



Home Office

Country Information and Guidance

Albania: Blood feuds

Preface

This document provides guidance to Home Office decision makers on handling claims made by nationals/residents of - as well as country of origin information (COI) about - Albania. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether - in the event of a claim being refused - it is likely to be certifiable as 'clearly unfounded' under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Within this instruction, links to specific guidance are those on the Home Office's internal system. Public versions of these documents are available at <https://www.gov.uk/immigration-operational-guidance/asylum-policy>.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office's research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please email: CPI@homeoffice.gsi.gov.uk.

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI material. Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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1. Guidance

1.1. Basis of claim

- 1.1.1 Fear of persecution and/or being killed as a result of being in a 'blood feud'.

1.2. Summary of issues

- Is the person accepted as being a victim as a result of an active 'blood feud'?
- Are victims of blood feuds at risk of persecution?
- Do victims of the blood feud phenomenon form a particular social group (PSG)?
- Is there effective protection?
- Is the person able to internally relocate within Albania to escape any risk?

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1.3. Consideration of issues

Is the person accepted as being a victim as a result of an active 'blood feud'?

- 1.3.1 Decision makers must consider whether the person's account is both internally consistent and credible as well as being externally credible (i.e. consistent with the objective country information).
- 1.3.2 Decision makers should pay particular attention to distinguish blood feud conflicts from other crimes.
- 1.3.3 There are discrepancies in the statistics concerning blood feuds and related killings. However, after having considered all the available evidence in the country guidance case of [EH \(Blood Feuds\) Albania CG \[2012\] UKUT 00348 \(IAC\)](#) (October 2012), the Upper Tribunal found that whilst there remain a number of active blood feuds in Albania, they are few and declining.
- 1.3.4 The Upper Tribunal in [EH](#) set out the following factors which need to be considered 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;

See Asylum Instructions on [Considering the asylum claim and assessing credibility](#)

See information on Blood feuds-[Overview](#).

See Asylum Instructions on [Considering the asylum claim and assessing credibility](#)

See [country information](#)

See [caselaw](#)

- (ii) the length of time since the last death and [their] relationship 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.

See caselaw

1.3.5 In order to establish that there is an active blood feud affecting the person, he or she 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.[self-confinement, as a means of escaping a bloodfeud is in itself persecution.]

See caselaw

1.3.6 As regards documentary evidence, the Upper Tribunal found:

- Attestation letters from Albanian non-governmental organisations should not in general be regarded as reliable evidence of the existence of a feud.
- 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).
- Unless factual, prompt and consistent, Albanian press reports will add little or no evidential weight in considering whether a feud exists.

See A v Secretary of State for the Home Department (Pakistan) [2002] UKIAT 00439, [2002] Imm A R 318 (Tanveer Ahmed)

1.3.7 Staff at the British Embassy in Tirana are in a position to respond to queries from UK asylum decision makers via a newly introduced referral process. In cases where a person is not subject to state persecution (as would be the case in all "blood feud" claims) local checks can verify details of the person and all Albanian court judgements can be verified through the Prosecutor General's office in Tirana.

See Asylum Process Guidance on identity checking and family tracing via the Albanian Authorities

Do victims of the blood feud phenomenon form a particular social group?

See Asylum Instructions on Considering the asylum claim and assessing credibility

1.3.8 In the country guidance case of EH (October 2012) the Upper Tribunal concluded that members of families or clans in Albania

are capable of constituting a particular social group.

Is there effective protection?

See caselaw

1.3.9 The Upper Tribunal in EH noted that the Albanian state has taken steps to improve state protection (para 74c).

1.3.10 The steps taken to improve state protection include, notably:

- better policing,
- specific criminalisation of blood feuds and blood feud killings,
- the creation of specialised police units; and
- the establishment of a high-level Coordination Committee.

See country information
- State protection

1.3.11 The Upper Tribunal in EH found that in areas where Kanun law predominates, particularly in northern Albania, those steps did not yet (October 2012) provide sufficiency of protection from Kanun-related blood-taking if an active feud exists and affects the [person].

See FCO letter dated 12 June 2014.

1.3.12 However more recent information provided by the British Embassy in Tirana is that Kanun law no longer predominates. A field visit by embassy staff in 2014 to Kukës, Lezhë and Shkodër found that these regions have established an active policing and prosecution services.

1.3.13 Albania's current government, which came to office in September 2013, has further stepped up efforts to tackle blood feuds, including issuing revised instructions to local police services and further toughening sentences to offenders through amendments to the Albanian Criminal Code.

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

See country information
- NGOs and Reconciliation Committees

1.3.15 There are a number of non governmental organisations in Albania who are active in blood feud mediation and can potentially assist the person to avail themselves of the protection of the state. Missionaries – village elders and other respected persons – are similarly also frequently approached to reconcile and resolve blood feuds in northern Albania.

1.3.16 The onus is on the person to demonstrate why they believe they

would be unable to access effective protection.

Is the person able to internally relocate within Albania to escape any risk?

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

See Asylum Instruction on Internal Relocation

See caselaw

1.3.18 The Upper Tribunal continued "Internal relocation will be effective to protect an appellant only where the risk does not extend beyond the appellant's local area and he is unlikely to be traced in the rest of Albania by the aggressor clan. A crucial factor in establishing whether internal relocation is a real possibility is the geographical and political reach of the aggressor clan: where that clan has government connections, locally or more widely, the requirement to transfer civil registration to a new area, ... would appear to obviate the possibility of 'disappearing' in another part of the country, and would be likely to drive the male members of a victim clan to self-confinement in the home area as an alternative. " (paragraph 70). The reasonableness of internal relocation will always be dependant on the facts of the particular case.

See country information

1.3.19 The onus is on the person to demonstrate why they believe they would be unable to relocate to a specific town/city such as Tirana to mitigate any risk.

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1.4. Policy summary

Whilst there remain a number of active blood feuds in Albania – particularly in northern areas – they are few and declining. Decision makers should pay particular attention to distinguish blood feud conflicts from other crimes.

Victims of the blood feud phenomenon form a particular social group within the meaning of the Refugee Convention because they share a common immutable characteristic.

The Albanian Government has made significant efforts in recent years to fight the issue of blood feuds and has created legislative, organisational and operational processes to tackle the phenomenon.

In general, it is unlikely that a person would be able to establish a need for international protection as a consequence of a blood feud but it is important that the particular circumstances of the individual person are carefully considered on a case by case basis in line with the EH caselaw.

Where there is an active feud affecting a person, they are only likely to qualify for refugee status if the reach and influence of the opposing clan is so extensive that self-confinement is the only realistic option.

Decision makers must also note that blood feuds are normally triggered by a murder or other serious offence carried out by the person's family. The person's involvement in any such crime should be carefully considered as evidence of serious criminality may mean they the person falls to be excluded under Article 1F of the Refugee Convention.

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.

See asylum instruction on Exclusion: Article 1F of the Refugee Convention

See asylum process guidance on Non suspensive appeals certification under section 94 of the NIA Act 2002

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2. Information

Updated 24 June 2014

2.1. Overview

- 2.1.1 A UN Human Rights Council report, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Addendum: Preliminary note on the mission to Albania in a section headed "What is a blood feud?", dated 20 May 2010, stated that:

'A blood feud generally begins with an argument, usually between two men whose families are neighbours or friends. The argument may have any cause: an accident, a perceived insult, a property ownership disagreement, a conflict over access to electricity, water or fuel, and so on. The argument escalates into a physical fight, and one man kills the other. The victim's family then feels that it is 'owed blood' by the killer's family. This debt and the related loss of honour can only be satisfied by taking the life of a member of the killer's family.'¹

- 2.1.2 A recent report, edited by Operazione Colomba, a nonviolent peace corps part of the Association "Comunità Papa Giovanni XXIII", Description File of the Phenomenon "Gjakmarrie" for the Awareness of the Albanian Parliament Members in relation to the Crime Rate in Albania, dated July 2013, provides further background on the phenomenon.

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2.2. The Code of Lek Dukagjin

- 2.2.1 The International Center for Minority Studies and Intercultural Relations (IMIR) in a report The Kanun in present-day Albania, Kosovo, and Montenegro, dated 2004, recorded that:

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

¹ UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Addendum: Preliminary note on the mission to Albania, 20 May 2010, A/HRC/14/24/Add.9, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.24.Add9.pdf> date accessed 14 October 2013

² The Kanun in present-day Albania, Kosovo, and Montenegro, 2004 (Hard copy held by CPIT) http://www.imir-bg.org/imir/reports/The_Kanun.pdf date accessed 12 February 2011

2.2.2 The report continued:

'In some of its sections, the Kanun included an elaborate legal code trying to regulate blood feud (gjakmarrya) – a system of reciprocal "honour killings". According to the Code, if a man is deeply affronted, his family has the right to kill the person who has insulted him. However, by doing this, the family will become a target for revenge on the part of the victim's family. The victim's closest male relative is obliged to kill the murderer of his family member. The pattern of reprisal killings thus formed has been passed on for generations of families ... "Blood is never lost", states the Kanun. The perpetrator is entitled to ask through the agency of a mediator – a well-respected member of the community, for a besa – a vow that no one would hurt him. Those who have not taken revenge, fall into social disgrace.

'The Code does not allow the murdering of women or children. The only place where blood should not be shed is the house of the marked victim. Because of the ruthlessness of blood feud, most of the houses in Northern Albania look like fortresses built of stone, with small apertures serving as windows. Even to date many Albanians shut themselves inside their houses where they remain isolated for life in order to escape from blood vengeance.

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

2.2.3 However an FCO letter from the British Embassy Tirana, dated 12 June 2014 commented:

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

2.2.4 For further information on Blood Feuds see the Research Directorate of the Immigration and Refugee Board of Canada (IRB) issue paper Albania Blood Feuds, May 2008.

2.2.5 A July 2013 report, edited by Operazione Colomba, a nonviolent peace corps part of the Association "Comunità Papa Giovanni XXIII", Description File of the Phenomenon "Gjakmarrie" for the Awareness of the Albanian Parliament Members in relation to the Crime Rate in Albania, dated July 2013, also provides recent background on the phenomenon and includes recent data on the geographical and statistical information.

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³ The Kanun in present-day Albania, Kosovo, and Montenegro, 2004 (Hard copy held by CPIT)
http://www.imir-bg.org/imir/reports/The_Kanun.pdf
date accessed 12 February 2011

2.3. Statistics

2.3.1 The UN Special Rapporteur on extrajudicial, summary or arbitrary executions, in a Preliminary note on the Mission to Albania (15–23 February 2010) stated that:

‘There are deep discrepancies in the statistics concerning blood feuds and related killings. At one extreme, media reports have referred to hundreds of blood feud killings per year and thousands of children living in isolation. At the other extreme, according to Government statistics, such killings fell steadily from 45 in 1998 to one in 2009, while the number of isolated children ranges from 36 to 57 countrywide, of which 29 to 45 are in Shkodra. The variation depended on whether the sources were police, education or ministry officials. Families in isolation were estimated to be from 124 and 133 countrywide.

‘The figures used by civil society groups also vary widely. One organization with extensive field operations notes that there have been significant reductions over the last five years and that there are currently only a few blood feud killings per year. They estimate not more than 350 families and between 80 and 100 children to be in isolation nationally. However, another prominent organization estimates some 9,800 blood feud killings since 1991, dropping to a figure still in excess of 30 in 2009. By its calculations, there are 1,450 families and 800 children in isolation.

‘My own carefully considered view is that the correct numbers are much closer to those provided by the Government, especially in relation to killings. The figures for isolation seem more likely to be an underestimation, but again, not by a large margin. This is not to say that the Government statistics are definitive. Their accuracy is qualified by inadequate data-gathering and recording techniques, and insufficient coordination. These problems were underscored by the inconsistency of various official figures provided to me. I am also not aware of any sustained Government effort to reconcile the competing statistics.

‘Four factors account for the discrepancies among the various figures: definitional differences; underreporting; limited coverage of issues; and incentives to overstate.’⁴

2.3.2 The follow up report of the UN Special Rapporteur (23 April 2013) stated that:

‘Within the period under review, killings due to domestic violence continued to persist. Blood feud killings also continued to occur, although the lack of reliable data renders it difficult to refer to concrete figures and the dynamics of the phenomenon... the official statistics of the General Directorate of State Police indicate that five blood feud killings and five revenge motivated killings occurred in 2010; five blood feud killings and four revenge motivated killings took place in 2011; and two blood feud killings and two revenge motivated killings were registered in the first six months of 2012. According to the same source, as of early April 2013, there were 67 self-isolated families due to blood feuds, and 33 children not attending school for the same reason. Of those children, 23 were registered in the region of Shkodra, in northern Albania.

⁴ UN General Assembly: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston; Addendum; Preliminary note on the mission to Albania (15–23 February 2010), 20 May 2010 http://www.ecoi.net/file_upload/470_1277466564_a-hrc-14-24-add9.pdf date accessed 4 January 2011

'Furthermore, the current statistical data gathered by the Ministry of Justice from district courts, as made available by the Government of Albania, indicate that 50 cases of revenge and blood feud killings were filed with the courts in the period from January 2010 to June 2012. A total of 24 cases were filed in 2010, 17 cases were filed in 2011, while the first six months of 2012 registered 9 cases. From the point of view of the Government, these figures from the Ministry of Justice indicate a trend of reduction of blood feud crimes during the last two years. However, it is unclear to the Special Rapporteur to what extent the statistical data provided on cases in courts reflect the actual situation of blood feud-related killings in the country. He recalls in this regard the comments made by his predecessor on the challenges to accurately define the extent of the phenomenon, due to the parallel use of several differing definitions and the fragmentation of statistical data, as well as to the possible underreporting by both affected families and officials.

'According to credible information received by the Special Rapporteur, blood feud killings continue to occur in part due to a tendency of the judiciary to impose lighter sentences on perpetrators, despite the fact that the Criminal Code of Albania provides for serious penalties for blood feud murder or threat...

'The Special Rapporteur received further information that current blood feud killings sometimes no longer follow the traditional pattern established by the Kanun rules, which reportedly authorize the killing of male members of a family, and strictly forbid killing women and children. In the current context, following a conflict situation, there are cases where a person may feel vindicated in killing the other individual or any member of his family, including women and children. In this regard, the Special Rapporteur notes with concern the reported killing, in a blood feud, of a 14-year-old girl in May 2012.'⁵

2.3.3 The Immigration and Refugee Board of Canada (IRB), in response to an enquiry on statistics and blood feuds, dated 15 October 2010, reported that:

'Statistics on the number of families who live in isolation out of fear of blood-feud reprisal also vary widely ...'⁶

2.3.4 The European Commission, in the Albania 2012 Progress Report, Enlargement Strategy and Main Challenges 2012-2013, dated 10 December 2012, stated that:

'In June 2012, the Albanian State Police launched a database of persons directly involved in blood feuds. This could help to address the lack of reliable data in this area. More decisive action by the authorities is needed to address this problem.'⁷

⁵ United Nations General Assembly, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, Addendum Follow-up to country recommendations: Albania 23 April 2013 http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.47.Add.4_EN.pdf date accessed 05 November 2013

⁶ Immigration and Refugee Board of Canada: Statistics on blood feuds; state protection and support services available to those affected by blood feuds, including whether individuals have been prosecuted for blood-feud-related crimes (2007 - September 2010) [ALB103573.E], 15 October 2010 (available via [ecoi.net](http://www.ecoi.net)) http://www.ecoi.net/local_link/148535/249717_en.html date accessed 22 February 2011

⁷ European Commission, Albania 2012 Progress Report, Enlargement Strategy and Main Challenges 2012-2013, 10 December 2012 (p17) http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/al_rapport_2012_en.pdf date accessed 05 November 2013

2.3.5 The Institute for Democracy and Mediation (IDM) report, Crime Trends in Albania 2012, found that:

'Out of 1,027 cases of threatening and intimidation registered last year, 1,025 have been classified as "life threatening" offenses and only two cases were categorized as "serious threatening for revenge or blood feud" misdemeanours for which the Criminal Code stipulates severe punishments.'⁸

2.3.6 The US State Department 2013 Human Rights Report: Albania (USSD Report 2013), published on 27 February 2014, stated:

'Incidents of societal killings, including both "blood feud" and revenge killings, occurred during the year. Such killings sometimes involved criminal gangs. Although long-standing traditions surrounding blood feuds prohibit killing children or women, nongovernmental organizations (NGOs) reported cases in which perpetrators intentionally targeted minors or women. The ombudsman reported cases in which authorities refused to protect families or prevent blood feud killings.

'The Children's Rights Center of Albania reported three blood feud killings during the year. Other NGOs reported higher numbers of blood feud killings, but data were unreliable. Blood feud cases are tried by district courts. The law punishes premeditated murder, when committed for revenge or a blood feud, with 20 years' or life imprisonment.'⁹

2.3.7 A FCO letter from the British Embassy Tirana dated 12 June 2014 reported:

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

⁸ The Institute for Democracy and Mediation (IDM) Crime Trends in Albania 2012, http://idmalbania.org/sites/default/files/publications/crime_trends_in_albania_2012_-_english_-_final_3.pdf date accessed 31 August 2013

⁹ US Department of State, Country Report on Human Rights Practices for 2013, 27 February 2014, section 1a, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220247> date accessed 20 August 2013

contact, widely suspected of selling blood feud certificates, and with a political interest in exaggerating crime levels)'. [See [Annex C](#) to view the full letter]

Note: See statistics produced by the Albanian State Police at [Annex E](#).

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2.4. Families in isolation

2.4.1 The IRB report of 15 October 2010 stated that:

'According to the UN Special Rapporteur, different government departments provided figures that range from 124 to 133 families in isolation across the country, with 36 to 57 isolated children as a result; most of whom – 29 to 45 – live in the northwest city of Shkodra. The AFCR Executive Director [Albanian Foundation for 'Conflict Resolution and Reconciliation of Disputes' (AFCR), a Tirana-based NGO which mediates approximately 8 to 10 blood-feud reconciliation cases annually] also said that most blood feuds occur in north-western Albania. He added that, according to information received by AFCR mediators, there are approximately 250 to 300 families involved in blood feuds, and that the average family size ranges between four and six members. The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE) reports that it had been informed that there were 1,000 families who could not leave their homes to apply for identity cards or vote in the parliamentary elections of 28 June 2009 because of blood feuds. The CNR's statistics indicate that in 2009, there were a total of 1,480 families in hiding countrywide; this included 248 families in Shkoder, 200 families in Tirana, 179 families in Durres, and 138 families in Vlore.' ¹⁰

2.4.2 The follow up report of the UN Special Rapporteur (23 April 2013) stated that:

'At present, blood feuds and related killings appear to still occur in Albania and constitute an issue of concern. The lack of comprehensive and fully reliable statistical data renders it difficult to refer to concrete figures of the current scope of the phenomenon and analyse its dynamics. In parallel, information received from various sources confirms that such killings still affect the population in some parts of the country, in particular in the northern areas of Albania. Some families still opt for self-isolation due to fear of reprisal.' ¹¹

2.4.3 A report, 'Information on effects on children of being sequestered indoors for four years in the context of blood feuds', compiled by the Refugee Documentation Centre of Ireland on 11 February 2011, quoted a New York Times report of July 2008 ¹² in stating that:

¹⁰ IRB - Immigration and Refugee Board of Canada: Statistics on blood feuds; state protection and support services available to those affected by blood feuds, including whether individuals have been prosecuted for blood-feud-related crimes (2007 - September 2010) [ALB103573.E], 15 October 2010 (available at http://www.ecoi.net/local/link/148535/249717_en.html)

date accessed 22 February 2011

¹¹ United Nations, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, Addendum Follow-up to country recommendations: Albania 23 April 2013

http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.47.Add.4_EN.pdf

date accessed 05 November 2013

¹² In Albanian Feuds, Isolation Engulfs Families, 10 July 2008

http://www.nytimes.com/2008/07/10/world/europe/10feuds.html?_r=1

'The National Reconciliation Committee, an Albanian non-profit organization that works to eliminate the practice of blood feuds, estimates that 20,000 people have been ensnared by blood feuds since they resurfaced after the collapse of Communism in 1991, with 9,500 people killed and nearly 1,000 children deprived of schooling because they are locked indoors. (New York Times (10 July 2008) In Albanian Feuds, Isolation Engulfs Families).' ¹³

2.4.4 The same report noted that:

'Several sources report that the Albanian government is providing educational assistance to the children of families isolated because of blood feuds through a program called 'Second Chance'. According to the head of the Shkodra school district ... 41 such children in the region are receiving home schooling based on a curriculum approved by the Ministry of Education. The UN Special Rapporteur notes that the Second Chance program offers schooling only up to grade nine.' ¹⁴

2.4.5 A Southeast European Times (SETimes) article, 'Blood feuds keep hundreds of children from school in Albania', 13 October 2011, stated that:

'In a bid to educate these "trapped" children, the education ministry launched a programme called "Second Chance" this summer. Special classes are held three times a week, for ten hours a week. Lesson hours are 45 minutes long. However, it is impossible to assist all the children who are affected – especially since the numbers from the vendetta associations and the numbers from the ministry greatly differ.

'But despite the good intentions of the programme, the students' psychological situation is grave and their education falls behind those attending regular school.' ¹⁵

See also Reconciliation committees (RCs) and Purchase of False Attestation Letters for information on possible criminal activities linked to Reconciliation committees.

2.4.6 Dr Julie Vullnetari of the Sussex Centre for Migration Research, University of Sussex, in her evaluation of the May 2011 Country of Origin Information Report on Albania on behalf of the Independent Advisory Group on Country Information (IAGCI), commented that:

'In the post-communist years the killings often do not adhere to the tenets of the Kanun, but the latter is used as a tool to justify murder that may take place for a variety of reasons, at times involving rival gangs in cities and districts. ...In a BBC

date accessed 4 January 2011

¹³ Ireland: Refugee Documentation Centre, Albania: Information on effects on children of being sequestered indoors for four years in the context of blood feuds, 11 February 2011, Q13346, available at: <http://www.unhcr.org/refworld/country...ALB..4d5a71982.0.html>
date accessed 14 February 2011

¹⁴ Ireland: Refugee Documentation Centre, Albania: Information on effects on children of being sequestered indoors for four years in the context of blood feuds, 11 February 2011, Q13346, available at: <http://www.unhcr.org/refworld/country...ALB..4d5a71982.0.html>
date accessed 14 February 2011

¹⁵ Blood feuds keep hundreds of children from school in Albania, 13 October 2011
http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/10/13/feature-03 date accessed 22 February 2012

report, Eye for an eye, life for a life, 17 October 2005 ¹⁶, Tonin Gjuraj, who was a university lecturer in the city of Shkodra and who had researched the issue of blood feud commented ...: "Acts of revenge justified on the basis of the Kanun are often nothing more than common criminal offences in an area where law enforcement remains weak." The impact, however, is the same in terms of isolating male members of the family and holding the (extended) family collectively responsible for a crime an individual has committed. As such, definitions of revenge or blood feuds often overlap, since they would both be considered as 'honour killing' of males. Clarissa de Waal, a Cambridge-based anthropologist who has also carried out research in northern parts of Albania, further elaborated in the same BBC report that: "...blood feuds were linked to a concept of "neighbourhood opinion" strong in Albanian communities... families often get involved in blood feuds because if they did not avenge their loss they would be perceived as cowards locally" and that "... in some cases killers have paid corrupt officials to secure freedom..." ¹⁷

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2.5. State protection

2.5.1 The UN Special Rapporteur on extrajudicial, summary or arbitrary executions, in a Preliminary note on the mission to Albania (15–23 February 2010) stated that:

'The blood feud phenomenon re-emerged at the end of the communist era and increased significantly with the 1997 breakdown in law and order. The absence of effective official responses to criminality encouraged the citizenry to revert to traditional mechanisms to obtain justice. Suggestions that the criminal justice system is still so inefficient and corrupt as to necessitate continuing resort to blood feuds to achieve justice appear, however, misplaced. While the justice system does suffer from serious weaknesses and considerable corruption, there is no evidence that a perceived law and order vacuum explains a continuing attachment to the practice of blood feuds.' ¹⁸

2.5.2 The IRB report dated 15 October 2010, reported that:

'Article 78 of Albania's Criminal Code, which was amended by Law No. 8733 in 2001, states that "[h]omicide committed for interest, retaliation or blood feud is punished by not less than twenty-five years or life imprisonment." Article 83/a, which was added to the Criminal Code in 2001, states that "[s]erious threat of revenge or blood feud to a person or minor [causing them] to stay isolated is

¹⁶ BBC News, Eye for an eye, life for a life, 17 October 2005 <http://news.bbc.co.uk/1/hi/world/europe/4614123.stm> date accessed 10 November 2011

¹⁷ Commentary on the March 2011 Country of Origin Information (COI) report on Albania, Dr Julie Vullnetari, Sussex Centre for Migration Research, University of Sussex¹ Olsi Vullnetari MA, Independent Consultant, May 2011 <http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/Evaluation-of-the-Country-of-Origin-Information-Report-on-Albania.pdf> date accessed 10 November 2011

¹⁸ Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston; Addendum; Preliminary note on the mission to Albania (15–23 February 2010), 20 May 2010 http://www.ecoi.net/file_upload/470_1277466564_a-hrc-14-24-add9.pdf date accessed 4 January 2011

punished by fine or up to three years of imprisonment". Sources indicate that there have been prosecutions in Albania for blood-feud-related murders.¹⁹

2.5.3 In its November 2011 report on Albania's implementation of the provisions of the International Covenant on Civil and Political Rights, the UN Human Rights Committee stated that the activity of the police for prevention and investigation of murders of blood feuds has consisted in:

- (i) establishing special structures for the fight against blood feud, especially in areas when this phenomenon is widely spread like in the districts of Shkodra, Lezha, Kukes, Diber, etc.;
- (ii) selecting the staff and their continuous training on specific issues related to prevention and reveal of murders in general and those of blood avenge or vengeance in particular;
- (iii) strengthening the co-operation with prosecution office for investigating quickly these penal offences and bring the offenders before law court;
- (iv) undertaking actions for the seizure of criminal offenders in general and those for blood avenge in particular as a very important means for prevention of blood feud;
- (v) arrangement of activities for the seizure of wanted persons convicted of commitment of murders for the motive of blood avenge, and these have led to reduce evidently blood feud murders;
- (vi) strengthening and institutionalizing co-operation between local government organs and NGOs for settling conflicts by reconciliation;
- (vii) strengthening co-operation between educational directorates and schools for education of the young generation with the spirit of tolerance and prevention of crimes;
- (viii) supporting and cooperating with commission of blood feud reconciliation, always in compliance with law, for the purpose of intermediating the solution by conciliation of conflicts of blood feuds.²⁰

2.5.4 The Special Rapporteur's report, in considering the efforts made stated that:

'... in spite of efforts made, the government has had a limited impact on both limiting the cases of blood feuds and changing the mentality of local communities surrounding the phenomenon. The latter is particularly problematic because of the "... lingering notions that collective punishment is acceptable', 'notions which are utterly incompatible with the... human rights of all individuals'. In some cases '[A] number of interlocutors informed me that they had approached the Government for assistance to end their self-isolation through reconciliation, but the State did little in response.'²¹

¹⁹ IRB - Immigration and Refugee Board of Canada: Statistics on blood feuds; state protection and support services available to those affected by blood feuds, including whether individuals have been prosecuted for blood-feud-related crimes (2007 - September 2010) [ALB103573.E], 15 October 2010 (available at [ecoi.net](http://www.ecoi.net)) http://www.ecoi.net/local_link/148535/249717_en.html date accessed 22 February 2011

²⁰ UN Human Rights Committee. 17 November 2011 CCPR/C/ALB/2. Para 648 [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/11B1D855AE0842CBC1257BAA004C4FD4](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/11B1D855AE0842CBC1257BAA004C4FD4)

²¹ Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston; Addendum; Preliminary note on the mission to Albania (15–23 February 2010), 20 May 2010 http://www.ecoi.net/file_upload/470_1277466564_a-hrc-14-24-add9.pdf

2.5.5 The report continued:

'The UN Special Rapporteur states that there is a widespread perception in Albania that judges and prosecutors can be bribed to reduce charges or lower sentences in blood-feud-related murders. Two sources indicate that blood-feud-related crimes are often either not recognized or are purposely categorized as more ordinary crimes with lesser sentences ... there have been several cases where perpetrators of blood-feud-related crimes have been released from jail after only one or two years.'

'The Commission of the European Communities reports that judicial reform in Albania is at an "early stage" and that the justice system functions poorly due to problems with "independence, transparency and efficiency." The UN Special Rapporteur similarly notes that the Albanian justice system has "serious weaknesses and considerable corruption." Global Integrity refers to the Albanian justice system as "among the most criticized institutions in the country" and states that Albanian society perceives it to be "very corrupt" in comparison with other government departments.'

2.5.6 The US State Department 2012 Human Rights Report: Albania (USSD Report 2012), published on 19 April 2013, stated:

'On June 14, Maria Qukaj, a 17-year-old girl from Shkoder, and her grandfather, Kole Qukaj, were shot and killed near their home by two brothers as part of an ongoing blood feud between two families over irrigation water. Some neighbors and activists claimed authorities were aware of the threat posed by the feud and refused to intervene. The NRC reported 152 blood feud killings during the year. Blood feud cases are tried by district courts. The law punishes premeditated murder, when committed for revenge or a blood feud, with 20 years' or life imprisonment.'

2.5.7 The follow up report of the UN Special Rapporteur (23 April 2013) stated that:

'The former mandate holder stressed the vital need of measures to study the phenomenon of blood feud killings in Albania, through the elaboration of a single definition, comprehensive collection of statistical data, and conduct of interdisciplinary research. The current Special Rapporteur concurs with his predecessor on the importance of such steps that would enable the authorities in Albania to identify the causes, scope and consequences of the phenomenon, as well as to create a solid basis for the elaboration of effective measures to end such killings.'

date accessed 4 January 2011

²² IRB - Immigration and Refugee Board of Canada: Statistics on blood feuds; state protection and support services available to those affected by blood feuds, including whether individuals have been prosecuted for blood-feud-related crimes (2007 - September 2010) [ALB103573.E], 15 October 2010 (available at [ecoi.net](http://www.ecoi.net/local_link/148535/249717_en.html))

http://www.ecoi.net/local_link/148535/249717_en.html

date accessed 22 February 2011

²³ US Department of State, Country Report on Human Rights Practices for 2012, 19 April 2013, section 1a, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dld=204254>

date accessed 20 August 2013

²⁴ United Nations, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, Addendum Follow-up to country recommendations: Albania 23 April 2013 http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.47.Add.4_EN.pdf

date accessed 05 November 2013

2.5.8 The People's Advocate, in his 'Executive summary of the People's Advocate special report on blood feud', April 2013 repeated the call for greater state protection:

'Although State Police statistics show that in the last 10 years there is a general trend of decreasing of murders for blood feud or revenge, various NGOs claim other higher figures ...

'State bodies have not yet been able to make proper assessment of this situation, neither start (sic) to develop a close collaboration with each other. This is shown by the fact that there are no accurate statistics.' ²⁵

2.5.9 In their letter dated 12 June 2014, the British Embassy in Tirana reported recent government action on blood feuds:

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

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2.6. NGOs and Reconciliation Committees (RCs)

2.6.1 The Immigration and Refugee Board of Canada, in a report, 'Albania: Task force established to investigate falsified attestation letters for blood feuds, including activities and cases investigated; reconciliation groups, including whether any have been investigated for providing false attestation letters (2012-February 2014)' dated 28 February 2014, stated that:

".....two of the larger NGOs involved in blood feud reconciliation are the Committee of Nationwide Reconciliation (Komiteti i Pajtimit Mbarëkombëtar, CNR) and the Missionaries for Peace, but there are several smaller NGOs involved in blood feud reconciliation, as well as a number of individuals, such as mediators or elders The People's Advocate Office [also known as the Albanian Ombudsman] (Avokati i Popullit), Albania's national institution that aims to protect citizens' human rights and freedoms in relation to public administrative bodies, has also worked to address the issue of blood feuds In correspondence with the Research Directorate, the Chief of Coordination, International Relations and European Integration of the People's Advocate, noted that their office has cooperative agreements with several NGOs that also deal with blood feuds, although the nature of the agreements is broad rather than specifically about blood feuds ... The People's Advocate reportedly has agreements with the following NGOs that are involved in blood feud issues:

²⁵ Executive summary of the People's Advocate special report on blood feud, April 2013
<http://www.theioi.org/downloads/bddn6/Executive%20summary%20of%20the%20Peoples%20Advocate%20special%20report%20on%20blood%20feud.pdf>
date accessed 30 September 2013

Forumi i Mendimit te Lire;

Fondacioni per Zgjidhjen e Konfliktëve dhe pajtimi e mosmarreveshjeve [Albanian Foundation for Conflict Resolution and Reconciliation of Disputes];

Civil Rights Defenders;

Albanian Helsinki Committee;

Mesuese per femijet e ngjuar ne Shkoder;

Instituti Shtepia e Drejtesise dhe Pajtimi Kombetar [Institute Home of Justice and National Reconciliation];

Tirana Legal Aid Society (ibid.).²⁶

- 2.6.2 The Immigration and Refugee Board (IRB) of Canada, in response to an enquiry on the means by which reconciliation groups begin working on a case, dated 8 October 2010, stated that:

'... there are three main ways in which the reconciliation of blood feuds is initiated: First, a reconciliation group may go to a region that has problems with blood feuds and hold a meeting to explain their role, describe available options and generate interest. Second, the reconciliation group may contact members of feuding families who they believe are trustworthy to see if they would be interested in working with them. Third, individuals involved in blood feuds may approach a reconciliation group and ask for their assistance. The Professor noted that the process is often secretive because it is risky.'²⁷

- 2.6.3 The report continued:

'The aim of the mediation is to establish the facts of the feud and to seek a negotiated solution which is acceptable to both parties. Although there can be a financial settlement (such as paying compensation to the bereaved or offended family), it is the social context - the negotiations undertaken by respected elders or mediation organizations - which is vital to the process of ending the feud.

'The 'besë declaration' is the traditional means of ending a blood feud following a negotiated settlement. It satisfies the honour of both parties and thus ends the cycle of retribution. The actual 'besë' is a solemn pledge made between the two families to end the blood feud. Unless both parties are willing to enter into

²⁶ Canada: Immigration and Refugee Board of Canada, Albania: Task force established to investigate falsified attestation letters for blood feuds, including activities and cases investigated; reconciliation groups, including whether any have been investigated for providing false attestation letters (2012-February 2014), 28 February 2014, ALB104752.E, available at: <http://www.refworld.org/docid/537da9024.html> [accessed 10 June 2014]

²⁷ IRB - Immigration and Refugee Board of Canada: Means by which reconciliation groups begin working on a case; records kept by such groups to document their work; steps normally taken by groups to resolve blood feuds; success rates of reconciliation committees; reasons why groups abandon their resolution efforts; whether attestation letters about blood feuds can be purchased; status of the law on mediation and its effectiveness in resolving blood feuds [ALB103570.E], 08 October 2010 (available at http://www.ecoi.net/local_link/148534/249716_en.html) date accessed 22 February 2011

negotiations, there is no prospect of achieving a 'besë declaration' and the feud will continue indefinitely or until all eligible males have either been killed or have fled the country.' ²⁸

2.6.4 A commentary on the effect of blood feuds and the involvement of RCs can be found in 'Letter from Albania: The brutal custom of blood feuds, by Jeffrey White, 27 June 2008' ²⁹

2.6.5 A 2010 study, An Analysis of Reconciliatory Mediation in Northern Albania: The Role of Customary Mediators discussed the activities of RCs in the regional context. It described the process and the mechanisms utilised by traditional mediators in resolving blood feuds in northern Albania. It described the practice of mediation in northern Albania, and discussed the reasons why people resort to traditional mediators in blood feuds, what their roles are in the process of mediation, forgiveness and achieving peace and what norms or values are used to influence the parties to make peace. ³⁰

2.6.6 According to the European Commission Enlargement Strategy and Progress Report 2010: Albania dated 9 November 2010:

'The number of blood feud killings has decreased, due notably to better policing. Specific criminalisation of blood feuds and blood feud killings, the creation of specialised police units and the establishment of a high-level Coordination Committee have been important steps in this field. However, the incidence of these killings continues to result in the families concerned being self-isolated due to fear of reprisals, thus depriving children of basic rights such as inclusive education. ... [S]everal NGOs have been active in this field, providing support to affected families and contributing to increased awareness of the need to eradicate this phenomenon. Collection of reliable data on blood feud killings is required in order to measure the extent of the problem and address it adequately. Community education, outreach and measures aimed at reconciliation of families are also needed.' ³¹

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2.7. Attestation letters for blood feuds

2.7.1 The Immigration and Refugee Board of Canada, in a report, 'Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the

²⁸ IRB - Immigration and Refugee Board of Canada: Means by which reconciliation groups begin working on a case; records kept by such groups to document their work; steps normally taken by groups to resolve blood feuds; success rates of reconciliation committees; reasons why groups abandon their resolution efforts; whether attestation letters about blood feuds can be purchased; status of the law on mediation and its effectiveness in resolving blood feuds [ALB103570.E], 08 October 2010 (available at ecoi.net)

http://www.ecoi.net/local_link/148534/249716_en.html date accessed 22 February 2011

²⁹ Letter from Albania: The brutal custom of blood feuds, by Jeffrey White, 27 June 2008
<http://www.gadling.com/2008/06/27/letter-from-albania-the-brutal-custom-of-blood-feuds/print/>
date accessed 12 February 2011

³⁰ Celik, Ayse Betul and Shkreli, Alma(2010) 'An Analysis of Reconciliatory Mediation in Northern Albania: The Role of Customary Mediators', Europe-Asia Studies, 62: 6, 885 — 914

http://www.researchgate.net/publication/248392838_An_Analysis_of_Reconciliatory_Mediation_in_Northern_Albania_The_Role_of_Customary_Mediators date accessed 30 October 2013

³¹ Analytical Report, Commission Opinion on Albania's application for membership of the European Union, 9 November 2010 http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/al_rapport_2010_en.pdf
date accessed 31 January 2011

government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters', dated 1 February 2012, stated that:

'In a statement prepared by the Albanian Ministry of Interior for the Research Directorate, an official indicated that some non-governmental organizations (NGOs) in Albania have issued certificates [or attestation letters] to people involved in blood feuds, but these organizations do not have any "legal right" to issue such certificates (Albania 4 Jan. 2012). Similarly, in correspondence with the Research Directorate, the Executive Director of the Albanian Foundation for Conflict Resolution and Reconciliation of Disputes (AFCR), an Albanian NGO established in 1995 for the purpose of conflict resolution and the promotion of tolerance and understanding, stated that some NGOs have issued attestation letters about blood feuds, but that they do not have any official authority to act in this capacity.

'The official of the Albanian Ministry of Interior indicated that the police, prosecution office, and the courts are the state institutions that handle blood feud problems, and that the courts and prosecution office are the only agencies authorized by the government to issue certificates related to blood feuds (Albania 4 Jan. 2012). Without providing details, the official indicated that these certificates can be issued after authorities "evaluate whether a case requires further legal protection or not" (ibid.). In contrast to the official's statement, two NGOs active in blood-feud mediation indicated that, to their knowledge, there are no governmental agencies that issue attestation letters about blood feuds.' ³²

- 2.7.2 The same report continued: 'Regarding the role of NGOs in mediating blood feuds, the Ministry of Interior official explained that NGOs operate in accordance with the Constitution and the 1999 Law on Mediation (Albania 4 Jan. 2012). The official specifically listed the Committee of Nationwide Reconciliation (CNR), the Mission of Feuds Reconciliation, the League of Missionaries of Peace, the AFCR and the Center for Justice and Peace as organizations active in blood feud mediation (ibid.). However, in response to a question about whether any NGOs are approved by the government to verify the authenticity of blood feuds, he noted that NGOs "do not duplicate the powers of the [c]ourt and the [p]rosecution [o]ffice" (ibid.).

'In contrast to the official, the Chairman of the CNR, in a correspondence with the Research Directorate, stated that the CNR is the "only organization recognized by the government and it has full authority, approved by the government to verify blood feuds and issue the attestation letters" (CNR 29 Nov. 2011). In correspondence with the Research Directorate, the chairman of the CNR provided a recommendation letter dated 29 September 2009, which states that the Albanian Ministry of Labor, Social Affairs and Equal Opportunities cooperates with the CNR and recommends "all local and international institutions" to contact the committee with regard to verification of the families in blood feuds (Albania 29 Sept. 2009). The letter further describes the CNR as a [translation] "leading forum of the

³² Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012
<http://www.unhcr.org/refworld/topic.45a5fb512.47f22b8b2.4f5f1ab32.0..ALB.html>
date accessed 14 February 2012

associations and missions of reconciliation" that [translation] "protects the rights of the families affected by ... blood feud[s] ... and certifies all the issues related to the families in blood feuds," and keeps in its archives documents related to the families in blood feuds (ibid.).'³³

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2.8. Purchase of False Attestation Letters

2.8.1 The IRB report, Albania: Attestation letters for blood feuds; ... 1 February 2012, stated that:

'Various sources report that some NGOs have issued false documents about blood feuds (Albania 2 Dec. 2011; APCR 16 Dec. 2011; Belgium 29 Nov. 2011, 4-8; Balkan Insight 5 Dec. 2011; ibid. 27 Oct. 2011; Kohajone.com n.d). In response to an increase in blood-feud related asylum claims in Belgium in September and October of 2011, the head of Belgium's Asylum and Migration Department reportedly claimed that behind the individual asylum seekers "is an entire organisation, networks that provide documents and fake papers in exchange for huge amounts of money" (qtd. in AFP 18 Oct. 2011). According to the Balkan Investigative Reporting Network's publication Balkan Insight, the Belgian official met with Albanian authorities to warn them about possible criminal networks (27 Oct. 2011).

'Balkan Insight found that some NGOs that claim to work for blood feud reconciliation "routinely sell families documents and certificates saying they could become victims of a fatal vendetta if they do not receive asylum ...," even in cases in which no feud or murder exists (Balkan Insight 27 Oct. 2011). The reporter, who went undercover looking to buy a false attestation letter about involvement in a blood feud, was initially offered a certificate by Fran Nikolli, the general secretary of Mother Teresa's Missionaries for Peace, who created a fictitious story about a family targeting the journalist for revenge after an uncle, who was alleged to be a migrant worker in Greece, fatally shot a family member in response to a car accident (ibid.). Nikolli offered to sell such a certificate to the journalist for 250 Euros [343.338 Canadian dollars (CAD) (XE 29 Nov. 2011a)], while he claimed that, if the story had been "real," the price would have been 150 Euros [206.003 CAD (XE 29 Nov. 2011b)] (Balkan Insight 27 Oct. 2011). Moreover, Nikolli said that his organization had released approximately 220 similar certificates in August and September of 2011 (ibid.). However, according to the reporter, Nikolli backed out of issuing the certificate after the Albanian police began investigating his organization (ibid.). Gjin Mekshi, chair of the Shkodra-based "Nationwide Reconciliation Mission, 'Mother Teresa'," also offered to sell the journalist a similar

³³ Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012
<http://www.unhcr.org/refworld/topic/45a5fb512.47f22b8b2.4f5f1ab32.0..ALB.html>
date accessed 14 February 2012

document about the same "imaginary crime" for 200 Euros [274.771 CAD (XE 29 Nov. 2011c)].'³⁴

2.8.2 The report continued:

'Further, sources indicate that two local officials, the head of the town of Postriba and the mayor of Koplik, were indicted for issuing fake certificates about blood feuds. A police representative reportedly stated that the officials "had no legal framework on which to issue such documents and in most cases they are fakes, because the people who received them were not involved in any conflict or vendetta".

'A report by the Office of the Commissioner General for Refugees and Stateless Persons (Commissariat général aux réfugiés et aux apatrides) in Belgium cites information from the Albanian State Police report to the effect that the Association of Peace Reconciliation Missionaries of Albania had also issued fraudulent attestation letters to people who were not involved in any blood feuds.

'The Albanian news agency KojaJone.com, Balkan Insight and the Albanian State Police report on police investigations into the activities of Gjin Marku, the chairman of the CNR, and Pashko Popaj, a member of the Association of Missionaries of Peace and Reconciliation of Blood Feuds, in issuing false documents about blood feuds (Albania 2 Dec. 2011; Balkan Insight 5 Dec. 2011; KojaJone.com n.d.). The Executive Director of AFCR stated that the CNR also has issued false attestation letters and that state authorities have initiated penal proceedings against the organization. According to the KojaJone.com [a daily newspaper] website ,

[Translation]

'[t]he State Police declared that the two individuals are suspected of using their official positions to issue forged certificates to different people with the aim of applying and obtaining unfair asylum in some countries of Europe, thus committing the offense of falsification of documents. Police sources said that according to verifications and the information gathered by the Financial Crime Directorate at the Department of Organized and Serious Crimes of the State Police in cooperation with police counterparts showed that 55 year-old Gjin Marku, and Pashko Popaj issued forged certificates without legal basis to some citizens who do not appear to be in enmity or vengeance. Citizens were issued certificates in order to seek asylum in Belgium. ... Following investigations conducted by police, it was discovered that Mr. Marku and Mr. Popaj issued forged certificates by making use of their official positions. Thus, the police sent materials against both individuals to the prosecutor for further investigation. (KojaJone.com n.d.)

'Similarly, the Albanian state-police press release indicates that the Financial Crime Directorate at the Department of Organized and Serious Crime of the State Police provided materials to the Prosecution Office against Gjin Marku and Pashko Popaj (Albania 2 Dec. 2011). Both individuals were reportedly suspected

³⁴ Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012
<http://www.unhcr.org/refworld/topic/45a5fb512.47f22b8b2.4f5f1ab32.0..ALB.html>
date accessed 14 February 2012

[translation] "of using their official position ... to issue forged certificates to different people with the aim of applying and obtaining unfair asylum in some countries of Europe, thus committing the offense of forgery of documents according to article 186 of the Penal Code" (ibid.). According to the Criminal Code, the punishment for issuing falsified documents in an official capacity is imprisonment for up to seven years and a fine ranging from 200,000 lek [1881.06 CAD (XE 17 Jan. 2012a)] to two million lek [18793.44 CAD (XE 17 Jan. 2012b)] (Albania 2004, Art. 186).'³⁵

2.8.3 This IRB report also stated that:

'In addition, the Office of the Commissioner General for Refugees and Stateless Persons in Belgium, in a report about falsified documents in Albania, notes that the Albanian television program "Fiks Fare," during a 27 October 2011 presentation, showed the president of the Peace Missionaries Union Albania, Pashko Toma, while being filmed with a hidden camera, accepting money for signing and stamping a document that was written by an "undercover" journalist. The president "explained to the journalist that he issues similar attestation letters to Albanians from all over the country and that his secretary knows what to do when she writes these kinds of documents'.

'The same television program showed Gjin Marku, also being filmed with a hidden camera, accepting 300 Euros [392.144 CAD (XE 12 Jan. 2012)] in exchange for the issuance of an attestation letter and the creation of a "vendetta" file for a woman he met for the first time. According to the report,

[Translation]

'[S]he said that the documents were to be used by her brother to seek asylum in Great Britain. The documents were written without the Committee of Nationwide Reconciliation verifying the facts or acting as a mediator in this case. ... Gjin Marku explained to the woman that her brother must say during a hearing that he has proof that he is still in danger. ... The woman explained that actually the family [was] not involved in any vendetta, [but] Gjin Marku told her not to worry about it.... (ibid.)'³⁶

2.8.4 The IRB report continued:

'However, in correspondence with the Research Directorate, the Chairman of the CNR denied the allegations, claiming that they were part of a "political setup". Regarding the incident with the hidden camera, in a statement by the CNR, which

³⁵ Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012
http://www.unhcr.org/refworld/topic/45a5fb512_47f22b8b2_4f5f1ab32_0...ALB.html
date accessed 14 February 2012

³⁶ Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012
http://www.unhcr.org/refworld/topic/45a5fb512_47f22b8b2_4f5f1ab32_0...ALB.html
date accessed 14 February 2012

was signed by the Vice-chairman of the CNR, the Chairman of the National Assembly of the Reconciliation Missionaries and the Secretary and Vice-chairman of the Assembly, and which the Chairman of the CNR provided to the Research Directorate, the authors maintain that the money was charged by the CNR to "cover logistics cost" and the certificate was issued based on the urgency of the case and the lack of time for verification in accordance with the CNR regulations. In earlier correspondence to the Research Directorate, the Chairman claimed that CNR representatives do not receive any money for their reconciliation efforts from families in blood feuds, but that families sometimes pay their travel expenses or accommodations.³⁷

2.8.5 The Committee of Nationwide Reconciliation issued a 'Memo' entitled, About the scenarios and political setups against the Committee of Nationwide Reconciliation to cover the reality of blood feuds and honor killings as well as the mafia connections with the Albanian state, 28 December 2011, which set out their position in more detail.³⁸

2.8.6 The IRB report, Albania: Attestation letters for blood feuds; ... 1 February 2012, further stated that:

'Regarding falsified documents, in 22 November 2011 correspondence to the Research Directorate, the Chairman of the CNR warned that there have been several cases in which his signature has been forged and that he has advised international agencies to verify the authenticity of attestation letters directly with the CNR.

'The CNR claims that there are about 83 so-called "reconciliation associations" such as "League of missionaries of peace and national reconciliation, Mother Teresa Mission of Reconciliation, The Institute of Justice and National Reconciliation, House of Justice and Peace, House of Reconciliation and Peace, etc.". According to the CNR, some of those organizations have issued false attestation letters.

'The Albanian Ministry of Interior has reportedly established a task force to address the problem of counterfeit documents about blood feuds used by asylum seekers. Both the Albanian police director and the Minister of Interior have vowed to prosecute those who prepare such counterfeit documents.

'According to the report of the Office of the Commissioner General for Refugees and Stateless Persons in Belgium, [translation] "considering ... the extent of corruption in Albania, it is impossible to be sure about the level of corruption of certain organizations. As a consequence, the attempt of examining the authenticity of an attestation letter cannot be conclusive". The report also notes that although some organizations have issued fake attestation letters, [translation]

³⁷ Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012

http://www.unhcr.org/refworld/topic_45a5fb512.47f22b8b2.4f5f1ab32.0..ALB.html
date accessed 14 February 2012

³⁸ Memo: About the scenarios and political setups against the Committee of Nationwide Reconciliation to cover the reality of blood feuds and honor killings as well as the mafia connections with the Albanian state. 28 December 2011 <http://www.pajtimi.com/Pajtimi/Memo.pdf>
date accessed 8 February 2012

"it does not mean that all attestation letters issued by those organizations contain false information'.³⁹

- 2.8.7 In correspondence of 23 December 2011 to the Foreign and Commonwealth Office, the Albanian Ministry of the Interior set out the various charges laid and the individuals concerned.⁴⁰ In subsequent correspondence dated 20 June 2012, to the Foreign and Commonwealth Office, the Albanian Prosecution Office Tirana conveyed the result of the investigation concerning Mr Gjin Marku and confirmed that charges had been dropped.⁴¹
- 2.8.8 The provision and availability of suspect documentation continued to be an area of concern with the authorities continuing to make efforts to tackle the problem.⁴²
- 2.8.9 In their letter dated 12 June 2014, the British Embassy in Tirana when reporting recent government action on blood feuds commented that 'The government has also taken steps to tackle the problem of fake blood feud certificates and documentation. A number of arrests have taken place during 2014.' [See [Annex C](#) to view the full letter]

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³⁹ Immigration and Refugee Board of Canada, Albania: Attestation letters for blood feuds; issuing organizations; how letters are issued, processed and stored; whether issuing organizations are recognized by the government; whether the Committee of Nationwide Reconciliation (CNR) has the full authority, approved by the government and recognized by international organizations and institutions, to verify the authenticity of blood feuds; fees for mediation services; issuance of false attestation letters, 1 February 2012

http://www.unhcr.org/refworld/topic/45a5fb512_47f22b8b2_4f5f1ab32.0...ALB.html
date accessed 14 February 2012

⁴⁰ FCO correspondence: Republic of Albania, Ministry of Interior, The General Directorate of State Police, Department against Organised and Serious Crimes-information on the start of investigations on persons who have issued certificates or documents which have then been submitted by Albanian citizens in support of their asylum claims in several European countries, 23 December 2011. Annex B(a)

⁴¹ FCO correspondence: Republic of Albania, Prosecution Office Tirana. Letter to the General Prosecution office, setting out the result of the investigation concerning Mr Gjin Marku, 20 June 2012. AnnexB(b)

⁴² Independent Balkan News Agency, Associations against blood feud assist Albanians who seek asylum in the EU, 19/02/2014 <http://www.balkan.eu.com/associations-blood-feud-assist-albanians-seek-asylum-eu/> date accessed 19 May 2014

Annex A: Map of Albania

Map of Albania, dated 2013, extracted from Mapsofworld.com.⁴³



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⁴³ Maps of World, Political Map of Albania, updated on 23 March 2013, <http://www.mapsofworld.com/albania/> date accessed 07 May 2014

Annex B: FCO correspondence dated 23 December 2011 & 20 June 2012

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

'REPUBLIC OF ALBANIA

MINISTRY OF INTERIOR

The General Directorate of State Police

Department against Organised and Serious Crimes

Subject: Reply

Addressed to: British Embassy

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

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

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

citizens, have been then submitted in support of asylum claims to the relevant authorities in Belgium. Based on our material evidence, the Shkoder Prosecution Office has registered the criminal case Nr 1144 dated 28.10.2011.

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

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

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

Deputy Director General

Agron Kulicaj'

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

'THE REPUBLIC OF ALBANIA

PROSECUTION OFFICE TIRANA

Nr 4131/2 Prot M.M

Tirana, 20.06.2012

Subject: Response

To the General Prosecution Office

TIRANA

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

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

Chairman of the Tirana Prosecution Office

Sokol Malaj'

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Annex C: FCO letter dated 12 June 2014



British Embassy
Tirana

British Embassy Tirane
Rruga "Skenderbej"
Nr.12
Tirane

Tel: 04 2234973
Fax: 04 224 7697
www.fco.gov.uk

12 June 2014

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

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

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

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

Definition of "Kanun" based blood feud

Definition of blood feud is a problem: the term is used loosely in most cases. Blood feud is a long term process guided by a series of ancient unwritten rules setting out the boundaries of 'taking blood'. For example in traditional blood feud, women and children are exempt. Traditional blood feud even allowed the killer to attend his victim's funeral. But modern day criminality and revenge is just that, paying little heed to the principles of the "Kanun", except for the fact of retribution. The definition of blood feud presents a problem exacerbated by the trade in so-called "blood feud certificates". The numbers of asylum claimants at UK borders citing blood feuds is far greater than would be likely from those affected by genuine blood feud. Interlocutors both official and NGO suggested that genuine victims of the practice would not be able to leave their homes, let alone cross the continent.

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

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

Local authority statistics

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

Local authority support

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

Vested interests

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

Actions to mitigate false blood feud claims

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

Declining trend

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

Recent government action

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

Note on earlier Country Information Guidance

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

Yours sincerely,

Deputy Head of Mission
British Embassy Tirana

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Annex D: Caselaw

EH (Blood Feuds) Albania CG [2012] UKUT 00348 (IAC) 15 October 2012.

In this country guidance case, the Upper Tribunal found that:

1. 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.
2. 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.
3. The Albanian state has taken steps to improve state protection, but in areas where Kanun law predominates (particularly in northern Albania) those steps do not yet provide sufficiency of protection from Kanun-related blood-taking if an active feud exists and affects the individual claimant. Internal relocation to an area of Albania less dependent on the Kanun may provide sufficient protection, depending on the reach, influence, and commitment to prosecution of the feud by the aggressor clan.
4. 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.
5. Where there is an active feud affecting an individual and self-confinement is the only option, that person will normally qualify for Refugee status.
6. In determining whether an active blood feud exists, the fact-finding Tribunal should consider:
 - (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 appellant;
 - (iii) the ability of members of the aggressor clan to locate the appellant 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.
7. In order 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 profile as a potential target of the feud identified and which family carried out the most recent killing; and

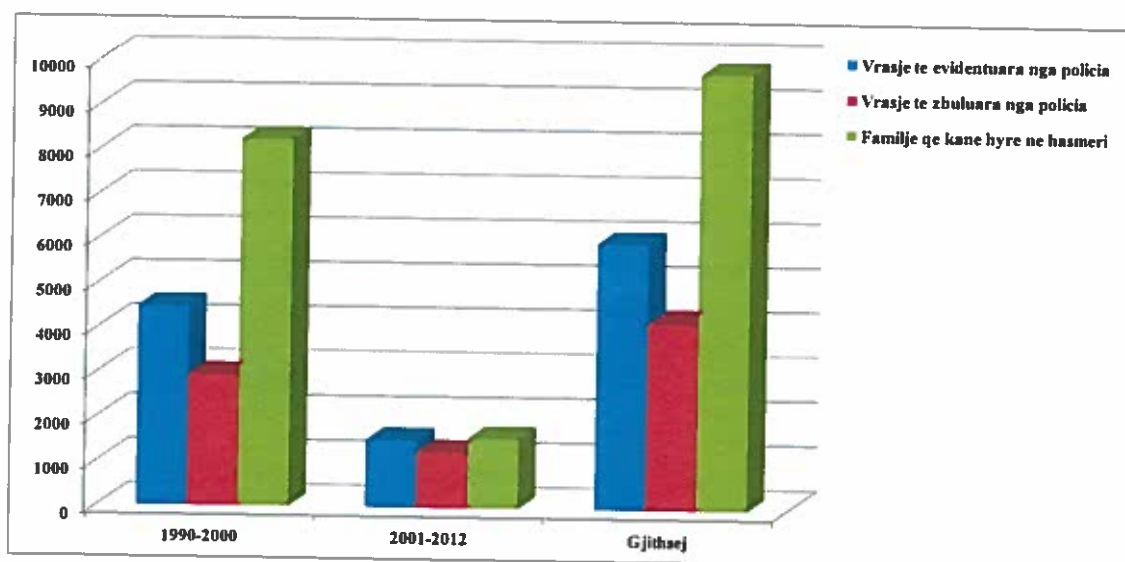
- (ii) whether the appellant has been, or other members of his family have been, or are currently in self-confinement within Albania.
- 8. Attestation letters from Albanian non-governmental organisations (NGOs) should not in general be regarded as reliable evidence of the existence of a feud.
- 9. Documents 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).
- 10. Unless factual, prompt and consistent, Albanian press reports will add little or no evidential weight in considering whether a feud exists.
- 11. 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 fact-finding Tribunal.
- 12. This guidance replaces that contained in TB (Blood feuds – relevant risk factors) Albania CG [2004] UKIAT 000158.

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Annex E: Albanian Police Statistics – Unofficial translation.⁴⁴

STATISTIKA MBI SITUATEN GJATE 1990-2000 DHE 2001-2012																											
nr	Viti	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	1990-2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012 (9 m)	2001-2012	Totali
1	Vrasje te evidentuara nga policia	129	205	251	268	265	210	248	1542	573	496	275	4462	208	179	144	119	131	87	103	88	82	124	135	100	1500	5962
2	Vrasje te zbuluara nga policia	120	177	226	243	228	177	208	674	337	330	209	2929	171	147	112	104	100	75	93	72	72	101	117	85	1249	4178
	sa per gjakmarrye (pa vull 2001)													32	13	12	11	5	4	0	5	1	5	5	5	98	98
3	% e zbulimit nga policia	93	86	90	91	86	84	84	43.7	59	67	76	65.6	82	82	78	87	76	86	90	82	88	81	87	85	83.3	70.08
4	Familje qe kane hyre ne hasmeri per vrasje, te hapura, te fshehura dhe plagosje	361	582	461	394	417	398	476	2910	960	840	430	8229	306	252	191	169	162	121	136	109	113	0	0	0	1559	9788

1. Killings recorded by the police.
2. Murders detected by the police.
3. % detected by the police.
4. Number of families.

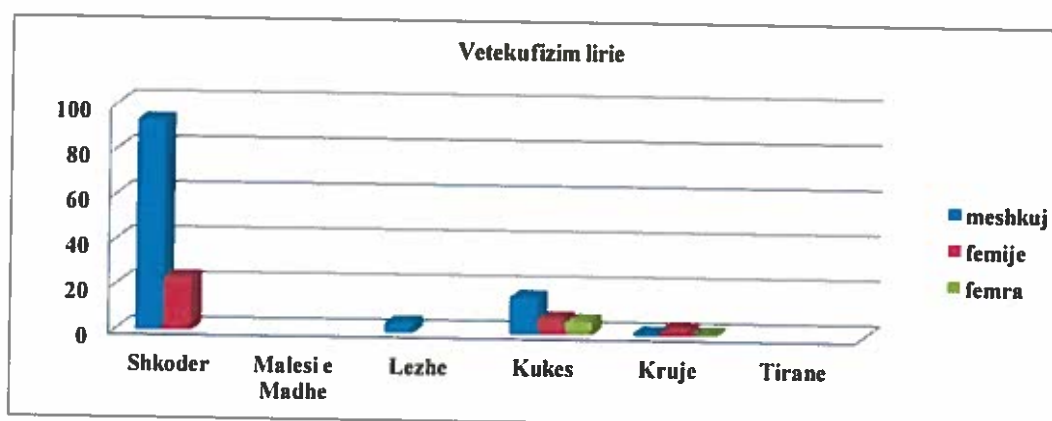
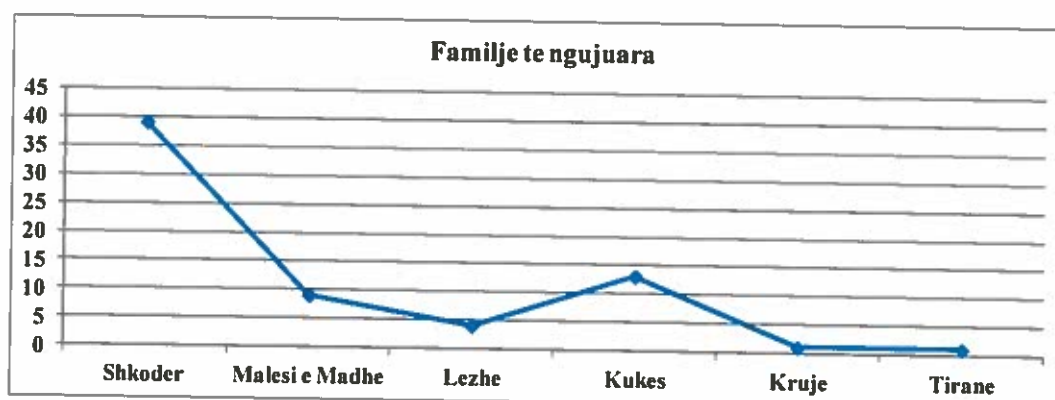


⁴⁴ Factsheets produced by the Albanian State Police, sourced by Foreign and Commonwealth Office, Tirana. Headings translated by CPIT.

STATISTIKA MBI FAMILJET E NGUJUARA

Nr	Emertimi	Rrethi						Totali
		Shkoder	Malesi e Madhe	Lezhe	Kukes	Kruje	Tirane	
1	Familje te ngujuara	39	9	4	13	1	1	67
2	Vetekufizim lirie							
a	meshkuj	93		4	16	1		114
b	femije	23			7	3		33
c	femra				6	1		7
3	Femije qe nuk frekuntojne shkollen	gjithsej ne gjithe vendin						33

1. Isolated families.
2. Self imposed isolation. (a.Men, b.Children, c.Women)
3. Children not attending school.



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