

Country Policy and Information Note

Albania: Blood feuds

Version 6.0 January 2023

Preface

Purpose

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

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

Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial
 grounds for believing that there is a real risk of serious harm because conditions
 amount to inhuman or degrading treatment as within <u>paragraphs 339C and</u>
 339CA(iii) of the <u>Immigration Rules</u> / Article 3 of the <u>European Convention on</u>
 <u>Human Rights (ECHR)</u>
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within <u>paragraphs 339C and</u> 339CA(iv) of the Immigration Rules
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the <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>, 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

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

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

All information is publicly accessible or can be made publicly available. 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.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided 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 bibliography.

Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

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

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

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the <u>gov.uk website</u>.

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Assessment

Updated on 23 January 2023

- 1. Introduction
- 1.1 Basis of claim
- 1.1.1 Fear of persecution and/or serious harm by non-state actors because of the person's involvement in a blood feud.
- 1.2 Points to note
- 1.2.1 Where a claim falls to be refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state.

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1.3

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- 2. Consideration of issues
- 2.1 Credibility (incl documentary evidence and 'attestation letters')
- 2.1.1 For information on assessing credibility, see the instruction on <u>Assessing</u> Credibility and Refugee Status.
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the <u>Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants</u>).
- 2.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider the need to conduct language analysis testing where available (see the <u>Asylum Instruction on Language Analysis</u>).
- 2.1.4 When considering documentary evidence, in the country guidance case of EH (Blood Feuds) Albania CG [2012] UKUT 00348 (IAC) (October 2012), heard on 7 December 2010 and 30 June and 27 September 2011, 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)). The UT also held that 'Unless factual, prompt and consistent, Albanian press reports will add little or no evidential weight in considering whether a feud exists' (paragraph 74(j)).
- 2.1.5 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 A v Secretary of State for the Home Department (Pakistan) [2002] UKIAT 00439, [2002] Imm A R 318 (Tanveer Ahmed) (paragraph 74(i)).
- 2.1.6 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 Attestation letters and BF documentation).

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2.2 Exclusion

- 2.2.1 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.
- 2.2.2 The UT in <u>EH</u> held that 'International protection under the Refugee Convention, Qualification Directive or Articles 2 and 3 ECHR 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.' (paragraph 74(d))
- 2.2.3 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).
- 2.2.4 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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2.3 Convention reason(s)

- 2.3.1 In EH 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.
- 2.3.2 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.

2.3.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, Assessing credibility and refugee status.

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2.4 Risk

- 2.4.1 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 credibly evidence this.
- 2.4.2 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 Prevalence and location).
- 2.4.3 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>).
- 2.4.4 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 self-confinement for protection. Government programmes to educate self-confined 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))
- 2.4.5 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 3million). 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>).
- 2.4.6 The UT in <u>EH</u> went onto 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))
- 2.4.7 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.
- 2.4.8 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))
- 2.4.9 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' (paragraph 74(g)).
- 2.4.10 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].' (paragraph 74(k))
- 2.4.11 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 Contemporary attitudes and Organised criminal groups).
- 2.4.12 For further guidance on assessing risk, see the Asylum Instruction on Assessing Credibility and Refugee Status.

2.5 Protection

2.5.1 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.

2.5.2 The UT in EH 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 bloodtaking 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))
- 2.5.3 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 Country Policy and Information Note: Actors of protection). 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 Country Policy and Information Note, Actors of protection)
- developing an blood feud action plan, renewed in 2014 to address the issue and which continues to be in force (see Action and initiatives)
- 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 <u>Legal context</u>)
- a database compiled by the General Directorate of State Police of all families affected by blood feuds (see Prevalence and location)
- 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</u>, <u>negotiation</u>, <u>mediation and education</u>)
- 2.5.4 The Shkoder Regional Police Directorate considered that the strengthening of the law has contributed to the decline of blood feuds (see <u>Protection</u>).
- 2.5.5 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 EH. In general protection is available in all areas of the country for persons involved in an active blood feud.
- 2.5.6 For further guidance on assessing state protection, see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u> and <u>Country policy</u> and information note: Actors of Protection, Albania).

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2.6 Internal relocation

2.6.1 In general internal relocation is likely to be viable but depends on the facts of the case.

- 2.6.2 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 of whom live the capital, Tirana. People are generally able to move around freely (see <u>Relocation</u>).
- 2.6.3 The UT held in EH:
 - "... 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).
- 2.6.4 The available country information does not provide strong grounds supported by cogent evidence to depart from the findings of the UT in <u>EH</u> (see <u>Relocation</u>).
- 2.6.5 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u>.

- 2.7 Certification
- 2.7.1 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.
- 2.7.2 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.
- 2.7.3 For further guidance on certification, see <u>Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).</u>

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Country information

This section was updated on 29 December 2022

- 3. Legal context
- 3.1 Penal/criminal code
- 3.1.1 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 imprisonment¹.
- 3.1.2 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'². Global Initiative in its report of December 2021, referred to the punishments provided for under Articles 78a, 83a and 83b and stated that 'All of these legal amendments to the Criminal [Penal] Code entered into force in 2013.'³
- 3.1.3 The Home Office undertook a fact finding mission in November 2022 to gather information from a range of sources about the blood feud 'phenomena', including prevalence and the protections and mediations available to people at risk of being directly targeted (HO BF FFM 2022). The General Prosecutors Office (GPO) told the HO BF FFM team: '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.'4
- 3.1.4 The GPO in Tirana also told the HO BF FFM team with regard Article 83b '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.'5
- 3.1.5 Officials from The General Directorate for State Police (GDSP) also gave the HO BF FMM team 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

¹ Euralius, 'Criminal Code of the Republic of Albania', 27 January 1995

² Global Initiative, 'Our story', no date

³ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022

⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

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.' 6

- 3.1.6 The GDSP also stated '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.'7
- 3.1.7 Similarly an official from the Prosecutors Office in Shkodër in northern Albania commented during the HO BF FFM 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.'8

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3.2 Customary law – the Kanun

3.2.1 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

⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022 ⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022 ⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 44), December 2022

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 absence of alternative normative systems."

- 3.2.2 An undated entry on the website of Operazione Colomba, an Italian peace corps, who between 2010 and 2019 sought to support and bring '...relief to ... families affected by the Kanun¹⁰ stated: 'In the north of Albania, the Kanun is still alive in a degenerated form. It is a code developed in the Middle Age[s] to regulate the social life and strengthen the cohesion of Albanian people.'¹¹
- 3.2.3 An official from UNICEF noted to during the HO BF FFM 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.'12

3.2.4 Officials from the General Directorate for State Police told the HO BF FFM 2022 team:

'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. So BF in Kanun law is considered as a punishment for the people who followed this law. According to Kanun law, BF is when you kill someone who has killed someone of your own family. 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.' 13

- 3.2.5 Officials from the General Directorate for State Police gave a historical overview of BF in Albania and the rule of Kanun law to HO BF FFM 2022. For detail see pages 27 to 30 'Report of a Home Office Fact-finding Mission, Albania, conducted 20-26 November 2022'.
- 3.2.6 For more background information on the history of customary law and blood feud see the Cedoca report 'Blood Feuds in contemporary Albania:

 <u>Characterisation, Prevalence and Response by the State</u>', 29 June 2017,

⁹ Cedoca, 'Blood Feuds in contemporary Albania...' (page 4), 29 June 2017

¹⁰ Operazione Colomba, 'Our projects', no date

¹¹ Operazione Colomba, 'Our projects', no date

¹² Home Office, 'Report of a FFM - BF, December 2022' (page 10), December 2022

¹³ Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022

and the report by Operazione Colomba, '<u>Descriptive Document on the Phenomenon of Hakmarrja and Gjakmarrja</u>', December 2017.

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This section updated: 29 December 2022

4. Background to blood feuds

4.1 Definition

- 4.1.1 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.'¹⁴
- 4.1.2 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'¹⁵. The group reported on 11 December 2021 that:

'In Albania, a blood feud is called gjakmarrja, which means "blood-taking" or "blood feud". Revenge or vendetta, on the other hand, is called hakmarrja. 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. 16

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4.2 Reasons for a blood feud

- 4.2.1 Various sources reported that a blood feud may occur because of a number of reasons, including:
 - property and land disputes, including violation of property

¹⁴ UNHCR, 'UNHCR position on claims for Refugee Status...' 17 March 2006

¹⁵ Global Initiative, 'Our story', no date

¹⁶ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

- human trafficking
- 'honour' (to family or those killed)
- debt
- kidnapping
- rape
- Murder^{17 18 19 20}
- 4.2.2 The website of Operazione Colomba stated: 'This code established that the offended honor, for example through the killing of a relative, can be restored in two possible ways: by forgiving the killer or by committing a revenge homicide towards any male member of the killer's family. Nowadays, the most used option is the latter. As a consequence, entire families are involved in endless feuds.'21
- During the HO BF FFM 2022, The Albanian Helsinki Committee defined a 4.2.3 blood feud as:
 - "... 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...'22
- During the HO FFM 2022, the GPO in Tirana said: '... there are different 4.2.4 factors that explain the existence of a blood feud, for instance a blood feud means the homicide is premeditated and done on purpose. 23 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
- 4.2.5 The Albanian Peoples Advocate (PA) an organisation that seeks to defend human rights, told the HO FFM 2022 team 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'25. 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

¹⁷ Operazione Colomba, '<u>Descriptive Document on the Phenomenon...</u>' (page 11), December 2017

¹⁸ The Balkanista, 'Blood feuds and honour, a tragic tale of Albanian tradition', 7 November 2020

¹⁹ Cedoca, 'Blood Feuds in contemporary Albania...' (pages 10 to 11), 29 June 2017

²⁰ Home Office, 'Report of a FFM - BF, December 2022' (pages 16, 34, 20), December 2022

²¹ Operazione Colomba, 'Our projects', no date

²² Home Office, 'Report of a FFM - BF, December 2022' (page 17), December 2022 Home Office,

²³ Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022

²⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

²⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 32 and 34), December 2022

- disputes, or petty disputes which might degenerate because of the mentality of the area.' ²⁶
- 4.2.6 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.' ²⁷
- 4.2.7 The HO BF FFM 2022 team 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 killed a man²⁸. Pastor Prroj believed that if a potential target in a BF is accompanied by his wife and children he could not be killed²⁹
- 4.2.8 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.' ³⁰
- 4.2.9 Pastor Prroj also told the HO BF FFM 2022 team 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
- 4.2.10 Bledian Koka, a journalist, told the HO BF FFM team 2022 that blood feud murders could stretch over a number of years, whereas revenge murders would be committed over a shorter period of time. The same source added: "...not avenging death is seen as a sign of weakness and matter of honour."

4.3 Contemporary attitudes

4.3.1 In November 2019, Operazione Colomba, noted that during monitoring visits, mainly in Shkodër area ... the staff found that the conditions and the

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Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 45), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (pages 54 and55), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 62), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 62), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 62), December 2022
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- 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.'34
- 4.3.2 Operazione Colomba announced in February 2020 that it was ending its presence in Albania³⁵.
- 4.3.3 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
- The Albanian Helsinki Committee told the HO BF FFM 2022 team that the 4.3.4 younger generations continued involvement in blood feud was due to lack of awareness raising, and influence by older members of the family such as parents and grandparents³⁷. 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
- 4.3.5 The General Directorate for State Police told the HO BF FFM 2022 team: '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 perception of the phenomenon.'39
- 4.3.6 Liljana Luani, founder of the Child Centre in Shkodër a non-government organisation, who has worked in the realm of blood feud as a teacher and activist for over 20 years, commented on whether men in feuds seek protection from the police. Ms Luani stated: '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

³⁴ Operazione Colomba, 'Monthly report of activities in Albania – November 2019', 12 December 2019

³⁵ Operazione Colomba, 'Closure of Operazione Colomba's presence in Albania', 14 February 2020

³⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 11), December 2022

³⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022

³⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 20), December 2022
39 Home Office, 'Report of a FFM - BF, December 2022' (page 31), December 2022
40 Home Office, 'Report of a FFM - BF, December 2022' (page 53), December 2022

- 4.3.7 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 themselves⁴¹.
- Pastor Prroj told the HO BF FFM 2022 team: 4.3.8
 - '... blood feuds are kept alive by poverty, [and] lack of education...' 42 Elona 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

4.3.9 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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This section updated: 29 December 2022

- 5. Blood feuds
- 5.1 Prevalence and location
- For a map on Albania showing cities and towns as well as information on 5.1.1 geography and population of Albania, see Relocation.
- 5.1.2 The UN Human Rights Council (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.⁴⁵
- Global Initiative published a report on blood feuds in Albania on 11 5.1.3 December 2021 which stated that 'Blood feud is still a phenomenon in Albania, albeit mainly limited to the north of the country... More detailed

⁴¹ Home Office, 'Report of a FFM - BF, December 2022' (page 53), December 2022

⁴² Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022

⁴³ Home Office, 'Report of a FFM - BF, December 2022' (page 56), December 2022 ⁴⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 55-56), December 2022

⁴⁵ UNHRC, 'Compilation on Albania; Report of the Office of the United...' (para 12), 22 February 2019

- 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.^{'46}
- 5.1.4 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 Diber⁴⁷.
- The USSD reports for 2020 and 2021 did not mention blood feud or people 5.1.5 going into isolation or confinement as a result⁴⁸ ⁴⁹. 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 2019⁵⁰, by Amnesty International in their report considering events in 2021⁵¹, or in the European Commission's (EC) 2021 or 2022 Report⁵² 53.
- Freedom House noted in its Freedom in the World Report 2022, covering 5.1.6 2021 events, that 'Tribal law is practiced in parts of northern Albania, and sometimes involves revenge killings.'54 Freedom House reports considering events in 2019 and 2020 also mentioned this phenomenon^{55 56}. However, none of the reports refer to specific data on the scale, frequency or nature of blood feuds.
- 5.1.7 Global Initiative noted that 'According to a report from 2018, the problem [of blood feud] is mostly concentrated in the Shkodra [Shkodër] district in northern Albania.'57
- 5.1.8 In its 11 December 2021 report, Global Initiative cited data provided by an 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, 2018⁵⁸:

	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

⁴⁶ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁴⁷ UNCRC, '<u>Combined fifth and sixth periodic reports...</u>' (paragraph 69), 15 February 2021 ⁴⁸ USSD, '<u>2020 Country Reports on Human Rights Practices: Albania</u>', 30 March 2021

⁴⁹ USSD, '2021 Country Reports on Human Rights Practices: Albania', 12 April 2022

⁵⁰ AHC, 'REPORTS - Komiteti Shqiptar i Helsinkit', 2018 and 2019

⁵¹ Amnesty International, 'Albania 2021', 29 March 2022

⁵² EC, 'Albania Report 2021', 19 October 2021

⁵³ EC, 'Albania Report 2022', 12 October 2021

⁵⁴ Freedom House, 'Albania: Freedom in the World 2022' (section F3), 24 February 2022

⁵⁵ Freedom House, 'Albania: Freedom in the World 2021' (section F3), 3 March 2021

⁵⁶ Freedom House, 'Albania: Freedom in the World 2020' (section F3), 4 March 2020

⁵⁷ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁵⁸ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

- 5.1.9 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.'59
- 5.1.10 In its report to the 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.'60

- 5.1.11 See also Self-isolation.
- 5.1.12 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) ⁶¹	State Police (as of July 2021) ⁶²
Families affected	591	75

- 5.1.13 An official from UNICEF told the HO BF FFM 2022 team that you can only make an estimation with regard the number of active BF. 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 you could not estimate whether BF are now in decline⁶³.
- 5.1.14 Rasim Gjoka, 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 FFM 2022 team that it is difficult to put a number on existing BFs, 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 municipalities⁶⁴.
- 5.1.15 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

⁵⁹ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁶⁰ UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022

⁶¹ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁶² UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022

⁶³ Home Office, 'Report of a FFM - BF, December 2022' (page 11 and 12), December 2022 64 Home Office, 'Report of a FFM - BF, December 2022' (page 26), December 2022

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.'65

- 5.1.16 The People's Advocate (PA) stated during an interview with the HO BF FFM 2022 team 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 police is contradictory⁶⁶. They also stated that '...blood feuds is [sic] not a national issue but a local one...'67
- 5.1.17 The PA also stated to the HO BF FFM 2022 team 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...'68
- 5.1.18 An official from the Shkodër Regional Police Directorate told the HO BF FFM 2022 team: 'Blood feud is a declining phenomenon, but there are still cases of its occurrence.' 69 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...⁷⁰ The same official added that the issue was most problematic in Shkodër district with some cases in Lezhe and northern areas⁷¹. The official added that in the Shkodër district there were 33 families in blood feud⁷².
- 5.1.19 An official from the Shkodër Regional Police Directorate also told the HO BF FFM 2022 team 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...' 73
- 5.1.20 An official from the Prosecutor's Office in Shkodër told the HO BF FFM 2022 team that they do not have an accurate number for the amount 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

⁶⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 26), December 2022

⁶⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 33 and 34), December 2022

⁶⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022

⁶⁸ Home Office, 'Report of a FFM - BF, December 2022' (pages 34 and 35), December 2022

⁶⁹ Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022

⁷⁰ Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022

⁷¹ Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022

⁷² Home Office, 'Report of a FFM - BF, December 2022' (page 42), December 2022

⁷³ Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022

been directly threatened. In which case the Prosecutor's Office are unable to investigate further⁷⁴.

- 5.1.21 Liljana Luani, from the Child Centre in Shkodër, told the HO BF FFM 2022 team 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. Liljana said that she was unable to provide exact numbers for the current situation, but since 2017 there 'have been more killings and aggression.'75 However, with regard support, the Child Centre and OSHEE work with 27 families currently in blood feud from which 33 children are affected⁷⁶.
- 5.1.22 Elona Prroj was asked her opinion on the extent to which BF is an issue in Albania. She told the HO BF FFM 2022 team: '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 are involved... [The problem is in] just the north community, and wherever the people of the north move to, the phenomenon moves with them.' 77

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5.2 Targets of a blood feud

5.2.1 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.'⁷⁸

5.2.2 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

⁷⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 45), December 2022

⁷⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 50, 51), December 2022

⁷⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 50, 51), December 2022

⁷⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022
78 Home Office, 'Report of a FFM - BF, December 2022' (page 10, 11), December 2022

- the pressure much more...' 79
- However, the official from UNICEF also stated: '... boys and men are 5.2.3 generally the direct subject and the most threatened when it comes to their life, and the need to be in domicile confinement.' 80
- 5.2.4 The Albanian Helsinki Committee stated to the HO BF FFM 2022 team: 'The situation [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.'81
- 5.2.5 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 killed⁸². Bledian Koka, a journalist, told the FFM team '...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.' 83
- 5.2.6 The Peoples Advocate told the HO BF FFM 2022 team: 'As for the data on the victims of these murders, they are all male adults, there are no minors or women.'84
- Elona Prroj told the HO BF FFM 2022 team: 5.2.7
 - '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.' 85
- Pastor Prroj explained: '... in 90% of cases, the (opposing family) never kill 5.2.8 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.' 86

5.3 Self-isolation

5.3.1 'Isolated' families are those who self-confine themselves to their homes and cut themselves off from the rest of their community because of fear of reprisals87 88.

⁷⁹ Home Office, 'Report of a FFM - BF, December 2022' (page 11), December 2022

⁸⁰ Home Office, 'Report of a FFM - BF, December 2022' (page 13), December 2022

⁸¹ Home Office, 'Report of a FFM - BF, December 2022' (page 17), December 2022

⁸² Home Office, 'Report of a FFM - BF, December 2022' (page 25), December 2022

⁸³ Home Office, 'Report of a FFM - BF, December 2022' (page 63), December 2022

⁸⁴ Home Office, 'Report of a FFM - BF, December 2022' (pages 35), December 2022

⁸⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022 86 Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022

⁸⁷ Global Initiative, 'Blood feuds in Albania', 13 December 2021[Internal use only]

- 5.3.2 Global Initiative in December 2021 cited an NGO, which indicated that 37 families were isolated in the district of Shkodra as of 201889.. In its report to the UNCAT (July 2021), the Government of Albania noted that 75 families were confined to their homes due to blood feud⁹⁰.
- 5.3.3 The USSD's human rights report for 2019 stated that some children, particularly in Shkodër, were confined to their homes in fear of revenge attacks due to their families' involvement in blood feuds⁹¹. UN Committee on the Rights of the Child (UNCRC) and Global Initiative stated children confined at home were offered home-schooling^{92 93}.
- AFCR and Peoples Advocate stated during the HO BF FFM 2022 that under 5.3.4 Kanun traditional law self-isolation should not extend to women and children⁹⁴. However, UNICEF and the journalist Bledian Koka also noted that tradition was not always being followed and that there have been cases where women and children were also isolating⁹⁵.
- An official from UNICEF told the HO BF FFM 2022 team that a blood feud 5.3.5 affects the entire family, and that groups of relatives or tribes can be affected by blood feud and self-isolation⁹⁶.
- 5.3.6 Rasim Gjoka, from AFCR, stressed to the HO BF FFM 2022 team 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.'97
- The PA told the HO BF FFM 2022 team that data gathered from the General 5.3.7 State Police Directorate 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 now⁹⁸.
- 5.3.8 The PA told the HO BF FFM 2022 team with regard who tends to isolate within a family: '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'99
- An official from the State Agency for Childs Rights and Protection (SACRP) 5.3.9 told the HO BF FFM 2022 team that they have just one case of an isolated

⁸⁸ Cedoca, 'Blood Feuds in contemporary Albania...' (page 15), 29 June 2017

⁸⁹ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁹⁰ UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022

⁹¹ USSD, '2019 Country Reports on Human Rights Practices: Albania' (section 6), 11 March 2020

⁹² UNCRC, 'Combined fifth and sixth periodic reports submitted by...' (para 68), 15 February 2021

⁹³ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

⁹⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 25, 34), December 2022

⁹⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 9, 25, 34, 62), December 2022

⁹⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 12), December 2022

⁹⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 12), December 2022 98 Home Office, 'Report of a FFM - BF, December 2022' (page 34), December 2022 99 Home Office, 'Report of a FFM - BF, December 2022' (page 32), December 2022

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 100. 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.' 101

5.3.10 With regard support provided to isolated families the official from SACRP highlighted the difficulties of intervening with regards child's right 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 .'102

5.3.11 The SACRP official continued:

'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.'103

- 5.3.12 An official from the Shkodër Regional Police Directorate told the HO BF FFM 2022 team: 'There are still some families in Shkodër that are in isolation...' ¹⁰⁴ 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...'105
- 5.3.13 When asked by the HO BF FFM 2022 team 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 does not mean that

¹⁰⁰ Home Office, 'Report of a FFM - BF, December 2022' (page 37, 38), December 2022

¹⁰¹ Home Office, 'Report of a FFM - BF, December 2022' (page 38), December 2022

¹⁰² Home Office, 'Report of a FFM - BF, December 2022' (page 38), December 2022 (page 38), December 2022 (page 39), December 2022 (page 39), December 2022 (page 39), December 2022 (page 40), December 2022 (page 40), December 2022 (page 40), December 2022 (page 40), December 2022 (page 42), December 2022

- they do not continue to be at risk. The official added that there are no families in isolation in Puke¹⁰⁶.
- 5.3.14 Altin Nika, a psychologist at the Center of Keshilation and Psychological Services in Shkodër, the HO BF FFM 2022 team that the '...number of children and families in isolation is quite small... [this] is just my perception, but I believe [needing to isolate] is not a big problem, not a priority, the problem is still there but not that big. I believe there are other priorities we need to focus on.'107
- 5.3.15 Ms Luani from Child Centre in Shkodër told the HO BF FFM 2022 team that her centre provides support to 60 children, 33 children of which are affected by blood feuds. Although not all of the children are completely isolated. The centre provides education on a range of subjects both online and in person. The centre also provides psychological treatment of 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 food¹⁰⁸.
- 5.3.16 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 very little and not enough to cover basic needs and they have to go out to work.' 109
- 5.3.17 An official from the Ministry of Education told the HO BF FFM 2022 team that they offer a range of services including home schooling and digital education devices and TV/internet channels if a child cannot attend school, including for those children who isolate¹¹⁰.
- 5.3.18 However, the Ministry of Education also told the HO BF FFM 2022 team 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^{111.}
- 5.3.19 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.'112

¹⁰⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 41, 42, 43), December 2022

¹⁰⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 49), December 2022

¹⁰⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 50, 51), December 2022

¹⁰⁹ Home Office, 'Report of a FFM - BF, December 2022' (page 52), December 2022

¹¹⁰ Home Office, 'Report of a FFM - BF, December 2022' (page 59), December 2022

¹¹¹ Home Office, 'Report of a FFM - BF, December 2022' (page 58, 60), December 2022

¹¹² Home Office, 'Report of a FFM - BF, December 2022' (page 58, 59), December 2022

5.4 Number of blood feud murders

- 5.4.1 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 Spain¹¹³.
- 5.4.2 Cases of revenge murder (hakmarrje) in 2018 were far higher Operazione Colomba recorded 132 cases which occurred across the country¹¹⁴.
- 5.4.3 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 October¹¹⁵. Operazione Colomba announced in February 2020 that it was ending its presence in Albania¹¹⁶.
- 5.4.4 In its report to the UNCAT¹¹⁷, the Government of Albania recorded the number of cases of 'blood feud murder', between 2012 and 2020, as per 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

- 5.4.5 In its report to the UNCRC, which was received in November 2019, the 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) ...'118
- 5.4.6 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^{119.} The USSD reports for 2020 and 2021 did not mention blood feud^{120 121}.
- 5.4.7 The General Directorate for State Police (GDSP) gave the HO BF FFM 2022 team the following figures for murders relating to BF between 1998 and 2022. The table shows that BF related murders have dropped from 45 in 1998 to 2 in 2022. 122.

Year	5	1998	1999	2000	2001	2002	2003	2004	2002	2006	2002	2008	6007	2010
		45	41	41	32	13	12	11	5	4	0	5	1	5

¹¹³ Operazione Colomba, 'Blood feuds in 2018 – numbers from the press', 4 March 2019

¹¹⁴ Operazione Colomba, 'Blood feuds in 2018 – numbers from the press', 4 March 2019

¹¹⁵ Operazione Colomba, 'Monthly report Archivi - A Crowd Against Blood Feuds', Jan to Dec 2019

¹¹⁶ Operazione Colomba, 'Closure of Operazione Colomba's presence in Albania', 14 February 2020

¹¹⁷ UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022

¹¹⁸ UNCRC, 'Combined fifth and sixth periodic reports submitted by...' (para 66), 15 February 2021

¹¹⁹ USSD, '2017 Country Reports on Human Rights Practices: Albania' (section 6), 20 April 2018

¹²⁰ USSD, '2020 Country Reports on Human Rights Practices: Albania', 30 March 2021

¹²¹ USSD, '2021 Country Reports on Human Rights Practices: Albania', 12 April 2022

¹²² Home Office, 'Report of a FFM - BF, December 2022' (pages 29), December 2022

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
	5	5	4	4	0	1	1	1	0	1	1	2	

- 5.4.8 The GDSP added that there have been 42 murders so far in 2022, with 2 of those being identified as possibly relating to BF but which crimes are related to BF or revenge will ultimately be decided by the courts¹²³
- 5.4.9 An official from the Shkodër Regional Police Directorate told the HO BF FFM 2022 team '... 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 from one case that happened this year, so from 2018 to 2022 there have been no cases.'124
- 5.4.10 The PA sated 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...'125
- 5.4.11 See also Convictions for blood feud.

- 5.5 Organised criminal groups
- 5.5.1 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.'126

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

¹²³ Home Office, 'Report of a FFM - BF, December 2022' (page 32), December 2022 124 Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022 125 Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022

¹²⁶ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

- "... 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.'127
- 5.5.3 An official from UNICEF told the HO BF FFM 2022 team that they would not exclude the possibility that blood feud 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.'128
- 5.5.4 Officials from the General Directorate for State Police told the HO BF FFM 2022 team that 'blood feuds should not be confused with clashes between organised crime groups.'129
- 5.5.5 Bledian Koka a journalist and Editor in Chief for Syri TV Albania told the HO BF FFM 2022 team 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.'130
- 5.5.6 Referring to media reporting of blood feuds, Bledian Koka told the HO BF FFM 2022 team:
 - '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.' 131
- 5.5.7 See Emigration for information about whether criminal gangs pursue blood feuds abroad.

¹²⁷ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

¹²⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 12), December 2022 129 Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022 130 Home Office, 'Report of a FFM - BF, December 2022' (page 61), December 2022 131 Home Office, 'Report of a FFM - BF, December 2022' (page 63), December 2022

- 5.6 Impact on women and families
- 5.6.1 According to the Government of Albania, in its report to the 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.'132
- An official from UNICEF told the HO BF FFM 2022 team: 5.6.2

'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 staving 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.'133

The People's Advocate told the HO BF FFM 2022 team, with regard families 5.6.3 in self-isolation and government financial aid provided to those on low income, that stated: '...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.'134

¹³² UN CEDAW, '<u>Fifth periodic report submitted by Albania...</u>' (paragraph 233), 25 February 2022

¹³³ Home Office, 'Report of a FFM - BF, December 2022' (page 13,14), December 2022 ¹³⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 36), December 2022

5.6.4 An official from SACRP told the HO BF FFM 2022 team:

'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 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.'135

5.6.5 Similarly Liljana from the Child Centre Shkodër told the HO BF FFM 2022 team: '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 [£39¹³⁶] 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.' ¹³⁷

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This section updated: 29 December 2022

6. Police

- 6.1 Action and initiatives
- 6.1.1 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. 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. 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.'138

6.1.2 The delegation of Albania, in response to the UNHRC's report and recommendations of the Working Group on the Universal Periodic Review, dated 3 July 2019, noted that 'Several measures had been taken against the

¹³⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 39), December 2022

¹³⁶ Xe, Currency converter, 28 November 2022

¹³⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 51, 53), December 2022

¹³⁸ UNHRC, 'National report submitted in accordance with para 5...' (para 69), 22 February 2019

phenomenon of "blood feud". The General Directorate of State Police 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.'139

- 6.1.3 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.'140
- 6.1.4 The report explained the objective of the Action Plan, stating:

'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.'141

- The UNHRC Compilation of UN information to the Working Group on the 6.1.5 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.'142
- 6.1.6 In its 11 December 2021 report, Global Initiative also cited the action plan, noting that:

'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".'143

¹³⁹ UNHRC, 'Report of the Working Group on the Universal Periodic Review...' (para 52), 3 July 2019

 ¹⁴⁰ UN CEDAW, 'Fifth periodic report submitted by Albania...' (para 232), 25 February 2022
 141 UN CEDAW, 'Fifth periodic report submitted by Albania...' (footnote 74), 25 February 2022
 142 UNHRC, 'Compilation on Albania; Report of the Office of the United...' (para 12), 22 February 2019

¹⁴³ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

- 6.1.7 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).'144
- 6.1.8 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].' 145
- An official from UNICEF told the HO BF FFM 2022 team: 6.1.9
 - "...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 years 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'146
- 6.1.10 An official from the General Directorate for State Police told the HO BF FFM 2022 team:

'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 publication¹⁴⁷], which and 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

UNCRC, 'Combined fifth and sixth periodic reports submitted by...' (para 68), 15 February 2021
 UNCAT, 'Third periodic report submitted by Albania under article 19' (para 193), 5 April 2022

¹⁴⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 12), December 2022 ¹⁴⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022

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 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.' 148

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6.2 **Protection**

6.2.1 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.' 149

An official from UNICEF was asked by the HO BF FFM 2022 team whether 6.2.2 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.' 150

6.2.3 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

<sup>Home Office, 'Report of a FFM - BF, December 2022' (page 30, 31), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 11), December 2022
Home Office, 'Report of a FFM - BF, December 2022' (page 14), December 2022</sup>

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 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.' 151

- 6.2.4 The GPO told the HO BF FFM 2022 team: '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.' 152
- 6.2.5 The GPO also stated however, a family choosing to isolate themselves is insufficient 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...' 153
- 6.2.6 An official from the General Directorate for State Police told the HO BF FFM 2022 team:

'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.' 154

- 6.2.7 Officials from The General Directorate for State Police also stated with regard the amendments to the criminal code to include incitement, or threat of blood feud: 'These articles are very powerful tools in the hands of law enforcement authorities so that we can properly fight such cases and minimize bloodshed.' 155
- However, People Advocate stated to the HO BF FFM 2022 team: 6.2.8

'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

¹⁵¹ Home Office, 'Report of a FFM - BF, December 2022' (page 15), December 2022

¹⁵² Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

¹⁵³ Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

¹⁵⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 30, 31), December 2022
155 Home Office, 'Report of a FFM - BF, December 2022' (page 30), December 2022

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 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.'156

- 6.2.9 PA told the HO BF FFM 2022 team that 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.' 157
- 6.2.10 An official from the Shkodër Regional Police Directorate told the HO BF FFM 2022 team:

'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.' 158

- 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 (declaration of a blood feud) direct to the police and although there is still a central record, local police would maintain their own database for blood feuds¹⁵⁹.
- 6.2.12 The official from the Shkodër Regional Police also stated to the HO BF FFM 2022 team:

'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]. '160

¹⁵⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 34, 35), December 2022

¹⁵⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 35), December 2022

home Office, 'Report of a FFM - BF, December 2022' (page 40), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 42), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 43), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 43), December 2022

- 6.2.13 Liljana Luani from Child Centre in Shkodër told the HO BF FFM 2022 team '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 perpetrators can. Plus you do not know when the offence will be committed, it might be tomorrow or it might be after many years.' ¹⁶¹
- 6.2.14 Pastor Prroj whose husband was killed in a blood feud opined to the HO BF FFM 2022 team '... 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...' ¹⁶²
- 6.2.15 Elona Prroj stated when asked if the police are aware of families in BF: 'Yes, they are all living in the community, it's a small city, everyone knows everyone.' 163 With regard reporting BF to the police Elona 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.' 164
- 6.2.16 Bledian Koka, a journalist, told the FFM team: '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.'

6.3 Witness protection

6.3.1 The GPO told the HO BF FFM 2022 team: '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.' 166

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7. Judiciary

7.1 Investigations and convictions for blood feud

7.1.1 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

¹⁶¹ Home Office, 'Report of a FFM - BF, December 2022' (page 53), December 2022 162 Home Office, 'Report of a FFM - BF, December 2022' (page 55), December 2022 163 Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022 164 Home Office, 'Report of a FFM - BF, December 2022' (page 58), December 2022 165 Home Office, 'Report of a FFM - BF, December 2022' (page 62), December 2022 166 Home Office, 'Report of a FFM - BF, December 2022' (page 24), December 2022

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.'167

- 7.1.2 Global Initiative reported in December 2021 stated that:
 - '... 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. However, the conviction rate for those accused of this crime has declined. 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.'¹⁶⁸
- 7.1.3 The Global Initiative report December 2021 included a table showing the number of convictions for blood feud offences, 2016-2020¹⁶⁹:

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

7.1.4 An official from the Prosecutors office in Shkodër told the HO BF FFM 2022 team 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 has been a number of investigations under Article 78 (Pre-meditated murder) and Article 83a threat of a blood feud¹⁷⁰:

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		

¹⁶⁷ UNCRC, 'Combined fifth and sixth periodic reports submitted by...' (para 66), 15 February 2021

¹⁶⁸ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

¹⁶⁹ Global Initiative, 'Blood feuds in Albania', 13 December 2021[Internal use only]

¹⁷⁰ Home Office, 'Report of a FFM - BF, December 2022' (page 44, 45), December 2022

2014	1	1	8	
2016	2		1	
2017				1
2018			3	
2019	1			
2022	1			

- 7.1.5 The official from the Prosecutor's office explained to the HO BF FFM 2022 team: '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.'171
- 7.1.6 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.' 172

7.1.7 During the HO BF FFM 2022, the GPO in Tirana provided statistics covering 2015 until the first quarter of 2022 of registered proceedings/investigations of BF related crimes under Article 78a of the Criminal Code by district 173.

District	2015	2016	2017	2018	2019	2020	2021	2022
Diber						1		
Durres						1		
Elbasan							1	1
Kruje								2

¹⁷¹ Home Office, 'Report of a FFM - BF, December 2022' (page 44), December 2022 Home Office, 'Report of a FFM - BF, December 2022' (page 45), December 2022

¹⁷³ GPO, 'Table of proceedings/investigations 2015- Mar 2022, no date (hard copy available)

Kukes		1					
Kurbin	1						
Lezhe							1
Mat			1				
Shkodër							1
Tirana		1			5		
Kr.e Renda	2		4	1			
Total	3	2	5	1	7	1	5

- 7.1.8 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 city¹⁷⁴. 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 minor¹⁷⁵.
- 7.1.9 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 176.
- 7.1.10 An official from the Shkodër Regional Police Directorate told the Home Office BF FFM 2022 team that there have been some arrests when families have made a denouncement which has resulted in prosecution ¹⁷⁷.

8. Corruption

- 8.1.1 For information about the criminal justice system generally, see Country policy and information note: Actors of protection.
- 8.1.2 Bertelsmann Stiftung, in its BTI 2022 Country Report Albania, which assesses the transformation toward democracy and a market economy as well as the quality of governance, covering the period from 1 February 2019 to 31 January 2021, noted in regard to corruption reform, the full results of which were yet to be seen, that:

'The main plank of reform is the vetting of 800 members of the judiciary. Only those vetted will be allowed to be part of the new structures. As of 2020, less than half of the judiciary – 330 members – were vetted at first instance. The vetted members helped to create some of the new structures currently in place – the Special Anti-Corruption and Organized Crime

¹⁷⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022 (page 22), December 2022 (page 42), December 2022

Structure (SPAK), composed of the Special Prosecution Office (SPO) and the National Bureau of Investigations (NBI); and the Anti-Corruption and Organized Crime Courts. A new general prosecutor and high justice inspector were also appointed.'178

8.1.3 The USSD HR Report 2021 noted that:

'Through September, the Special Prosecution Office against Corruption and Organized Crime (SPAK) announced that it had opened investigations and brought charges against several public officials, including former ministers, mayors, sitting judges and prosecutors, former and sitting judges of the Constitutional Court's Vetting Appeal's Chamber, former judges of the Supreme Court, and officials in the executive branch. As of September, one judge, two prosecutors, one mayor, and the former procurement director at the Ministry of Interior were indicted on abuse of office or corruption charges...

'As of November, 125 judges and prosecutors were dismissed, 103 confirmed, while 48 others had resigned rather than undergo vetting. As of July, 173 judges and prosecutors were dismissed, 148 confirmed, while 89 others had resigned or retired.' 179

- 8.1.4 The European Commission (EC) noted in its Albania 2021 report that 'Good progress was made, with the continued implementation of justice reform and the vetting process, which advanced steadily, despite the impact of the COVID-19 pandemic' and that 'Some progress was made in strengthening the fight against corruption.' 180
- 8.1.5 Bledian Koka a journalist told the FFM team: '...even if the perpetrator is a known person, the justice system does not punish accordingly because they [the perpetrator] can buy justice or freedom, he can pay not to be punished according to law.'181

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- 9. Non-governmental organisations support
- 9.1.1 An official from UNICEF commented on non government organisations (NGOs) and civil society support available to families affected by blood feud, telling the HO BF FFM 2022 team:
 - '... civil society is often dependent on foreign money to survive, and 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,

¹⁷⁸ Bertelsmann Stiftung, 'BTI 2022 Country Report Albania' (Rule of law), 23 February 2022

¹⁷⁹ USSD, '2021 Country Reports on Human Rights Practices: Albania' (section 4), 12 April 2022

¹⁸⁰ EC, 'Albania Report 2021' (pages 18 and 23), 19 October 2021

¹⁸¹ Home Office, 'Report of a FFM - BF, December 2022' (page 61), December 2022

- since they don't have the blood feud articulated as a priority in their policies.'182
- 9.1.2 During the HO BF FFM 2022, The Albanian Helsinki Committee explained how they provide free legal aid, including to those involved in blood feuds¹⁸³.
- 9.1.3 Peoples Advocate told the HO BF FFM 2022 team 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.' 184
- 9.1.4 PA have also between 2013 and 2015 recommended measures to the Ministry of Education and Ministry of Health and Welfare on the
 - '... 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.'¹⁸⁵
- 9.1.5 Altin Nika told the HO BF FFM 2022 team 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 children¹⁸⁶.
- 9.1.6 Liljana Luani a teacher, activist and founder of the Child Centre in Shkodër told the HO BF FFM 2022 team 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 women¹⁸⁷.
- 9.1.7 Elona Projj a pastor in Shkodër told the HO BF FFM 2022 team:'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

¹⁸² Home Office, 'Report of a FFM - BF, December 2022' (page 15), December 2022
183 Home Office, 'Report of a FFM - BF, December 2022' (page 15), December 2022
184 Home Office, 'Report of a FFM - BF, December 2022' (page 33), December 2022
185 Home Office, 'Report of a FFM - BF, December 2022' (page 34), December 2022
186 Home Office, 'Report of a FFM - BF, December 2022' (page 48), December 2022
187 Home Office, 'Report of a FFM - BF, December 2022' (page 52), December 2022

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.' 188

See also Police – Action and initiatives.

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- 10. Conflict resolution, negotiation, mediation and education
- 10.1.1 An official from UNICEF stated to the HO BF FFM 2022 team:

'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...' 189

10.1.2 AFCR told the HO BF FFM 2022 team that a UNICEF 2021/2022 programme implemented by the organisation gave prosecutors the opportunity to recommend children and families for mediation and restorative justice¹⁹⁰. AFCR stated that during the same programme they were referred 2 cases that were related to BF, where they assisted in reaching reconciliation between parties¹⁹¹. 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

¹⁸⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 56), December 2022

¹⁸⁹ Home Office, 'Report of a FFM - BF, December 2022' (page 13), December 2022

¹⁹⁰ Home Office, 'Report of a FFM - BF, December 2022' (pages 13, 25, 26), December 2022 191 Home Office, 'Report of a FFM - BF, December 2022' (page 25), December 2022

- 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.' 192
- 10.1.3 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.' ¹⁹³ 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.' ¹⁹⁴
- 10.1.4 The official from the Shkodër Regional Police stated to the HO BF FFM 2022 team '... Reconciliation associations for BF carry out the work and reconcile based on Kanun law norms.'¹⁹⁵
- 10.1.5 An official from the Ministry of Education when asked about policies in place told the HO BF FFM 2022 team:
 - '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.' 196
- 10.1.6 The Ministry of Education also told the HO BF FFM 2022 team that they have projects ongoing where schools are turned into community centres, and have 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.' ¹⁹⁷

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- 11. Attestation letters and BF documentation
- 11.1.1 Global Initiative stated in its 11 December 2021 report that there have been

Home Office, 'Report of a FFM - BF, December 2022' (page 25), December 2022
 Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022
 Home Office, 'Report of a FFM - BF, December 2022' (page 21), December 2022

¹⁹⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 43), December 2022

¹⁹⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 59), December 2022 (page 60), December 2022

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.'198

- 11.1.2 The Immigration and Refugee Board of Canada noted in a response dated October 2021 that, '... an officer at the US Embassy in Tirana stated that Albania is a "hot bed" for fraud and corruption, and that fraudulent documents "seem to be readily available and easily accessed" 199
- 11.1.3 The GPO in Tirana told the HO BF FFM 2022 team 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.' 200 The HO BF FFM 2022 team were unable to obtain an example of these documents.
- 11.1.4 The GPO told the HO BF FFM 2022 team: '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. 201
- 11.1.5 The official from the GPO explained to the HO BF FFM 2022 team:
 - '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.'202
- 11.1.6 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 accepted²⁰³. They added that the police are aware that they should not issue such documents.
- 11.1.7 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

¹⁹⁸ Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

¹⁹⁹ IRB, 'Albania: Availability of fraudulent identification documents... [ALB200127.E]', 4 October 2021

Home Office, 'Report of a FFM - BF, December 2022' (page 23), December 2022 Home Office, 'Report of a FFM - BF, December 2022' (page 23), December 2022 Home Office, 'Report of a FFM - BF, December 2022' (page 23), December 2022 Home Office, 'Report of a FFM - BF, December 2022' (page 23), December 2022 Home Office, 'Report of a FFM - BF, December 2022' (page 23), December 2022

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.' ²⁰⁴

- 11.1.8 The GPO when asked: Why do CS and police issue these documents? Stated: '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 that the only valid document is received from prosecutors office, but police have issued such documents after being told lies from the person.' 205
- 11.1.9 When asked if 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 Home Office BF FFM 2022 that they did not issues such certificates ²⁰⁶
- 11.1.10 An official from the Prosecutors Office in the district of Shkodër told the HO BF FFM 2022 with regard documentation issued in connection to BF:

'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.' 207

11.1.11 The official also told the HO BF FFM 2022 team:

'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.' ²⁰⁸

- 11.1.12 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].' ²⁰⁹
- 11.1.13 The official confirmed however that if they are contacted from overseas

Home Office, 'Report of a FFM - BF, December 2022' (page 24), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 22), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 43), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022 home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022

- asking for a document in relation to an asylum claim they would decline that request²¹⁰.
- 11.1.14 Similarly the General Directorate for State Police told the HO BF FFM 2022 team that criminal proceedings had been initiated against persons who issue attestation documentation to families who plan to use them when abroad²¹¹.
- 11.1.15 The HO BF FFM 2022 team were unable to obtain a copy of such a document at the time of writing.
- 11.1.16 Sources interviewed during the HO BF FFM 2022 stated that false attestation letters confirming a BF existed had been issued, one of the organisations named was the Committee of Nationwide Reconciliation²¹².
- 11.1.17 The GPO confirmed to the HO BF FFM 2022 team 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.' ²¹³

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12. Relocation

- 12.1.1 Albania is roughly 28,000sqkm²¹⁴, a little larger than Wales²¹⁵, with a population estimated to be between 2.8million²¹⁶ and just over 3million²¹⁷. The population of Tirana differs across a number of sources, ranging from just under 500,000²¹⁸ to over 900,000 across the 24 administrative units of the capital²¹⁹ ²²⁰ ²²¹ ²²². Over 60% 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.'²²³
- 12.1.2 See United Nations Reliefweb Map of Albania (August 2020)²²⁴.
- 12.1.3 Around a third of the population is estimated to be under 24, two-fifths between 25 and 54 and remainder 55 and older. Most are ethnic Albanian, around 1% other ('including Vlach, Romani, Macedonian, Montenegrin, and Egyptian') and the remainder 'unspecified'. A small majority are Muslim, while the rest are a mix of faiths, including 'Roman Catholic 10%, Orthodox

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210 Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022
211 Home Office, 'Report of a FFM - BF, December 2022' (page 31), December 2022
212 Home Office, 'Report of a FFM - BF, December 2022' (page 26, 35 44), December 2022
213 Home Office, 'Report of a FFM - BF, December 2022' (page 24), December 2022
214 UN data, Albania, no date
215 CIA, The World Factbook, 'United Kingdom', updated 11 January 2023
216 UN data, Albania, no date
217 CIA, The World Factbook, 'Albania', updated 11 January 2023
218 UN data, Albania, no date
219 CIA, The World Factbook, 'Albania', updated 11 January 2023
220 Bashkia Tiranë, 'Administrative Areas', no date
221 Instat, 'Population of Albania', 1 January 2022
222 UN data, Albania, no date
223 CIA, The World Factbook, 'Albania', updated 11 January 2023
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²²⁴ United Nation Reliefweb, Map of Albania, August 2020

- 6.8%, atheist 2.5%, Bektashi (a Sufi order) 2.1%, other 5.7%, unspecified 16.2%.'225
- 12.1.4 The USSD human rights report 2021 noted: 'The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.'226 Freedom House in its report covering events in 2021 similarly noted 'Albanians generally enjoy freedom of movement, though criminal activity and practices related to historically predominant honor codes limit these rights in some areas. People are generally free to change their place of residence or employment.'227
- 12.1.5 An official from UNICEF told the HO BF FFM 2022 team: 'Even if they [families involved in a BF] move away from the area, they are not immune or safe'²²⁸ 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 (but did not indicate what problems they had)²²⁹.
- 12.1.6 With regard 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.' 230
- 12.1.7 The GPO in Tirana told the HO BF FFM 2022 team: 'Some cases when a family feels threatened they take measures themselves, and they move.' 231
- 12.1.8 The GPO also stated that civil society tend to be more engaged with the movement of people due to BF rather than government bodies²³². However he acknowledged that this was complicated, and stated with regard 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.' ²³³
- 12.1.9 With regard relocation within Albania, AFCR told the HO BF FFM 2022 team

²²⁵ CIA, The World Factbook, 'Albania', updated 30 August 2022
²²⁶ USSD, Human rights report 2021 (section 2d), April 2022
²²⁷ Freedom House, 'Albania: Freedom in the World 2022' (section G), 24 February 2022
²²⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 11), December 2022
²²⁹ Home Office, 'Report of a FFM - BF, December 2022' (page 11), December 2022
²³⁰ Home Office, 'Report of a FFM - BF, December 2022' (page 15), December 2022
²³¹ Home Office, 'Report of a FFM - BF, December 2022' (page 22), December 2022
²³² Home Office, 'Report of a FFM - BF, December 2022' (page 22), December 2022
²³³ Home Office, 'Report of a FFM - BF, December 2022' (page 22), December 2022

that moving would provide less exposure to clans involved in the BF²³⁴. 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 children'²³⁵
- 12.1.10 An official from SACRP told the HO BF FFM 2022 team that there were cases where families could safely relocate within Albania. They stated '...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.' ²³⁶
- 12.1.11 An official from the Shkodër Regional Police Directorate told the Home Office BF FFM 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.' ²³⁷
- 12.1.12 An official from the Prosecutors office in Shkodër told the HO BF FFM 2022 team: '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.' 238
- 12.1.13 Elona Prroj told the HO BF FFM 2022 team: '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.' 239

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13. Emigration

13.1.1 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 feud²⁴⁰ ²⁴¹.

²³⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 27), December 2022

²³⁵ Home Office, 'Report of a FFM - BF, December 2022' (page 36), December 2022

²³⁶ Home Office, 'Report of a FFM - BF, December 2022' (page 39), December 2022

²³⁷ Home Office, 'Report of a FFM - BF, December 2022' (page 41), December 2022

²³⁸ Home Office, 'Report of a FFM - BF, December 2022' (page 46), December 2022

²³⁹ Home Office, 'Report of a FFM - BF, December 2022' (page 57), December 2022

²⁴⁰ UNCAT, 'Third periodic report submitted by Albania under article 19' (para 194), 5 April 2022

²⁴¹ UN CEDAW, 'Fifth periodic report submitted by Albania...' (para 233), 25 February 2022

13.1.2 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 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.'242

13.1.3 An official from UNICEF told the HO BF FFM 2022 team:

'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?' 243

13.1.4 An official from the Prosecutors office in Shkodër stated to the HO BF FFM 2022 team 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.' 244

²⁴² Global Initiative, 'Blood feuds in Albania exploited by criminal groups', 11 December 2021

²⁴³ Home Office, 'Report of a FFM - BF, December 2022' (page 16), December 2022 ²⁴⁴ Home Office, 'Report of a FFM - BF, December 2022' (page 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')
 - beliefs about blood feuds
 - 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
 - o By the Govt
 - By NGOs
 - Reconciliation Committees
- Work underway to change beliefs leading to blood feuds, including the effectiveness of such initiatives
- Attestation letters for blood feuds
 - who produces them, what they are likely to include, how to identify whether they are genuine
 - o 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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Version control

Clearance

Below is information on when this note was cleared:

- version 6.0
- valid from 23 January 2023

Official - sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official - sensitive: End of section

Changes from last version of this note

Updated country information including material obtained from the Home Office fact-finding mission conducted in November 2022.