This section of the report also states:

“According to a representative from Operazione Colomba, a catholic charity organisation in Shkodër, the old mentality can at times still exist. ‘They do believe in collective responsibility and they stay inside. Even if the killer was an uncle or somebody external (a very far cousin for example) they sadly say: ‘It’s not my fault but I have some responsibility because it’s my family’.” (ibid, p.8)

In Chapter 3. “Characteristics of blood feuds in contemporary Albania” (paragraph 3.4 Killings) this report states:

“Official statistics seem to confirm that the number of killings attributed to blood feuds are currently very low. Also according to Mila, ‘the killings attributed to blood feud are reduced to a minimum nowadays.’ Nevertheless, the continuation of the chain of killings may still be a characteristic of a contemporary blood feud case. A representative of the OSCE stated: It is still an issue, there are still victims, it’s not fading away. As long as one family member remains, they might keep doing it”. Local prosecutors from the North have declared that in contemporary blood feuds it is not only the small circle of immediate relatives of a perpetrator that can become a target of revenge: ‘The circle of potential targets may extend to the relatives of the relatives. This can happen when the first circle of family members has left the country.’” (ibid, p.18)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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