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Landinformationsenheten

Fråga-svar

Blodshämnd och möjlighet till skydd i Albanien

Fråga

Frågan gäller en familj från centrala Albanien, Elbasan. Är blodshämnd vanligt förekommande i de centrala delarna. Har i Lifos 25626 läst att det finns internationella organisationer i norra Albanien som arbetar för att lösa sådana konflikter. Finns det hjälp att få från sådana organisationer i centrala Albanien? Samt hur ser myndighetsskyddet ut?

Svar

US Department of State skriver i april 2011 om straff för blodshämnd:

"During the year there were continuing reports of societal killings, including both generational "blood feud" and revenge killings. Such killings sometimes involved criminal gangs. ... The Court of Serious Crimes tried blood feud cases. The law punishes premeditated murder, when committed for revenge or a blood feud, with 20 years' or life imprisonment."

Storbritannien. Home Office skriver i juli 2010 om myndighetsskyddet:

"...There are a number of reconciliation committees in Albania. For example, the Committee of Nationwide Reconciliation (CNR) is an NGO that works toward encouraging the rule of law in Albania and discouraging the use of Kanun traditions. It has contacts with Albanian state organisations and conflict resolution groups and deals with national policy, arranges conferences and issues reports on blood feuds. An attestation letter is a document that confirms whether a blood feud has occurred. The head of the CNR states that his organisation is the sole authorised provider of attestation letters."

(Canadian Refugee Board (IRB) Issue paper 'Albania Blood Feuds', May 2008)"

"Government efforts relating to blood feuds have reportedly focused on prevention rather than assistance to affected families. Legislation exists to deal with people who commit blood feuds but there is no special law to protect victims. Article 78 of the 1995 Criminal Code, amended in January 2001, sets out the punishment for murder committed as a result of a blood feud. In 2003, the Albanian parliament passed a law entitled 'On the Dispute Resolution through Mediation', outlining who is eligible for blood feud mediations, who can work as a mediator and how the mediation process is conducted. In 2005, the Albanian parliament approved a law establishing a coordination council, chaired by the president, to develop a national strategy against blood feuds and to coordinate activities of government agencies (not yet active). In February 2007 the parliament approved amendments to the Criminal Code to criminalise blood feuds and make them punishable by a 3-year sentence. The Court of Serious Crimes tried blood feud cases. Premeditated murder, when committed for revenge or a blood feud, is punishable by 20 years or life imprisonment, higher than the usual sentence for murder.²³ (USSD 2007/Canadian Refugee Board (IRB) Issue Paper 'Albania Blood Feuds', May 2008)"

"Sufficiency of protection. Local police units report to the Ministry of the Interior and are the main force responsible for internal security. As noted above, the law provides for 20 years to life imprisonment for killing linked to a blood feud and blood feuds are punishable by a 3-year sentence. The government has set up a special crimes court and a witness protection programme. There have been prosecutions in blood feud murder cases. The commissioner for Human Rights in Europe stated that police managers have supported reconciliation activities and the CNR. Despite formal efforts made by the authorities to address the issue, some involved in blood feuds may not report the matter to the authorities because of mistrust of state institutions and/or because they choose to execute retribution outside of the legal system. There is no evidence to indicate that individual Albanians fearing the actions of those seeking to carry out a blood feud cannot access protection from the Albanian police and pursue these through the legal mechanisms that have been set up to deal with blood feuds. (Canadian Refugee Board (IRB) Issue paper 'Albania Blood Feuds', May 2008)"

"Internal relocation. The law provides freedom of movement within Albania and the Government generally respected this right in practice. Internal migrants must transfer their civil registration to their new community to be entitled to government services, and must prove they are legally domiciled either through property ownerships, a property rental agreement or utility bills. Many cannot provide this proof and thus lack access to essential services. Whilst there may be some difficulties accessing local services internal

relocation to escape the localized threat of a blood feud will not generally be unduly harsh. Whether internal relocation would enable an individual to avoid a threat in an individual case will depend on the commitment of those attempting to enforce the blood feud.(26 USSD 2007)"

"Conclusion. In general, the Albanian Government is able and willing to offer effective protection for its citizens who are the victims of a blood feud; however, there may be individual cases where the level of protection offered is, in practice, insufficient. The level of protection should be assessed on a case by case basis taking into account what the claimant did to seek protection and what response was received. Internal relocation may be appropriate in some cases."

Research Directorate, Immigration and Refugee Board of Canada skriver i oktober 2009 om NGOs, CNR (Committee of Nationwide Reconciliation), att polisen har fullständig information om alla albanska familjer som är inblandade i blodsfejder. Här finns information från bl.a. muntliga källor i Elbasan :

"According to the Academic, the CNR has the "full support" of Albanian authorities such as the President and Ombudsman and "cooperates closely with the General Director of the State Police..." (15 July 2009). The CNR Representative also provided the following information:

The CNR is the only organization cited and recognized by ... international organizations [on the blood feud] issue. The European Parliament, Council of Europe, European Commission, OSCE, United States Department of State, Home Office of Great Britain, CEDOCA in Belgium, German government and other Western European countries refer to [the] CNR for verifying the authenticity of blood feuds.... (11 July 2009)

In 29 September 2009 correspondence with the Research Directorate, the CNR provided additional supporting documentation from Albania's Ministry of Labour, Social Affairs and Equal Opportunities:

The Committee of Nationwide Reconciliation is a leading forum of associations and missions of reconciliation at the national level and protects the rights of families affected by the phenomenon of blood feud."

"The Ministry of Labour, Social Affairs and Equal Opportunities cooperates with the Committee of Nationwide Reconciliation for the national strategy in the elimination of this tragic phenomenon. The Committee of Nationwide Reconciliation archives and certifies all issues related to families in feud and blood feud in dealing with the Albanian local institutions as well as international organizations"

"However, an official with the Albanian Police, "a structure of the Ministry of Interior" (Albania 4 June 2007), stated in correspondence with the Research Directorate that the CNR "is not

authorized to issue documents or certificates to persons or families who [have] blood feud problems" (ibid. 22 Sept. 2009). The Police Official stated that "the CNR may have some information on these families" but it is the Albanian State Police who have "full information on all Albanian families involved in blood feuds" (ibid. 2 Oct. 2009). However, the BIRN Representative stated that the Ministry of Interior "keeps records and statistics about blood feuds, but that does not mean they are accurate, and show the depth of the phenomena" (27 Sept. 2009)."

"...Oral sources: Attempts to contact a former Albanian mayor, three mediation centre coordinators in Elbasan, Gjirokaster and Shkodra,..."

Country of Return Information Project skriver i maj 2009 om brist på säkerhet och förekommande blodshämnd i Elbasan :

"Some regions of Albania, especially the mountainous areas and Dibra, Kukesi, Elbasani and Shkodra, offer little or no opportunity for return or reintegration because of extreme poverty and the lack of basic services.¹¹³ In some regions the phenomenon of blood feuds can hinder or prevent reintegration opportunities.¹¹⁴ (114 See Chapter 2.2: "Regions with high security risk")"

Källor

Country of Return Information Project, *Albania: "Country Sheet; Albania"*, maj 2009

http://www.ecoi.net/file_upload/470_1258194210_cs-albania-en.pdf

Immigration and Refugee Board of Canada: *Issue Paper Albania Blood Feuds*, maj 2008

http://www.ecoi.net/file_upload/1684_1243258524_http-www2-irb-cisr-gc-ca-en-research-publications-index-e-htm.pdf

Immigration and Refugee Board of Canada, Research Directorate, Responses to information requests (RIRs), 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*, 2009-10-22

http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?l=e&id=452575

Storbritannien. Home Office, *Operational Guidance Note. Albania*, 2010-07-01, (Lifos 19964)

<http://www.unhcr.org/refworld/pdfid/4c4957862.pdf>

US Department of State, *2010 Country Reports on Human Rights Practices - Albanien*, 2011-04-08

<http://www.unhcr.org/refworld/docid/4da56def0.html>

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