



Home Office

# **Country Policy and Information Note**

## **Albania: Blood feuds**

**Version 3.0**

**October 2018**

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Assessment

Updated: 30 October 2018

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm due to the person's involvement in a 'blood feud'. A blood feud may be described as a lengthy conflict between families involving a cycle of retaliatory killings. See [Definition of a blood feud](#) for further information.

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### 1.2 Points to note

- 1.2.1 Where a claim falls to be refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For guidance on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum claims matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).
- 2.1.4 As regards the consideration of documentary evidence, the Upper Tribunal in the country guidance case of [EH \(Blood Feuds\) Albania CG \[2012\] UKUT 00348 \(IAC\) \(October 2012\)](#), heard on 7 December 2010 and 30 June and 27 September 2011, found:
- Attestation letters from Albanian non-governmental organisations should not in general be regarded as reliable evidence of the existence of a feud (paragraph 74(h)).
  - Documents originating from the Albanian courts, police or prosecution service, if genuine, may assist in establishing the existence of a blood feud at the date of the document relied upon, subject to the test of reliability set out in [A v Secretary of State for the Home Department \(Pakistan\) \[2002\] UKIAT 00439, \[2002\] Imm A R 318 \(Tanveer Ahmed\)](#) (paragraph 74(i)).
  - Unless factual, prompt and consistent, Albanian press reports will add little or no evidential weight in considering whether a feud exists (paragraph 74(j)).

- 2.1.5 Cedoca, the Documentation and Research Department of the Belgian Office of the Commissioner General for Refugees and Stateless Persons, carried out a fact-finding mission to Albania in March 2017, meeting with both state and non-state stakeholders. They were told that several proceedings had been initiated against NGOs, and even police officers and village heads, who had falsely produced letters or certificates attesting to a blood feud. In 2016, having investigated the blood feud phenomenon in Albania through field visits and a wide range of both state and non-state contacts, the FCO stated that, ‘Vested interests and criminality play a key role in inflating the sense of the scale of the phenomenon [of blood feuds].’ They noted that the Albanian government no longer recognises blood feud certificates from NGOs, police or local government offices. Almost all interlocutors viewed blood feud certificates, whether produced by NGOs or by local officials, as ‘largely pointless’ and other embassies in Tirana take the same view. Such certificates are ‘easily available for a price’ (see [Attestation letters and vested interests](#) and [Annex C](#)).
- 2.1.6 The British Embassy further noted that the Albanian press have misrepresented murders as being the result of blood feuds, and journalists have accepted money to publish such reports for the family’s use in a bid for asylum (see [Annex C](#)).

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## 2.2 Exclusion

- 2.2.1 Decision makers must also note that blood feuds are normally triggered by a murder or other serious offence. The person’s involvement in any such crime should be carefully considered as evidence of serious criminality may mean the person falls to be excluded under Article 1F of the Refugee Convention.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.
- 2.2.3 The Upper Tribunal in the country guidance case of [EH](#) (October 2012) found that international protection under the Refugee Convention, Qualification Directive or Articles 2 and 3 ECHR is not available to a person who is willing and intends to commit a revenge killing on return to their country of origin, by reference to that intention (paragraph 74(d)).
- 2.2.4 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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## 2.3 Convention reason

- 2.3.1 Victims of blood feuds in Albania form a particular social group (PSG) within the meaning of the 1951 UN Refugee Convention. This is because they share a common characteristic – their experience as a victim of a blood feud – that cannot be changed; and have a distinct identity which is perceived as being different by the surrounding society. This was confirmed in the country guidance case of [EH](#) (October 2012) (paragraph 62).

- 2.3.2 Although victims of blood feuds form a PSG, this does not mean that establishing such membership will be sufficient to make out a case to be recognised as a refugee. The question to be addressed in each case will be whether the particular person will face a real risk of persecution on account of their membership of such a group.
- 2.3.3 For further guidance on particular social groups, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.4 Risk

- 2.4.1 Statistics for claimed blood feuds vary widely. Both Cedoca and the British Embassy in Tirana were told that some NGOs and other individuals with a vested interest in inflating the claimed prevalence of blood feuds gave much higher figures than those provided by the police or the judiciary. However, most interlocutors, including those from NGOs, suggested that statistics provided by prosecutors or the police were most likely to be accurate (see [Prevalence of blood feuds](#)).
- 2.4.2 In 2017, Cedoca reported that the Albanian State Police had registered 60 families – comprising 143 individuals, including 40 children – as being in blood feud, nearly all in the north. Cedoca also met with the Regional Police Directorate in Shkodër, and were told that in 2016 there were 68 confined families registered in the Shkodër region; some of these 68 families had gone abroad or relocated within Albania. The Shkodër Regional Police Directorate added that there were another 122 families who were in blood feud but not confined in the Shkodër region. He claimed that these families move freely. However, there were 15 children who were not attending school because of blood feud (see [Prevalence of blood feuds](#)).
- 2.4.3 In 2016, the British Embassy in Albania reported that the blood feud is a phenomenon in sharp decline in Albania, ‘largely restricted to remote pockets in the mountain[ous] north of the country’ (see [Annex C](#)).
- 2.4.4 After having considered all the available evidence in the country guidance case of [EH](#), the Upper Tribunal found that whilst there remained a number of active blood feuds in Albania, they are few and declining (paragraph 74(a)).
- 2.4.5 The Upper Tribunal in [EH](#) set out the following factors which need to be considered when determining if an active blood feud exists (paragraph 74(f)):
- (i) the history of the alleged feud, including the notoriety of the original killings, the numbers killed, and the degree of commitment by the aggressor clan toward the prosecution of the feud;
  - (ii) the length of time since the last death and the relationship of the last person killed to the person;
  - (iii) the ability of members of the aggressor clan to locate the person if returned to another part of Albania; and
  - (iv) the past and likely future attitude of the police and other authorities towards the feud and the protection of the family of the person claiming to be at risk, including any past attempts to seek prosecution of



members of the aggressor clan, or to seek protection from the Albanian authorities.

- 2.4.6 Decision makers must distinguish blood feud conflicts from other crimes. Albania media have portrayed murders as blood feud killings when this was not the case, and criminals at times use the term to justify their crimes (see [Annex C](#) and [Evolution of blood feuds to the present day](#)).
- 2.4.7 The Upper Tribunal in [EH](#) found that in order to establish that there is an active blood feud affecting the person, he or she must establish the following (paragraph 74(g)):
- (i) his or her profile as a potential target of the feud identified and which family carried out the most recent killing; and
  - (ii) whether the person has been, or other members of his/her family have been, or are currently, in self-confinement within Albania.
- 2.4.8 The Upper Tribunal in [EH](#) found that where there is an active feud affecting an individual and self-confinement is the only option, that person will normally qualify for Refugee status (paragraph 74 (e)).

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## 2.5 Protection

- 2.5.1 The Upper Tribunal in [EH](#) noted that the Albanian state had taken steps to improve state protection (paragraph 74(c)). However, it was found that in areas where Kanun law predominated, particularly in northern Albania, those steps did not yet (as of October 2012) provide sufficiency of protection from Kanun-related blood-taking if an active feud was in existence and was affecting the claimant (paragraph 74).
- 2.5.2 However, the Cedoca report of 2017 noted that the idea of blood feud is generally no longer accepted in Albania, including in the north. In 2016 the British Embassy reported that Kanun law has little relevance to contemporary Albania. The British Embassy further noted that Albania has undergone significant reform in recent years in preparation for accession to the EU, achieving EU candidate status in 2014. The Government has made considerable progress in dealing with the criminal industry which benefits from blood feud claims, issuing new instructions to police and prosecutors; the Embassy considers Albanian law enforcement agencies to be reliable partners (see [Contemporary attitudes to customary law](#) and [Annex C](#)).
- 2.5.3 Cedoca reported that National Action Plans to combat blood feud are being implemented, with the police proactively collecting information on known blood feuds in their area, working with stakeholders outside the police force, and monitoring and patrolling the homes of affected families, who are made aware of how to access police help. The police also work with families affected by the murder of a family member in an effort to prevent blood feud (see [The police - initiatives](#)).
- 2.5.4 Although two of Cedoca's interlocutors expressed doubt about police success in dealing with blood feuds, and another identified a lack of police resources, multiple other non-governmental sources acknowledged police effectiveness in addressing blood feuds, which has led to a decline in the

phenomenon. However sources documented that blood feud cases are often not reported to the police for a variety of reasons, including due to a lack of trust in the authorities, police inaction or for a fear of prosecution (see [The police - effectiveness and Reluctance to involve the authorities](#)).

- 2.5.5 Cedoca further reported that the Prosecutor's Office has been proactive in making contact with people involved in blood feud in order to better understand the issues and gather evidence to prosecute; 200 families in Shkodër have been approached. Some stakeholders expressed concern about the possibility of bribing judges to gain a shorter sentence, and felt that the judiciary was a weak link in addressing blood feud, but it was acknowledged that that action was being taken to address corruption (see [The judiciary - initiatives](#) and [The judiciary - bribery](#)).
- 2.5.6 Cedoca's interlocutors at both the Prosecutor's Office and Shkodër Regional Police Directorate agreed that an increased severity of sentences for crimes in connection with blood feud has contributed to a decline in the practice and that tough sentences are given; an appeal court claimed that convictions in Shkodër district range from 32 years minimum to life sentence, but when someone is convicted for blood feud, the person can receive a reduction of his sentence from the first instance court, according to the law. In 2016 there were six procedures underway for hakmarrja [serious threat of revenge] and two for gjakmarrja [blood feud] (see [Prosecutions and sentences](#)).
- 2.5.7 In addition, some NGOs provide socio-economic assistance to families in blood feud, mental health services, assistance to women, and education for children living in isolation. Faith groups and others assist with mediation services (see [Support services](#) and [Mediation and negotiation](#)).
- 2.5.8 Effective protection for a person in blood feud is available in general. The onus is on the person to demonstrate why they believe they would be unable to access effective protection and each case must be considered on its individual facts. However, where an active blood feud means that self-confinement is the only option because the reach and influence of the opposing clan is extensive, a person is likely to qualify for refugee status.
- 2.5.9 For further guidance on assessing the availability of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

- 2.6.1 When considering internal relocation in [EH](#) (October 2012), the Upper Tribunal noted that Albania has a population of '[...] just over 3 million with a land mass of about 10,000 square miles, roughly 15 times the size of London, much of it mountains' (paragraph 69). The Upper Tribunal found that internal relocation to an area of Albania less dependent on the Kanun may provide sufficient protection, depending on the reach, influence and commitment to prosecution of the feud by the aggressor clan (para 74c).
- 2.6.2 The Upper Tribunal continued:  

'Internal relocation will be effective to protect an appellant only where the risk does not extend beyond the appellant's local area and he is unlikely to be traced in the rest of Albania by the aggressor clan. A crucial factor in

establishing whether internal relocation is a real possibility is the geographical and political reach of the aggressor clan: where that clan has government connections, locally or more widely, the requirement to transfer civil registration to a new area, [...] would appear to obviate the possibility of “disappearing” in another part of the country, and would be likely to drive the male members of a victim clan to self-confinement in the home area as an alternative’ (paragraph 70).

2.6.3 The reasonableness of internal relocation will always be dependent on the facts of the particular case. The onus is on the person to demonstrate why they believe they would be unable to relocate to another town or city, such as Tirana, to mitigate any risk.

2.6.4 See [Relocation](#) for further information about possibilities for internal relocation. For further guidance on internal relocation and the factors to be considered, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

2.7.1 Where a claim is refused, it is likely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.7.2 For further information on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Section 3 updated: 20 September 2018

## 3. Understanding blood feuds

### 3.1 Customary law

- 3.1.1 The European Asylum Support Office (EASO) published a report in November 2016, which stated:

‘The blood-feud phenomenon in Albania dates back centuries to the customary law Kanun of Lek Dukagjin, a code regulating communal life as well as private matters. During the regime of Enver Hoxha, the blood feud was outlawed and harshly punished. However, the collapse of the regime in early 1990s, combined with the absence of a functioning state, especially in the remote northern areas, left space for the revival of revenge killings.’<sup>1</sup>

- 3.1.2 In a report published in 2004, the International Center for Minority Studies and Intercultural Relations (IMIR) recorded that:

‘The most common version of customary law among the Albanians is the Kanun of Lek Dukagjin. The Albanian Gëgs inhabiting the territories north of the Shkumbin River had lived for long centuries in large clans observing the code of the Kanun – a primitive constitution regulating not only their community life, but also their private lives. The norms were passed on from generation to generation by an oral tradition and were decreed by the council of elders. It is considered that the Code was rationalised by despot Lek III Dukagjin (1410 – 1481). This code was compiled throughout the centuries chiefly by adding new norms. It was [...] published as late as 1933. The text was systematised into 12 sections – “The Church”, “The Family”, “Marriage”, “The House, Cattle, and Property”, “Work”, “Loans”, “Pledge”, “Honour”, “Damages”, “The Kanun against Harm”, “The Kanun of Judgement”, “Exemption and Exceptions”.’<sup>2</sup>

- 3.1.3 The report continued:

‘In some of its sections, the Kanun included an elaborate legal code trying to regulate blood feud (gjakmarrja) [also known as gjakmarrja, gjakmarrja, and gjakmarrja] – a system of reciprocal “honour killings”.

‘According to the Code, 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. The pattern of reprisal killings thus formed has been passed on for generations of families [...] “Blood is never lost”, states the Kanun. The perpetrator is entitled to ask through the agency of a mediator – a well-respected member of the community, for a besa – a vow that no one would hurt him. Those who have not taken revenge, fall into social disgrace.

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<sup>1</sup> EASO, ‘Albania Country Focus,’ November 2016, section 5.3.3, [URL](#)

<sup>2</sup> IMIR, ‘The Kanun in present-day Albania, Kosovo, and Montenegro,’ 2004, [URL](#)

'The Code does not allow the murdering of women or children. The only place where blood should not be shed is the house of the marked victim. [...]

'Under the regime of Enver Hoxha, the Kanun in Albania was banned, but after 1991 it returned in a most brutal form not only in the North, but also in the South, and in the central parts.'<sup>3</sup>

- 3.1.4 Cedoca, the research unit of the Belgium Office of the Commissioner General for Refugees and Stateless Persons, published a report in June 2017, entitled 'Blood Feuds in contemporary Albania: Characterisation, Prevalence and Response by the State' (Cedoca report 2017), quoting various sources, which explained the importance of the group and the concept of 'honour:'

'In her study "Gjakmarrja: Albanian Highlander's 'Blood Feud' as Social Obligation" Diana Gellçi [...] stresses that, in the absence of formal state power [...], the individual members' interests were totally subordinated to the group's interests whereas "the group" took full responsibility for its members. The individual member of the group never acted in his own right. He could only survive as a part of a group that worked as a whole. With regard to his group, the individual member acted and functioned as its representative only. With regard to his fellow group members, he had to follow rules that were based on total equality, reciprocity and solidarity.

'[...] The concept of honour was seen as a crucial institution. The survival of the group depended on its honourable status which itself depended on the honourable status of each of its individual members. In Gellçi's analysis, honour was not only the epitome of the better human values in an individual (wisdom, balance, honesty, respect, friendship, courage, self-dominance,...). Honour was also the essential feature of the relationship between the individual and the group. The maintaining of honour was the engine of all the social, cultural and judicial transactions between the members of the group. A man who had lost his honour was dismissed and automatically became (socially speaking) a dead man. In her study, she links the phenomenon of traditional blood feud with the traditional concept of honour. Gjakmarrja could be called the threat of the death penalty for someone who infringed in very specific and grave ways on someone's honour. She claims that gjakmarrja was the "kanunical" right and the obligation for the individual to cleanse or restore the group's honour. According to her, it was an integral social obligation. Apart from "honour", Gellçi distinguishes also other cultural institutions in the Kanun like for example "hospitality", "besa". All these concepts were strongly interlinked with each other.'<sup>4</sup>

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## 3.2 Contemporary attitudes to customary law

### 3.2.1 The Cedoca report 2017 stated:

'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.

<sup>3</sup> IMIR, 'The Kanun in present-day Albania, Kosovo, and Montenegro,' 2004, page 2, [URL](#)

<sup>4</sup> Cedoca, COI Focus, Section 1.1, 29 June 2017, [URL](#)

'Mentor Kikia [a journalist and civil society activist] 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."

'Alfred Koçobashi from the People's Advocate Institution declared:

"Maybe only a tiny fraction of the people still believes in old Kanuns, even when there is a lack of infrastructure and there is no government presence everywhere. I believe the mentality of the people is moving towards the rule of law. There is development. There is communication now. They are not as backward anymore in the remote areas in the North."<sup>5</sup>

### 3.2.2 Cedoca spoke to additional interlocutors, noting:

'However– in spite of the general claims about a new, modern mentality that is no longer sustaining blood feuds – murders have still been committed in the 21st century whereby the Kanun was invoked. It seems that this phenomenon is the result of the perpetuation of a traditional mentality among some sections of Albanian society:

'[...] An appeal court judge confirmed that in the post-communist era, all of a sudden murders have been committed in the name of blood feud after decades of silence. Also according to a source at the Shkodër Regional Police Directorate, the traditional mentality was perpetuated in the mind or consciousness of some people. [...]

'A priest from a religious congregation in Fushë-Arrëz who has many years' experience in community building (including mediation and reconciliation processes between conflicting families) wrote in an e-mail to Cedoca:

"When something in the direction (of an ethical issue) happens, many Albanians think that the rules of the Kanun are applicable. [...]

'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

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<sup>5</sup> Cedoca, COI Focus, Section 1.3, 29 June 2017, [URL](#)

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’.”

‘Luigj Mila [of the Justice and Peace Commission of Albania] explained that although blood feud was condemned for 50 years and customary law texts were put into the archives and sealed off, some people kept a kind of nostalgia for it. They remained emotionally attached to it in a negative way. [...]

‘The General Director from the Albanian State Police stated that, although society generally does not accept the phenomenon anymore, sometimes it resurfaces as the result of “something which is driven by the past”. With regard to the examples of traditional practices resurfacing in contemporary Albania, Diana Gellçi acknowledges in her study that the once sacred cultural institutions known as honour, besa and hospitality may have remained in the mentality but she claims that they have only remained as “cultural fossils”. They are practiced only for the sake of culture.

“What has changed is that gjakmarrja has been reduced from an integral social transaction to a less integral tradition. As an integral social transaction, gjakmarrja traditionally played an institutional role in society, where it was born as social obligation, was culturally elaborated, and completely matured until it lost its entire function. Finally, what is currently called gjakmarrja has little but the name in common with the highlanders’ tradition usage.”<sup>6</sup>

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### 3.3 Evolution of blood feuds to the present day

#### 3.3.1 The Cedoca report 2017 noted that the notion of blood feuds continues to evolve:

‘In the AIPA [Albanian Institute for Public Affairs] report it is stated that “[...] The only thing that is left of the Kanun is selfisolation. Nothing else links the present day murders with the Kanun as such”.

‘A report by Operazione Colomba states that “The phenomenon has changed and keeps changing. Nowadays the custom has been altered compared to the rules prescribed in the Kanun.” Mentor Kikia [...] acknowledged that Kanun-elements like “selfisolation” [...] or the element of “negotiation” [...] can sometimes still be observed in contemporary blood feuds. Alfred Koçobashi stated that blood feud still occurs “when someone innocent, a third party has to pay the price for the damage a family member has done, but he added that since the 1990s it is not about honour anymore. 80 % is criminal and not related to customary law or medieval common law. It’s about mafia-style killings. It’s murder cases for other reasons than blood feud, just like they happen elsewhere. It’s normal killings or vendetta killings.”

‘Elsa Ballauri from the Albanian Human Rights Group (AHRG) also referred to the transformation of blood feud: [...] She pointed out that nowadays, people are killing even women and children for blood feud, which is not in accordance to the stipulations of the Kanun. [...] She also declared: “It’s

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<sup>6</sup> Cedoca, COI Focus, Section 1.3, 29 June 2017, [URL](#)

more a justification nowadays because they are committing crimes and they say: 'I did it for blood feud'. But for me, none of the cases after the 1990s is a real blood feud case."

'Also Rasim Gjoka from the Foundation for Conflict Resolution and Reconciliation of Disputes (AFCR) explained that "[...] people use the term blood feud in order to justify their heavy crimes. It is not true blood feud. It's pure criminality." [...] With regard to the reconciliation process, Gjoka also stated that the instrument of the Kanun is not there anymore. He concluded that "very few of all these cases are blood feud."<sup>7</sup>

### 3.3.2 The Cedoca report 2017 further noted:

'Mentor Kikia [...] stated that a murder that happens in the north of Albania will rather be considered gjakmarrja [blood feud] because of the perpetuation of the traditional mentality over there, while the same type of murder in the south of Albania becomes hakmarrja [revenge]. [...]

'The General Director from the Albanian State Police also stated that revenge cases, that most often are the consequence of criminal problems and individual conflicts or disputes, can happen to everyone and everywhere and are very often wrongly labelled as blood feud. But he also warned that cases of revenge killing often transfer into cases of blood feud. This happens "as soon as the regulating role of the elderly is involved". As prescribed by the Kanun, the elderly sometimes choose a target and the victim will lock himself up.'<sup>8</sup>

### 3.3.3 The Cedoca report 2017 also noted the roots of contemporary blood feuds:

'According to Mila, nearly all the blood feuds that started after communism [1944-1990] have to do with property and land disputes. He explained that the people who got embroiled in disputes over land had come into the urban areas from the mountains and had brought with them the mentality, traditions and nostalgia for the Kanun. According to a representative at the Shkodër Regional Police Directorate almost 100 % of the contemporary blood feuds come from the conflicts in the 1990s. Professor Gjuraj stated that in the 1990s there was a revival of the blood feud phenomenon because of new conflicts due to property disputes, land issues, disputes for petty reasons and problems because of high unemployment among the young generation. [...] However, [...] these new, contemporary blood feud killings are not to be regarded as a revival of traditional blood feuds. Indeed, it seems that the rules of the Kanun were respected in practically none of these cases and that it was nearly always very difficult to distinguish these murders from ordinary revenge killings.'<sup>9</sup>

### 3.3.4 In a letter dated June 2014, the British Embassy in Tirana noted that, '[...] modern day criminality and revenge is just that, paying little heed to the principles of the "Kanun", except for the fact of retribution. [...] Modern

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<sup>7</sup> Cedoca, COI Focus, Section 2.2, 29 June 2017, [URL](#)

<sup>8</sup> Cedoca, COI Focus, Section 2.3, 29 June 2017, [URL](#)

<sup>9</sup> Cedoca, COI Focus, Section 2.1, 29 June 2017, [URL](#)



revenge killings bear little resemblance to the codified, almost ceremonial aspects of “Kanun” based blood feud.<sup>10</sup>

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### 3.4 Definition of a blood feud

3.4.1 The Criminal Code of Albania does not provide a legal definition of a blood feud.<sup>11</sup>

3.4.2 A UNHCR ‘position paper’ of March 2006 stated:

[...] a blood feud involves the members of one family killing members of another family in retaliatory acts of vengeance which are carried out according to an ancient code of honour and behaviour. [...] Traditionally, it is only adult males who become targets of a blood feud, which can last for decades and can require the extinction of all male family members. More recently, there have been reports of women and children becoming targets in blood feuds. They may also be killed or injured in attacks on male family members, while children can be kept at home for extended periods and prevented from attending school because the family fears they may be killed, attacked or kidnapped. Thus, while adult males are the primary target in a blood feud, other family members may also be at risk of death or lesser violations of their human rights.<sup>12</sup>

3.4.3 However, with reference to the UNHCR definition above, the Cedoca report 2017 stated:

‘However, [...] it is understood that the label “blood feud” is nowadays used for a much broader spectrum of completely different situations. Therefore, Alston [Philip Alston, the Special Rapporteur on extrajudicial, summary or arbitrary executions] has also included a broader definition in his report that mirrors the transformation of the blood feud phenomenon in contemporary Albania. He draws the attention to the difficulty “to prove any specific cultural motivation for a particular killing” nowadays. And he classifies blood feud as “any revenge killing (hakmarrja) between families as a blood feud regardless of any reference to the need to restore blood and honour or of guidance by any kanun-related considerations.”<sup>13</sup>

3.4.4 The Cedoca report 2017 concluded that, ‘It seems that there is no general agreement about how to define blood feuds in contemporary Albania.’<sup>14</sup>

3.4.5 Although published on 16 December 2013, the British Ambassador’s speech at the blood feud phenomenon round table, organised by the Prosecutor General in Shkodra, discussed the problem of defining a blood feud:

‘Often [in] discussing this issue, there is a confusion between a blood feud and simple revenge killings. A blood feud is a long term process, which can involve threats to the lives of people who are only marginally involved in the original dispute. But revenge killings are a much more common phenomenon. Revenge killings and vendettas are frequent among organised

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<sup>10</sup> Letter from British Embassy, Tirana, to COIS, 12 June 2014, [URL](#)

<sup>11</sup> Criminal Code of the Republic of Albania, [URL](#)

<sup>12</sup> UNHCR, ‘UNHCR position [...],’ 17 March 2006, [URL](#)

<sup>13</sup> Cedoca, COI Focus, Section 2.4, 29 June 2017, [URL](#)

<sup>14</sup> Cedoca, COI Focus, Section 2.4, 29 June 2017, [URL](#)

crime gangs in any country, including England. The practice of revenge killings is also more common in many Balkan and other southern European countries. There are two reasons for this. Attitudes to honour and masculinity, and a willingness to recourse to violence, tend to be stronger in Mediterranean countries than in northern Europe. On the other hand, respect for and trust in the rule of law and the law enforcement authorities are less. In Albania, people feel obliged to take personal, violent action to resolve disputes that in England these days would usually be solved by the courts or the police. There is also much easier access to weapons here and knowledge of how to use them. So family disputes, business disputes, land disputes between neighbours are often resolved in Albania with guns and bombs rather than legal procedures. This is a serious social problem and one that needs to be addressed. But it is not the same thing as the blood feud phenomenon and not unique to Albania.<sup>15</sup>

#### 3.4.6 The Ambassador considered literary and romantic associations and the mythology of the blood feud:

‘The historical associations of blood feuds, and the notion of parallel systems of justice, are very exciting to scholars, anthropologists, historians and folklore enthusiasts. Scholars love to read the Kanun of Luk Dukagjini and see in it the driving forces of the Albanian national character. It is seen as a unique part of Albanian culture. Homesick Albanian migrants in western Europe enjoy sitting in bars and telling their new British or Dutch friends exciting stories about blood feuds. The subject is also a great literary inspiration. Ismail Kadare’s book “Broken April” is a brilliant description of the human, individual impact of a blood feud. It is very interesting to read the Kanun and try and find in it lessons about Albanian culture and history or even current Albanian politics. But we should not get over-excited about this or lose perspective. Is there anybody in 21st century Albania who really tries to live their life according to the code of Luk Dukagjini? Is there anybody in Albania today really trapped in the world of “Broken April”? I may be wrong, but I find this hard to believe.’<sup>16</sup>

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Section 4 updated: 20 September 2018

## 4. Possible characteristics of contemporary blood feuds

### 4.1 Isolation

#### 4.1.1 In the report of June 2017, Cedoca stated:

‘Self-confinement is often referred to as a possible characteristic of contemporary blood feud cases. However, the Albanian State Police makes a clear distinction between blood feud affected families who are confined and those who are not confined. It seems that there are also blood feud affected families who are semi-isolated, which means they come out of their houses occasionally or even regularly.

‘According to the Shkodër Regional Police Directorate, there are 68 families in the Shkodër region who are permanently living in confinement [...] With

<sup>15</sup> GOV.UK, Speeches: The Blood Feud Phenomenon, 16 December 2013, [URL](#)

<sup>16</sup> GOV.UK, Speeches: The Blood Feud Phenomenon, 16 December 2013, [URL](#)

regard to this group, Mentor Kikia stated that they are really isolated and “cannot even go to or imagine to go to Tirana”.

‘Nevertheless, sometimes one or more persons of such a family are allowed to leave the house temporarily after a negotiated agreement [...].

‘According to the Shkodër Regional Police Directorate, there are 122 blood feud affected families in the Shkodër region who are not (permanently) living in self-confinement. The representative from the Shkodër Regional Police Directorate argued that people belonging to this group can move freely. A representative from Operazione Colomba declared that all the families they are monitoring belong to this group. Sometimes, people may decide to stay inside their home for some time because of fear. She also explained that in some cases only a small part of the family has to be confined because it was negotiated that only the father, brother or killer have to be at home and not the entire family or clan. [...]

‘Mentor Kikia argued that there are still 21 confined children in the Shkodër region, based on the statistics he gathered in 2011. According to Rasim Gjoka, presently there are not more than 20-22 children who are not going to school for this reason. According to the Shkodër Regional Police Directorate, there are currently 15 children who do not go to school because of blood feud. Liljana Luani, a volunteer teacher with children in blood feud, referred to the statistics from the Shkodër Police Directorate for the exact number but she remarked that children are sometimes registered at the Education Directorate as if they go to school, but they do not (or do not go regularly), or they are registered as if they are home schooled but in reality they go to school every day (and so-called home school teachers are wrongfully paid for this). [...]

‘A representative from Operazione Colomba confirmed the improvements relating to children in isolation and school attendance by saying: “The good thing is that many children, most of them, nowadays go to school. This was an issue in the past. From our experience self-isolation was very common in the past. We had children who spent their entire childhood locked inside. They are teenagers nowadays and they go out. Still, they are risking, but they go outside. It is difficult to understand the level of danger.”<sup>17</sup>

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## 4.2 Threats

### 4.2.1 The Cedoca report 2017 stated:

‘It is often mentioned that a contemporary blood feud case can be characterized by the occurrence or recurrence of threats. Local prosecutors told Cedoca that the relatives of a victim usually do not send direct threats to the target they have in mind: “They will look for a close person from the other family and then they use expressions like ‘you owe it to me’.” Also an appeal court judge claimed that a threat may be uttered more or less indirectly (e.g. “You must be careful”). Additionally she claimed that such a threat is sometimes uttered only once and afterwards it stays in the minds of the

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<sup>17</sup> Cedoca, COI Focus, Section 3.1, 29 June 2017, [URL](#)

affected persons. [...] Sometimes it happens that a threat is made through Facebook. [...]

‘According to a number of local prosecutors from the north, it can occur that some members of a family feel threatened “but they aren’t per se”: “In reality, it can happen that one person receives a threat and the rest of the family tries to benefit from this. It is not always the confined people that seek for asylum but rather their relatives.” Also Mila stated that not everyone is always under threat. Some families only go after the perpetrator of a given crime and they wait until he is released from prison. “It’s case by case!”

‘A threat is something that can have a huge impact on people’s lives: According to one source, “some people who feel threatened never travel alone, even today. A threat keeps hanging around easily in Albania. This has also to do with the trauma of the [Communist] dictatorship. There was a culture of distrust, paranoia and imaginary threats.”

‘Sometimes it also happens nowadays that someone who is threatened ostensibly defies the threat that is made. Several sources have referred to the case of Dritan Proj, a pastor who had received threats after his uncle had murdered someone in 2005. He went into self-confinement inside Albania and later even moved abroad. When at some point he decided to defy the threats he returned to Shkodër in order to continue his life normally. But he was killed in October 2010, five years after the murder committed by his uncle.’<sup>18</sup>

#### 4.2.2 The Cedoca report 2017 also noted the fear which may be associated with a potential blood feud:

‘Many interlocutors argued that blood feud affected families are characteristically confronted with a kind of fear which is difficult to explain. An appeal court judge explained that just one threat shortly after an initial murder is enough for a family to stay inside their home. “There’s no more pressure but they are convinced that they mustn’t leave the place and move freely. The threat is in their mind.” Rasim Gjoka [from the Foundation for Conflict Resolution and Reconciliation of Disputes (AFRCR)] likewise argued that “there is no reason in Albania to isolate yourself and to be afraid of killing because a conflict happened some time ago but people are afraid nevertheless.” [...]

‘However, not everyone belonging to a blood feud affected family suffers from fear nowadays. [...] According to Mentor Kikia, there are nowadays also a lot of people who feel powerful enough to defy a threat. In such situations, however, they still run a risk. Also according to Luigj Mila, “not everyone is threatened and sometimes someone is simply not afraid.”’<sup>19</sup>

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<sup>18</sup> Cedoca, COI Focus, Section 3.3, 29 June 2017, [URL](#)

<sup>19</sup> Cedoca, COI Focus, Section 3.2, 29 June 2017, [URL](#)

## 4.3 Killings

### 4.3.1 The Cedoca report 2017 noted:

‘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 [Organisation for Security and Co-operation in Europe] 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.”<sup>20</sup>

### 4.3.2 The Cedoca report 2017 further stated:

‘At the State Police Headquarters it was stated that the number of murders for reasons of blood feud, as well as the total number of murders, is gradually decreasing:

‘The year 2013 counted 3 blood feud-related murders, but the investigations in these cases have not been concluded yet. In 2014 one murder was listed as related to blood feud. This case was transferred to court.

‘In 2015, no murders were registered as blood feud murders. Nationwide, 54 murders were committed in 2015. In 2016, one murder was classified as a blood feud-related murder. A total of 63 murders were committed nationally in 2016. Approximately 80% of all murders in 2016 were related to property disputes. A small number of cases was related to criminal offenses and one to blood feud. As of 13 March 2017, no registered cases of murders were committed for reasons of blood feud.

‘Many non-governmental interlocutors referred to the police statistics as a reliable source. [...]

‘[...] Operazione Colomba] disposes of its own database of contemporary blood feud murders. The database is updated through daily media research [...] Thus, Operazione Colomba is aware of 6 murders with blood feud elements in 2016, 2 in 2015, 4 in 2014 and 7 in 2013. These are cases from all over Albania that appeared in the media. Operazione Colomba could not provide information about the outcome of investigations or legal proceedings in these cases. [...] According to Rasim Gjoka, the media - as well as some reconciliation associations - have an interest to exaggerate numbers. [...]

‘Some sources believed that in recent years murders have been committed for reasons of blood feud without being registered because people avoid the authorities.’<sup>21</sup>

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<sup>20</sup> Cedoca, COI Focus, Section 3.4, 29 June 2017, [URL](#)

<sup>21</sup> Cedoca, COI Focus, Section 4.2, 29 June 2017, [URL](#)

- 4.3.3 Albanian Daily News reported in September 2018 that a man who had been living abroad due to a blood feud was killed after returning to Albania in the northwest town of Mamurras.<sup>22</sup>
- 4.3.4 The organisation Operazione Colomba issues monthly reports of activities in Albania which include attacks and killings in relation to blood feuds.<sup>23</sup>
- 4.3.5 See [Prevalence of blood feuds](#) for further statistics related to blood feuds.

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#### 4.4 Impact on the wider family

- 4.4.1 The Cedoca report 2017 further noted that:

‘By their very nature, blood feuds have always been characterized by the involvement of the family [...] according to the General Director from the Albanian State Police, a case of contemporary blood feud is invariably a family issue: “It’s not about two individuals, the whole family is linked with the issue”.

‘However, Professor Gjuraj pointed out that [...] “blood ties are not as sacred anymore as they used to be in the past” and individualism is gaining importance. He claimed that since the 1990s it depends on each case whether a violent dispute turns into a family issue or not. The General Director from the Albanian State Police warned that there are cases nowadays where family members of a victim and a perpetrator do not become involved in the dispute: [...]. And according to Mentor Kikia, it often happens nowadays that family members of a murderer do not isolate themselves because they do not see a given situation as a family issue anymore. Likewise, a representative of the Albanian Helsinki Committee stated that the family of a victim is not always exerting the same pressure anymore to take revenge as used to happen in the past.

‘Representatives of regional prosecutor’s offices confirmed these opinions about the changing involvement of the family but they also stated that there are still cases where even the relatives of the relatives of a perpetrator can become a target of revenge (for example when the perpetrator and his closest family members have emigrated). [...]. Also Rasim Gjoka confirmed that nowadays you cannot know anymore whom the threatening party has in mind: “Sometimes they apparently don’t care who of the opposite family will be the target. Even women can be the target.”<sup>24</sup>

- 4.4.2 The Cedoca report 2017 further noted that, ‘A representative of the OSCE [Organisation for Security and Co-operation in Europe] [...] stated that it should always be taken into account that a dispute between members of two families nowadays can cover a dispute between two organized crime groups because organized crime groups in Albania are mostly structured along family ties as well. This implies that the choice of the victims can be determined in the first place by motives that are related to their mafia business.’<sup>25</sup>

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<sup>22</sup> Albanian Daily News, Blood Feuds, Man Killed in Mamurras, 6 September 2018, [URL](#)

<sup>23</sup> Operazione Colomba, Monthly reports, [URL](#)

<sup>24</sup> Cedoca, COI Focus, Section 3.6, 29 June 2017, [URL](#)

<sup>25</sup> Cedoca, COI Focus, Section 3.6, 29 June 2017, [URL](#)

## 4.5 Reluctance to involve the authorities

4.5.1 The Cedoca report 2017 noted, ‘Even though there are various ways to file a complaint (in the office, by telephone, by e-mail or through a mobile phone application), many experts confirmed that people do not easily go to the police or to the prosecutor to denounce or to report a contemporary blood feud case [...].’<sup>26</sup>

4.5.2 The Cedoca report 2017 further noted:

‘[...] blood feuds in contemporary Albania are often not reported to the authorities by the persons who are involved [...] A representative from the Prosecutor’s General Office in Tirana [...] explained that it is important to denounce because “we cannot start a case if we don’t know who’s threatening, when we don’t know who to call a defendant.” [...].

‘A variety of reasons have been put forward as to why people do not contact the authorities or refuse to collaborate with them.

‘One of the most cited reasons seems to be that it is part of the traditional mentality, that it is a cultural issue to keep away private conflicts out of sight of the authorities. A representative from the Shkodër Regional Police Directorate [...] explained that those who seek self-justice come from remote and isolated areas and that they are “lacking information or cultural background and they do not know how the police works and do not know how to file a complaint.” Operazione Colomba confirmed this by saying that many people who moved from the mountains do not know who to approach and how to get a lawyer. [...]. Luigj Mila argued that families who are (self-) isolated do not even consider the police as an authority. He claimed that people from remote mountainous regions in particular “do not accept the State as a right partner to condemn an aggressor.” Other sources pointed at the influence the old generation still have on young people. Liljana Luani, a volunteer teacher with children who are affected by blood feud, [...] blamed men and their pride. “Men are so proud and they want to solve things themselves.” Also Rasim Gjoka stated that the traditional community surrounding a family can have a negative influence.

‘A second reason that is given [...] is that there remains a general distrust of the authorities based on what has happened in the past. [...] people may nowadays still avoid contacting the authorities and seek self-justice because of a lack of trust in the authorities.

‘Elsa Ballauri also mentioned the fact that people do not go to the police because in the past nothing had been done after they had filed a complaint. She remarked that people still have the idea that the institutions are not functioning. Regarding this she argued there is a possibility the police will take sides in a conflict because of corruption and bribery [...]. She also stated that people may feel more insecure after filing a complaint because their enemies are more likely to be more angry with them. [...].

‘[...] A representative of an international organization in Tirana stated that people sometimes do not go to the police because they have done

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<sup>26</sup> Cedoca, COI Focus, Section 3.7, 29 June 2017, [URL](#)

something unlawfully themselves. [...]. They may want to keep the police out of their drugs business or property issues.’<sup>27</sup>

4.5.3 The Cedoca report 2017 further reported on discussions with the Judiciary, stating:

‘Both the Director of Cabinet of the Prosecutor’s Office in Tirana and the local prosecutors in the north have complained that many blood feud affected families do not want to collaborate with the judiciary. The Director declared that 175 out of 200 families who were living in conflict (during their study in 2013-2014) because of a previous murder and who were asked for a denunciation in order to start a court case, have refused to denounce. “They were frightened. They don’t want to collaborate. This is a real problem.” A delegation of local prosecutors with whom Cedoca talked stated that the family of the confined never declare to the prosecutor or the police that they have received threats. “In those cases, we can do nothing. The state structures are not powerful enough. We cannot take measures if they don’t denounce.” [...]

‘Also the appeal court judge Cedoca met stated that the blood feud-affected families generally try to avoid the authorities. “[...] They also try to confuse the judges in the court room. They try to make the judges believe that it was a ‘normal murder’ and not a blood feud murder.” She added that sometimes, however, the accused are also proud to have perpetrated a blood feud killing.’<sup>28</sup>

4.5.4 See [The Judiciary](#) for further information on this issue.

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## 4.6 Women

4.6.1 The Cedoca report 2017 stated:

‘Although they are not supposed to be targeted according to the Kanun, women and girls have become victims of contemporary blood feuds. According to the Shkodër Regional Police Directorate, these have mostly been cases of collateral damage. But women can also be perpetrators of blood feud crimes. Statistics from the Ministry of Justice show that 7 women have been sentenced for blood feud murders between 2005 and 2015, whereas for the same period 128 men were sentenced for the same offences.

‘Apart from their direct involvement as a victim or a perpetrator, a recurring characteristic aspect of contemporary blood feuds is that women in the affected families easily find themselves in a vulnerable position and are subjected to domestic violence. According to the AIPA report, [...] “these women live under the pressure of psychological, physical and sexual violence of males”, but they do not denounce them because they “justify this violence as a result of their husbands’ or sons’ circumstances”.

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<sup>27</sup> Cedoca, COI Focus, Section 3.8, 29 June 2017, [URL](#)

<sup>28</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)



‘According to Mentor Kikia, the Albanian police has become more accessible and helpful to women over the last few years.’ Further information about improved police attitudes towards women is available in the Cedoca report.<sup>29</sup>

#### 4.6.2 The Cedoca report 2017 also reported on initiatives to help women impacted by blood feuds:

‘There are also a number of non-governmental initiatives for women affected by blood feud in and around Shkodër. Liljana Luani in cooperation with the Ministry of Social Welfare and Youth and the Directorate of Social Services is providing professional courses for women in blood feud. Women are picked up from their homes and brought to the place where these courses are given. Afterwards they are dropped off at their houses again. The aim of these courses, is to teach women a profession which will allow them to start working afterwards. These women are also offered psychological support. Liljana Luani remarked that one of the biggest challenges was to change their husbands’ mentality in order to let the women leave their houses and follow the courses. According to Liljana Luani, many changes can now be observed with regard to these women’s behaviour towards their husbands and children.’<sup>30</sup>

#### 4.6.3 See [Support services](#) for further information about the support available.

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### 4.7 Attestation letters and vested interests

#### 4.7.1 The Cedoca report 2017 stated:

‘The issuance of fake blood feud attestations and the presentation of such certificates by asylum seekers in and outside Europe is a recurring topic in many reports on blood feud. According to the 2014 OSCE report on blood feud there is neither an official nor a non-official entity that is authorized to issue such certificates.

‘A representative at the Shkodër Regional Police Directorate confirmed that the police offices do not issue attestations or verifications declaring families have problems. “But every complaint is written down and it is part of the procedure to provide a copy of a complaint.” Telephone complaints are also registered in a special book in the command room and citizens can obtain a copy of any official document at any time.

‘The Prosecutor’s Office declared that it can issue attestations to citizens about cases that have been started but such attestations will never state that a given case is correlated with blood feud. In these attestations the facts of an incident are registered: what has happened, who is a victim and who is the perpetrator. The General Director from the Albanian State Police mentioned that unofficial reconciliation organizations have taken advantage of the requests for blood feud attestations by a number of citizens. He stated that Albanians have obtained documents from those institutions falsely claiming they are in a blood feud situation, and he noted that even municipality and police signatures were falsified. The Vice-Minister of Interior Affairs argued that a lot of research has been done into organizations that

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<sup>29</sup> Cedoca, COI Focus, Section 3.9, 29 June 2017, [URL](#)

<sup>30</sup> Cedoca, COI Focus, Section 3.9, 29 June 2017, [URL](#)

are abusing the phenomenon. She declared that the Ministry of Interior Affairs has intensified its actions against this kind of abuse.

'The Prosecutor's Office has started several proceedings against associations that deliver false attestations. These proceedings have resulted in convictions and are a warning to other NGOs, according to a representative at the Prosecutor's Office in Tirana. She cited two court cases (in Durrës and in Shkodër) in 2016. With regard to the Durrës-case, the head of the National Assembly of Missionaries for Reconciliation was sentenced to 2 years imprisonment while his associate was sentenced to 9 months imprisonment.

'Apart from reconciliation associations, some local police officers and heads of villages have also benefitted from issuing false documents. According to Alfred Koçobashi, in recent years a total of 16 persons were criminally investigated and charged for fraud and abuse of power: the head of the National Assembly of Missionaries for Reconciliation in Durrës and two of his associates, the mayor of Postribë town, the secretary general of the Association of Missionaries for Peace, the heads of the villages of Mes, Boks and Drisht, an elder of the village Shtoj and of Rrethina, and seven citizens.

'Most non-governmental sources Cedoca met during its fact-finding mission have received requests from Albanian citizens or foreign lawyers to issue attestations to prove (often wrongly) that their clients are in a blood feud situation. The persons asking for such attestations often say they or their family members need them as a proof of their situation. None of Cedoca's interlocutors have complied with such requests.'<sup>31</sup>

4.7.2 In a letter dated February 2016, the British Embassy in Tirana wrote:

'Vested interests and criminality play a key role in inflating the sense of the scale of the phenomenon [of blood feuds]. The Albanian press, hungry for sensation, report murders as blood feud, even in cases of straightforward gangland murders. Some local journalists have reportedly accepted money to report a murder as blood feud in order that family members might then use the invented blood feud in an asylum bid. Others have simply invented a story, without a dispute having taken place, for the benefit of two families' immigration plans. Corrupt and rapacious NGOs and local officials also blur definitions. Fake "blood feud" certificates are easily available for a price from both NGOs and local officials. This was highlighted in a media sting against a well known head of an NGO who is referred to in UK operational guidance. He was filmed accepting cash in exchange for support for a fake blood feud claim. When an embassy delegation visited northern Albania to investigate the extent of blood feud, the prominent individual declined to meet, but continues to represent UK Albanian asylum claimants in a self declared "expert witness" role.

'The Albanian government no longer recognises blood feud "certificates" from NGOs, police or local government offices. In discussions other NGOs advised us not to extend asylum to claimants as this would, in genuine

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<sup>31</sup> Cedoca, COI Focus, Section 7, 29 June 2017, [URL](#)

cases, only exacerbate the situation for relatives remaining in Albania. The only real solution is reconciliation of the parties in Albania. [...]

‘Conversations with almost all interlocutors highlighted that reference to blood feud “certificates” either produced by NGOs or by local officials was largely pointless. Other embassies in Tirana take the same view.’<sup>32</sup>

4.7.3 In 2013 the British Ambassador considered what he called ‘the blood feud industry’:

‘There are NGOs in this country that have profited by exploiting this subject to obtain international funding. Every year, thousands of migrants try to claim asylum in western Europe with complicated stories of blood feuds, most of which I believe to be untrue. I cannot blame migrants from poor backgrounds for trying to improve their standard of living and that of their family. But by repeating these stories over and over again, they perpetrate myths about Albania and bring shame on their country. There are NGOs and local government officials who have developed a business in so-called blood feud certificates. These are documents intended to facilitate asylum claims outside Albania. If such officials and NGOs have information about crime, one would expect them to report it to the police or the prosecutor rather than to charge money for such certificates. I have even come across shameful cases where police officers themselves have issued such certificates instead of doing their duty to protect the public.’<sup>33</sup>

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4.8 Further characteristics

4.8.1 See also [Mediation and negotiation](#), and [State protection](#), which can be further characteristics of a contemporary blood feud.

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Section 5 updated: 19 October 2018

5. Prevalence of blood feuds

5.1.1 After carrying out research and field visits, the British Embassy in Tirana wrote the following in February 2016:

‘Given this range of Embassy sources and external [sources], it is possible to judge that Blood Feud in Albania is extremely limited in both numbers of actual cases, and in geographical location... 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 [Organisation for Security and Cooperation in Europe] report drew similar conclusions: that the scale of the issue was very limited.’<sup>34</sup> The British Embassy further noted

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<sup>32</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

<sup>33</sup> GOV.UK, Speeches: The Blood Feud Phenomenon, 16 December 2013, [URL](#)

<sup>34</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

that blood feuds are ‘largely restricted to remote pockets in the mountain north of the country.’<sup>35</sup>

5.1.2 The British Embassy also stated:

‘Statistics about the numbers of people affected by blood feud vary greatly. At one end of the scale are certain NGO’s with vested interests in inflated numbers, who claim that more than 1000 families are affected. At the other end, local units of the State Police tend to estimate the lowest numbers. Most interlocutors, including from the NGO groups interviewed, suggested that the figures of local prosecutors were likely to be the most accurate. These figures are toward the lower end of the spectrum, slightly higher than police records, but much lower than some of the more outlandish NGO estimates. Prosecutors, we were told, have the most accurate numbers because any judgement issued by an Albanian court can be verified through the Prosecutor General. Regional prosecutors have access to this information. Indeed, the prosecutor for the Shkodra district offered to share such data with UK agencies through an MoU which would allow for requests to be processed in a manner consistent with Data protection laws. All interlocutors suggested that the incidence of blood feud is declining.’<sup>36</sup>

5.1.3 The United States Department of State’s Country Report on Human Rights Practices for 2017 (USSD HR Report 2017) stated, ‘Alleged incidents of societal killings, including both “blood-feud” and revenge killings, occurred during the year, but as of August authorities had reported only one case of a blood-feud killing.’<sup>37</sup>

5.1.4 The Cedoca report 2017 stated:

‘An OSCE-representative stated that blood feud remains an issue in Albania: “As long as one family member remains, some people might keep doing it. And there are still victims seeking justice. The thing is not fading away here.” However, all of Cedoca’s interlocutors agree that the number of people affected by blood feud is gradually decreasing. The Albanian State Police stated that, according to their current registers, 60 families in total are suffering from blood feud (nearly all in the north). These families altogether count 143 individuals, including 40 children.

‘At the Regional Police Directorate in Shkodër it was stated that in 2016 there were 68 confined families registered in the Shkodër region: Shkodër municipality (61 confined families), Vau i Dejës municipality (3 confined families), Malësi e Madhe municipality (4 confined families), Fushë-Arrëz and Pukë municipalities (0 confined families). The representative at the police directorate remarked that “some of these 68 families have gone abroad or have moved inside Albania”.

‘Still, according to the representative at the Regional Police Directorate in Shkodër, there are another 122 families who are in blood feud but not confined in the Shkodër region. He claimed that these families move freely. Shkodër municipality counts 74 families, Vau i Dejës municipality counts 20 families, Malësi e Madhe municipality 28 families and Fushë-Arrëz and Pukë

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<sup>35</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

<sup>36</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

<sup>37</sup> USSD HR Report 2017, Section 6, 20 April 2018, [URL](#)

municipalities have none. Still, according to the representative at the Shkodër Regional Police Directorate, there are currently 15 children who are not attending school because of blood feud. He also remarked that there are 13 families who reconciled in 2015-2016.

'Nearly all of Cedoca's non-governmental contacts referred to police statistics when asked about the number of people currently involved in a blood feud. Rasim Gjoka's AFCD does not count more than 50-55 families (121 persons) affected by blood feud. His information is based on the work of his network of mediators who are in contact with the local police and public institutions in the Shkodër region.

'According to Rasim Gjoka, there are also improvements regarding school attendance [...]. A few years ago there were "not more than 100 children who did not go to school because of blood feud, even though the media reported figures exceeding 2000. Currently the number is reduced to 20-22 children who are not going to school because of blood feud." [...]

'At the Prosecutor's Office, the statistics on families who suffer from blood feud are based on a field study from 2013-2014. During this field study, officers from the Prosecutor's Office visited 200 families in the district of Shkodër who were known to be in a conflict for a murder case after the 1990s. Out of these 200 families, 25 families agreed to report to the authorities. Those 25 families consist of 30 persons and are confined.

'[...] Apart from the figures published by the Committee of Nationwide Reconciliation (CNR) in 2016, which are significantly higher than all other figures, all other records show that the phenomenon is gradually decreasing. The Ombudsman said he trusts official figures rather than NGOs' or people's general opinion. Alfred Koçobashi argued that "figures are very low compared to some NGO figures" because those NGO's "try to increase this number to gain money for their activities".'<sup>38</sup>

#### 5.1.5 In March 2018, Operazione Colomba reported:

'Data on the geographic and numeric distribution of blood feuds varies considerably, depending on source. In terms of geographic distribution, most disputes occur in the suburbs of the big cities in the north and centre of the country, as Operazione Colomba research since 2010 has found.

'Since 2011 Operazione Colomba has been monitoring the cases of hakmarrja and gjakmarrja reported in the Albanian and international media, especially since 2013. The resulting database relies on the following dailies: Panorama, Shekulli and Gazeta Shqiptare, supplemented by other national publications such as Shqip and Mapo and occasional news reported in the international press and online media. However, the data given in the articles we have examined also provides information on older cases that go back to the 1980s. At December 2017 the Operazione Colomba database included 550 cases of injury, attempted murder and murder caused by hakmarrja or gjakmarrja. Some articles specifically refer to blood feuds, while others have been classified as such by Operazione Colomba staff based on the

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<sup>38</sup> Cedoca, COI Focus, Section 4.1, 29 June 2017, [URL](#)

information they contain and typical motives for blood feud. Yet other cases are still being monitored to check future developments.

'Of the 550 cases in the database, 48 are believed to be caused by gjakmarrja and 275 by hakmarrja. Some blood feuds are the result of previous hakmarrja that has degenerated into one or more cycles of gjakmarrja. The other cases are being monitored for possible eruption into blood feud. Compared with Operazione Colomba's 2014 statistics, over the three years of the new period examined (January 2015 to December 2017) there have been 141 new cases of hakmarrja and 15 new cases of gjakmarrja.[...]

'The age of victims varies widely between 9 and 91 but most are between 20 and 60. The vast majority of victims are men (508 cases out of 550), but the number of women is also not small (42 cases out of 550).'<sup>39</sup>

5.1.6 With regards to the number of families living in self-confinement the same source documented that:

'The cases that have been directly monitored by Operazione Colomba concern around 200 people in 31 families in the centre-north of Albania, as follows:

- District of Tropoja: 7 families
- District of Shkodra: 16 families
- District of Koplik: 2 families
- District of Mamurras: 2 families
- District of Tirana: 2 families
- District of Durrës: 2 families.'<sup>40</sup>

5.1.7 In a letter dated June 2014, the British Embassy in Tirana provided the following statistics:

'The range of figures for each region are as follows: Lezhë region (mayor and prefect), 50 – 75 families comprising up to 390 people, whereas the police said that families were more likely to be involved in "general fighting" rather than any activity related to "blood feud" and that only 9 of these could genuinely be classified as blood feud; Shkodër (prosecutor and police director), 60 families comprising 145 people; in Kukës the Deputy Mayor claimed only one family in the city, but the police claimed zero. The Chair of the Regional Council claimed up to 180 families across Kukës region. All interlocutors suggested that the incidence of blood feud is sharply declining (except for one contact, widely suspected of selling blood feud certificates, and with a political interest in exaggerating crime levels).'<sup>41</sup>

5.1.8 In a letter of February 2016, the British Embassy in Tirana noted, '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

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<sup>39</sup> Operazione Colomba, Descriptive Document [...] p.18-9, March 2018, [URL](#)

<sup>40</sup> Operazione Colomba, Descriptive Document [...] p.24, March 2018, [URL](#)

<sup>41</sup> Letter from British Embassy, Tirana, to COIS, 12 June 2014, [URL](#)

and irregular migration, and, coupled with uncertain official statistical data, an exaggeration of the claimed numbers of affected people.<sup>42</sup>

- 5.1.9 See [Killings](#) for statistics related to murders linked with blood feuds.

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Section 6 updated: 20 September 2018

## 6. Mediation and negotiation

### 6.1 Negotiation between families

- 6.1.1 The Cedoca report 2017 noted the possible communication between feuding families:

‘Another possible characteristic of a contemporary blood feud is the existence of a permanent line of communication between the families who are in conflict. Mentor Kikia stated: “Between families who live in isolation, there’s always communication and negotiation. This element of negotiation can for example lead to a situation where one of the family members is allowed to work or to go to school.”

‘He concluded that “if there is an element of ongoing negotiation, a given situation will rather be considered as a blood feud.”<sup>43</sup>

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### 6.2 Mediation

- 6.2.1 The Cedoca report 2017 stated:

‘Communication between affected families also can be part of a process of mediation and definitive reconciliation. According to Rasim Gjoka, the process of mediation and conflict resolution has modernized nowadays. While mediators had a decisive role in the past and used the Kanun in order to solve conflicts, mediators nowadays no longer force families to take a decision. Families are invited to talk to each other and sometimes traditional elements are used (besa [mediation], the elderly) if they can contribute to reaching a peaceful solution. Schools and the church can also play a role in mediation. The representative from the Shkodër Regional Police Directorate acknowledged the existence of this type of communication between the affected families and he believed that in modern Albanian society “people try to find a solution through talking, dialogue and mitigation”. At the local Prosecutor’s Office [...] prosecutors declared that they prefer not to take part in the mediation and reconciliation process “because the elderly can do it better”.

‘Rasim Gjoka stated that it is easier to find a solution in old cases because these families still communicate with one another. According to this source, reconciliation is more difficult in new cases because families “don’t accept communication or negotiation for getting a solution”. In recent years the maximum number of successful reconciliations supervised by his organization was 2 to 3, while 15 years ago there were approximately 10

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<sup>42</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

<sup>43</sup> Cedoca, COI Focus, Section 3.5, 29 June 2017, [URL](#)

solutions annually. Other interlocutors confirmed that successful and definitive reconciliations have become rare nowadays.<sup>44</sup>

- 6.2.2 The Cedoca report 2017 further noted that money may be paid as part of the reconciliation process and that religion may play a part:

‘Sometimes people pay money during the reconciliation process. Some of Cedoca’s interlocutors said they know cases in which amounts varying from 30.000 to 50.000 euros were paid to associations (with no legal status) in order to - sometimes partially - resolve their conflict. According to most interlocutors, these associations have mostly deteriorated situations as they kept the money for themselves instead of handing it over to the opposing family. The authorities have been dealing with this problem by pressing charges against some of these associations [...].

‘Rasim Gjoka declared that in the experience of the mediators of AFCR the monetary compensation for blood has not been applied, considering it an old customary norm. Also Luigj Mila declared that he does not consider money as an element but he acknowledged that he once managed to reach a reconciliation where a family “did not accept money, but was helped to build a house”.

‘Rasim Gjoka stated that there is no difference between Muslims and Catholics in the way they contribute to reconciliation but he claimed that the Catholic church in Shkodër has been very active “to prevent a situation or an escalation of conflicts”. [...]

‘Nearly all of Cedoca’s interlocutors agree that families are more likely to reconcile when the murderer has been sentenced fairly.<sup>45</sup>

- 6.2.3 See [Negotiation between families](#) and [Role of the elderly](#) for further information on these subjects.

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### 6.3 Role of the elderly

- 6.3.1 The Cedoca report 2017 noted:

‘It seems that a contemporary blood feud can be characterized by the attribution of an important role to the elderly when it comes to regulate the situation. The General Director from the Albanian State Police stated that he qualifies a murder case as a blood feud case when a decisive role has been attributed to the elderly, for example in order to choose the target.

‘Rasim Gjoka underlined the importance of the role of the elderly when it comes to finding a reconciliation: “The elderly have an influence as a supporter from outside or inside a family. Old and wise men, like also the heads of a village, are needed as a supporter in the process of communication and negotiation between two parties in a blood feud.” Representatives of four local Prosecutors’ Offices also declared that the elderly are sometimes very reliable when it comes to reconciling two parties of a contemporary blood feud case: “They can help better than the authorities”. According to a report by sociology lecturer and UNHCR

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<sup>44</sup> Cedoca, COI Focus, Section 3.5, 29 June 2017, [URL](#)

<sup>45</sup> Cedoca, COI Focus, Section 3.5, 29 June 2017, [URL](#)



Protection Officer Edlira Baka Peco, usually an elder can be approached by families in blood and asked to organize a reconciliation meeting. Although this looks like an old ritual, “similar scenes are being seen in the peripheries of big cities even nowadays”.<sup>46</sup>

- 6.3.2 See [Negotiation between families](#) and [Mediation](#) for further information on these subjects.

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Section 7 updated: 20 September 2018

## 7. State protection

### 7.1 The law

- 7.1.1 The Albania Penal Code states under Article 78/a that murder committed due to blood feud shall be punished by not less than 30 years or life imprisonment.

Under Article 83a, serious threat of retaliation or blood revenge, against a person for him to be locked up at home, shall be punished by three years’ imprisonment.

Under Article 83b, inciting other persons to retaliation or blood revenge, when it does not constitute other criminal offence, shall be punished by up to three years imprisonment.<sup>47</sup>

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### 7.2 The police - initiatives

- 7.2.1 The Cedoca report 2017 stated, ‘Interventions by the authorities (police and Prosecutor’s Office) have become another possible characteristic of contemporary blood feuds.’<sup>48</sup>

- 7.2.2 The Cedoca report 2017 further noted:

‘The Vice-Minister of Internal Affairs declared to Cedoca that – generally speaking – the authorities are nowadays closely monitoring the known cases of contemporary blood feuds and that the phenomenon is largely under control. “Since 2013 it is not an issue anymore. People feel safer. If the police receive a request for protection, they deal with it.”

[...] The General Director from the Albanian State Police claimed that the police have made a lot of efforts to end the blood feud phenomenon since the National Action Plan no. 1277 (dd. 24/10/2012) “On the prevention, tracking and fighting criminal acts of murder motivated by blood feuds”. He claimed that nowadays “each officer knows what to do”. He explained that a good cooperation has been established between the police and several other organizations (the Prosecutor’s Office, the municipalities, Ministry of Education, Ministry of Social Affairs, etc.) and that this cooperation facilitates quick interventions and arrests.

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<sup>46</sup> Cedoca, COI Focus, Section 3.6, 29 June 2017, [URL](#)

<sup>47</sup> Criminal Code of the Republic of Albania, [URL](#)

<sup>48</sup> Cedoca, COI Focus, Section 3.7, 29 June 2017, [URL](#)

'The representative from the Shkodër Regional Police Directorate referred to the National Action Plan 419 (which is the updated version of National Action Plan no. 1277) against blood feuds. He highlighted that nowadays different police structures (local police, intelligence officers, wider police structures) are permanently collecting and updating all relevant information with regard to known blood feuds in their area: "We are updating our information all the time now." The same source in Shkodër explained that a network has been set up that comprises stakeholders from outside the police forces (religious leaders, community leaders, actors from local governments, social services, etc.) with whom there is a constant exchange of information. He particularly stressed that lines of communication have been established as well between the police forces and the blood feud affected families themselves: "All the affected families presently know their neighbourhood police officers. They have their phone numbers and they have the general emergency numbers. The affected families understand now that the support coming from the police is safer for them."

'The representative at the Shkodër Regional Police Directorate explained in more detail that his police officers are supervising the situation of the 68 confined families in the whole region of Shkodër by "contacting them, patrolling regularly and supervising their houses". He stated that "local field officers are ordered to approach them regularly and to stay in contact with them." He also claimed that his officers try to "mitigate, mediate and soothe down" those blood feud affected families who are not living in confinement.<sup>49</sup>

#### 7.2.3 The Cedoca report 2017 further stated:

'Apart from controlling and monitoring, the police also claimed to actively contribute to the prosecution of citizens who are involved in blood feuds. Both police sources claimed that as soon as there are serious indications of an imminent crime (e.g. a threat) or that a crime was committed, these elements are transferred to the Prosecutor's Office for investigation and prevention.

'Lastly, both police sources explained their strategies to prevent new blood feuds. "When a murder has occurred, the damaged families are immediately monitored proactively in order to prevent that a blood feud will develop. The dynamics of a case are supervised now. We are trying to collect as much information as possible in order to identify elements that indicate the preparation of a revenge killing."<sup>50</sup>

#### 7.2.4 See [The police - effectiveness](#), [The judiciary - initiatives](#), [The judiciary - bribery](#) and [Prosecutions and sentences](#) for further information on these subjects.

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### 7.3 The police - effectiveness

#### 7.3.1 The Cedoca report 2017 also noted conversations with interlocutors who commented on police effectiveness:

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<sup>49</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)

<sup>50</sup> Cedoca, COI Focus, Section 5.1, 29 June 2017, [URL](#)

‘During its fact-finding mission, Cedoca met two experts who expressed strong doubt that the police is capable of controlling, monitoring, preventing and prosecuting the contemporary blood feud phenomenon: Operazione Colomba and Elsa Ballauri. Although they agreed that the police is accessible nowadays and that the police is “at least” hearing the citizens and that they are taking complaints now, they stressed that there are still very important issues of negligence and ineffectiveness at the heart of the police forces. They claimed that the police could do their investigation work much better. “Sometimes the suspects in a contemporary blood feud case are arrested immediately after an incident but what follows is a deficient investigation and the suspects are released again.”

‘However, multiple other non-governmental sources confirmed that the police forces have renewed and strengthened their attention to the phenomenon of contemporary blood feuds and have also acknowledged its effectiveness and impact on the decrease of the phenomenon:

‘The local representative of the national ombudsman declared that in the past blood feud cases were not investigated at all. They were considered normal. But, according to this source: “the presence of the law has very much advanced nowadays. In the last 5-6 years the law and order were re-established. Closed cases have been re-opened and potential blood feud cases are treated with particular attention, even in the remote areas. If something happens, the police will intervene nowadays. Police is eager to solve issues, to resolve disputes. If a dispute arises, the police will act for sure. The police will start a process of investigation and arrest those who pose a threat. They will not leave it like that. There is less space for taking the law in their own hands or for thinking of impunity. Even people in remote areas tend to go to the police station now or denounce to the prosecution office instead of taking the law into their own hands.” [...] An appeal court judge in Shkodër confirmed that nowadays the police have the data of all the families that are involved in a blood feud. She explained that when a murder has been identified as a potential blood feud case, the police will search for family members who could be involved.

‘The mayor of Fushë-Arrëz confirmed that the police is present and that they will intervene whenever they are called: “People don’t have to protect themselves anymore since the police is there now.” He gave the example of a funeral in the beginning of 2017. After the last survivor of a blood feud affected family who resided in the village had died, his children were able to come from abroad to attend the funeral thanks to close police protection. The mayor also stated that the local police is now trying to collect all possible information and data in order to know every person in his municipality who might be affected by blood feuds and threats. But the mayor also pointed at some very concrete shortcomings that are still jeopardizing effective police protection: “The infrastructure and logistics of the police in my commune remain deficient. Sometimes I even have to lend them my private car.” He also indicated that the salaries of the police officers are too low to guarantee maximum efficiency. Nevertheless, there is some improvement: “the salaries have risen and the police are more mixed. Police officers are brought in from other places as well. This way they are not too closely connected when something happens.”

'Mentor Kikia confirmed that the police forces have identified all the families who are in a blood feud ("Government and police know the cases of isolated persons now.") and he agreed that it is possible now for citizens to reach the police for protection: "Each affected family has a list of phone numbers in case a problem becomes urgent. They can always call. The police will come and intervene, even if a family lives far away." Kikia also acknowledged that there is a real improvement in the registration of complaints, but he warned that a complaint is sometimes too vague for the police to react swiftly. He also explained that nowadays a police officer should have the courage not to register a complaint or to ignore received information in cases where the public uses the media because they feel that their requests and complaints are not answered. He agreed that the blood feud phenomenon has decreased since the state and the police are more powerful. He concluded that "you cannot be 'in blood feud' anymore like that. You want safety and you will reach for the police nowadays. When someone is a target, it is in his interest to have it registered." Liljana Luani confirmed that the police directorate has the right data now and she repeatedly declared that the local police department is always ready to help her and her mission. Other sources like professor Gjuraj, the OSCE representatives, Luigj Mila and Rasim Gjoka have unanimously declared that the functioning of the police forces is not problematic anymore even if improvements should be made in efficiency. They all confirmed that the police forces try to identify all the blood feud cases; that they are more professional now in registering complaints and information and that they will try to intervene when the life of citizens is threatened because of a blood feud case.'<sup>51</sup>

### 7.3.2 The Cedoca report 2017 also reported on issues of trust in the police:

'Generally speaking, as far as the larger sections of Albanian society are concerned, it appears that distrust towards the police does not seem to be an issue anymore. According to the latest "Annual Trust in Governance Opinion Poll" (held by the Institute for Democracy and Mediation (IDM) in 2016), larger sections of Albanian citizens are trusting the police services (66 %) more than any other public service provider. Only two of Cedoca's interlocutors, Operazione Colomba and an expat living in a village with blood feud affected families, claimed that the police forces have to be bribed with so-called "coffee money" in order to intervene (or can be bribed in order not to intervene). However, most sources agree that this is not imaginable in cases where the lives of citizens are under threat. Koçobashi claimed that there is much less space now for impunity at the police level. "There is a new generation now that is eager to solve issues, to resolve disputes." Concerning corruption, Mila stated that "at least at the police level, there is a lot of improvement".'<sup>52</sup>

### 7.3.3 The Cedoca report 2017 further stated, 'Cedoca's interlocutor at the Shkodër Regional Police Directorate indicated that negligence by police officers in matters related to blood feud are punished severely nowadays: "We can be fired if we do not deposit the complaints that are given by the citizens or if we

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<sup>51</sup> Cedoca, COI Focus, Section 5.1, 29 June 2017, [URL](#)

<sup>52</sup> Cedoca, COI Focus, Section 5.1, 29 June 2017, [URL](#)

do not verify information that is provided to us.” On the other hand, he also mentioned that the police has to reckon with its “heel of Achilles”: Since they are tasked with many other social responsibilities as well, they cannot always be everywhere.<sup>53</sup>

7.3.4 See [The police - initiatives](#) for further information on this subject.

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## 7.4 The judiciary - initiatives

7.4.1 The Cedoca report 2017 stated:

‘The Director of Cabinet at the Prosecutor’s General Office stated that the issue of blood feuds has been a priority for the Cabinet in recent years and explained how this has led to action, stating:

‘In 2013 the Prosecutor’s Office has organized a number of roundtables in “every county but especially in Lezhë, Pukë, Tropojë and Shkodër in order to investigate the real number of confined people and to inform itself what to do in order to minimize the blood feud phenomenon.” Then in 2013 and 2014 officers of the prosecutor went to “every house where there was a claim linked with blood feud” in order to obtain “enough evidence to start a case”. The Director of Cabinet explained that 200 families in Shkodër have been approached “from which it was claimed that they were in conflict because of a murder case in the 1990s.”

‘The Director of Cabinet at the Prosecutor’s General Office also declared that they have not organized new roundtables since 2013 but she added that the identified blood feud cases are monitored by the authorities and that the field work is basically a police task. However, she claimed that as soon as the Prosecutor’s Office receives a referral of a new intervention by the police, it will become a case. Representatives of Prosecutors’ Offices from the north confirmed that they now have access to the police database with all the collected information on potentially at-risk families. They explained that the collected information is helpful to assess whether a new crime case can be identified as a contemporary blood feud case stemming from issues in the past.

‘Koçobashi confirmed that in the year 2013 several roundtables initiated by the Prosecutor’s Office were held in Shkodër. They were attended by the local prosecutors, court directors (first instance and appeal) and by a number of judges. “File by file they have scrutinized cases that contained potential indications of a contemporary blood feud.” He also confirmed that in response to the roundtables an order was issued by the prosecutor for the police commissariats to go out in the field to identify potential blood feud elements or threats. Koçobashi declared that these steps meant a huge change of direction for the local prosecutors because “in the past cases were closed and it was decided not to continue when there was no immediate proof.”

‘According to Koçobashi, in 2015-2016 more progress was made in the field of cooperation between the Prosecutor’s Office and other institutions. He referred to the presence of the prosecutors at multiple roundtables with

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<sup>53</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)

different stakeholders and to an order from the Prosecutor's Office to the police commissariats to re-open old cases that had been closed because of a lack of evidence. Also, the Prosecutor's Office has initiated criminal investigations against people who issued fake attestations, and charged them with fraud and abuse of power.<sup>54</sup>

- 7.4.2 See [The police - initiatives](#), [The police - effectiveness](#) and [Attestation letters and vested interests](#) for further information on these subjects.

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## 7.5 The judiciary - bribery

- 7.5.1 The Cedoca report 2017 stated:

'[Mentor Kikia] also indicated that families are attempting "manoeuvres" now in order to receive lower sentences such as having their minors to pose as the perpetrators. In his 2011 report, Philip Alston noted that "A number of interlocutors also raised concerns about the impact of corruption in the justice system on charges and sentencing for blood feud-related killings. There is at least a widely held perception that bribing a judge may result in a lower sentence. Bribing a prosecutor was also seen as a means of reducing the potential charge from that for blood feuds,..." Also according to latest (2017) annual Trust in Governance Opinion poll (organized by IDM in Albania), more than half of the citizens are still not satisfied with judiciary services (66%) (along with employment services (78%), and with social welfare services (60%)).

'Multiple interlocutors stated that the judiciary remains the weak point and they especially stressed the issue of corruption at the level of the judiciary. Liljana Luani believed that families "pay to avoid heavy sentences". She claimed that she has knowledge of many perpetrators who live freely because lawyers, judges and prosecutors were bribed to avoid heavy sentences. She hoped that the reforms of the judiciary and the vetting system will solve the problem. A representative from Operazione Colomba also said that judges can be bribed, although she acknowledged that a lot has been done to counter this in recent years. She also claimed that judges can be bribed in order to release convicted blood feud murderers before they have served their sentence. Large sums of money are collected abroad or via the criminal circuits for this purpose. Mila claimed that there is a lot of "dirty money from prostitution and drugs business" and that judges can be bribed.

'Professor Gjuraj claimed that poor citizens are not able to bribe a judge. He claimed that only those who have strong ties with politics are able to influence court decisions. "Hence the importance of the vetting process and the decriminalization law." According to Mentor Kikia, judges can be bribed, yet he believed this only occurs rarely in cases of blood feud.<sup>55</sup>

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<sup>54</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)

<sup>55</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)

## 7.6 Prosecutions and sentences

7.6.1 The Cedoca report 2017 noted that, ‘The local prosecutors stated that court proceedings and convictions under article 83(a) [Serious threat for hakmarrja, revenge or gjakmarrja, blood feud] and 83(b) [incitement to gjakmarrja] are very rare. They argue that a confined family never declares before the prosecutor or the police that they have received threats. “If they do not declare, measures cannot be taken.”<sup>56</sup>

7.6.2 The Cedoca report 2017 noted that in 2016, there were 7 Registered procedures under article 83(a) and 1 conviction. There were none under article 83(b)<sup>57</sup>.

7.6.3 The Cedoca report 2017 stated:

‘The Prosecutor’s Office provided a list with statistics on court cases related to blood feud from 2013-2016. The [statistics show] court cases for murders for revenge killings [hakmarrja] under article 78/2 of the penal code [and] court cases for murders for blood feud [gjakmarrja] under article 78/a of the penal code. These statistics show the number of cases in different stages of the judicial procedure per year. One needs to take into account that a conviction in one specific year does not mean that the murder took place in the same year. The same applies for other stages in the procedure.’<sup>58</sup> The table below sets out these statistics.

Year	Murders: stage of court case	Article 78/2 Murder for hakmarrja	Article 78/a Murder for gjakmarrja
<b>2013</b>	Procedure started	7	3
	Court proceedings	5	1
	Accused	4	2
	Accused sent to court	7	1
	Convicted	2	0
<b>2014</b>	Procedure started	0	8
	Court proceedings	2	3
	Accused	0	7
	Accused sent to court	2	4
	Convicted	5	2
<b>2015</b>	Procedure started	0	3
	Court proceedings	1	3
	Accused	0	4

<sup>56</sup> Cedoca, COI Focus, Section 4.3, 29 June 2017, [URL](#)

<sup>57</sup> Cedoca, COI Focus, Section 4.3, 29 June 2017, [URL](#)

<sup>58</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL91](#)

	Accused sent to court	1	4
	Convicted	2	4
<b>2016</b>	Procedure started	6	2
	Court proceedings	3	0
	Accused	15	2
	Accused sent to court	9	1
	Convicted	1	0

#### 7.6.4 The Cedoca report 2017 further reported:

‘According to the Prosecutor’s Office, the increased severity of the penal code concerning sentences for crimes related to blood feud has proved its effect in reducing such crimes. At the Shkodër Regional Police Directorate they agreed that the amendments to the penal code have contributed to reduce the phenomenon. Operazione Colomba agreed that the new articles on punishment for blood feud-related crimes are implemented but “a culture of revenge” still needs to be discouraged. [...]

‘The Director of Cabinet from the Prosecutor’s Office in Tirana claimed that in a court case the prosecutor will always ask for the maximum penalties. The local prosecutors also declared that in the majority of the cases they ask for the highest penalties. The appeal court judge Cedoca spoke claimed that convictions in Shkodër district range from 32 years minimum to life sentence, but when someone is convicted for blood feud, the person can receive a reduction of his sentence from the first instance court, according to the law.’<sup>59</sup>

#### 7.6.5 The Cedoca report 2017 further noted that, ‘All of Cedoca’s interlocutors agree upon the fact that a fair sentence for an offender could help to prevent future conflicts or prevent escalation of existing conflicts.’<sup>60</sup>

#### 7.6.6 See [Reluctance to involve the authorities](#) and [The law](#) for further information on these subjects.

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Section 8 updated: 20 September 2018

## 8. Preventative action

### 8.1 Preventative action by the state

#### 8.1.1 In a letter dated February 2016, the British Embassy in Tirana stated:

‘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.

<sup>59</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)

<sup>60</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)



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. [...] While it is true that Albania suffers from many of the issues that other transition countries experience, it is misleading to portray Albanian police and institutions as ineffective. Across a range of bilateral justice and home affairs work, Albanian law enforcement agencies and institutions have proven to be reliable partners.<sup>61</sup>

- 8.1.2 In a letter dated June 2014, the British Embassy in Tirana noted that the Albanian government had made a number of arrests in 2014 in connection with fake blood feud certificates and documentation<sup>62</sup>.
- 8.1.3 The Cedoca report 2017 stated, 'The Director of Cabinet at the Prosecutor's General Office stated that blood feud has been regarded as one of the Cabinet's priorities in the last few years. She cited the EU integration process and the issue of Albanian asylum claims in the EU as the reasons for this.'<sup>63</sup>
- 8.1.4 The Cedoca report 2017 stated:
- 'The General Director from the Albanian State Police Directorate declared that, following the 2012 action plan [...], the police has taken several measures to increase the prevention of blood feud. He declared that his police officers proactively approach a person as soon as there are indications that he or she will commit a crime. The representative from the Shkodër Regional Police Directorate indicated that intelligence officers will assess whether there are somewhere intentions to take revenge and evaluate the situation by analysing how the families feel about the blood feud. He also referred to the permanent communication, negotiation and mitigation by his officers with families affected by blood feud and declared that the police also inform the Prosecutor's Office of preventive police actions. The success rate of these preventive measures is documented but was not shared with Cedoca. The police representative argued that the statistics on blood feud (related crimes) speak for themselves. Nevertheless, he also said that it will take 25 more years to change the revengeful mentality of some Albanians.
- 'According to the Prosecutor's Office, the harshening of the sentences for blood feud related crimes can also be seen as a preventive measure. In his 2015 report, the Ombudsman praises the efforts made by the Prosecutor's Office of Shkodër in 2014 to visit all families who were known to be in a conflict and to register all claims from persons under threat of being confined. The Ombudsman believes that these actions have contributed to the prevention of blood feud in Shkodër and have encouraged people to move freely.'<sup>64</sup>
- 8.1.5 The Cedoca report 2017 continued, 'However, not all of Cedoca's interlocutors are convinced that the police and the Prosecutor's Office are

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<sup>61</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

<sup>62</sup> Letter from British Embassy, Tirana, to COIS, 12 June 2014, [URL](#)

<sup>63</sup> Cedoca, COI Focus, Section 5.2, 29 June 2017, [URL](#)

<sup>64</sup> Cedoca, COI Focus, Section 6.1, 29 June 2017, [URL](#)

sufficiently active in prevention. According to Rasim Gjoka, there are different initiatives coming from the police but the problem is the implementation of these initiatives. Elsa Ballauri stated that the police most often respond to crimes reactively instead of proactively.<sup>65</sup>

#### 8.1.6 Cedoca's interlocutors also raised wider socio-economic issues:

'Prevention also has to do with addressing broader issues. The mayor of Fushë-Arrëz argued that Albania has developed rapidly but that a lot of people have been left behind. He pointed out that many socio-economic issues have to be addressed in the long term in order to eradicate the phenomenon because, according to him, "poverty is the mother of evil".

'Many interlocutors argued that the Albanian State could do much more in its fight against blood feud than merely strengthening the police and the judiciary, as the phenomenon is linked to socioeconomic context and to traditional mind-sets as well. A representative of Operazione Colomba explained that "It's not only about punishment but there is also a socio-cultural dimension. Many people who are in need to receive justice are from very poor and backward backgrounds and they are not even able to ask for justice. They do not know who to approach."

'Mentor Kikia argued that from now on socio-political strategists should also be consulted. He [...] saw an important role for the so-called Coordinating Council in this perspective: "What the Coordinating Council should do is the psychological treatment of all these families, which is more important than just having their names in a list. The council should coordinate the care of the social part of the phenomenon. They have to work on the mentality and the psychology." [...]

'The Ombudsman also considers that the "Coordinating Council on the fight against blood feud" - which was to be created under a 2005 law – could play an important role in preventing blood feud.

'The authorities, however, have not implemented the law on the Coordinating Council. According to the Vice-Minister of Interior Affairs, the Coordinating Council is no longer needed because the number of people affected by blood feud is decreasing. [...]

'In the absence of the Coordinating Council, the Ombudsman has repeatedly recommended that the Ministry of Education contribute to the prevention of blood feud by raising awareness through education about the importance of tolerance and the negative effects of self-justice, blood feud and revenge. However, it is not known to Cedoca if and how these recommendations are implemented. Liljana Luani told Cedoca that she has received support from the Ministry of Education in the form of didactic teaching tools and through expressions of interest in her work. Another teacher Cedoca spoke to claimed that she has never received official instructions on how to work on children's mentality with regard to blood feud. According to Liljana Luani, teachers are obliged to inform the authorities when they know of a case of a child affected by blood feud. The former teacher confirmed that she informs

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<sup>65</sup> Cedoca, COI Focus, Section 6.1, 29 June 2017, [URL](#)

the authorities of such cases, although she has never received official instructions concerning this.<sup>66</sup>

- 8.1.7 The Cedoca report 2017 further stated, ‘Both police sources argued that the implementation of directives launched by the government to halt the blood feud phenomenon have had a positive impact and they referred to the statistics that indicate a decrease of the phenomenon.’<sup>67</sup>
- 8.1.8 The USSD HR Report 2017 stated, ‘The ombudsman reported that authorities’ efforts to protect families or prevent blood-feud deaths were insufficient, although the government increased efforts to prosecute such crimes.’<sup>68</sup>
- 8.1.9 See also [The police - initiatives](#) for information about National Action Plans 1277 and 419, the latter being the updated version of the former.
- 8.1.10 See [The police - initiatives](#), [The police - effectiveness](#), [The judiciary - initiatives](#), [The judiciary - bribery](#), [Prosecutions and sentences](#) and [Support services](#) for further information on these subjects.

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## 8.2 Preventative action by NGOs

### 8.2.1 The Cedoca report 2017 stated:

‘A representative of Operazione Colomba explained how her organization actively works on prevention by organizing awareness campaigns among civil society and national institutions. Operazione Colomba directly involves the local population in its monthly demonstrations in Shkodër and Tropojë. Operazione Colomba thus aims to open a dialogue about blood feud and its consequences. Operazione Colomba also has working groups with youngsters and women who are affected by blood feud. According to Operazione Colomba, the members of the youngsters’ groups believe it is “a very bad tradition” and want to struggle to overcome it. Besides, Operazione Colomba closely cooperates with the Ombudsman by organizing conferences and periodic meetings. In this way, different (local) institutions are stimulated to work together to look for a solution to overcome the phenomenon of blood feud. However, the representative of Operazione Colomba argued that they have not received a lot of response from the public prosecutors or from the mayor of Shkodër.

‘Mentor Kikia also spoke about protests he organized in different cities in Albania after a 17-year old girl was killed. He emphasized the importance to talk about blood feud and break the taboo because “if we remain silent, the phenomenon will not stop.”

‘AFCR [Foundation for Conflict Resolution and Reconciliation of Disputes] has been working on the education of other stakeholders. Its network of mediators in the north of Albania also aims at the prevention of further escalation of existing conflicts. According to Rasim Gjoka, the catholic church in Shkodër has also been successful in preventing conflicts or

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<sup>66</sup> Cedoca, COI Focus, Section 6.1, 29 June 2017, [URL](#)

<sup>67</sup> Cedoca, COI Focus, Section 5.1, 29 June 2017, [URL](#)

<sup>68</sup> USSD HR Report 2017, Section 6, 20 April 2018, [URL](#)

escalation of conflicts. A priest from a religious congregation in Fushë-Arrëz said that he has contributed to the prevention of the escalation of existing conflicts by talking to the opposing families. Luigj Mila confirmed that the Catholic church has contributed to diminishing the phenomenon by ordering the excommunication of any potential perpetrator by the local bishops. Mila claimed that the deterrent was successful because the locals “are more afraid of God than of the State.”<sup>69</sup>

- 8.2.2 See [Women](#) for further information about support specifically for women and [Mediation and negotiation](#) for further information on this subject.

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Section 9 updated: 20 September 2018

## 9. Support services

- 9.1.1 The Cedoca report 2017 noted:

‘The AIPA report states that it is difficult for families in blood feud to qualify for financial support because of structural problems (place of residence or legal status). According to Fran Tuci, the mayor of Fushë-Arrëz, financial or economic assistance for blood feud affected families is absent or reduced to a minimum. He argued that he can only offer some pocket money from time to time to those affected by blood feud. But he claimed that he tries to raise awareness among businesses and NGOs to prioritize people affected by blood feud when hiring new employees.

‘There are however some initiatives that provide socio-economic support to blood feud affected families. It is not provided on a very large scale, but, according to Liljana Luani and a representative of Operazione Colomba, some families have the opportunity to benefit from it. Families can either be contacted by organizations who provide aid or contact these organizations themselves. Liljana Luani has initiated a lot of aid to blood feud affected families in and around Shkodër. Apart from home-schooling she has also facilitated an agreement between the Directorate of Electricity and the Directorate of Social Services in Shkodër on the provision of free electricity for the affected families. [...] Liljana Luani also noted that the Directorate of Electricity has started to hire women affected by blood feud in their offices.

‘According to Alfred Koçobashi, the representative of the national Ombudsman in Shkodër, the Ministry of Education is still running the Second Chance program that offers home-schooling to children in blood feud, even if it is largely underfunded. Besides, the Directorate of Education has contributed a lot by providing school equipment (computers) to isolated children according to Liljana Luani. Operazione Colomba organizes sports and other activities for children affected by blood feud in the Shkodër region. These children would otherwise not be able to afford them because of their problems. These youngsters are also given the possibility to talk with Operazione Colomba’s volunteers about their situation. According to Operazione Colomba finding a regular job is very difficult for people affected by blood feud because they cannot afford to be at the same place every day

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<sup>69</sup> Cedoca, COI Focus, Section 6.2, 29 June 2017, [URL](#)

for a long time. Besides, employers also fear something might happen at work if they hire someone who is involved in a blood feud.

‘Some sources also have indicated that blood feud affected families sometimes benefit from charity initiatives in the form of food and clothes gifts. Such initiatives have typically taken place around Christmas time.’<sup>70</sup>

- 9.1.2 In February 2016, the British Embassy in Tirana wrote ‘Municipalities, while facing budgetary constraints, offer social service support, home schooling and medical/psychiatric assistance to victims of blood feud. Faith groups, especially the Catholic Church and local mosques, cooperate inter-denominationally in an effort of address the problem with valuable work in supporting affected families, and leading efforts to reconcile conflicts. Faith groups tend to work without the driver of financial gain.’<sup>71</sup>
- 9.1.3 See [Women](#) for information about support available for women.

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Section 10 updated: 19 October 2018

## 10. Relocation

### 10.1 Relocation to escape a blood feud

#### 10.1.1 The Cedoca report 2017 stated:

‘In a study about blood feud and internal displacement, Edlira Baka Peco concludes that “when mediation seems not to be effective, then migration enters as a substituting tool of regularizing the situation”. Indeed, an often recurring characteristic in contemporary blood feud cases seems to be that the affected families try to move away from the place where they are living (either abroad or inside Albania). Emigration is even seen as a reason for the decrease of the phenomenon [...]

‘According to an assistant of a religious congregation in Fushë-Arrëz, all the blood feud affected families in the village have left the area: “All the people are gone now, only some women have stayed.” [...] According to this source, people leave one or two years after an incident but he also gave the example of a family that moved out of Fushë-Arrëz in 2010 under police protection the night after one of their relatives had committed a murder. [...]

‘Some of the affected families have moved inside Albania. With regard to the aspect of internal migration, the AIPA report notes that “The conflict situation has reduced these families to poverty and has forced them to migrate from their villages, communities, and cities. They display numerous social and health problems and have very little or no contact with the outside world”.

‘The mayor of Fushë-Arrëz explained that only the poor have remained in the country: “They have moved to urban areas like Durrës.” Operazione Colomba is monitoring a number of blood feud affected families that have moved from the mountains into the so-called “New Migration Areas” in and around the city of Shkodër.

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<sup>70</sup> Cedoca, COI Focus, Section 3.10, 29 June 2017, [URL](#)

<sup>71</sup> Letter from British Embassy, Tirana, to COIS, 17 February 2016, [URL](#)

'According to multiple sources, some of the affected families are not particularly safer after having moved away from where they were living. The Director of the Prosecutor's Office stated that for the affected families "the fear can be everywhere". Also a representative of the Albanian Helsinki Committee warned that in the case of a contemporary blood feud situation, a potential victim will not necessarily be safe after having moved inside Albania. He explained that "each country is a village" nowadays. Mentor Kikia claimed that some of the isolated families cannot even dream of moving to Tirana either because they are either too poor to move outside or because nowhere is safe for them. Elsa Ballauri confirmed that there are situations where moving is not an option because the potential targets will surely be followed, even abroad if necessary. Luigj Mila, Alfred Koçobashi and a representative of the OSCE likewise claimed that the blood feud mentality, insofar as it still prevails, does not know any limits of time and place.'<sup>72</sup>

10.1.2 In a letter dated June 2014, the British Embassy in Tirana noted that, 'Interlocutors both official and NGO suggested that genuine victims of the practice would not be able to leave their homes, let alone cross the continent [to reach the UK].'<sup>73</sup>

10.1.3 In its report of March 2018, Operazione Colomba stated:

'The feuding families monitored by Operazione Colomba in Shkodra and Tirana belong mainly to clans from Dukagjin and Tropoja (7 clans in Dukagjin and 4 in Tropoja). More than half have moved within Albania to city suburbs from their mountain areas of origin, often to escape the possible consequences and risks of a blood feud. Movement within the country reduces tension between parties but does not unfortunately guarantee safety as traditional Albanian society is based on relations between extremely extended families that can easily get information on the location of other people. Often the family surname alone is an indication of where it and its members come from, making it easy to find people who move out of a district.'<sup>74</sup>

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## 10.2 Practicalities of relocation

10.2.1 The USSD HR Report 2017 noted that, 'The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.'<sup>75</sup>

10.2.2 The USSD HR Report 2017 further stated:

'In order to receive government services, individuals changing place of residence within the country must transfer their civil registration to their new community and prove the legality of their new domicile through property ownership, a property rental agreement, or utility bills. Many persons could

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<sup>72</sup> Cedoca, COI Focus, Section 3.12, 29 June 2017, [URL](#)

<sup>73</sup> Letter from British Embassy, Tirana, to COIS, 12 June 2014, [URL](#)

<sup>74</sup> Operazione Colomba, 'Descriptive Document [...]', page 25, March 2018, [URL](#)

<sup>75</sup> USSD HR Report 2017, Section 2d, 20 April 2018, [URL](#)

not provide proof and thus lacked access to public services. Other citizens, particularly Roma and Balkan-Egyptians, lacked formal registration in the communities where they resided. The law does not prohibit their registration, but it was often difficult to complete. Many Roma and Balkan-Egyptians lacked the financial means to register, and many lacked the motivation to go through the process.<sup>76</sup>

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<sup>76</sup> USSD HR Report 2017, Section 2d, 20 April 2018, [URL](#)

# Annex A: FCO correspondence dated 23 December 2011 and 20 June 2012

**a. FCO correspondence: Republic of Albania, Ministry of Interior, The General Directorate of State Police, Department against Organised and Serious Crimes- information on the start of investigations on persons who have issued certificates or documents which have then been submitted by Albanian citizens in support of their asylum claims in several European countries, 23 December 2011. (Hard copy held by CPIT)**

'Republic of Albania

Ministry of Interior

The General Directorate of State Police

Department against Organised and Serious Crimes

Subject: Reply

Addressed to: British Embassy

In response to your letter dated 09.01.2012, requesting detailed information on the start of investigations on persons who have issued certificates or documents which have then been submitted by Albanian citizens in support of their asylum claims in several European countries, we would like to inform you that :

The police teams within the General Directorate of State Police, based on intelligence and verifications conducted in cooperation with counterpart police authorities and local media, have referred procedural information and documents to the Prosecution Offices in Tirana and Shkoder against chairmen and members of NGOs involved with "Blood Feud" issues and against elected members of local counties in Shkoder district, namely:

1. On 02.12.2011, we have referred material evidence to the Prosecution Office in Shkoder against the citizen Pashko Tom Popaj, member of the NGO "Missionaries of Peace and Blood Feuds of Albania" based in Shkoder, on charges of "Document forgery" provided by article 186 of Penal Code. Certificates, issued by this citizen, have been submitted in support of asylum claims to the relevant authorities in Belgium. Based on our material evidence, the Shkoder Prosecution Office has started the criminal case Nr 1315 dated 19.12.2011.
2. On 02.12.2011, we have referred material evidence to the Prosecution Office in Tirana against the citizen Gjin Marku, chairman of the NGO "The Committee of Nationwide Reconciliation" based in Tirana, on charges of "Document forgery" provided by article 186 of Penal Code. Certificates, issued by this citizen against payments, have been then submitted in support of asylum claims to the relevant authorities in Germany and United Kingdom. Based on our material evidence, the Tirana Prosecution Office is still conducting preliminary investigations on this case.
3. On 24.10.2011, we have referred material evidence to the Prosecution Office in Shkoder against the citizens Faz Shabaj, Mayor of Postribe Commune in Shkoder district, and Ramadan Likaj, Mayor of Koplík, Malesi e Madhe district, on charges of "Document forgery" provided by article 186 of Penal Code. Certificates, issued by these citizens, have been then submitted in support of asylum claims to the relevant



authorities in Belgium. Based on our material evidence, the Shkoder Prosecution Office has registered the criminal case Nr 1144 dated 28.10.2011.

4. In November 2011, we have referred material evidence to the Prosecution Office in Tirane against the citizen Agim Loci, Director of the Institute (the Home of Justice and blood feud" based in Tirana on charges of "Passive corruption in the private sector" provided by articles 164b and 186b of the Penal Code. Certificates, issued by these citizens, have been then submitted in support of asylum claims to the relevant authorities in the United Kingdom. The Tirana Prosecution Office is still conducting preliminary investigations on this case.

The Department against Organised and Serious Crimes at the General Directorate of State Police has proved that the above citizens have issued false and not legally based certificates, even though the concerned nationals have not been registered with the relevant authorities as persons involved in conflicts or blood feuds.

We are cooperating with the relevant Prosecution Offices for the full investigation of all these and other similar cases.

Deputy Director General

Agron Kulicaj'

**b. FCO correspondence: Republic of Albania, Prosecution Office Tirana. Letter to the General Prosecution office, setting out the result of the investigation concerning Mr Gjin Marku. (Copy held by CPIT)**

'The Republic of Albania

Prosecution Office Tirana

Nr 4131/2 Prot M.M

Tirana, 20.06.2012

Subject: Response

To the General Prosecution Office

Tirana

In response to your letter nr 98/23 dated 23.05.2012, we would like to explain that the Tirana Prosecution Office has registered the penal charge nr 8201 of 2011. The charges have been registered following documentation submitted by the Tirana Police Department according to which Gjin Marku was suspected of "document forgery".

Following the preliminary investigation process, the Tirana Prosecution Office has decided to drop the charges and not proceed with the trial.

Chairman of the Tirana Prosecution Office, Sokol Malaj'

***This letter has been completed by staff of the British Embassy in Tirana entirely from information obtained from the sources indicated. The letter does not reflect the opinions of the author, or any policy of the Foreign and Commonwealth Office. The author has compiled this letter in response to a request from the Home Office and any further enquiries regarding its contents should be directed to the Home Office.***

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# Annex B: FCO letter dated 12 June 2014



British Embassy  
Tirana

**British Embassy Tirane**

Rruga "Skenderbej "

Nr.12

Tirane

Tel: 04 2234973

Fax: 04 224 7697

[www.fco.gov.uk](http://www.fco.gov.uk)

12 June 2014

Country of Origin Information Service  
Immigration and Border Policy Directorate  
40 Wellesley Road  
CR9 2BY

## **RE: ALBANIA: BLOOD FEUD – CONCLUSIONS OF BRITISH EMBASSY FIELD TRIP**

The British Embassy, through RALON colleagues based in Tirana, routinely monitors trends in the basis for asylum claims in the UK. Involvement in a blood feud is cited by Albanian asylum seekers in the UK in significant numbers of cases. In January, an intensive Embassy fact finding visit to the north of Albania sought to assess the real extent of the problem, including meetings with NGOs, faith groups, mayors, prefects, police chiefs, and prosecutors in the three towns at the centre of the regions responsible for the bulk of blood feud based asylum claims: Shkodër, Lezhë, and Kukës.

There are three main problems in tackling blood feud: (a) the problem of defining what blood feud is, (b) the lack of objective information, and (c) the vested interests attaching themselves to the phenomenon. The field visit team reached a number of conclusions based on common messages from nearly all interlocutors, including NGOs and faith groups.

### **Definition of "Kanun" based blood feud**

Definition of blood feud is a problem: the term is used loosely in most cases. Blood feud is a long term process guided by a series of ancient unwritten rules setting out the boundaries of 'taking blood'. For example in traditional blood feud, women and children are exempt. Traditional blood feud even allowed the killer to attend his victim's funeral. But modern day criminality and revenge is just that, paying little heed to the principles of the "Kanun", except for the fact of retribution. The definition of blood feud presents a problem exacerbated by the trade in so-called "blood feud certificates". The numbers of asylum claimants at UK borders citing blood feuds is far greater than would be likely from those

affected by genuine blood feud. Interlocutors both official and NGO suggested that genuine victims of the practice would not be able to leave their homes, let alone cross the continent.

### **Decline of “Kanun” and the establishment of rule of law**

According to local authorities, and faith based NGOs, this lack of objective information on blood feud is exacerbated by some NGOs with an interest in exaggerating the extent of the problem for their own purposes, including perpetuating the significance of “Kanun” in modern Albania. Blood feuds were driven by culturally understood rules derived from the 15<sup>th</sup> century Code (“Kanun”), the provisions of which were transmitted orally through the generations. Blood feud usually started with a dispute between families which escalates to a fight in which someone is killed. The victim’s family then felt that “blood was owed” and honour could only be restored by the taking of a life of a member of the killer’s family. “Kanun” more generally was a way for inhabitants of remote settlements to organise themselves in the absence of a functioning state and rule of law. The phenomenon 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. “Kanun” law no longer predominates. Since the 1990s the state has established a functioning system of law and order through local policing, prosecutors and courts. Modern revenge killings bear little resemblance to the codified, almost ceremonial aspects of “Kanun” based blood feud.

### **Local authority statistics**

Statistics about the numbers of people affected by blood feud vary greatly. At one end of the scale are certain NGO’s with vested interests in inflated numbers, who claim that more than 1000 families are affected. At the other end, local units of the State Police tend to estimate the lowest numbers. Most interlocutors, including from the NGO groups we met, suggested that the figures of local prosecutors were likely to be the most accurate. These figures are toward the lower end of the spectrum, slightly higher than police records, but far lower than some of the more outlandish NGO estimates. Prosecutors, we were told, have the most accurate numbers because any judgement issued by an Albanian court can be verified through the Prosecutor General. Regional prosecutors have access to this information. Indeed, the prosecutor for the Shkodra district offered to share such data with UK agencies. The range of figures for each region are as follows: Lezhë region (mayor and prefect), 50 – 75 families comprising up to 390 people, whereas the police said that families were more likely to be involved in “general fighting” rather than any activity related to “blood feud” and that only 9 of these could genuinely be classified as blood feud; Shkodër (prosecutor and police director), 60 families comprising 145 people; in Kukës the Deputy Mayor claimed only one family in the city, but the police claimed zero. The Chair of the Regional Council claimed up to 180 families across Kukës region. All interlocutors suggested that the incidence of blood feud is sharply declining (except for one contact, widely suspected of selling blood feud certificates, and with a political interest in exaggerating crime levels).

### **Local authority support**

Despite the declining trend, local authorities are active. Police and criminal justice system representatives monitor, record, and provide a degree of protection to affected families. The authorities also prosecute perpetrators. Municipalities, while facing budgetary constraints, offer social service support, home schooling and medical/psychiatric assistance to victims of blood feud. Faith groups, especially the Catholic Church and local mosques, cooperate inter-denominationally in an effort to address the problem with work to support affected families, and reconciling conflicts.

### **Vested interests**

Vested interests and criminality play a key role in inflating the sense of the scale of the phenomenon. The Albanian press, hungry for sensation, report murders as blood feud, even in cases of straightforward gangland murders. Some local journalists have reportedly accepted money to report a murder as blood feud in order that family members might then use the invented blood feud in an asylum bid. Others have simply invented a story, without a dispute having taken place, for the benefit of two families' immigration plans. Corrupt NGOs and local officials also blur definitions. Fake "blood feud" certificates are easily available for a price from both NGOs and local officials. The Albanian government no longer recognises blood feud "certificates" from NGOs, police or local government offices. In discussions other NGOs advised us not to extend asylum to claimants as this would, in genuine cases, only exacerbate the situation for relatives remaining in Albania. The only real solution is reconciliation of the parties in Albania.

### **Actions to mitigate false blood feud claims**

There are a number of future possible actions to mitigate false blood feud claims. Any Albanian court judgement can be verified through the Prosecutor General's office in Tirana as the most reliable way of determining a claim. RALON in Tirana is also in a position to respond to queries from UK asylum caseworkers via a newly introduced referral process. In cases where claimants are not subject to state persecution (as would be the case in all "blood feud" claims) local checks can verify names and ages of claimants, thereby mitigating another trend of false claims coupled with false identities.

### **Declining trend**

The visit confirmed a generally declining trend in the incidence of genuine blood feud in Albania. Modern blood feud is very limited, and few cases can really be defined as such, many either being fraudulently invented cases, or simply cases of common criminality and revenge. Conversations with almost all interlocutors highlighted that reference to blood feud "certificates" either produced by NGOs or by local officials was largely pointless. Other embassies in Tirana take the same view.

### **Recent government action**

Since the field visit, the government, which came to office in September 2013, has further stepped up efforts to tackle blood feud, including issuing revised instructions to local police services and further toughening sentences to offenders through amendments to the Albanian Criminal Code. The Albanian Criminal Code was reinforced during 2014 to provide for stiffer penalties for those convicted of blood feud killings of up to 30 years imprisonment. The government has also taken steps to tackle the problem of fake blood feud certificates and documentation. A number of arrests have taken place during 2014.

## Note on earlier Country Information Guidance

Previous Country Information Guidance on blood feud in Albania cited a 2002 NGO report in which it was claimed that “most of the houses in Northern Albania look like fortresses built of stone, with small apertures serving as windows. Even to date many Albanians shut themselves inside their houses where they remain isolated for life in order to escape from blood vengeance”. This is simply not true. Embassy staff travel widely to all parts of Albania. Most towns in northern Albania are bustling provincial centres with no sign that “many Albanians shut themselves in for life”. The passage bears no relation to reality and is misleading. There remain a small number of such towers, but these are historical relics.

Yours sincerely,

Deputy Head of Mission  
British Embassy Tirana

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# Annex C: FCO letter dated 17 February 2016



British Embassy  
Tirana

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17 February 2016

Country of Origin Information Service  
Immigration and Border Policy Directorate  
40 Wellesley Road  
CR9 2BY

Dear Colleague,

**RE: ALBANIA: Expert Witness Report: Blood Feuds**

The British Embassy in Tirana has been asked by the Home Office's Country Policy and Information Team to comment on a recent "Expert Witness Report" which describes the phenomenon of Blood Feud, and the more general political situation in Albania.

We consulted with the sections at the British Embassy in Tirana which have researched cases through field visits and with contacts with local government, NGOs, police, prosecutors and social services, churches and mosques as part of their work. The British Embassy Political Section was also consulted. Given this range of Embassy sources and external, it is possible to judge that Blood Feud in Albania is extremely limited in both numbers of actual cases, and in geographical location. It is also possible to conclude that the Expert Witness Report is based on our of date source material, and without reference to recent reform and progress in Albania.

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.

It should also be noted that much of the negative comment in the Expert Witness Report has little bearing on asylum claims relating to Blood Feud. Various negative and inaccurate comments appear to undermine the report and expose its lack of credibility. For example:

- *Paragraph 1.12: in 2010 Albania was refused EU Candidate Status pending effectively minimizing corruption and other problems.*

This overlooks the fact that Albania has been granted Candidate Status as a result of its reform efforts.

- *Paragraph 1.16: ...comments on the rise of nationalism...*

This is misleading. A small nationalist party was roundly rejected at Parliamentary elections in 2013. Nationalism is not a feature of politics in Albania, which is held up as a model of regional cooperation. Nationalism has no bearing on the case in point.

- *Chapter 2: Bloodfeuds and the law in Albania*

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.

- *Paragraph 2.21: ...debate concerning the numbers of ongoing bloodfeuds...*

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.

Statistics about the numbers of people affected by blood feud vary greatly. At one end of the scale are certain NGO’s with vested interests in inflated numbers, who claim that more than 1000 families are affected. At the other end, local units of the State Police tend to estimate the lowest numbers. Most interlocutors, including from the NGO groups interviewed, suggested that the figures of local prosecutors were likely to be the most accurate. These figures are toward the lower end of the spectrum, slightly higher than police records, but much lower than some of the more outlandish NGO estimates. Prosecutors, we were told, have the most accurate numbers because any judgement issued by an Albanian court can be verified through the Prosecutor General. Regional prosecutors have access to this information. Indeed, the prosecutor for the Shkoder district offered to share such data

with UK agencies through an MoU which would allow for requests to be processed in a manner consistent with Data protection laws. All interlocutors suggested that the incidence of blood feud is declining. Despite the declining trend, local authorities are active. Police and criminal justice system representatives monitor, record, and provide a degree of protection to affected families. The authorities also prosecute perpetrators. Municipalities, while facing budgetary constraints, offer social service support, home schooling and medical/psychiatric assistance to victims of blood feud. Faith groups, especially the Catholic Church and local mosques, cooperate inter-denominationally in an effort of address the problem with valuable work in supporting affected families, and leading efforts to reconcile conflicts. Faith groups tend to work without the driver of financial gain.

Vested interests and criminality play a key role in inflating the sense of the scale of the phenomenon. The Albanian press, hungry for sensation, report murders as blood feud, even in cases of straightforward gangland murders. Some local journalists have reportedly accepted money to report a murder as blood feud in order that family members might then use the invented blood feud in an asylum bid. Others have simply invented a story, without a dispute having taken place, for the benefit of two families' immigration plans. Corrupt and rapacious NGOs and local officials also blur definitions. Fake "blood feud" certificates are easily available for a price from both NGOs and local officials. This was highlighted in a media sting against a well known head of an NGO who is referred to in UK operational guidance. He was filmed accepting cash in exchange for support for a fake blood feud claim. When an embassy delegation visited northern Albania to investigate the extent of blood feud, the prominent individual declined to meet, but continues to represent UK Albanian asylum claimants in a self declared "expert witness" role.

The Albanian government no longer recognises blood feud "certificates" from NGOs, police or local government offices. In discussions other NGOs advised us not to extend asylum to claimants as this would, in genuine cases, only exacerbate the situation for relatives remaining in Albania. The only real solution is reconciliation of the parties in Albania.

The embassy field visit confirmed a generally declining trend in the incidence of genuine blood feud in Albania. Modern blood feud is very limited, and few cases can really be defined as such, many either being fraudulently invented cases, or simply cases of common criminality and revenge. Conversations with almost all interlocutors highlighted that reference to blood feud "certificates" either produced by NGOs or by local officials was largely pointless. Other embassies in Tirana take the same view. In his 2010 Report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the author Phillip Alston arrived that the view that "the correct numbers are much closer to those provided by the Government, especially in relation to killings". Having taken the views of a wide range of officials and charity workers, the Embassy agrees with this view, and also takes encouragement from the local and national government response to the problem.

- *Chapter 4: Ineffectiveness of Police and other institutions in protecting vulnerable citizens*

While it is true that Albania suffers from many of the issues that other transition countries experience, it is misleading to portray Albanian police and institutions as ineffective. Across a range of bilateral justice and home affairs work, Albanian law enforcement agencies and institutions have proven to be reliable partners.

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# Terms of reference

A 'Terms of reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

1. The Code of Lek Dukagjin (the 'Kanun')
  - beliefs about blood feuds
  - modern-day application
2. Prevalence of blood feuds and regions affected
3. Families in isolation
4. State protection, including investigations, arrests, prosecutions and sentences for crimes related to blood feuds
5. Support services
  - By the Govt
  - By NGOs
  - Reconciliation Committees
6. Work underway to change beliefs leading to blood feuds, including the effectiveness of such initiatives
7. Attestation letters for blood feuds
  - who produces them, what they are likely to include, how to identify whether they are genuine
  - Purchase of false attestation letters, including how to identify false letters
8. Relocation possibilities, including freedom of movement, likelihood of a person being found

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **30 October 2018**

## Changes from last version of this note

Updated country information.

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