

## **Country Policy and Information Note** Albania: Blood feuds

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## Executive summary

Members of families or clans in Albania, including those involved in an active blood feud, can form a particular social group (see <u>Convention reason(s)</u>).

The Upper Tribunal (UT) in <u>EH (Blood Feuds) Albania CG [2012] UKUT 00348 (IAC)</u> (October 2012), heard on 7 December 2010 and 30 June and 27 September 2011, promulgated 15 October 2012, held that the number of blood feuds in Albania was few and declining. The available evidence indicates that this decline has continued in the 10 years plus since. Only a very small minority of people are linked to blood feuds, mostly in the north and particularly in Shkodër and Diber.

In general, blood feuds affect the male blood lines of opposing families, rather than individual targets. Women and girls are, in general, unlikely to be the direct target of a blood feud.

In general, a person fearing an active blood feud is not likely to be at risk of persecution or serious harm. Whether they face such a risk will depend on their particular circumstances. The UT in  $\underline{EH}$  set out factors which need to be considered when determining if an **active** blood feud exists **and** whether it affects the person particularly.

Attestation letters from non-government organisations and press reports are unlikely to be reliable evidence of the existence of blood feuds. District prosecution offices may issue documentation stating if a complaint was filed and an investigation initiated along with the status of that investigation. However, the offices would not, until all investigations had been concluded, confirm whether or not a person is in a blood feud.

In general, the state is willing and able to offer protection to persons affected by an active blood feud. In general, internal relocation from non-state actors involved in an active blood feud is likely to be viable.

A claim that is refused is likely to be certified. Each case must be considered according to its individual facts.

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## Assessment

## About the assessment

This section considers the evidence relevant to this note – that is, information in the <u>country information</u>, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is likely to face a real risk of persecution/serious harm by non-state actors because of the person's involvement in a blood feud.
- a person is able to obtain protection from the state
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely 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.

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## 1. Material facts, credibility and other checks/referrals

## 1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on <u>Assessing</u> <u>Credibility and Refugee Status</u>.
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the <u>Asylum</u> <u>Instruction on Visa Matches, Asylum Claims from UK Visa Applicants</u>).
- 1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the <u>Asylum Instruction on Language Analysis</u>).
- 1.1.4 When considering documentary evidence, in the country guidance case of <u>EH (Blood Feuds) Albania CG [2012] UKUT 00348 (IAC) (October 2012)</u>, heard on 7 December 2010, 30 June and 27 September 2011, promulgated 15 October 2012, the Upper Tribunal (UT) held that '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)) and 'Unless factual, prompt and consistent, Albanian press reports will add little or no evidential weight in considering whether a feud exists' (para 74(j)).
- 1.1.5 Furthermore, the UT considered '... that the organisation [Committee of Nationwide Reconciliation] and Mr Marku are wholly unreliable and that no weight can be placed on the attestation letters they produce. We also reject Mr Marku's evidence that the CNR is the only body which can issue attestation letters: we note the position of the Albanian authorities that attestation is a matter for the prosecutors and the courts.' (Paragraph 55)
- 1.1.6 In the report of September 2022, the Immigration and Refugee Board of

Canada quoted several sources who stated that Mr Gjin Marku and the Committee of Nationwide Reconciliation did not have legal authority to issue certification regarding blood feuds. Furthermore, sources interviewed during the HO BF FFM 2022 confirmed that false attestation letters claiming the existence of BF had been issued; one of the organisations responsible was the <u>Committee of Nationwide Reconciliation</u>.

- 1.1.7 In <u>EH</u>, the UT also held that '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 <u>A v Secretary of State for the Home Department (Pakistan) [2002] UKIAT 00439, [2002] Imm A R 318 (Tanveer Ahmed) (paragraph 74(i)).</u>
- 1.1.8 The General Prosecutor's Office reported in 2022 that documentation relating to blood feuds is **only** supposed to be issued by district prosecution offices (see <u>Attestation letters and BF documentation</u>).

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## 1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 The UT in <u>EH</u> held that 'International protection [...] is not available to an appellant who is willing and intends to commit a revenge killing on return to his country of origin, by reference to that intention.' (Para 74(d))
- 1.2.3 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.4 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

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2. Convention reason(s)

- 2.1.1 In <u>EH</u> the UT held that 'members of families or clans are capable of constituting a particular social group [PSG]' (paragraph 62). Such families may include those involved or linked to a blood feud.
- 2.1.2 Although family or clan members involved or linked to a blood feud may form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question is whether the particular person has a well-founded fear of persecution on account of their membership of such a group.
- 2.1.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, <u>Assessing credibility and refugee status</u>.

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## 3. Risk

## 3.1 Risk from non-state actors

- 3.1.1 In general, a person fearing an active blood feud is not likely to be at risk of persecution or serious harm. Whether they face such a risk will depend on their particular circumstances, with the onus on the person to provide credible evidence of this.
- 3.1.2 Blood feuds continue to occur although it is not clear how many of these are existing or new feuds with the phenomenon stemming from Kanun (customary) law. They are most prevalent in the northern areas of Albania, in particular Shkodra (Shkodër), Lezha, Kukes and Diber. Those that occur in areas where blood feuds are not culturally ingrained are likely to be due to families moving into these areas, bringing the blood feud with them (see <u>Prevalence and location</u>).
- 3.1.3 Blood feuds in general affect the male blood lines of opposing families rather than individual targets. Women and girls are in general unlikely to be the direct target of a blood feud although they may be affected by families self-isolating (see <u>Targets of a blood feud</u> and <u>Self-isolation</u>).
- 3.1.4 However, the number of blood feuds is absolutely and relatively low, and declining. The UT in <u>EH</u> held that:

"... While there remain a number of active blood feuds in Albania, they are few and declining. There are a small number of deaths annually arising from those feuds and a small number of adults and children living in selfconfinement for protection. Government programmes to educate selfconfined children exist but very few children are involved in them.

'... The existence of a "modern blood feud" is not established: Kanun blood feuds have always allowed for the possibility of pre-emptive killing by a dominant clan.' (paragraph 74 (a and b))

3.1.5 The UT's conclusions in <u>EH</u> were based on information up to mid 2012. Sources consulted in 2022 vary in their estimates of the number of active blood feuds, varying from over 70 to up to few hundred families affected (out of a population estimated to be 3 million). Sources generally agree that blood feuds continue to decline (and have fallen since <u>EH</u> was promulgated) (see <u>Prevalence and location</u>, <u>Number of blood feud murders</u> and <u>Relocation</u>).

- 3.1.6 The UT in <u>EH</u> went on to hold, however, 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(c))
- 3.1.7 In considering whether a person may face a risk of persecution as a result of their involvement in a blood feud, decision makers must establish whether such a feud exists and the person's particular connection to it.
- 3.1.8 The UT in <u>EH</u> provided a list of factors to consider when determining if an active blood feud exists:
  - (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.' (paragraph 74(f))
- 3.1.9 The UT in <u>EH</u> also held that '... to establish that there is an active blood feud affecting him personally, an appellant must produce satisfactory individual evidence of its existence in relation to him. In particular, the appellant must establish:
  - (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' (para 74(g)).
- 3.1.10 The UT in EH further held that '... Whether the feud continues and what the attitude of the aggressor clan to its pursuit may be will remain questions of fact to be determined by the [decision maker].' (para 74(k))
- 3.1.11 Decision makers must distinguish blood feud conflicts from other crimes. Some revenge murders are portrayed as blood feud killings when this may not be the case, and criminals at times use the term to justify their crimes (see <u>Contemporary attitudes</u> and <u>Organised criminal groups</u>).
- 3.1.12 For further guidance on assessing risk, see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u>.

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## 4. Protection

- 4.1.1 In general, the state is willing and able to offer effective protection to persons affected by an active blood feud. The onus is on the person to demonstrate otherwise.
- 4.1.2 The UT in <u>EH</u> held:

"... The Albanian state has taken steps to improve state protection, but in areas where Kanun law predominates (particularly in northern Albania) those steps do not yet provide sufficiency of protection from Kanun-related blood-taking if an active feud exists and affects the individual claimant. 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." (paragraph 74(c))

- 4.1.3 The UT's assessment of the availability of protection in <u>EH</u> was based on the country situation up to mid 2012. Since the promulgation of <u>EH</u> the state has taken a number of steps to strengthen its legal system for the detection, prosecution and punishment of acts constituting persecution, which is accessible to persons fearing harm generally (see <u>Country Policy and</u> <u>Information Note: Actors of protection</u>). These improvements, some specifically relating to blood feuds, include:
  - significant criminal justice reform in preparation for accession to the EU, with the country achieving EU candidate status in 2014 and commencing EU membership talks in July 2022 (see <u>Country Policy and Information</u> <u>Note, Actors of protection</u>)
  - developing a blood feud action plan, renewed in 2014 to address the issue and which continues to be in force (see <u>Action and initiatives</u>)
  - in 2013 amending the criminal code to specifically address blood feuds. A murder committed as part of a blood feud is punishable by up to 30 years or life imprisonment (Article 78a), while a threat of a blood feud or revenge, or inciting someone to take part in a blood feud, is punishable with up to 3 years imprisonment (Article 83a) (see Legal context)
  - a database compiled by the General Directorate of State Police of all families affected by blood feuds (see <u>Prevalence and location</u>)
  - since 2012 in the context that there are few active blood feuds and these are declining (see <u>Risk</u> above) - the state has undertaken tens of investigations into blood-feud-related crime (many cases may go unreported to the police or cease before prosecution because the person decides to migrate). These have led to a number of convictions under Article 78/a (murder for blood feud) and Article 83/a (serious threat to retaliation or blood revenge) of the Criminal Code (see <u>Police</u> and <u>Judiciary</u>).
  - measures to support reconciliation between families involved in blood feuds (see <u>Conflict resolution, negotiation, mediation and education</u>)
- 4.1.4 The Shkoder Regional Police Directorate considered that the strengthening of the law has contributed to the decline of blood feuds (see <u>Protection</u>).
- 4.1.5 The government has taken reasonable steps to prevent acts of persecution committed as part of an active blood feud by operating an effective legal system for the detection, prosecution and punishment of such acts throughout Albania. There are therefore very strong grounds supported by cogent evidence to depart from the UT's findings in <u>EH</u>. In general, protection is available in all areas of the country for persons involved in an active blood feud.

4.1.6 For further guidance on assessing state protection, see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u> and <u>Country policy</u> <u>and information note: Actors of Protection, Albania</u>).

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## 5. Internal relocation

- 5.1.1 In general, internal relocation is likely to be viable but depends on the facts of the case.
- 5.1.2 Albania is a small country, a little larger than Wales, with a population estimated to be between 2.8 million and just over 3 million with between 500,000 900,000 persons living in the capital, Tirana. People are generally able to move around freely (see <u>Relocation</u>).
- 5.1.3 The UT held in <u>EH</u>:

"... 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. Whether internal relocation is reasonable... will always be a question of fact for the fact-finding... [decision maker].' (paragraph 70).

- 5.1.4 The available evidence does not provide strong grounds supported by cogent evidence to depart from the findings in <u>EH</u> (see <u>Relocation</u>).
- 5.1.5 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on <u>Assessing Credibility and</u> <u>Refugee Status</u>.

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## 6. Certification

- 6.1.1 Where a claim is 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.
- 6.1.2 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.
- 6.1.3 For further guidance on certification, see <u>Certification of Protection and</u> <u>Human Rights claims under section 94 of the Nationality, Immigration and</u> <u>Asylum Act 2002 (clearly unfounded claims)</u>.

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# Country information

## About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the <u>research</u> <u>methodology</u>. It provides the evidence base for the assessment.

The structure and content follow a <u>terms of reference</u> which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **26 June 2024**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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## 7. Legal context

## 7.1 Penal/criminal code

- 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 resulting in the person being locked up at home shall be punished by 3 years' imprisonment (see also <u>Self-isolation</u>). Under Article 83b, inciting other persons to retaliation or blood revenge when it does not constitute another criminal offence shall be punished by up to 3 years' imprisonment<sup>1</sup>.
- 7.1.2 The Government of Albania stated in its February 2019 report to the Working Group on the Universal Periodic Review, published by the United Nations Human Righs Council (UNHRC) that: 'Significant efforts have been made in recent years to address the issue of blood feud. The Criminal Code, criminalising and strengthening sentences for the crimes of murder for blood feud, of serious threats of revenge for blood feud, threats against a person to be confined at home and incitement to blood feud.'<sup>2</sup>
- 7.1.3 Global Initiative against Transnational Organised Crime (hereafter referred to as Global Initiative) describes itself as 'an independent civil-society organization... with a globally dispersed Secretariat...' whose '... network members include prominent law-enforcement, governance and development practitioners who are dedicated to seeking new and innovative strategies and responses to organized crime'<sup>3</sup>. In its report of December 2021, Global Initiative referred to the punishments provided for under Articles 78a, 83a and 83b and stated that 'All of these legal amendments to the Criminal

<sup>&</sup>lt;sup>1</sup> Euralius, '<u>Criminal Code of the Republic of Albania</u>', 27 January 1995

<sup>&</sup>lt;sup>2</sup> UNHRC, '<u>National report submitted in accordance with para 5...</u>' (para 69), 22 February 2019

<sup>&</sup>lt;sup>3</sup> Global Initiative, '<u>Our story</u>', no date

[Penal] Code entered into force in 2013.'4

- 7.1.4 The Home Office undertook a fact-finding mission in November 2022 to gather information from a range of sources about the blood feud phenomenon, including prevalence and protection and mediation services available to people at risk of being directly targeted (HO BF FFM 2022). The General Prosecutor's Office (GPO) told the fact-finding team (HO BF FFT 2022): 'Article 78a ... [defines] BF as homicide, the punishment is no less than 30 years or life imprisonment... since 2013 there is a special article for BF defined as aggravated homicide. We created this special article as we wanted BF to attract a special importance.'5
- 7.1.5 With regard to Article 83b, the GPO in Tirana also told the HO BF FFT 2022 that 'The person that pushes one to commit a crime can be punished as they are considered collaborators in the role of instigators... Pressure to commit a crime is part of the investigation. If we can provide evidence of incitement then they are considered collaborators.'6
- 7.1.6 Officials from The General Directorate for State Police (GDSP) also gave the HO BF FFT 2022 an overview of the criminal code:

'Until recently in the criminal code, BF were included in a general article, it was Article 78 that stipulated that murders were committed out of revenge or blood feud. The Albanian state, as an instrument in the fight against BF, amended the Criminal Code, so now it has included a special article on BF. And that is Article 78a of the Criminal Code. It says that murder driven by BF is punishable by 30 years or life imprisonment. This is one of the crimes that has the harsher punishment according to Albanian legislation. Also for the first time threats related to BF are also punished. This is Article 83a of the Criminal Code of the Republic of Albania, which stipulates that the serious threat of BF or revenge that forces people to isolate themselves is punished by up to 3 years in prison. Another offence was added for the first time under Article 83a is for when you incite people to commit BF crimes. When people are motivated to commit crimes related to blood feud or revenge, they can be imprisoned for up to 3 years.'<sup>7</sup>

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#### 7.2 Interpretations of blood feud legislation

- 7.2.1 The GDSP told the HO BF FFT 2022, 'Today there is no duality between Kanun [customary law - see below] and state law because it is now the state law that operates. Now there are law enforcement authorities such as Police, Prosecution, Courts and Local Government... What you need to know is that the law applies in Albania and that the rule of law prevails in Albania, not the Kanun.'8
- 7.2.2 Similarly, an official from the Prosecutors Office in Shkodër in northern Albania told the HO BF FFT 2022:

<sup>&</sup>lt;sup>4</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

<sup>&</sup>lt;sup>5</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 20), December 2022
<sup>6</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 21), December 2022
<sup>7</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 30), December 2022

<sup>&</sup>lt;sup>8</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022

'Article 78a stipulates and addresses the phenomenon. In the past the BF issue was addressed with one article and after the introductions of amendments in 2013 it has been regulated in a special article. The same is true when it comes to threat and also when you motivate or incite people to commit BF. All these articles provide harsher punishments for people who commit these crimes. This amendment in the law brought 2 results: first it decreased the number of BF killings, and second, the lawyers of people who commit those offences hide that it is a BF killing to reduce the punishment. They declare it as a simple killing and not BF killing because of the harsh punishment.'<sup>9</sup>

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## 7.3 Customary law – the Kanun

7.3.1 The International Journal of Scientific and Engineering Research published an article in 2013 which set out the background to the various Albanian Canons of customary law which operated in various parts of Albania:

'The Albanian customary law was born in the late stage of the dissolution of the tribal order and the birth of private property. It was a reflection of the material conditions of life in human consciousness, and therefore had a dual character. On the one hand it preserves the characteristic of the old tribal order (joint ownership) while on the other hand regulates private ownership category with all the features that follow (eg property rights are not prescribed).

'Albanian customary law norms are summarized in the Canons, such as: The Canon of Lek Dukagjin Laberia Canon, Arbëria Canon (Scanderbeg), Luma Canon, Mountains Canon etc.. despite the fact that statutes have operated in different time and space, so eg Canon Laberia acted in XI century, in the southwest of the Albanian Kanun of Lek Dukagjin, and he Skanderbeg in the nineteenth century in North Highlands, however, have many identical norms, which speaks for a common ground, as integral component of joint bed of Albanian Kanun.'<sup>10</sup>

7.3.2 The International Centre for Minority Studies and Intercultural Relations (IMIR) published a document in 2004 which gave further information about the most common version of customary law, the Kanun of Lek Dukagjin:

'The most common version of customary law among the Albanians is the Kanun of Lek Dukagjin. The Albanian Gegs 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 studied by folklorist Shtjefën Gjecov and was published as late as 1933. The text was systematised into 12 sections – "The Church", "The Family", "Marriage", "The House, Cattle, and Property",

<sup>&</sup>lt;sup>9</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 44), December 2022 <sup>10</sup> IJSER, <u>Legal property relations of the spouses in the Albanian Customary law</u>, March 2013

"Work", "Loans", "Pledge", "Honour", "Damages", "The Kanun against Harm", "The Kanun of Judgement", "Exemption and Exceptions"

'In some of its sections, the Kanun included an elaborate legal code trying to regulate blood feud (gjakmarrya) – 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 and has been manifested up to the present day in Albania, Kosovo, and, partly, in Montenegro...

'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>11</sup>

- 7.3.3 In 2014, the University of Richmond published a paper which explained the concept of honour in Albania: 'At the heart of the Kanun [of Lek Dukagjini] is the idea of honor, and particularly the honor of the family. Related to family honor are then a myriad of other associated issues from the much-lauded Albanian hospitality to the blood feud as the method via which infractions on the honor of a family are rectified or assuaged.'<sup>12</sup>
- 7.3.4 Officials from the General Directorate for State Police (GDSP) gave a historical overview of BF in Albania and the rule of Kanun law to the HO BF FFT 2022. For detail, see <u>'Report of a Home Office Fact-finding Mission</u>, Albania, conducted 20-26 November 2022' (pages 27 to 30).
- 7.3.5 For more background information on the history of customary law and blood feud, see the Cedoca report '<u>Blood Feuds in contemporary Albania:</u> <u>Characterisation, Prevalence and Response by the State</u>', 29 June 2017, and the report by Operazione Colomba, '<u>Descriptive Document on the</u> <u>Phenomenon of Hakmarrja and Gjakmarrja</u>', December 2017.
- 7.3.6 Cedoca, the country of origin information research unit of the Belgium Office of the Commissioner General for Refugees and Stateless Persons, carried out a fact-finding mission to Albania from 13 March to 21 March 2017 to gather information from various sources on blood feud (Cedoca report 2017). The report noted that the customary law, known as the Kanun:

'... regulated the most essential aspects of social conduct within Albanian local communities: family, marriage, the rights of religious institutions, private property, credits and donations, work, claim for damages, justice, the role of the elderly, [and so on]... the Kanun also regulated the resolution of conflicts and disputes either through violence (gjakmarrja [literally meaning 'to take the blood']) or through mediation (besa). The Kanun could be described as the penal law code, the civil law code and public law code all in one same code. Or, as a report by Operazione Colomba concluded: "The Kanun tradition represented the only form of social and legal control, given the

<sup>&</sup>lt;sup>11</sup> IMIR, <u>The Kanun in present-day Albania, Kosovo and Montenegro</u>, 2004

<sup>&</sup>lt;sup>12</sup> Uni of Richmond, <u>Aiming for Certainty: The Kanun, Blood Feuds and...Customary Law</u>, 2014

absence of alternative normative systems.""13

7.3.7 An official from the United Nations Children's Fund (UNICEF), who met with the HO BF FFT 2022, stated:

'BF stems from customary laws, which were born when law enforcement didn't really exist, mainly in the mountainous areas. These areas were well known as a society where no official government authorities governed, or where they did exist, were seen as being imposed by foreign governments... In a sense, customary laws were connected to ethnic identity, especially in the mountainous areas, and seen as a way to regulate society in lieu of a written law. Of course, no one wants killings or violations of human rights. If dignity and human rights are violated then this damages the society, therefore the society and the community developed at the time a system for taking revenge, not just against the person that violated the human rights, but for their entire family or tribe. So in some of these communities it is considered a way to restore honour or compensate for a violation.<sup>14</sup>

7.3.8 Officials from the GDSP told the HO BF FFT 2022: 'The traditions written in the Kanun law are indicative of the behaviour of the citizens who lived in the territory where the influence of "Kanun" extended. ... In Kanun law there are around 150 articles that regulate the BF. The Kanun of Lek Dukagini addresses this issue the most. It says that blood is washed with blood. This was divided [shared] among families in blood feuds.' <sup>15</sup>

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#### 8. Background to blood feuds

#### 8.1 Definition

8.1.1 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>16</sup>

8.1.2 Global Initiative reported on 11 December 2021 that:

> 'The fear of reciprocity was designed to be a deterrent against acts of violence: one risked triggering a tit-for-tat spiral of revenge by taking someone's life.

<sup>&</sup>lt;sup>13</sup> Cedoca, '<u>Blood Feuds in contemporary Albania...</u>' (page 4), 29 June 2017
<sup>14</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 10), December 2022
<sup>15</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 30), December 2022

<sup>&</sup>lt;sup>16</sup> UNHCR, 'UNHCR position on claims for Refugee Status...' 17 March 2006

'Unlike the notion of an "eye for an eye", blood feuds do not necessarily stop at a single act of retribution but may carry on for generations until there are no male family members remaining on either side. This custom was designed to prevent chaos, not to cause it. It was effectively an early version of a mutually assured destruction pact, closely linked to the values of honour and the family.

'In Albania, a blood feud is called gjakmarrja, which means "blood-taking" or "blood feud". Revenge or vendetta, on the other hand, is called hakmarria. The latter is the obligation to "take life to right an earlier wrong, to salvage honour". The terms are used interchangeably and sometimes can be confusing, as in both cases the killing is made to restore justice and honour. The key difference, however, is that blood feud is a protracted series of family-based revenge killings that can last for generations, whereas a vendetta is retaliation for a killing – a tit-for-tat killing. The lines are blurred when a vendetta conducted for the sake of a family member triggers a blood feud.'17

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#### 8.2 Reasons for a blood feud

- 8.2.1 Various sources reported that a blood feud may occur for a number of reasons, including:
  - property and land disputes, including violation of property •
  - human trafficking
  - 'honour' (to family or those killed)
  - debt •
  - kidnapping
  - rape •
  - Murder<sup>18</sup> <sup>19</sup> <sup>20</sup> <sup>21</sup>
- When meeting the HO BF FFT 2022, The Albanian Helsinki Committee 8.2.2 defined a blood feud as follows:

'... crimes are due to honour and manhood as defined in Kanun; blood is paid by blood. Also there are cases where a person might have had a relative raped and they take revenge by killing the other person. According to the report we have given you there are also cases of BF regarding disputes of land. A blood feud can arise from a dispute between 2 people, because of blood, land or revenge.

'Disputes can be about different issues, so a dispute is raised, which then leads someone to kill someone else from another family...<sup>22</sup>

<sup>&</sup>lt;sup>17</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021
<sup>18</sup> Operazione Colomba, '<u>Descriptive Document on the Phenomenon...</u>' (page 11), December 2017
<sup>19</sup> The Balkanista, '<u>Blood feuds and honour, a tragic tale of Albanian tradition</u>', 7 November 2020
<sup>20</sup> Cedoca, '<u>Blood Feuds in contemporary Albania...</u>' (pages 10, 11), 29 June 2017
<sup>21</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 16, 34, 20), December 2022
<sup>22</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 17), December 2022

- 8.2.3 During the HO BF FFM 2022, the GPO in Tirana said: '... there are different factors that explain the existence of a blood feud, for instance a blood feud means the homicide is premeditated and done on purpose.<sup>23</sup> The GPO added 'There are many causes for a blood feud, from the trivial issue such as divorce or land dispute, however these trivial issues can turn into conflict and then into murder.' 24
- 8.2.4 The Albanian People's Advocate (PA), an organisation that seeks to defend human rights, told the HO BF FFT 2022 that although murders linked to blood feud still occur, murders due to revenge are more prevalent, stating: '... many cases of revenge can develop into a blood feud'<sup>25</sup>. The PA continued that '... a murder [may] occur... due to a rival in organised crime or a death [may have] happened for other reasons, and this can lead another member of a family to begin a blood feud. There might also be property disputes, or petty disputes which might degenerate because of the mentality of the area.' 26
- 8.2.5 An official from the Prosecutor's office in Shkodër confirmed that a denouncement is when one family declares a blood feud against another family. The official explained: 'So the case is verified so we make the connection between a previous killing and the family that are in isolation because they are afraid to leave.' <sup>27</sup> However, please see Interpretations of blood feud legislation, which includes a comment that the fact that a killing was as a result of a blood feud may be concealed.
- 8.2.6 The HO BF FFT 2022 spoke with Pastor Elona Prroj, whose pastor husband was killed in 2010 as the result of a blood feud. Pastor Prroj explained that the blood feud began when an uncle of her husband's killed a man<sup>28</sup>. She believed that if a potential target in a BF is accompanied by his wife and children he could not be killed<sup>29</sup>.
- 8.2.7 Pastor Prroj gave her opinion on what would compel someone to kill as part of a blood feud:

... it's all about honour and shame; if you are shamed, this is the worst that can happen. Bringing honour back is encouraged, until the moment you get revenge, then you can become equal again. This will follow you all your life until your honour is restored. We have a community with mothers and we try to put a big light on mothers who have chosen to forgive, and raise them as heroes, and to do the opposite of what society, which is calling a brave man the one who takes revenge and the coward the one who forgives. We say you are brave and should be proud. But it is a mindset. It is whole community doing this. In our case, if the mother had forgiven, we would be forgiven. Sometimes the stronger hand behind the men is the mothers.' <sup>30</sup>

<sup>&</sup>lt;sup>23</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 20), December 2022

<sup>&</sup>lt;sup>23</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022
<sup>24</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022
<sup>25</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 32, 34), December 2022
<sup>26</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022
<sup>27</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 45), December 2022
<sup>28</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022
<sup>29</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 54, 55), December 2022
<sup>30</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022

- 8.2.8 Pastor Prroj also told the HO BF FFT 2022 that: 'The tradition is that on the day of a funeral of someone killed, the men gather around the coffin and swear they will take revenge and they choose the youngest male in the family to carry out that revenge. This is why I say that the killer of my husband was a victim too.' 31
- 8.2.9 Bledian Koka, a journalist, told the HO BF FFT 2022 that blood feud murders could stretch over a number of years, whereas revenge murders would be committed over a shorter period of time<sup>32</sup>. The same source added: '...not avenging death is seen as a sign of weakness and matter of honour.<sup>33</sup>

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#### 8.3 Contemporary attitudes

- 8.3.1 In November 2019, Operazione Colomba, an Italian peace corps, which sought to support and bring '...relief to ... families affected by the Kanun'34 between 2010 and 2019, noted that during monitoring visits, mainly in Shkodër area, '... the staff found that the conditions and the situations of many families have improved in several aspects in the last years: some families decide to abandon the purpose to avange and to overcome the stalemate to which the perpetuation of this social plague had forced them to live '35
- 8.3.2 During the HO BF FFM 2022, an official from UNICEF stated: '... it is not just about the murder and criminal responsibility; sometimes social norms are so ingrained that people are willing to be imprisoned to supposedly restore the honour of their family. So the murder isn't the only dimension of the problem.'36
- 8.3.3 The Albanian Helsinki Committee told the HO BF FFT 2022 that the younger generations' continued involvement in blood feud was due to lack of awareness-raising, plus influence by older members of the family such as parents and grandparents<sup>37</sup>. They also stated, 'In the north you cannot go against the word of parents or grandparents, but it depends on the will of young individuals, [but]... some children might feel pressured and some might not.'38
- 8.3.4 The GDSP told the HO BF FFT 2022:

'Some citizens sometimes see the Kanun as an excuse to commit a crime of blood feud.... It is the older generation of people who have conveyed the spirit of this Kanun/blood feud to the younger generation until now, but Albania is already a candidate country for the EU and the younger generations are more up to date with the current legislation, which is in compliance with EU laws and thus they have less faith in blood feuds in general. We must distinguish between the real phenomenon and the

<sup>&</sup>lt;sup>31</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022
<sup>32</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 62), December 2022
<sup>33</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 62), December 2022
<sup>34</sup> Operazione Colomba, 'Our projects', no date
<sup>35</sup> Operazione Colomba, 'Monthly report of activities in Albania – November 2019', 12 December 2019
<sup>36</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 11), December 2022
<sup>37</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022
<sup>38</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022

perception of the phenomenon.'39

- 8.3.5 The HO BF FFT 2022 met with Liljana Luani, founder of the Child Centre in Shkodër, a non-governmental organisation, who has worked in the realm of blood feud as a teacher and activist for over 20 years. Ms Luani commented on whether men in feuds seek protection from the police: 'To my knowledge they keep their pride hence they do not ask for protection. There was a case where a person surrounded a house and that man in the house called me and I called the police. And when the police came they did not find anything so maybe the perpetrators left the area. According to the Kanun the perpetrators cannot enter the house.' 40
- 8.3.6 Ms Luani also stated: 'Generally in the north we do not see revenge [unlinked to the Kanun] but only blood feud. But [some involve criminal groups] and the police discouraged us from working with themselves'.<sup>41</sup>
- 8.3.7 See Definition for more about definitions of revenge and blood feud.
- 8.3.8 Pastor Prroj told the HO BF FFT 2022:

'... blood feuds are kept alive by poverty, [and] lack of education...'<sup>42</sup> She continued:

'... this is a mindset that should be changed, blood feuds can happen every day because of people's mindset. I would say that there is an improvement by the state with the vetting of the justice system, but they are so busy with the process it's not reflected in everyday life. Another area of improvement is that the families are moving. I asked the family of a man who has been confined in a house for 20 years, if you asked him what the way is out, he will say, please take me out of Albania, this is the only way out, move out of Albania...

'There are so many deviations [from Kanun law], there are many deviations and people use the Kanun to justify their self-righteous actions that are against the law. Although the younger generations will change this.' 43

8.3.9 Pastor Prroj also stated:

> 'No one from the local government was admitting or accepting that blood feud exists at all. I believe that the first step to fight this phenomenon is accepting that it exists. Now it is a totally different story and approach to it. We wanted to raise awareness, but one of the biggest curses in this country is being socially passive, meaning if it doesn't happen to me, it's not happening at all. I was not active either, I only became reactive when it happened to me.' 44

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<sup>&</sup>lt;sup>39</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 29), December 2022
<sup>40</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 53), December 2022
<sup>41</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 53), December 2022
<sup>42</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022
<sup>43</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 56), December 2022
<sup>44</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 56), December 2022

## 9. Blood feuds

## 9.1 Prevalence and location

- 9.1.1 For a map on Albania showing cities and towns as well as information on geography and population of Albania, see <u>Relocation</u>.
- 9.1.2 When she met with the HO BF FFT 2022, Liljana Luani, founder of Child Centre in Shkodër, explained:

'The situation of BF has changed. In 2017 I made a study in 6 counties including; Kukes, Diber [Dibra], Shkodër, Lezhe, Tirana and Durres. You will find this study here [study is not available online]. So the study looked at how many people are in a family affected by BF, how many are in isolation, how many children, how many children are in isolation, how many have no education, and how many migrated and where they have migrated. But this was in 2017 and the situation has changed, so since then there have been more killings and aggression, but I can't give exact numbers now.

'The study was supported by OSHEE (Electricity Distribution Operator), OSHEE have supported our project since 2017. During the Study and throughout the process we also had the support of the State Police for the realization of our mission. I want to highlight that for this study, we knocked door to door from Dibër to Durres. We started the study from the county of Kukes door to door where the phenomenon of blood feuds was present. We continued with the County of Dibër and then [onto] the county of Shkodër, and Lezha. Afterwards we extended our study to the county of Tirana where, like in all other counties, we also witnessed the support of the Police to go to every door affected by this phenomenon. These areas were covered by 8 Police Commissaries (the 9th Commissioner is the Road Police). All these Tirana County Commissioners were prepared to carry out our study as effectively as in all other counties where we conducted our study...

'The situation has really changed. There have been cases of blood feuds, but not more to my knowledge [see study].

'We started from Kukes district then Dibër, Shkodër to Lezha and to Tirana, we talked to 9 police stations in Tirana, we then went to Durres and we concluded that the problem of BF is still present in Albania and that there were 591 families in BF at that time. However, the problem is not as worrying as the "reconciliation" of different areas can present. During the study we counted many families who had left for outside of the country and migrated abroad, but there were also families leaving from Dukagjin (in the north) towards the south of Albania. Families have moved from the north where the situation is more problematic. I have not completed the mission. I now intend to travel to the south of Albania to obtain a full picture of the situation as it relates to BF.'<sup>45</sup>

9.1.3 The UNHRC Compilation of UN information to the Working Group on the Universal Periodic Review, dated February 2019, noted, without referring to specific data, that 'The United Nations country team stated that blood feud killings continued to occur in Albania.'<sup>46</sup>

<sup>&</sup>lt;sup>45</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 49), December 2022

<sup>&</sup>lt;sup>46</sup> UNHRC, '<u>Compilation on Albania; Report of the Office of the United...</u>' (para 12), 22 February 2019

9.1.4 In February 2020, Operazione Colomba announced that it would close operations in Albania, stating:

'The closure of Operazione Colomba's presence in Albania does not imply the end of our commitment to go on combating the blood feuds phenomenon. All the activities carried out in recent years to combat this practice represent a set of **best practices to be conveyed** to local authorities and institutions in order to continue promoting the overcoming of the phenomenon...

'It is important to stress that the decision to close the presence – leaving some important activities in the hands of the Comunità Papa Giovanni XXIII Association's missionaries and aiming for a handover with the Albanian institutions - is the result of positive outcomes achieved in many years of intervention, especially in northern Albania.

'This does not mean that the phenomenon was stopped, but it means that the path taken by Operazione Colomba, in these 10 years, can show a direction to follow, in order to overcome this practice, throughout the country.'47

- 9.1.5 Global Initiative published a report on blood feuds in Albania on 11 December 2021 which stated that 'Blood feud is still a phenomenon in Albania, albeit mainly limited to the north of the country... More detailed research is required to get a clear picture of the situation, and to be able to estimate the extent and the spillover effect to family members of the victims both in Albania and overseas.<sup>'48</sup>
- 9.1.6 In its report to the UN Committee on the Rights of the Child (UNCRC), received in November 2019 and published in February 2021, the Government of Albania indicated that the areas most affected by blood feud were Shkodra, Lezha, Kukes, Durres and Diber<sup>49</sup>.
- 9.1.7 The US Department of State human rights reports for 2020, 2021, 2022 and 2023 did not mention blood feud or people going into isolation or confinement as a result<sup>50 51 52 53</sup>. There was no mention of blood feud or of the authorities' approach to this phenomenon in the latest 2 annual reports of the Albanian Helsinki Committee (AHC) covering 2018 and 2019<sup>54</sup>, although the AHC report for 2022 and 2023 referred to blood feud and its impact in the prison system<sup>55</sup>. (The AHC do not seem to have published a similar report covering 2020 to 2021.)

<sup>&</sup>lt;sup>47</sup> OC, Closure of Operazione Colomba's presence in Albania, 14 February 2020

<sup>&</sup>lt;sup>48</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

<sup>&</sup>lt;sup>49</sup> UNCRC, '<u>Combined fifth and sixth periodic reports...</u>' (para 69), 15 February 2021

 <sup>&</sup>lt;sup>50</sup> USSD, '<u>2020 Country Reports on Human Rights Practices: Albania</u>', 30 March 2021
 <sup>51</sup> USSD, '<u>2021 Country Reports on Human Rights Practices: Albania</u>', 30 March 2021
 <sup>52</sup> USSD, <u>2022 Country Reports on Human Rights Practices: Albania</u>, 12 April 2022
 <sup>53</sup> USSD, <u>2023 Country Reports on Human Rights Practices: Albania</u>, 20 March 2023
 <sup>53</sup> USSD, <u>2023 Country Reports on Human Rights Practices: Albania</u>, 22 April 2024

<sup>54</sup> AHC, 'REPORTS - Komiteti Shqiptar i Helsinkit', 2018 and 2019

<sup>&</sup>lt;sup>55</sup> AHC, Report on human rights for 2022-2023 (page 24), December 2023

2023<sup>56 57 58</sup>, or in the European Commission's (EC's) 2021, 2022 or 2023 Reports<sup>59 60 61.</sup> by Amnesty International in their report considering events in 2021, 2022 or

- 9.1.8 Freedom House noted in its Freedom in the World Report 2024, covering events of 2023, that 'Customary law is practiced in parts of northern Albania, and sometimes involve revenge killings.'62 Freedom House reports considering events in 2019, 2020, 2021, and 2022 also mentioned this phenomenon<sup>63 64 65 66</sup>. However, none of the reports refer to specific data on the scale, frequency or nature of blood feuds.
- In its 11 December 2021 report, Global Initiative cited data provided by an 9.1.9 NGO working with affected families in Shkodra. The data indicated that, at a national level as of 2018 '... 704 families are engaged in blood feud, 113 of which have moved abroad.' The report showed the number of families affected by blood feud at the national level, 2018<sup>67</sup>:

	Tirana	Durres	Lezhe	Diber	Kukes	Shkodër	Total
Families in blood feud	68	86	105	89	87	156	591
Isolated	5	6	6	0	3	17	37
Families overseas	8	6	33	3	16	47	113

- 9.1.10 Global Initiative commented that 'The high number of families in areas where blood feud is not culturally entrenched ([such as] in Tirana and Durres) can be explained by the fact that families have moved to these areas from the north of the country, bringing the feuds with them.<sup>68</sup>
- 9.1.11 In its report to the United Nations Committee against Torture (UNCAT), the Government of Albania stated:

'From General Directorate of the State Police, a database is created for registering of all families affected by Phenomena of blood feud as well as Standard Procedures of Work have been drafted "On evidencing and registering on the database the persons involved in criminal offenses with the motive of blood feud". Referring to the data administered by the structures of the State Police, it results that in our country there are 75 families with 159 persons confined (self-deprived of freedom), from which 25 are children.'69

<sup>&</sup>lt;sup>56</sup> Amnesty International, Annual Report 2021/22, 29 March 2022

<sup>&</sup>lt;sup>57</sup> Amnesty International, <u>Annual Report 2022/23</u>, 28 March 2023

<sup>58</sup> Amnesty International, Annual Report 2023/24, April 2024

<sup>&</sup>lt;sup>59</sup> EC, '<u>Albania Report 2021</u>', 19 October 2021

<sup>60</sup> EC, 'Albania Report 2022', 12 October 2021

<sup>&</sup>lt;sup>61</sup> EC, Albania Report 2023, 8 November 2023

<sup>&</sup>lt;sup>62</sup> Freedom House, 'Albania: Freedom in the World 2024 (section F3), 29 February 2024

 <sup>&</sup>lt;sup>63</sup> Freedom House, '<u>Albania: Freedom in the World 2021</u>' (section F3), 3 March 2021
 <sup>64</sup> Freedom House, '<u>Albania: Freedom in the World 2020</u>' (section F3), 4 March 2020
 <sup>65</sup> Freedom House, <u>Albania: Freedom in the World 2022</u> (section F3), 17 February 2022

<sup>&</sup>lt;sup>66</sup> Freedom House, Albania: Freedom in the World 2023, 9 March 2023

<sup>&</sup>lt;sup>67</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

<sup>&</sup>lt;sup>68</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

<sup>&</sup>lt;sup>69</sup> UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022

- 9.1.12 See also <u>Self-isolation</u> for further information on this subject and also for information about the details recorded by the police in their database of families in blood feud. See Action and initiatives for information about the need for the police to update this database. The sub-section on Emigration provides further information relevant to the number of blood feuds.
- 9.1.13 The table below compiles the most recent data (from sources identified by CPIT) on families affected by blood feud in Albania:

Source and date	'An NGO' cited by GI (2018) <sup>70</sup>	State Police (as of July 2021) <sup>71</sup>
Families affected	591	75

- 9.1.14 An official from UNICEF told the HO BF FFT 2022 that it is possible only to make an estimation of the number of active BFs. The official made the point that BF in many cases is a potential crime and so it is not possible to have exact numbers. Similarly, the official thought that it was not possible to estimate whether BFs were now in decline<sup>72</sup>.
- 9.1.15 Rasim Gioka, the Executive Director at AFCR, the Albanian Foundation for Conflict Resolution of Disputes, an NGO based in Albania that implements conflict resolutions in schools, commented to the HO BF FFT 2022 that it is difficult to know how many BFs are currently in existence, but overall they are seeing a decreasing trend. His view was, in the absence of official statistics, that no more than 50-60 families were involved in BF in the Shkodër / Malesi-i-Madhe municipalities<sup>73</sup>.
- 9.1.16 Rasim Gjoka also commented on the reporting of blood feud:

... [the media] are trying to make it more obvious and make it more of an issue than it really is. In 2021 according to state police in Shkodër there was only one BF related homicide, but the media present ten-times more than that, maybe they don't have correct information or they are labelling murder as a BF, we don't know. The reason is there is confusion between the revenge murder (which happens all around the world), and also blood feud murders, which are different. There is also the reconciliation association who have increased the number of blood feud cases even though they are not the real ones.<sup>74</sup>

- 9.1.17 See <u>Contemporary attitudes</u> for further information on this subject.
- 9.1.18 The PA stated during an interview with the HO BF FFT 2022 that they also believe that the phenomenon is in decline. The most recent data they hold on how many people are involved in a blood feud is from 2015 and can be found in the 2015 report "On the phenomenon of blood fighting in Albania" Special Report (II), 2015 [in Albanian only]. They noted that current data regarding the number of people murdered and isolated in relation to blood feud is unreliable, and that statistics from civil society institutions and the

<sup>&</sup>lt;sup>70</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

<sup>&</sup>lt;sup>71</sup> UNCAT, '<u>Third periodic report submitted by Albania under article 19</u>' (para 194), 5 April 2022
<sup>72</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 11, 12), December 2022
<sup>73</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 26), December 2022
<sup>74</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 26), December 2022

police are contradictory<sup>75</sup>. They also stated that '…blood feuds is [sic] not a national issue but a local one…'<sup>76</sup>

- 9.1.19 The PA also stated to the HO BF FFT 2022 that according to the State Police: '... looking at the statistics of recent years, we are dealing with a significant decrease in the phenomenon of blood feuds, but it is still a very delicate problem...'<sup>77</sup>
- 9.1.20 An official from the Shkodër Regional Police Directorate told the HO BF FFT 2022: 'Blood feud is a declining phenomenon, but there are still cases of its occurrence.' <sup>78</sup> They continued: 'There was a period where we had a dedicated office for blood feud cases in 2004/2005, but with the passing of time and decrease in cases this office was no longer necessary...'<sup>79</sup> The same official added that the issue was most problematic in Shkodër district with some cases in Lezhe and northern areas<sup>80</sup>. The official added that in the Shkodër district there were 33 families in blood feud<sup>81</sup>.
- 9.1.21 An official from the Shkodër Regional Police Directorate also told the HO BF FFT 2022 that they make a record of all families in isolation in the Shkodër district, including head of house, number in family, gender: 'There are still some families in Shkodër that are in isolation...'<sup>82</sup>
- 9.1.22 An official from the Prosecutor's Office in Shkodër told the HO BF FFT 2022 that they do not have an accurate figure of families affected by blood feuds. The official explained that following investigations, it is common for families to say they were not actually being threatened by the opposing family, but they were just afraid due to the traditions; for example, they might have heard rumours of a threat in the community but had not been directly threatened, and in such cases, the Prosecutor's Office are unable to investigate further<sup>83</sup>.
- 9.1.23 Liljana Luani, from the Child Centre in Shkodër, told the HO BF FFT 2022 that in 2017 she conducted a study, supported by OSHEE (Electricity Distribution Operator), in Kukes, Diber (Dibra), Shkodër, Lezhe, Tirana and Durres which concluded that in 2017, 591 families were in blood feuds. Ms Luani said that she was unable to provide exact numbers for the current situation, but since 2017 there 'have been more killings and aggression.'<sup>84</sup> However, with regard to support, the Child Centre and OSHEE work with 27 families currently in blood feud, from which 33 children are affected<sup>85</sup>.
- 9.1.24 Pastor Prroj was asked her opinion on the extent to which BF is an issue in Albania. She told the HO BF FFT 2022: 'I would say in the north it is big, it can happen any time due to the mindset, but I don't know the number of families impacted. If one man is killed then by default more than 10 families

<sup>&</sup>lt;sup>75</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 33, 34), December 2022
<sup>76</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022
<sup>77</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 34, 35), December 2022
<sup>78</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022
<sup>79</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022
<sup>80</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022
<sup>81</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 42), December 2022
<sup>82</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 42), December 2022
<sup>83</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 45), December 2022
<sup>84</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 50, 51), December 2022
<sup>85</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 50, 51), December 2022

are involved... [The problem is in] just the north community, and wherever the people of the north move to, the phenomenon moves with them.'<sup>86</sup>

9.1.25 See also <u>Penal/criminal code</u>, where it is noted that blood feud killings may be disguised as non-blood feud killings so as to avoid the harsher penalties.

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#### 9.2 Targets of a blood feud

9.2.1 During the HO BF FFM 2022, an official from UNICEF stated:

> Women and girls historically have not been the direct target of a blood feud, however during the past 30 years, whether by accident or will, women and girls have been the direct subject too. What worries UNICEF is that many children are becoming both the direct and indirect victims of blood feuds. Even those whose lives are not taken, are nevertheless threatened, and they are confined to their homes or isolated from everything going on in the outside world. This is particularly difficult as these children are at the stage where they are developing their identities, well-being and stability, their mental health and also education. That is a very unnatural situation to be in.'<sup>87</sup>

9.2.2 The same UNICEF source continued:

> ... it is not just the person directly involved, it's the entire tribe that could potentially be affected and that could be extended bloodlines. You never know who could be affected; according to customary law you have to take the life of a person who is the best in the family or tribe, the one that is the more intelligent, the one who has the most power or reputation in the family. So you never know, those families, sister, brother, cousins, they could be anywhere in Albania, so the blood feud could extend away from the area it initially arose in. But those living in the community closer to the incident feel the pressure much more...' 88

- 9.2.3 However, the official from UNICEF also stated: '... boys and men are generally the direct subject and the most threatened when it comes to their life, and the need to be in domicile confinement.' 89
- The Albanian Helsinki Committee told the HO BF FFT 2022: 'The situation 9.2.4 [blood feud] then continues within the families until they kill the last male in the family. It is not possible to take revenge blood from women or minors so they are excluded.<sup>90</sup>
- 9.2.5 During the HO BF FFM 2022, AFCR stated that this was due to both prevention of being harmed but also that some women had been killed<sup>91</sup>. Bledian Koka, a journalist, told the FFT that '...women and children are affected [by isolation]. However, I don't remember the last time a woman or child was killed because of a blood feud." 92

<sup>&</sup>lt;sup>86</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 57), December 2022

<sup>&</sup>lt;sup>87</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 37), December 2022
<sup>88</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 10, 11), December 2022
<sup>89</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 11), December 2022
<sup>90</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 13), December 2022
<sup>90</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 17), December 2022

<sup>&</sup>lt;sup>91</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 25), December 2022

<sup>&</sup>lt;sup>92</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 63), December 2022

- 9.2.6 The PA told the HO BF FFT 2022: 'As for the data on the victims of these murders, they are all male adults, there are no minors or women.<sup>93</sup>
- Pastor Prroj told the HO BF FFT 2022: 9.2.7

'By default, all men in the family are at risk, they are a target. So there were 25 men in [the source's husband's] family over several generations, 6 generations and one blood line. The moment my husband's uncle committed murder there were 25 men [in husband's family] who were confined. This only ended when my husband was killed and we forgave the family. So as soon as my husband was killed the other 24 men of the family knew they could come out as blood [was] killed with blood and they were free.' 94

9.2.8 Pastor Prroj explained: '... in 90% of cases, the (opposing family) never kill the first murderer from the other family. They choose the youngest and the best of the family to cause the deepest pain. For example, my husband's father was too old, he would walk in front of the opposing families home intentionally, however they were not interested in him because he was an old man. He could walk by the opposing family with no issues, as they wanted a younger man.' 95

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#### 9.3 Self-isolation

- 'Isolated' families are those who confine themselves to their homes and cut 9.3.1 themselves off from the rest of their community because of fear of reprisals<sup>96</sup> 97
- 9.3.2 In December 2021, Global Initiative cited an NGO which indicated that 37 families were isolated in the district of Shkodra as of 2018<sup>98</sup>. In its report to the UNCAT (July 2021), the Government of Albania noted that 75 families were confined to their homes due to blood feud<sup>99</sup>.
- 9.3.3 UNCRC and Global Initiative stated that children confined at home were offered home-schooling<sup>100 101</sup>.
- AFCR and PA stated during the HO BF FFM 2022 that under Kanun law, 9.3.4 self-isolation should not extend to women and children<sup>102</sup>. However, UNICEF and the journalist Bledian Koka also noted that tradition was not always being followed and that there had been cases where women and children were also isolating<sup>103</sup>.
- 9.3.5 An official from UNICEF told the HO BF FFT 2022 that a blood feud affects the entire family, and that groups of relatives or tribes can be affected by

<sup>98</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021
<sup>99</sup> UNCAT, '<u>Third periodic report submitted by Albania under article 19</u>' (para 194), 5 April 2022
<sup>100</sup> UNCRC, '<u>Combined fifth and sixth periodic reports submitted by...</u>' (para 68), 15 February 2021

<sup>101</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

<sup>&</sup>lt;sup>93</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 35), December 2022

 <sup>&</sup>lt;sup>94</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 55), December 2022
 <sup>95</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 55), December 2022

<sup>&</sup>lt;sup>96</sup> Global Initiative, 'Blood feuds in Albania', 13 December 2021 (internal use only)

<sup>&</sup>lt;sup>97</sup> Cedoca, '<u>Blood Feuds in contemporary Albania...</u>' (page 15), 29 June 2017

<sup>&</sup>lt;sup>102</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 25, 34), December 2022
<sup>103</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 9, 25, 34, 62), December 2022

blood feud and self-isolation<sup>104</sup>.

- 9.3.6 Rasim Gjoka, from AFCR, stressed to the HO BF FFT 2022 that there was no official data on numbers but that he believed out of the 50-60 families involved in the Shkodër / Malesi-i-Madhe municipalities that '... 80% are isolating. We also noticed that some families have migrated from the north to Tirana and other cities or they have moved abroad.'<sup>105</sup>
- 9.3.7 The PA told the HO BF FFT 2022 that data gathered from the GDSP and presented in the 2015 report stated that there were 60 isolated families, made up of 145 individuals including 40 minors. With most of these located in the Shkodër district, but also in Kukes, Lezha, Durres and Tirana. however as families move they no longer know where these families are now<sup>106</sup>.
- 9.3.8 When the HO BF FFT 2022 met with the PA, the PA mentioned which family members may self-isolate, stating, 'Generally they are males, however due to the deformity [misinterpretation] of the practice of Kanun there have been cases of women and girls who are subject to blood feud. There are sporadic cases but they do not happen so frequently.'<sup>107</sup>
- 9.3.9 The PA also expressed concerns about blood feud-related self-isolation:

'Not only are there murders or fatalities due to blood feud, but also an infringement of other HR [human rights]. Due to BF and revenge, and we are saying that now revenge is more prevalent, families are isolated especially men and boys, and this we judge is infringing the right to freely move into any part of the state's territory, the right to vote, the freedom of organization, the right to work, to education, to benefit from the social services and get healthcare, practicing religion etc.'<sup>108</sup>

- 9.3.10 An official from the State Agency for Childs Rights and Protection (SACRP) told the HO BF FFT 2022 that they have just one case of an isolated child, but no families had approached for help and support due to blood feud, and that the information about isolated children comes from the municipality and that the SACRP does not gather data on isolated children. The official stated that in such a case they '... provide an assessment of the family and conditions in the family. We see if there is a school nearby where the child can go, or if a teacher can go to the child, or provide other services like food packages or psycho-social treatment as we work a lot with psychologists in schools.' <sup>109</sup>
- 9.3.11 With regard to support provided to isolated families, the official from SACRP highlighted the difficulties of intervening with regards to a child's rights and protection when a family has not made a denouncement; the official stated, '... if they do not denounce then there is nothing we can do... When there is no denouncement there is a lack of evidence.'<sup>110</sup>
- 9.3.12 The SACRP official continued:

<sup>104</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 12), December 2022
<sup>105</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 26), December 2022
<sup>106</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 34), December 2022
<sup>107</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 32), December 2022
<sup>108</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 32), December 2022
<sup>109</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 38), December 2022
<sup>110</sup> Home Office, ' <u>Report of a FFM - BF, December 2022</u> ' (page 38), December 2022

'According to the law all children are protected until they are 18 years of age. According to our law we can provide immediate protection if they are at high risk, however, there has not been such cases, for example there have been cases when children do not go to school after the first few days of a blood feud crime was committed, but after a few days they go back to school. The reason we have not had many cases, and the reason why many families migrate far away, is because BF-related crime happens after the child becomes an adult. If the case is at high risk we take the child under protection and can send the child to a shelter. So blood feud happens when the child becomes a man. It is no problem to stipulate blood feud in law but we don't want to promote it as a phenomenon. Very often these blood feud related crimes are committed after these individuals reach adulthood and maybe it will never happen, but we cannot know.'111

- 9.3.13 An official from the Shkodër Regional Police Directorate told the HO BF FFT 2022: 'There are still some families in Shkodër that are in isolation...' <sup>112</sup> The official added they have a database built in 2004/2006 which records '... who is the head of household, how many members, the gender of family members, how many in isolation, how many are children, how many are students and what is the reason for isolation ... '113
- 9.3.14 See Prevalence and location for further information about the police database of families in blood feud. See Action and initiatives for a call for the police to update this database.
- 9.3.15 When asked by the HO BF FFT 2022 how many families were in isolation in Shkodër, the official from the Shkodër Regional Police Directorate stated that according to numbers provided by civil society there were 96 families affected or at risk from blood feud [from which the police estimated that one to 2 people were in isolation]; the police also noted that not all of the 96 families were in full isolation. However, the official stated that even though some families were not in full isolation this did not mean that they do not continue to be at risk. The official added that there were no families in isolation in Puke<sup>114</sup>.
- 9.3.16 Ms Luani from Child Centre in Shkodër told the HO BF FFT 2022 that her centre provides support to 60 children, 33 of whom are affected by blood feuds, although not all of these children are completely isolated. The centre provides education on a range of subjects, both online and in person. The centre also provides psychological treatment for children and families. Further, OSHEE, who have supported Ms Luani in her projects, support the 40 families [27 of the families are in BF] of those children by providing funding for internet access and the supply of basic food<sup>115</sup>.
- 9.3.17 The same source stated that whilst men are in isolation it is '...impossible for people to stay inside the whole time as the aid they receive from the state is

<sup>&</sup>lt;sup>111</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 39), December 2022
<sup>112</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 40), December 2022
<sup>113</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 42), December 2022
<sup>114</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 41, 42, 43), December 2022
<sup>115</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 41, 42, 43), December 2022

<sup>&</sup>lt;sup>115</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 50, 51), December 2022

very little and not enough to cover basic needs and they have to go out to work.' <sup>116</sup>

- 9.3.18 An official from the Ministry of Education told the HO BF FFT 2022 that they offer a range of services including home schooling, digital education devices and TV/internet channels if a child cannot attend school, including for those children who isolate<sup>117</sup>.
- 9.3.19 However, the Ministry of Education also told the HO BF FFT 2022 that as of November 2022 they did not have any children reported as missing school due to blood feud in their system, and that the last time was around 2014. The official confirmed that there are procedures in place in schools where children can be reported for non-attendance through the municipal education office<sup>118</sup>.
- 9.3.20 The Ministry also stated: 'We constantly monitor the drop-out rates month after month during the school year. When there are schools which have students who are likely to be of high risk to drop out we have set mediators there. These mediators deal with coordination between parents, school and the community and local government. We also offer scholarships to the students who are at high risk of dropping out of school, dropping out because of family reasons.'119

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#### 9.4 Number of blood feud murders

- 9.4.1 In its bulletin of December 2021, Global Initiative reported, '...there has been an increase in the number of registered cases of murder for blood feud from 2017 to 2020. From five registered cases in 2017, the number increased to seven in 2020.'120
- 9.4.2 Based on press reports, Operazione Colomba stated that there were 5 murders due to blood feud in 2018; 2 of the murders occurred in Tirana, one in Burrel and one in Shkodër. One also occurred in Spain<sup>121</sup>. Cases of revenge murder (hakmarrje) in 2018 were far higher; Operazione Colomba recorded 132 cases which occurred across the country<sup>122</sup>.
- 9.4.3 Operazione Colomba published monthly reviews of media reports on cases of revenge and blood feuds and recorded 5 murders cited as blood feud during 2019, one each in January, February, March, August and October<sup>123</sup>. Operazione Colomba announced in February 2020 that it was ending its presence in Albania<sup>124</sup>.

<sup>&</sup>lt;sup>116</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 52), December 2022
<sup>117</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 59), December 2022
<sup>118</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 58, 60), December 2022
<sup>119</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 58, 59), December 2022
<sup>120</sup> Global Initiative, Blood feuds in Albania exploited by criminal groups, December 2021

 <sup>&</sup>lt;sup>121</sup> Operazione Colomba, '<u>Blood feuds in 2018 – numbers from the press</u>', 4 March 2019
 <sup>122</sup> Operazione Colomba, '<u>Blood feuds in 2018 – numbers from the press</u>', 4 March 2019
 <sup>123</sup> Operazione Colomba, '<u>Monthly report Archivi - A Crowd Against Blood Feuds</u>', Jan to Dec 2019

<sup>&</sup>lt;sup>124</sup> Operazione Colomba, 'Closure of Operazione Colomba's presence in Albania', 14 February 2020

In its report to the UNCAT<sup>125</sup>, the Government of Albania recorded the 9.4.4 number of cases of 'blood feud murder' between 2012 and 2020 as foreseen by Article 78a of the Criminal Code:

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020
Cases	7	3	4	0	1	1	1	0	1

- In its report to the UNCRC, which was received in November 2019, the 9.4.5 Government of Albania referred to criminal proceedings in relation to blood feud and stated that 'Since 2012, 41 suspects have been found guilty of murder for blood feud (39 suspects were acquitted) ...'126
- 9.4.6 The USSD noted in its human rights report covering 2017 events that there were murders and revenge killings in 2017 that may have been related to blood feuds. Until August 2017, however, the authorities had reported only one case of murder due to a blood feud<sup>127</sup>. None of the USSD reports covering 2020, 2021, 2022 or 2023 mentioned blood feud<sup>128 129 130 131</sup>.
- The GDSP gave the HO BF FFT 2022 the following figures for murders 9.4.7 which were initially assessed as BF between 1998 and 2022; however, it must be noted that it is for the Courts to decide whether these were BF or not. The table shows that figures dropped from 45 in 1998 to 2 in 2022<sup>132</sup>.

Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
	45	41	41	32	13	12	11	5	4	0	5	1	5
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
	5	5	4	4	0	1	1	1	0	1	1	2	

- 9.4.8 The GDSP added that there had been 42 murders so far in 2022, with 2 of those being identified as possibly relating to BF, but the courts would decide which crimes were related to BF and which to revenge<sup>133</sup>.
- An official from the Shkodër Regional Police Directorate told the HO BF FFT 9.4.9 2022: '... In 2007 there was no blood feud related murders, this is why we said we no longer needed this sector in the state police and cases were dealt with by other departments. This problem had been concerning for us, there was a great percentage of murders attributed to blood feud. However for 5 years there have been no blood feud related cases in Shkodër apart

<sup>&</sup>lt;sup>125</sup> UNCAT, '<u>Third periodic report submitted by Albania under article 19</u>' (para 194), 5 April 2022

<sup>&</sup>lt;sup>126</sup> UNCRC, '<u>Combined fifth and sixth periodic reports submitted by...</u>' (para 66), 15 February 2021

<sup>&</sup>lt;sup>127</sup> USSD, '<u>2017 Country Reports on Human Rights Practices: Albania</u>' (section 6), 20 April 2018
<sup>128</sup> USSD, '<u>2020 Country Reports on Human Rights Practices: Albania</u>', 30 March 2021
<sup>129</sup> USSD, '<u>2021 Country Reports on Human Rights Practices: Albania</u>', 12 April 2022
<sup>130</sup> USSD, <u>2022 Country Reports on Human Rights Practices: Albania</u>', 20 March 2023
<sup>131</sup> USSD, <u>2023 Country Reports on Human Rights Practices: Albania</u>, 22 April 2024

 <sup>&</sup>lt;sup>132</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 28), December 2022
 <sup>133</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 31), December 2022

from one case that happened this year, so from 2018 to 2022 there have been no cases.<sup>134</sup>

- 9.4.10 The PA stated that according to the State Police: '... for the period 2017-2021, it has been recorded a total of 4 murders for blood feud... 1 for each vear...'135
- 9.4.11 See also Penal/criminal code, where it is noted that blood feud killings may be disguised as non-blood feud killings so as to avoid the harsher penalties in law. See Convictions for blood feud for information about numbers of convictions.

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#### 9.5 Organised criminal groups

#### 9.5.1 In its report of 11 December 2021, Global Initiative stated:

'Today, the idea of a blood feud is part of the fear factor of Albanian criminal groups. It helps their image to be seen as potential dispensers of violence hunting down their opponents and taking revenge. It also puts a gloss of customary or traditional norms on their violent behaviour. That said, criminal groups do not tend to recruit people connected to families involved in blood feuds since they do not want to be drawn into these protracted disputes. They are also wary of taking on powerful families in areas of the north of Albania because of the risk of triggering a blood feud: it's bad for business.

'However, recent research has shown that sometimes criminal groups apply their own version of a blood feud. According to the Kanun, you cannot take revenge for a family member who is killed while committing an immoral act ([for example] while stealing property). However, organized crime sometimes misuses the Kanun to exact revenge: there have been cases when an organized crime group is unable to find an opponent and instead kills one of the person's family members, justifying it as blood feud. In this situation, the family members of the victim often go into hiding or emigrate in fear of further retaliation from the organized crime group.<sup>136</sup>

9.5.2 Global Initiative provided an example of how a revenge killing might become a blood feud:

... in the turf war between two powerful organized crime groups in the city of Shkodra, leaders of criminal group A killed a key member of criminal group B. In retaliation, the leaders of criminal group B, when they were unable to locate members of criminal group A, instead killed the father and uncle of one of the key members of that group. Now, that person considers the murder of his family members as a blood feud and will therefore try to kill family members of the leaders of criminal group B. In other words, even if the criminal groups could end the conflict between them, the cycle of violence will continue. As a result, what started as a revenge killing related to a criminal act (which may have been falsely depicted as a blood feud) has become a real blood feud.'137

<sup>134</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 41), December 2022
<sup>135</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 35), December 2022
<sup>136</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021

<sup>&</sup>lt;sup>137</sup> Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

- 9.5.3 An official from UNICEF told the HO BF FFT 2022 that they would not exclude the possibility that blood feuds are linked to organised crime, but was of the opinion that they were mainly a phenomenon that stemmed from a family believing what was the 'right thing to do, and the offence they perceive [had]... occurred.' The official stated: 'There might be connections with organised crime but not necessarily the continuation of a blood feud is linked particularly to organised crime.'138
- Officials from the GDSP told the HO BF FFT 2022 that 'blood feuds should 9.5.4 not be confused with clashes between organised crime groups.'139
- Bledian Koka a journalist and Editor in Chief for Syri TV Albania, which 9.5.5 describes itself as 'the largest news agency in Albania,'140 told the HO BF FFT 2022 that blood feuds are currently linked to organised crime, and that new conflicts have arisen between drugs gangs. He stated: 'Albania has a problem with drug traffickers and frequently they come to resolve their problems in Albania, during the summer, and this has brought an increasing trend in murders, especially since 2015 until now. Such cases do not always bring isolation, however when blood is shed by one side it has to be shed by the other side. We have seen cases in Elbasan, Vlore, Lezhe, Shkodër and Durres.'141
- Referring to media reporting of blood feuds, Bledian Koka told the HO BF 9.5.6 FFT 2022:

We always report blood feud related murders. So when someone is killed we always see their past and criminal activity they have been involved in, and we might say 50% are involved in criminal activity and 50% it's blood feud. But it is not possible to be involved in criminal activity like drug trafficking and not be involved in murder... The gangs are fighting for territory abroad. But because it is difficult to resolve the issue abroad they come to Albania to resolve it by killing one another and because police turn a blind eye.' <sup>142</sup>

See Emigration for information about whether criminal gangs pursue blood 9.5.7 feuds abroad. See Investigations and convictions for blood feud for information about the involvement of hitmen.

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#### 9.6 Impact on women and families

- 9.6.1 According to the Government of Albania, in its report to the United Nations Committee for the Elimination of Discrimination against Women (UN CEDAW), dated 25 February 2022, 'Women do not have to be housebound but they have to cope with the repercussions of their male family members having to be housebound due to blood feuds.<sup>143</sup>
- 9.6.2 An official from UNICEF told the HO BF FFT 2022:

 <sup>&</sup>lt;sup>138</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 12), December 2022
 <sup>139</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 30), December 2022 <sup>140</sup> SYRI.net, <u>About us</u>, no date

<sup>&</sup>lt;sup>141</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 61), December 2022

 <sup>&</sup>lt;sup>142</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 63), December 2022
 <sup>143</sup> UN CEDAW, '<u>Fifth periodic report submitted by Albania...</u>' (para 233), 25 February 2022

'I would also like to touch upon on how blood feud affects women and girls, ... Women and girls, however, do suffer consequences, they have to make up for the husband staying at home and have the double burden of bringing in an income and going out to work in the fields and selling produce. All this, while also taking care of the family, cleaning and cooking (related to the stereotypical gender roles and division of labour in the very patriarchal areas that are affected by blood feud). We have to deal with very pervasive negative gender norms, rooted particularly among boys and men and of course, any frustration from confinement, on top of it. Imagine who will take the cushion role for all that frustration. Probably you have flourishing [domestic violence] DV in those families. And usually, DV becomes more emphasized when women try and break from the rules of society, such as when they are more often out in the market selling, and interacting with the outside world, and being the bread winner - this comes as a threat to the men's authority and the violence becomes more pronounced. On the other hand, the fact that women are more able to go out and can take on the roles of men, at the same time offers new potential for better use of restorative justice and reconciliation, perhaps initiated or enabled by women themselves. If these women are all suffering the same and sit in the markets together, if supported somehow by professionals and civil society, they could find a way of forging mediation and reconciliation.

'Girls who have been confined to their homes due to fear of blood feud and not able to go to school, maybe in order for them to escape from the situation, their families might want to marry them off as soon as possible. Even far away, possibly abroad, but anyway, away from the family. Poverty plays a role, if a woman's destiny is to be a good mother and wife, then why not do it earlier rather than later – one less mouth to feed. If she is not going to school, anyway, so why not marry her off. It leads to a kind of intragenerational way for gender based violence to continue as well as child marriage. BF and poverty to go on from one generation to another.'<sup>144</sup>

- 9.6.3 With regard to families in self-isolation and government financial aid provided to those on a low income, the PA told the HO BF FFT 2022, '...aid is minimal, it depends on the municipalities and they decide on their possibility and budgets. But it is never enough to allow them to have a dignified life. When it is men affected by isolation the burden falls on the women to work.'<sup>145</sup>
- 9.6.4 An official from SACRP told the HO BF FFT 2022:

'According to the law all children are protected until they are 18 years of age. According to our law we can provide immediate protection if they are at high risk, however, there has not been such cases, for example there have been cases when children do not go to school after the first few days of a BF crime was committed, but after a few days they go back to school. The reason we have not had many cases, and the reason why many families migrate far away, is because BF-related crime happens after the child becomes an adult. If the case is at high risk we take the child under protection and can send the child to a shelter. So BF happens when the child

<sup>&</sup>lt;sup>144</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 13,14), December 2022

<sup>&</sup>lt;sup>145</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 36), December 2022

becomes a man. It is no problem to stipulate BF in law but we don't want to promote it as a phenomenon. Very often these BF-related crimes are committed after these individuals reach adulthood and maybe it will never happen, but we cannot know.'146

- 9.6.5 Similarly, Ms Luani from the Child Centre Shkodër told the HO BF FFT 2022: 'I want to highlight that the families we support are in real need because they are very poor. [Although] There are some families in isolation that do not need our support.' The same source continued '...there is a case of a man who lives in a village in Shkodër district and they receive 5,300 Albanian Lek [£39<sup>147</sup>] per month. There are 4 family members. So he is 40 years of age and married to a 30 year old and they have 2 children, and that is the only economic aid they receive.' 148
- 9.6.6 See also Targets of a blood feud for further information about the impact of blood feuds on women and girls.

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#### 10. **Police**

#### 10.1 Action and initiatives

10.1.1 The Government of Albania stated in its February 2019 report to the Working Group on the Universal Periodic Review, published by the UNHRC, that:

'Significant efforts have been made in recent years to address the issue of blood feud. ... In March 2015, Parliament approved a resolution urging the Coordinating Council for the Fight against Blood Feud to take measures to prevent the phenomenon in Albania. The Headquarters against Crime with Motives of Revenge and Blood Feud was established at General Directorate of State Police (GDPS) and is responsible for guiding, overseeing and coordinating the work of subordinate structures in this field.'149

- 10.1.2 In response to the UNHRC's report and recommendations of the Working Group on the Universal Periodic Review, dated 3 July 2019, the Albanian delegation noted that 'Several measures had been taken against the phenomenon of "blood feud". The GDSP had compiled a database of all families affected by blood feud. In 2018, Albania had adopted an action plan on the prevention, detection, documentation and fight against criminal acts committed for motives of blood feud and vengeance.<sup>150</sup>
- 10.1.3 In its report to the UN CEDAW, the Government of Albania noted that [Director General] DG State Police have drafted and approved Action Plan 2057/2018 to help prevent, detect, document and fight criminal offences committed in the context of blood feuds. A task force has been established for the purpose of leading and coordinating the activities of subordinate structures in the fight against this phenomenon.<sup>151</sup>
- 10.1.4 The report explained the objective of the Action Plan, stating:

- <sup>148</sup> Home Office, '<u>Report of a FFM BF, December 2022</u>' (pages 51, 53), December 2022
   <sup>149</sup> UNHRC, '<u>National report submitted in accordance with para 5...</u>' (para 69), 22 February 2019
   <sup>150</sup> UNHRC, '<u>Report of the Working Group on the Universal Periodic Review...</u>' (para 52), 3 July 2019

<sup>&</sup>lt;sup>146</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 39), December 2022 <sup>147</sup> Xe, Currency converter, 28 November 2022

<sup>&</sup>lt;sup>151</sup> UN CEDAW, 'Fifth periodic report submitted by Albania...,' (para 232), 25 February 2022

'The objective of this Action Plan is to counter the phenomenon of blood feud and revenge in close cooperation with local government and non-profit organizations on resolution of conflicts by reconciliation; to enhance cooperation with the prosecution in order to conduct quick investigation against such criminal offences and to bring the offenders before justice; to organize comprehensive measures to apprehend the offenders of murders in general and blood feud in particular as a major preventive measure against blood feud; to enhance cooperation with Directorates of Education and schools in order to educate the young generation with the spirit of tolerance and crime prevention.<sup>152</sup>

- 10.1.5 The UNHRC Compilation of UN information to the Working Group on the Universal Periodic Review, dated February 2019, stated 'While noting the action plan adopted in 2014 by the General Police Directorate to prevent, discover, document and fight the criminal activity based on blood feuds, [the UN country team] stated that there was insufficient coordination between the State police and the Public Prosecution Office, and court sentences for perpetrators remained light.'153
- 10.1.6 In its 11 December 2021 report, Global Initiative also noted the action plan

Some of the action points called for the state police to collect evidence on families engaged in blood feud, monitor the affected families and update the database of ongoing cases. Moreover, all children affected by blood feud were to be provided with education at home. In addition, the Parliament adopted a resolution in 2015 to prevent the phenomenon of blood feuds in Albania. However, the Ombudsman reported later that year that after the resolution, "no concrete solution has been made by state institutions to implement the tasks set by the Parliament to prevent this phenomenon and to issue bylaws". In its 2018 progress report, the EU noted that "the resolution and recommendations on blood feuds still require follow-up".'154

- 10.1.7 See Prevalence and location and Self-isolation for information about the police database of families in blood feud and the information recorded.
- 10.1.8 The Government of Albania stated in its report to the UNCRC that 'In 2014, Instruction No.36 "On Procedures for the Education of Confined Children" was adopted, by developing a curriculum and special subject programmes for the education of confined children. Since the academic year 2013-2014, 39 children have received basic education at home (with three in 2016-2017).'<sup>155</sup>
- 10.1.9 In its report to the UNCAT, the Government of Albania stated that 'From the structures of the State Police during the period 2013-2020, awareness meetings are organized continually for the phenomena of blood feud, with the participation of representatives of the local authorities and different NPO [non-profit organisations].' 156
- 10.1.10 Pastor Prroj stated during the December 2022 HO FFM:

- <sup>152</sup> UN CEDAW, '<u>Fifth periodic report submitted by Albania...</u>' (footnote 74), 25 February 2022
  <sup>153</sup> UNHRC, '<u>Compilation on Albania; Report of the Office of the United...</u>' (para 12), 22 February 2019
  <sup>154</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021
  <sup>155</sup> UNCRC, '<u>Combined fifth and sixth periodic reports submitted by...</u>' (para 68), 15 February 2021
  <sup>156</sup> UNCAT, '<u>Third periodic report submitted by Albania under article 19</u>' (para 193), 5 April 2022

What we noticed is there is no national strategy for this phenomenon and we believe there should be cooperation between many stakeholders including Ministry of Interior affairs, Ministry of Justice, Ministry of Education, Ministry of Social Protection, religious bodies, police, local government, etc., and they should work together so we minimise the BF phenomenon in Albania. There is no database on BF and there is contradictory or different data regarding the number of people murdered and the number of people isolated. We estimate there should be a full data base, clear statistics dated from 1990 so people can take proper measures. We have managed to obtain statistics from various institutions, but we saw that there was contradictory information between the data we obtained from civil society institutions and the State Police.'157

## 10.1.11 An official from UNICEF told the HO BF FFT 2022:

...what bothers me is that the government keeps silent about it, of course to them it is not nice to speak about blood feud - a medieval, old-fashioned phenomenon - especially when this country claims to be building rule of law, justice reform and wanting to join the EU. So this issue is not mentioned in policy and strategic government documents. However, if you don't have a strategy or action plan, the issue just grows and takes on a life of its own. blood feuds won't end on their own, the past 30 years have evidenced this. I know the UN Special Rapporteur on Extra-Judicial Killings pointed out a few vears ago that there is no government priority included in any of the policy documents to address blood feuds ... so the UN do not have a way to intervene, if not stated among the government priorities.<sup>158</sup>

## 10.1.12 An official from the GDSP told the HO BF FFT 2022:

'In 2012, an action plan was prepared regarding the prevention, certification and protection of blood feuds. This plan was renewed in 2014 and is still in effect. Concrete preventive measures have been defined and there is more cooperation with the local government and NGOs. There is a great cooperation with other law enforcement bodies such as the Prosecutor's Office and the Courts, that such crimes are investigated and judged. There is also greater cooperation with the Educational Directorates in order for children to grow up with the spirit of the rule of law, not with Kanun law, as we want to raise children with the spirit of law and tolerance.

'Our main task as State Police is to prevent such criminal offences by cooperating with our local police so we can obtain information and identify any cases of those who are driven to commit such crimes. As we mentioned above, we have an action plan renewed in 2014 [not available for publication<sup>159</sup>], which is still in force and guides our work. This is the reason why we cooperate closely with local government and NGOs to achieve the highest results in order to achieve reconciliation and prevent the escalation of these conflicts. After each piece of information is received, we structure our work and cooperate with local police to resolve conflicts and to prevent such crimes. From 2014 up to now, crimes related to blood feud are minimal with only one case per year or even zero as in 2019. I believe that changes

<sup>&</sup>lt;sup>157</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 32), December 2022
<sup>158</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 12), December 2022
<sup>159</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 30), December 2022
in the Criminal Code of the Republic of Albania have been effective and thus we see that the phenomenon of blood feud is heading for extinction. However, it will continue to occupy our attention until blood feuds have completely disappeared from our society.' 160

10.1.13 See Protection for further information about the action plan.

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#### 10.2 Protection

10.2.1 During the HO BF FFM 2022, UNICEF stated:

'The judiciary can do something, reactively, but it's also about the family that is isolated, and the fear of a potential BF chain starting or fear of becoming a victim. You have to consider, how does the government interfere in these cases? It's a violation of human rights on all those affected, yes. But if the murder is just a potential, how does the government proactively interfere or intervene to tackle it? It is that fear of retaliation. People are confined (to their homes) or leave the country. Sometimes, the latter is the only way they can see as escape from that suffocating situation.'<sup>161</sup>

10.2.2 An official from UNICEF was asked by the HO BF FFT 2022 whether victims of blood feud seek protection from the authorities such as the police; they stated:

'As the justice reform analysis showed there is a low public trust towards law enforcement, so even though the country is undergoing a major reform, to try and fix the justice system, I don't think the public trust will grow in the immediate future.

... people know in small communities if the police or the judges take money under the table, and whether they live by the same negative social norms dominant in that community, and won't help women and girls. This, for instance creates a lack of trust, whether in the case of [gender-based violence/domestic violence] GBV/DV or blood feud, or any issue, for that matter.' 162

10.2.3 The official from UNICEF also explained:

There is going to be a reorganisation of the courts and prosecution offices in the country. I think the courts will be reduced from 23 to 11 or 12 so typically in smaller jurisdictions there will be no court houses and they will just have offices with court clerks to provide administrative support to people who want to pursue justice. Courts will move to larger areas, instead. Puke, for instance will not have a court and Shkodër will cover it. Kukes will cover Tropoja and other smaller surrounding areas. These are all northern jurisdictions. The thing is that although from a certain perspective they will have bigger courts with more people, so they will no longer suffer the delays that you had in smaller courts, these larger courts will be further away from the communities that they are supposed to serve, and this will no doubt create less access. It will make things more difficult for children and

<sup>&</sup>lt;sup>160</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 30, 31), December 2022

 <sup>&</sup>lt;sup>161</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 11), December 2022
 <sup>162</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 14), December 2022

vulnerable women, who want to seek help and may be faced with longer distances and higher transportation time and costs. That might make matters worse and may be one more reason for people to take justice into their own hands.' 163

- 10.2.4 The GPO told the HO BF FFT 2022: 'First if a family is threatened then the threat itself is a criminal offence, nevertheless if [a] family is in danger then there is a special department in the police that assists, they are called [the] Sector of Special Protection. This is not protection of witnesses, this is a special sector... When a family is in need and the Sector of Special Protection sends police to their houses and provides monitoring and police services.' 164
- 10.2.5 The GPO also stated, however, that a family choosing to isolate themselves is an insufficient reason for the police to become involved. The official stated: 'BF have consequences, and before state police can intervene a person should be wounded, or threatened, or a death has occurred or other violent act <sup>' 165</sup>
- 10.2.6 An official from the GDSP told the HO BF FFT 2022:

'The State Police currently has a number of legal frameworks and articles in the criminal code to prevent crimes related to blood feud...

'There is a rule in this plan [2014 renewed action plan] that if a BF-related crime happens then it will be investigated within the next 30 days. This is done by the Criminal Police Department and crimes related to blood feud are investigated in close cooperation with the Prosecutor's Office.

'But the question is what will happen to the conflict, how will it develop? This is where NGOs and local government come in, to help resolve the conflict. As we pointed out above, there is a tendency towards the disappearance of cases of blood feud and this should not be confused with incidents of organised crime. Because organised crime clashes occur both within the UK and also in the Balkans, they are everywhere.<sup>166</sup>

- 10.2.7 See Action and initiatives for more about the action plan referred to above.
- 10.2.8 With regard the amendments to the criminal code to include incitement, or threat of blood feud, officials from the GDSP stated: 'These articles are very powerful tools in the hands of law enforcement authorities so that we can properly fight such cases and minimize bloodshed.' <sup>167</sup>
- 10.2.9 However, the PA told the HO BF FFT 2022:

When people feel threatened, they can go to the police and denounce the person threatening them... The state police are responsible for patrolling areas however it is the prosecution office that do the investigation. We believe that the threat of blood feud or forcing people to isolate is punished by law. However, people who isolate do not denounce (declare a blood feud) as they cannot go to police (because they can't leave their homes), or

<sup>&</sup>lt;sup>163</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 15), December 2022
<sup>164</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022
<sup>165</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022
<sup>166</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 30, 31), December 2022
<sup>167</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 30, 31), December 2022

<sup>&</sup>lt;sup>167</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 30), December 2022

maybe because of tradition or that they do not trust the police. Or the case might take quite a long time. For some years the vetting system has been applied in Albania meaning many prosecutors and judges have been removed, this means that the investigation and adjudication of cases takes some time, this makes system less effective and makes individuals have less trust in the system. We have had cases in the media where a relative has lost a loved one in a blood feud offence and said that if justice does not work then we will take justice into our own hands.'168

- 10.2.10 PA told the HO BF FFT 2022 that the police response is '...the same whether the offence is deemed revenge or blood feud, but the investigation will prove whether murders are due to BF or revenge.<sup>169</sup>
- 10.2.11 An official from the Shkodër Regional Police Directorate told the HO BF FFT 2022:

'One of the reasons for the decline of this phenomenon is the toughening of the legal provision which provides for severe penalties for this crime. The State Police follows blood feud cases under the Criminal Code and the Criminal Procedure Code, it is the court that decides whether we are dealing with blood feuds or whether it is a murder for other motives.

The State Police in the case of blood feuds take measures to prevent the escalation of the situation and follows the work done by organizations such as NGOs or blood feud reconciliation associations for such cases.<sup>170</sup>

- 10.2.12 The police in Shkodër also stated that it is the duty of the community officer to identify those in blood feuds and that the police would then verify that information before taking any action, although they stated that they might also be advised of a blood feud by local civil society/NGO groups. People can also make denouncements (declarations of blood feud) directly to the police, and although there is still a central record, local police would maintain their own database for blood feuds<sup>171</sup>.
- 10.2.13 The official from the Shkodër Regional Police also stated:

'Police in general are not involved directly in the reconciliation process for families... The participation of police in such processes would damage their reputation [reconciliation associations] as reconciliation is based on Kanun law, not on the rule of law. Police officers, during meetings and with cooperation with associations, have asked for their activity to be in compliance with the state law. An example is that someone might say that they are open to reconcile but don't want the person punished for murder, but the state law cannot do that [cannot ignore the murder]. '172

10.2.14 Liljana Luani from Child Centre in Shkodër told the HO BF FFT 2022, 'I believe that if they [men involved in blood feud] notify the police they can get protection, however police cannot follow them day and night, whereas the

<sup>&</sup>lt;sup>168</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 34, 35), December 2022
<sup>169</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022
<sup>170</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 40), December 2022
<sup>171</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 42), December 2022
<sup>172</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 43), December 2022

perpetrators can. Plus you do not know when the offence will be committed, it might be tomorrow or it might be after many years.' <sup>173</sup>

- 10.2.15 Pastor Prroj opined to the HO BF FFT 2022 that '... blood feuds are kept alive by ..., lack of power in the justice system and lack of law being implemented. Even if in a public case ..., the guy can be out after a short sentence, so imagine how long they might be punished for other cases that are not so public. Short sentences are due to corruption ... '174
- 10.2.16 When asked if the police are aware of families in BF, Pastor Prroj stated: 'Yes, they are all living in the community, it's a small city, everyone knows everyone.<sup>175</sup> With regard to reporting BF to the police Pastor Prroi stated: ... families never report if they are in a BF. If you go and ask the police, their statistics are only 60 families in all Albania. But we know [although no evidence was provided] that there are many more but they will not report to the police. It was the prosecutor who got the killer [in the case of her husband's murder], we did not see the police.' <sup>176</sup>
- 10.2.17 Bledian Koka, a journalist, told the FFT: 'Technically yes, no one is denied protection, however how effective is protection? Can people go out freely, can police guarantee such a thing? For example, for families it is not necessary for them to go abroad, they can stay in Albania, but the police do not help them to relocate and this is why there is such a high number leaving, the police could help them relocate however they do not feel safe.'177
- 10.2.18 In the annual report covering 2022-2023, the AHC noted:

'A serious and unprecedented incident was seen in our prison system on December 15, 2023, at IEPD Pegin, where citizen A.Ll. lost his life and another inmate was injured. The prosecution office investigation will help resolve the incident and the responsibilities in failure to fulfill the positive obligation that penitentiary institutions have for guarantee the life of citizens deprived of liberty. Complaints presented to AHC by inmates scared of revenge and blood feuds, although in isolated cases, have been present continuously in the prison system. ... During 2023, AHC faced the repeated request of two citizens (brothers) accommodated at IEPD Pegin, who claimed that they were in conditions of threat and risk of life from criminal organizations, which are thought to have potential contact with other inmates accommodated in the same IEPD. The verification conducted by the GDP [General Directory of Prisons] pointed out that ... concrete measures have been taken for re-accommodation inside the IEPD and the replacement of individuals who distribute food. ... In July 2019, another complaint was registered in this institution by an inmate who claimed that during airing time, he was threatened by another individual in the presence of security officers. ... [IEPD Pegin] decided to accommodate the inmate in the high-security sector, in a room by himself.<sup>178</sup>

- <sup>173</sup> Home Office, 'Report of a FFM BF, December 2022' (page 53), December 2022
  <sup>174</sup> Home Office, 'Report of a FFM BF, December 2022' (page 55), December 2022
  <sup>175</sup> Home Office, 'Report of a FFM BF, December 2022' (page 57), December 2022
  <sup>176</sup> Home Office, 'Report of a FFM BF, December 2022' (page 58), December 2022
  <sup>177</sup> Home Office, 'Report of a FFM BF, December 2022' (page 62), December 2022
  <sup>178</sup> AHC, Report on Human Rights for 2022 2023 (page 24), December 2023

## 10.3 Witness protection

10.3.1 The GPO told the HO BF FFT 2022: 'There are witness protection programmes, and people involved in blood feud might be included in those programmes. In the criminal code there is a special article regarding witnesses so following this code this might also provide protection.'<sup>179</sup>

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## 11. Judiciary

## 11.1 Investigations and convictions for blood feud

- 11.1.1 According to the Government of Albania, in its report to the UNCRC, which was received in November 2019, several criminal proceedings concerning blood feud have been initiated. Since 2012, 41 suspects have been found guilty of murder for blood feud (39 suspects were acquitted), seven for the criminal offence of serious threats of revenge or blood feud, and one person was fined for the criminal offence of incitement to blood feud.<sup>180</sup>
- 11.1.2 Global Initiative reported in December 2021 that:

'...the conviction rate for those accused of this crime has declined [between 2017 and 2020]. Only one of the five cases registered for investigation in 2017 resulted in a guilty verdict. Of the seven cases registered in 2020, only one was sent to court; the defendant was found not guilty. Similarly, only one of the four cases registered for "incitement to blood feud" in 2020 was sent to court. From 2017 to 2020, the highest number of cases of incitement registered in one year was 11 cases in 2018. Only one of these was sent to the court, where it resulted in a guilty verdict.'<sup>181</sup>

11.1.3 The Global Initiative report of December 2021 included a table showing the number of convictions for blood feud offences, 2016-2020<sup>182</sup>:

Year	Murder for blood feud	Serious threat to retaliation or blood revenge	Incitement to blood feud	
	Article 78/a of Criminal Code	Article 83/a of Criminal Code	Article 83/b of Criminal Code	
2020	0	1	0	
2019	0	0	0	
2018	1	1	0	
2017	3	0	0	
2016	0	1	0	

11.1.4 An official from the Prosecutor's office in Shkodër told the HO BF FFT 2022 that there has been only one investigation and prosecution under Article 78a (murder due to blood feud) which was in 2014 in the district. However, there

- <sup>180</sup> UNCRC, '<u>Combined fifth and sixth periodic reports submitted by...</u>' (para 66), 15 February 2021
- <sup>181</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021

<sup>&</sup>lt;sup>179</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 24), December 2022

<sup>&</sup>lt;sup>182</sup> Global Initiative, 'Blood feuds in Albania', 13 December 2021 (internal use only)

have been a number of investigations under Article 78 (pre-meditated murder) and Article 83a (threat of a blood feud)<sup>183</sup>:

Year	Article 78	Article 78a	Article 83a	Article
	Pre-meditated	Murder due to	Threat of a	83b
	murder	blood feud	blood feud	Incitement
2005			1	
2006			1	
2013	2		2	
2014	1	1	8	
2016	2		1	
2017				1
2018			3	
2019	1			
2022	1			

- 11.1.5 The official from the Prosecutor's office explained to the HO BF FFT 2022: 'What we have noticed is a decreasing trend of blood feud related offences, however, there has been an increase in the number of murders committed by hitmen. This kind of murder is difficult to prove it is related to blood feud. However, our investigations have shown that there are some murders related to previous murders but it is difficult to define under Article 78a. hence we say these murders were committed because of revenge.<sup>184</sup>
- 11.1.6 See Organised criminal groups for information about murders which are disguised as blood feud killings.
- 11.1.7 The Prosecutor's office continued:

'When it comes to the threat there have been very few cases of people that have been prosecuted and convicted, this is because we cannot find sufficient evidence to prove it, so the investigation stops. What happens is someone denounces (declares) someone is threatening them, they get an attestation and then they migrate. Meaning that the investigation stops before we get further evidence from these individuals. In 2014 there were 8 cases of people under investigation due to the threat of BF, there were several families in isolation. The police and prosecution office led the investigation and we approached the families and they said, "no, we have not been threatened", this is a tradition, so we cannot investigate. There are cases in which the BF-involved families have started reconciliation efforts so this process might take some time or it might not be finalised. For example, the victim from one family will make a denouncement of a BF against the other family, even if there is no evidence, just because the reconciliation process has failed.' 185

11.1.8 During the HO BF FFM 2022, the GPO in Tirana provided statistics covering registered proceedings/investigations of BF-related crimes under Article 78a of the Criminal Code, by district, from 2015 until the first quarter of 2022<sup>186</sup>:

<sup>&</sup>lt;sup>183</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 44, 45), December 2022
<sup>184</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 44), December 2022
<sup>185</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 45), December 2022

<sup>&</sup>lt;sup>186</sup> GPO, 'Table of proceedings/investigations 2015- Mar 2022, no date (hard copy available)

District	2015	2016	2017	2018	2019	2020	2021	2022
Diber						1		
Durres						1		
Elbasan							1	1
Kruje								2
Kukes		1						
Kurbin	1							
Lezhe								1
Mat			1					
Shkodër								1
Tirana		1				5		
Kr.e	2		4	1				
Renda								
Total	3	2	5	1		7	1	5

- 11.1.9 The GPO stated that there was a decreasing trend in blood feuds, explaining that the reason there were 5 BF-related crimes in Tirana is because people leave rural areas and move to the city<sup>187</sup>. The GPO added that they were unable to provide information on the sentences given, but the cases listed above have been registered with the courts and a final decision made. In general, they said that the sentences for the above cases were for life or the maximum terms allowed. One case in Durres in 2022 gave a reduced sentence based on Article 53 of the Criminal Code and this was for a minor<sup>188</sup>.
- 11.1.10 During the HO BF FFM 2022, the GPO in Tirana said that they did not hold statistics to show how many BF crimes resulted in a conviction<sup>189</sup>.
- 11.1.11 An official from the Shkodër Regional Police Directorate told the Home Office BF FFT 2022 that there have been some arrests when families have made a denouncement which has resulted in prosecution<sup>190</sup>.

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#### 11.2 Legal aid

- 11.2.1 The USSD human rights report 2022 noted, 'Despite having a statutory right to free legal aid in civil cases, very few individuals benefitted from such aid during the year according to NGOs. To address the problem, the Ministry of Justice established the Free Legal Aid Directorate, law clinics at state universities, an online platform during the COVID-19 pandemic, and a telephone line to request free legal aid.<sup>191</sup>
- 11.2.2 During the HO BF FFM 2022, The Albanian Helsinki Committee explained that they provide free legal aid, including to those involved in blood feuds<sup>192</sup>.

<sup>&</sup>lt;sup>187</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 21), December 2022
<sup>188</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 21), December 2022
<sup>189</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 21), December 2022
<sup>190</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 42), December 2022
<sup>191</sup> USSD, <u>2022 Country Reports on Human Rights Practices, Albania</u> (section 1E), 20 March 2023
<sup>192</sup> Home Office, '<u>Beport of a FFM - BF, December 2022</u>' (page 42), December 2022

<sup>&</sup>lt;sup>192</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 15), December 2022

## 12. Corruption

12.1.1 For general information about the criminal justice system, see Country Policy and Information Note: <u>Albania: Actors of protection</u>.

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## 13. Avenues of redress

13.1.1 See the Country Policy and Information Note: <u>Albania: Actors of protection</u> for information on this subject.

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## 14. Non-governmental organisations support

14.1.1 In February 2020, Operazione Colomba stated that it would close its presence in Albania and would carry out handovers of work with the appropriate organisaitons before doing so. OC summarised the work it had undertaken over the previous decade; this work included the following:

**'Paths for conflict and grief processing** helped many members of the families affected by this social plague to overcome, little by little, the pain and anger felt for the injustices and human rights' violations suffered. These paths supported families to abandon the intention to avenge a relative's murder, promoting the creation of a positive future dedicated to life and children education, in order to offer them better opportunities...

**'Civil escorts** (or nonviolent accompaniments) protected many men, women and young people involved in blood feuds, and therefore in danger of being targeted for vendetta, during their daily errands. Furthermore, civil escorts to prison, hospitals and certain family circumstances guaranteed these people the access to health care and the opportunity to nurture ties with their loved ones...

'Furthermore, the **activities with the women group** (a group of women involved in blood feuds), created a place to meet each other and to talk about their family situations, especially through trips to holy places and by listening to other women who chose nonviolence, forgiveness and reconciliation in conflict situations...

'During these years, Operazione Colomba also acted as a "**bridge to dialogue**" between the families affected by the phenomenon and the institutions, bringing to the attention of the latter the requests of this social plague's victims. ... This **advocacy** activity put pressure on local representatives, urging their commitment to promote concrete actions to combat the phenomenon.'<sup>193</sup>

- 14.1.2 For information about further work undertaken by OC, see <u>Conflict</u> resolution, negotiation, mediation and education.
- 14.1.3 An official from UNICEF commented on non-governmental organisations (NGOs) and civil society support available to families affected by blood feud, telling the HO BF FFT 2022:

'... civil society is often dependent on foreign money to survive, and

<sup>&</sup>lt;sup>193</sup> OC, <u>Closure of Operazione Colomba's presence in Albania</u>, 14 February 2020

dependent on international organisations like ours to build whatever service they can offer. There is potential in every community, there are champions that can help. But these really require support. The legacy of civil society is short as we've only had these civil society groups in the last 20-30 years. Otherwise the government is not giving anything significant in terms of financial support to civil society organisations seeking to address blood feud, since they don't have the blood feud articulated as a priority in their policies.'194

14.1.4 PA told the HO BF FFT 2022 that it is an NGO that works to:

...protects and guarantee human rights (HR) in the country...the right to life is an issue that is directly linked to blood feud... We have organised open days, especially in Shkodër and during open days we have spread leaflets and we have involved students, civil society, religious and local community and spoken about the measures that need to be taken. We also created posters and leaflets in local offices across the country and distributed leaflets to children across school to educate them with the spirit of tolerance.

'Our institution in 2013, in collaboration with some NGO organized a national conference on the phenomenon of blood feud, its consequences and the concern it has brought to our society.<sup>195</sup>

14.1.5 The PA makes recommendations to remedy the violation of the right by a public administration and, if these recommendations are not addressed, the Ombudsman may escalate the issue to parliamentary level<sup>196</sup>. Between 2013 and 2015, the PA recommended measures to the Ministry of Education and Ministry of Health and Welfare on the following issues:

... education of isolated children and the offering of financial aid to isolated families and proper health care treatment to those families. We have also recommended to the State police measures for faster investigation and more in-depth investigation and more cooperation with the prosecutor office, as we believe the perpetrators should be brought to justice. If the perpetrators are not punished according to law, then the message giving to opposing families continues to be that they should take justice into their own hands.'197

- 14.1.6 Altin Nika told the HO BF FFT 2022 that she is a psychologist at the Center of Keshilation and Psychological Services in Shkodër and was involved in a project in 2014 that offered psychological support to 9-10 children in isolation in the district. In 2017 the centre provided the same support to a further one or two children<sup>198</sup>.
- 14.1.7 Liljana Luani, founder of the Child Centre in Shkodër, told the HO BF FFT 2022 that her organisation offers educational services to children in blood feud. With the support of various government ministries and State Social Services the centre was able to offer vocational and professional courses for mothers and girls, as well as assistance in finding employment for women<sup>199</sup>.

 <sup>&</sup>lt;sup>194</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 15), December 2022
 <sup>195</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 33), December 2022

<sup>&</sup>lt;sup>196</sup> Avokati I Popullit, About us, no date

<sup>&</sup>lt;sup>197</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 34), December 2022
<sup>198</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 48), December 2022
<sup>199</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 52), December 2022

## 14.1.8 Pastor Prroj, a pastor in Shkodër, told the HO BF FFT 2022:

'When my husband was killed, he had a project in his bag against blood feud. We took that project, and we founded the No Blood Feud - Yes to Life Foundation [Homepage - No Blood Feud]. We have done this for 11 years now. We are trying to have in our focus 3 areas: raising awareness in our community and the state, investing in the education of the new generation, because not all children can be helped by their mothers, and help to fight poverty through teaching the mothers professions and helping them with the basic food.' <sup>200</sup>

14.1.9 See also Police – Action and initiatives.

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## **15. Conflict resolution, negotiation, mediation and education**

15.1.1 In February 2020, Operazione Colomba stated that it would close its presence in Albania and would arrange a handover of its work with the appropriate institutions before doing so. OC summarized the work it had undertaken over the previous decade; this work included the following:

"... the **mediation processes**, aimed at facilitating the rapprochement of the clans involved in the feuds, supported the families related to those who committed a crime for blood feud reasons, to realize confidence building gestures, respecting the pain of the bereaved ones. This type of action reduced tension between the feuding families, helping the injured party to reconcile with its emotional wounds and the counterpart to get out of self-isolation they used to live...

"... activities with the youth group (a group of young people involved in blood feuds) created opportunities for growth and empowerment. Meeting persons who talked about their reconciliation experiences and training about nonviolent conflict management offered these young people a new different model to respond to the conflict situations they are involved in. ...

'The educational activities carried out in schools, oratories, parishes and in the main aggregation centers positively influenced the compelling context that tends to marginalize these families, putting on negative social pressure that pushes them to take revenge.

**'Awareness raising activities** (monthly demonstrations, national campaigns, drafting and dissemination of reports on blood feuds phenomenon) were addressed to civil society, local and international institutions (in particular the UN, EU, OSCE) in order to make more visible the phenomenon, urging the Albanian authorities to recognize it.

'Secondly, the awareness raising activities stimulated the local population into using an active civic behaviour, spreading a culture based on respect for human rights and promoting useful suggestions on the effective ways aimed at combating the blood feuds phenomenon.'<sup>201</sup>

15.1.2 An official from UNICEF told the HO BF FFT 2022:

 <sup>&</sup>lt;sup>200</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 56), December 2022
 <sup>201</sup> OC, <u>Closure of Operazione Colomba's presence in Albania</u>, 14 February 2020

'Certainly that [mediation] is potentially a good way to curb BF. As justice for children specialist, I must say that for children involved in criminality and sometimes victims, it is crucial to explore what mediation can offer and unfortunately this (mediation) is not maximised as a potential. At least for children under 18 this type of service should be offered free of charge but government have not materialised their response in working out a mechanism to offer free mediation or offer it at any stage of the process and as part of the diversion. In Shkodër we had a programme implemented by the Albanian Foundation for Conflict Resolution (AFRC) and we had to beg prosecutors to recommend to children and families mediation and restorative justice. But prosecutors are pressed for time and understaffed, they want to finish with a case as quickly as possible, thus they rarely refer for mediation and restorative justice interventions. Predominantly, prosecutors just give a warning to juveniles, instead of prescribing additional measures, such as mediation, and that is guite a missed opportunity. Had they recommended children/young people for mediation, for example, I believe many instances of BF could have been prevented. Another opportunity is to include restorative justice principles in the education system, either in curricular or extra-curricular activities. Instead of guarrels and fights between adolescents deteriorating to a killing and then leading to a BF, why not try mediation? It needs to be invested in, in order to turn mediation into a substitute culture and take the place of a BF. Customary law in Albania even offers the opportunity of mediation ...' 202

- 15.1.3 AFCR told the HO BF FFT 2022 that a UNICEF 2021/2022 programme implemented by the organisation gave prosecutors the opportunity to recommend children and families for mediation and restorative justice<sup>203</sup>. AFCR stated that during the same programme they were referred 2 cases that were related to BF, where they assisted in reaching reconciliation between parties<sup>204</sup>. AFCR stated that 'There are two tools that we use, one is called victim offender mediation, and also group conferencing or family circle and peace making circle. The last tool was implemented in schools in Shkodër and Puke to educate teachers and pupils on how to prevent a conflict situation in general terms and particularly the BF phenomenon.' 205
- 15.1.4 During the HO BF FFM 2022, the GPO in Tirana stated: 'It is [the] state police that first identify the conflicts and try to resolve them, however informally there is a council of elders in these remote area who are seniors, they try to resolve conflicts between parties. These are called BF reconciliation councils and members are generally senior citizens and those with higher reputations who are appreciated in the community.<sup>206</sup> The GPO confirmed that the police do not have oversight of the reconciliation councils, but the council of elders do help with '...evidence and provide testimony.' <sup>207</sup>

<sup>&</sup>lt;sup>202</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 13), December 2022
<sup>203</sup> Home Office, 'Report of a FFM - BF, December 2022' (pages 13, 25, 26), December 2022
<sup>204</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 25), December 2022
<sup>205</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 25), December 2022
<sup>206</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022
<sup>207</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

- 15.1.5 The official from the Shkodër Regional Police told the HO BF FFT 2022 that ... Reconciliation associations for BF carry out the work and reconcile based on Kanun law norms.'208
- 15.1.6 When asked about the policies in place, an official from the Ministry of Education told the HO BF FFT 2022:

'We have educational programmes in the school curriculum on conflict resolution, mediation and children's rights, further there is cooperation between organisations. For example, there is the foundation for the resolution of conflict who have trained teachers on how to resolve conflict through mediation. We have had several activities with the British Embassy in the north of country like Kukes and Tropoja and we want to engage young people in activities so we can educate them to avoid extremism and violence. We also have psycho-social services in schools and this year we increased the number of persons that provide this service, so all schools can now provide and these people are in continuous communication with teachers, students, parents and the community.<sup>209</sup>

15.1.7 The Ministry of Education also told the HO BF FFT 2022 that they have projects ongoing where schools are turned into community centres, and there is a scheme where 'security officers' have been placed in 220 schools who '... are trained and certified by the Academy of Order and they are there to ensure safety of children and prevent cases of violent extremism and violence and so on. We have excellent relations with the centre on extremism and we have trained all of the teachers. In each school there is a coordinator for violent extremism and radicalism.' 210

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#### 16. **Attestation letters and BF documentation**

- 16.1.1 Global Initiative stated in its 11 December 2021 report that there have been cases where fake attestation letters were obtained to support asylum claims relating to blood feud. The report added, 'The situation changed after several individuals were arrested and the law was modified in 2014 to only allow prosecution offices to issue such certificates. Furthermore, a number of host countries (France, Belgium and Sweden, among others) now also ask Albanian authorities to verify the certificates. In case the certificates are forged or not based on facts, the persons responsible will be criminally investigated by Albanian authorities.<sup>211</sup>
- 16.1.2 In a response dated September 2022, which quoted various other sources, the Immigration and Refugee Board of Canada stated:

... the Prosecutor's Office "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 same source indicates that a representative from the

<sup>&</sup>lt;sup>208</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 43), December 2022
<sup>209</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 59), December 2022
<sup>210</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 60), December 2022
<sup>211</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021

Shkodër Regional Police Directorate noted that the police does not issue attestations or verifications "declaring families have problem[s]"; however, "every complaint is written down and it is part of the procedure to provide a copy of a complaint".'212

- 16.1.3 The GPO in Tirana told the HO BF FFT 2022 that documents confirming a person is a victim or is potentially a victim of a BF have been issued illegally. The GPO said that it is only the district prosecution office that releases a document relating to BF. The document would say that '...the complaint was filed and an investigation initiated.<sup>213</sup> The HO BF FFT 2022 were unable to obtain an example of these documents.
- 16.1.4 The GPO told the HO BF FFT 2022: 'After the prosecution office have concluded their investigation they [requester] can have the document, however the person is informed at each phase of the investigation. According to [the] law people can ask for a statement at any time, however there is a difference between a document saying that they have filed a complaint, to one confirming that a person is in a BF.<sup>214</sup>
- 16.1.5 The official from the GPO explained to the HO BF FFT 2022:

'We as prosecutors release a statement [confirming] that this person is [being] prosecuted for a crime against a person, it is only the prosecution office that releases this document. The Prosecution Office is the only institution eligible to issue such documents [statement], however what I have seen is that civil servants (CS) / local government have issued such documents. Or even police officers. I have seen cases where police officers have issued such statements. However, it is not up to them, the Prosecution Office is the only one who can issue this documentation.'215

- 16.1.6 The GPO added that host countries should not accept such documents and that if the Prosecution office has not issued the document attesting to the existence of a BF then it should not be accepted. They added that the police are aware that they should not issue such documents<sup>216</sup>.
- 16.1.7 The GPO also stated: '...according to articles 105 and 110 both parties can ask from the prosecutor the status of the investigation process, so this statement might just say a law suit has been filed and under investigation. If the investigation has ended it will say so, and if sent to court for adjudication and they have been given a sentence, it will say so. There are also cases where the statement says there is no further action.' <sup>217</sup>
- 16.1.8 When the GPO was asked why the CS and police issue these documents, the response was: 'For their personal interest. There are cases where people have gone to the police and filed a suit but they have told lies, and this case goes to prosecutors just so they can get the document. I believe

<sup>&</sup>lt;sup>212</sup> IRB, <u>Albania: Attestation letters for blood feuds... [ALB201183.E]</u>, 22 September 2022
<sup>213</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 23), December 2022
<sup>214</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 23), December 2022
<sup>215</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 23), December 2022
<sup>216</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 23), December 2022
<sup>217</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 23), December 2022
<sup>217</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 24), December 2022

that the only valid document is received from prosecutor's office, but police have issued such documents after being told lies from the person.' <sup>218</sup>

- 16.1.9 When asked whether the police issue documents when they are satisfied that someone is in a genuine blood feud, an official from the Shkodër Regional Police Directorate told the HO BF FFM 2022 that they did not issue such certificates <sup>219</sup>.
- 16.1.10 When meeting with the HO BF FFT 2022, an official from the Prosecutor's Office in the district of Shkodër stated:

'From a legal point of view, BF is not mentioned, we do not release a statement or documents saying this individual is involved or threatened because of a BF. What we do is release documents providing information about a case, whether it is being investigated or has gone to court, or is being adjudicated [final judgement of the court that decides whether a BF or not] under Article 78a. We provide such documents to the victim's side. There are cases when we issue a statement saying murder has been committed and we provide information about the murder but cannot say if it is related to BF if there is no evidence of such. There were requests for murder to be considered as BF but they were refused due to no evidence. The situation is different regarding threats because the documents we issue say this person has been threatened because of BF related issues.' <sup>220</sup>

16.1.11 The official also told the HO BF FFT 2022:

'First the documents we issue are saying that an event has happened, and that there are legal proceedings initiated on criminal offences, and the status of the case. So information on the victim and perpetrator and that an investigation has been initiated, but we do not state that this individual is at high risk, as long as there are no real threats presented by these individuals. Even in cases of threats related to BF, we issue a document stating that an investigation has been launched, not that the BF is factually true.'<sup>221</sup>

- 16.1.12 The official also stated: 'We have had cases of individuals who seek asylum in UK and Belgium, but for economic purposes. After failing to get asylum, their lawyer tells them to relate the claim to BF as they are told it is easier to obtain asylum and that is why there is such a document [attestation].' The official confirmed, however, that if they are contacted from overseas asking for a document in relation to an asylum claim they would decline that request<sup>222</sup>.
- 16.1.13 Similarly, the GDSP told the HO BF FFT 2022 that criminal proceedings had been initiated against persons who issue attestation documentation to families who plan to use them when abroad<sup>223</sup>.

<sup>&</sup>lt;sup>218</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 22), December 2022
<sup>219</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 43), December 2022
<sup>220</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022
<sup>221</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022
<sup>222</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022
<sup>223</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022

- 16.1.14 The GPO confirmed to the HO BF FFT 2022 that persons who illegally issue such documents stating a BF is taking place are '... investigated as this is a criminal offence, it's called presenting fake circumstances in a document.' <sup>224</sup>
- 16.1.15 See <u>Interpretations of blood feud legislation</u> for information about the possible concealing of blood feuds to escape harsher penalties in law. See <u>Protection</u> for information about the possible non-reporting of some blood feuds.

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## 17. Relocation

- 17.1.1 Albania is roughly 28,000sqkm<sup>225</sup>, a little larger than Wales<sup>226</sup>, with a population estimated to be between just over 2.8million<sup>227</sup> and just over 3million<sup>228</sup>. The population of Tirana differs across a number of sources, ranging from just under 500,000<sup>229</sup> to over 900,000 across the 24 administrative units of the capital<sup>230</sup> <sup>231</sup> <sup>232</sup> <sup>233</sup>. Approximately 65% of the population live in urban areas and people continue to move to towns and cities, however in general there is 'a fairly even distribution, with somewhat higher concentrations of people in the western and central parts of the country.'<sup>234</sup>
- 17.1.2 See United Nations Reliefweb Map of Albania (August 2020)<sup>235</sup>.
- 17.1.3 Around 18% of the population is aged up to 14 years, 66.9% are aged 15 to 64 years, and 15.1% are aged 65 and over. Ethnic Albanians account for 82.6% of the population, 0.9% are Greek, around 1% 'other' ('including Vlach, Romani, Macedonian, Montenegrin, and Egyptian') and 15.5% 'unspecified'. Muslims account for 56.7% of the population, while the rest are a mix of faiths, including 'Roman Catholic 10%, Orthodox 6.8%, atheist 2.5%, Bektashi (a Sufi order) 2.1%, other 5.7%, unspecified 16.2%.' The statistics for religion are from an estimate of 2011<sup>236</sup>.
- 17.1.4 The USSD human rights report 2023 noted: 'The constitution and law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.'<sup>237</sup> In its report covering events in 2023, Freedom House similarly noted, 'Albanians generally enjoy freedom of movement, though criminal activity and practices related to historically predominant honor codes limit these rights in some

<sup>&</sup>lt;sup>224</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 24), December 2022

<sup>&</sup>lt;sup>225</sup> UN data, <u>Albania</u>, no date

<sup>&</sup>lt;sup>226</sup> US CIA, The World Factbook, '<u>United Kingdom</u>', updated 26 June 2024

<sup>&</sup>lt;sup>227</sup> UN data, <u>Albania</u>, no date

<sup>&</sup>lt;sup>228</sup> US CIA, The World Factbook, '<u>Albania</u>', updated 25 June 2024

<sup>229</sup> UN data, Albania, no date

<sup>&</sup>lt;sup>230</sup> US CIA, The World Factbook, '<u>Albania</u>', updated 25 June 2024

<sup>&</sup>lt;sup>231</sup> Bashkia Tiranë, '<u>Administrative Areas</u>', no date

<sup>&</sup>lt;sup>232</sup> Instat, '<u>Population of Albania</u>', 1 January 2022

<sup>&</sup>lt;sup>233</sup> UN data, <u>Albania</u>, no date

<sup>&</sup>lt;sup>234</sup> US CIA, The World Factbook, 'Albania', updated 25 June 2024

<sup>&</sup>lt;sup>235</sup> United Nations Reliefweb, <u>Map of Albania</u>, August 2020

<sup>&</sup>lt;sup>236</sup> US CIA, The World Factbook, '<u>Albania</u>', updated 25 June 2024

<sup>&</sup>lt;sup>237</sup> USSD, <u>2023 Country Reports on Human Rights Practices: Albania</u> (section 2d), 22 April 2024

areas. People are generally free to change their place of residence or employment.<sup>238</sup>

- 17.1.5 An official from UNICEF told the HO BF FFT 2022: 'Even if [families involved in a BF] move away from the area, they are not immune or safe.'<sup>239</sup> The official gave an example of a town in south-east Albania which housed a village of people who had escaped a BF but they were still not considered safe (although the interlocutor did not indicate what problems they had)<sup>240</sup>.
- 17.1.6 With regard to the possibility of someone relocating within Albania, the same source expanded:

'Some have already done it, so perhaps they feel less affected by BF, but the example I gave to you about the move to one village in the south, again semi-isolated from the rest of the host community, leads me to believe that they don't feel completely safe, despite the relocation. As a small country, where everybody knows everybody, this information tends to leak, plus the country is struggling with corruption of officials. But potentially yes, one could relocate safely if everyone kept the confidentiality, but we know this country is not good at this. Even with victims of organised crime and trafficking I wouldn't be entirely sure if they are kept confidential. I don't know if the government would venture to come up with a relocation programme and it could be a sensitive political issue.'<sup>241</sup>

- 17.1.7 The GPO in Tirana told the HO BF FFT 2022: 'Some cases when a family feels threatened they take measures themselves, and they move.' <sup>242</sup>
- 17.1.8 The GPO also stated that civil society tend to be more engaged with the movement of people due to BF rather than government bodies<sup>243</sup>. However, he acknowledged that this was complicated, and stated with regard to relocation, '…first the reconciliation council is responsible to assist in reconciliation, if this does not work then local government might intervene for the transfer of these families. Community police might intervene …, it's a complicated process.'<sup>244</sup>
- 17.1.9 With regard to relocation within Albania, AFCR told the HO BF FFT 2022 that moving would provide less exposure to clans involved in the BF<sup>245</sup>. The PA were of the opinion that relocation was an '…option and used by several families who are in a BF.

'This is especially true for families in the same village who face each other often so they decide to relocate to another city in Albania or abroad. But, the chances of a person being found after moving/relocating from one residence/place to another within the country exist due to the fact that we are a small country... It is very difficult for an individual to leave the place where they were born and take [an] income. Mostly the families involved in BF are very poor and in need of financial aid and need support to educate

<sup>&</sup>lt;sup>238</sup> Freedom House, '<u>Albania: Freedom in the World 2024</u>' (section G1), 29 February 2024
<sup>239</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 11), December 2022
<sup>240</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 11), December 2022
<sup>241</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 15), December 2022
<sup>242</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 22), December 2022
<sup>243</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 22), December 2022
<sup>244</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 22), December 2022
<sup>245</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 27), December 2022

children'246

- 17.1.10 An official from SACRP told the HO BF FFT 2022 that there were cases where families could safely relocate within Albania. The official continued, ...we provide assistance and aid to those in need but it is not defined whether these people are in BF or for what purpose they ask for support. A case example when 3 people were killed due to some dispute between minors and the families relocated in Tirana, now we don't know if this will resolve the conflict, it might? In such cases we provide whatever support is needed such as rent bonus or other social services.<sup>247</sup>
- 17.1.11 An official from the Shkodër Regional Police Directorate told the Home Office BF FFT 2022: '... many [families in isolation] have left their villages or Shkodër district in general. However we consider them still at risk if there is no reconciliation.' 248
- 17.1.12 An official from the Prosecutor's office in Shkodër told the HO BF FFT 2022: 'Albania is a small country and there is little opportunity to hide and create a new life. Some go from Shkodër to Tirana, but only a few cases. Many migrate for economic reasons and because they cannot create a new life here... we have also had cases of people moving from the city to Shkodër.' 249
- 17.1.13 Pastor Prroj told the HO BF FFT 2022: 'In this country it is easy to find anyone. We moved to Vlore and then elsewhere, and still they found us there, so no, it's not enough.' 250

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#### 18. Emigration

- 18.1.1 In its reports to both the UNCAT and CEDAW, the Government of Albania stated that 15 families, with a total of 56 persons, had left Albania due to blood feud<sup>251</sup> <sup>252</sup>. When Bledian Koka, Editor in chief, Syri TV Albania, met with the HO BF FFT 2022, he stated that around 270,000 families had sought asylum from 1991 to the present day because of BF; when asked how he obtained this statistic, he responded, 'People's Advocate have this figure, but this is not an indication of the actual situation as many of these families are not in real BF. But sometimes they were issued with a certificate by various committees or associations, they got such documents in exchange for money.<sup>253</sup>
- 18.1.2 Global Initiative stated in its 11 December 2021 report that the lines were sometimes blurred between assassinations and blood feuds relating to drug trafficking:

'It occurs when disputes from abroad are settled in Albania or when blood feuds that started in Albania are exported abroad. For instance, relatives of

<sup>&</sup>lt;sup>246</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 36), December 2022
<sup>247</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 38), December 2022
<sup>248</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022
<sup>249</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022
<sup>250</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022
<sup>251</sup> UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022
<sup>252</sup> UNCAT, 'Eth periodic report submitted by Albania under article 19' (para 194), 5 April 2022

<sup>&</sup>lt;sup>252</sup> UN CEDAW, 'Fifth periodic report submitted by Albania...' (para 233), 25 February 2022

<sup>&</sup>lt;sup>253</sup> Home Office, 'Report of a FFM - BF, December 2022' (page 60), December 2022

members of criminal organizations are seeking asylum in EU countries in order to evade the threat of retaliation. According to a 2017 report from Operazione Colomba, these are credible threats. From 2013 to 2017, it reported that blood feud murders were committed in the following countries: 11 in Italy, four in Greece and two each in Belgium, France, Germany and the Netherlands, as well as one each in Kosovo, Montenegro, the UK, the Czech Republic, Sweden, Switzerland, Canada and the US. However, it should be noted that criminal groups generally prefer not to expose themselves abroad and therefore continue the vendetta or blood feud in Albania.<sup>254</sup>

18.1.3 An official from UNICEF told the HO BF FFT 2022:

'It is strange that the citizens trust more foreign governments rather than their own. If someone relocates abroad, then protection of the family and its confidentiality is a shared responsibility of the other government, and because people tend to see democracy in countries where there is a more established rule of law, with trustful eyes, then they might feel more secure there. It is not just BF; they might also want to escape the suffocating environment, gender norms, poverty and lack of economic opportunities that overlap and intertwine with BF. Who wouldn't want to go somewhere where they could flourish?'<sup>255</sup>

18.1.4 An official from the Prosecutor's office in Shkodër stated to the HO BF FFT 2022 regarding people migrating due to BF:

'They move abroad as they feel safer and in some instances they have relatives that live there and they possess documents and they might help them with a new life... there are cases of parents sending children abroad as minors as it is easier for them to get documents, get adopted and create a new life...

'There are some cases where children get documents and in 2 or 3 years they return to Albania even if they've claimed asylum for being in a BF. Or they go to stay with relatives (abroad) but then go to the authorities to say they have been abandoned.

'If it was only about BF then the citizens could hide in Montenegro or Kosovo, but they choose countries with more economic possibilities. Some information from Europol said that children went abroad with their parents, they stayed with relatives, then the parents return and leave the children with uncle or aunts. Then the children go to the authorities saying they are unaccompanied minors.'<sup>256</sup>

<sup>&</sup>lt;sup>254</sup> Global Initiative, '<u>Blood feuds in Albania exploited by criminal groups</u>', 11 December 2021
<sup>255</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (page 16), December 2022
<sup>256</sup> Home Office, '<u>Report of a FFM - BF, December 2022</u>' (pages 46, 47), December 2022

## 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 <u>country information section</u>. The Home Office's Country Policy and Information Team uses some standardised ToR, 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:

- The Code of Lek Dukagjin (the 'Kanun')
  - o beliefs about blood feuds
  - o modern-day application
- Prevalence of blood feuds and regions affected
- Families in isolation
- State protection, including investigations, arrests, prosecutions and sentences for crimes related to blood feuds
- Support services
  - By the Govt
  - o By NGOs
  - Reconciliation Committees
- Work underway to change beliefs leading to blood feuds, including the effectiveness of such initiatives
- Attestation letters for blood feuds
  - $\circ\;$  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
- Relocation possibilities, including freedom of movement, likelihood of a person being found

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## Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the <u>Common EU [European Union] Guidelines for Processing Country of Origin Information (COI)</u>, April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), <u>Researching Country Origin Information – Training Manual</u>, 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

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
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the <u>bibliography</u>.

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## Clearance

Below is information on when this note was cleared:

- version **7.0**
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## Official – sensitive: Not for disclosure – Start of section

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## Changes from last version of this note

Updated country information and assessment.

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