Albania – Researched and compiled by the Refugee Documentation Centre of Ireland on 4 November 2011

Information on blood feuds in Albania. How common are they at present? What is their legal status? What options are available to those involved?

A *European Commission* report on Albania states:

> "Blood feuds and extra-judicial killings continue to affect some sections of the population, with some families still choosing self-isolation for fear of reprisals. Although there is a lack of fully reliable data on the numbers involved, sources indicate that this phenomenon continues to exist and remains an issue of concern." (European Commission (12 October 2011) *Albania 2011 Progress Report*, p.15)

A *UN Human Rights Council* report, in a section headed "What is a blood feud?" (paragraph 5), states:

> "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." (UN Human Rights Council (20 May 2010) *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Addendum : Preliminary note on the mission to Albania*, p.3)

Paragraph 6 of this report states:

> "The situation is governed by culturally understood rules, generally derived from the kanun, as codified by Lekë Dukagjini in the fifteenth century and updated in the first half of the twentieth century by Shtjefen Gjeçov. Despite the importance of these codification efforts, the kanun is largely a set of orally transmitted customary rules, the content of which differs from region to region and over time. The shared understanding is that the killer's family is implicated by his act, thus entitling the victim's family to take revenge against them. Generally, it is not permitted to kill a family member in his own home or to kill women or children. Thus, when a killing occurs, the male members of the killer's family immediately 'self-isolate' and do not leave their home. This self-isolation is maintained even where there are no specific threats or assault attempts by the other family. The isolated family presumes that an attack is possible, unless the other family offers them a *besa* (an often limited or temporary reprieve from the threat of revenge). They often also feel that, in the absence of a *besa*, honour requires them to remain isolated, even where there has been no concrete threat." (ibid, pp.3-4)

Paragraph 7 states:

> “The blood feud continues until the lost blood is avenged, or until the family of the deceased man forgives the killer’s family. When it occurs, forgiveness generally follows lengthy mediation, and is formalized in a reconciliation ceremony.” (ibid, p.4)

In a section headed “The disputed extent of blood feuds” (paragraph 8) this report states:

> “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.” (ibid, p.4)

See also Paragraph 9 in this section which states:

> “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.” (ibid, p.4)

Paragraph 4 of this report states:

> “In a nutshell, the numbers of blood feud killings in Albania has decreased steadily over the past five years, but the phenomenon has not been entirely eliminated. Moreover, its broader implications continue to have a corrosive effect on society. The most important problems are significant self-isolation by families fearing a revenge killing, and a continued belief in the legitimacy of the collective punishment of a wrongdoer’s family members, even when they are completely innocent in the matter. By the same token, exaggeration of the magnitude of the problem can significantly hinder reform endeavours.” (ibid, p.3)

A *New York Times* article states:

> “Under the Kanun, an Albanian code that has been passed on for more than 500 years, ‘blood must be paid with blood.’ A victim's family is authorized to avenge a slaying by killing any of the killer's male relatives. The Kanun's influence is waning, but it served as the country's constitution for centuries, with rules governing matters like property ownership, marriage and murder. The National Reconciliation Committee, an Albanian nonprofit 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 the country in 1991. Since that time, 9,500 people

> have been killed and nearly 1,000 children deprived of schooling because they have been locked indoors." (New York Times (10 July 2008) *Tenacious custom of feuding isolates Albanian families*)

An article published by the Albanian newspaper *Republika*, in a paragraph headed "Blue (sic) Feuds, in the Name of Kanun"

> "As a result of blood feuds, a legal provision in the Kanun in the time of Leke Dukagjini, 6,000 families with 1,000 children live in self-incarceration today. In the last 19 years, there have been over 9,800 victims of this custom. These are victims of a phenomenon that has left a part of the north hostage to medieval customs. The fight to eradicate this 600-old bloody phenomenon seems to be one of the greatest challenges of the Albanian society, which is getting closer to Europe every day." (Republika (24 October 2010) *Albanian Evangelists rally against blood feuds after pastor's murder* (translated from Albanian))

An article published by *The Telegraph* describes the consequences of a blood feud for an Albanian family as follows::

> "In the best tradition of Balkans quarrels, it all began with a mix of strong brandy, fiery tempers and very long memories. One hot summer's night in 2000, Pellumb Morevataj, a man with a big thirst and a bigger ego, was out drinking in his village in northern Albania when a friend made a chance remark about how the Morevataj family had backed down in a feud some half a century before. An argument ensued, and an evening that should have ended with nothing worse than bad hangovers all round resulted in Pellumb shooting his drinking companion dead. The blood has not stopped flowing ever since. Ten years later, on the wall above the doorway of her dingy parlour, Pellumb's sister-in-law, Shkurte, has a gallery of photos of dead relatives, all martyrs to the family honour that was offended that night. In one are Pellumb's two brothers, killed in revenge by his victim's relatives in 2002. In another is Pellumb himself, who was shot dead in 2006, although not before he had avenged his brothers' deaths with two more murders. And in a third is his grieving wife, who committed suicide a year later." (The Telegraph (1 July 2010) *Albania's modern-day blood feuds*)

This article also states:

> "Yet here in Albania, there is an aspect to such feuds that make them unique - namely, that both sides in the feud claim to be acting entirely within the law. Not the law of 21st-century Europe, but a law that is much older, and in many parts of this ex-Communist state, the only one that is respected. The Kanun, or canon, is a 500-year-old code of conduct covering every aspect of medieval life, from births and marriages to hunting and grazing rights. And amid its edicts on the duties of a village blacksmith, and the penalties for allowing a goat to stray onto a neighbour's land, it lays out detailed procedures for blood feuds, with a chillingly loose definition of an eye-for-an-eye. When someone is killed, revenge can be exacted not just against the killer himself, but all males in his extended clan." (ibid)

An *Irish Times* article states:

> “With existing deaths for family dishonour among Muslims throughout Europe, whose perpetrators regard themselves as obeying a law higher than that of the host country, the EU is especially anxious that Albania stamps out the blood feud before it can be seriously assessed as an EU applicant. Albania has established the Committee of Nationwide Reconciliation to address the phenomenon, but its pervasiveness, especially in remote rural areas in the north of the country, where tribal customs still predominate over national laws, makes it almost impossible to suppress entirely. As a team of Serbian sociologists reported in 2004, it is difficult to comprehend the character, mentality and pattern of behaviour of Albanians without taking into account the kanun. Not only is it far from being eradicated but, down to the present day, its norms continue to regulate many of the Albanians daily life matters.” (Irish Times (26 June 2009) *Albania's deadly tradition of blood feuds as pervasive as ever*)

An article from *The Guardian* states:

> “Albania, which hopes to make its application for membership of the EU official this year, has made a radical break with its communist past. But blood feuds, one of its most deep-rooted customs, are still very much alive, demanding an eye for an eye in an endless spiral of grief. Just an insult or some breach in marital morals may justify bloodshed. The ancestral code of Kanun, which has governed rural life in Albania for five centuries, still holds sway, particularly in the mountainous north.” (The Guardian (5 July 2011) *Ancient blood feuds cast long shadow over hopes for a modern Albania*)

This article refers to the illegality of blood feuds as follows:

> “Albanian's penal code refers to vendetta as premeditated murder, but the courts are still at a loss to know how to cope with this parallel system of justice. ‘Families feel entitled to take vengeance,’ says Përparim Kulluri, the public prosecutor in Shkodër. ‘We've seen cases where the relations of a victim have given testimony clearing the accused, so that they can settle the score themselves.’” (ibid)

The 2011 *US Department of State* country report on Albania, in a section headed “Arbitrary or Unlawful Deprivation of Life”, states:

> “During the year there were continuing reports of societal killings, including both generational ‘blood feud’ and revenge killings. Such killings sometimes involved criminal gangs. According to the Interior Ministry, there were five blood feud-related killings during the year. However, NGOs reported 55 blood feud-related killings during the year. According to NGOs, fear of blood feud reprisals effectively imprisoned approximately 1,490 families their homes. 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.” (US Department of State (8 April 2011) *2010 Human Rights Report: Albania*)

An *Immigration and Refugee Board of Canada* response to a request for information, in a section headed “State protection”, states:

> “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 punished by fine or up to three years of imprisonment' Sources indicate that there have been prosecutions in Albania for blood-feud-related murders. The Albanian Justice Minister reportedly stated that in 2007, there were 13 people prosecuted for blood-feud-related murders. Statistics on the number of prosecutions for 2008 and 2009 could not be found among the sources consulted by the Research Directorate." (Immigration and Refugee Board of Canada (15 October 2010) *ALB103573.E – Albania: 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)*)

See also *Immigration and Refugee Board of Canada* response which, in a section headed "How reconciliation groups begin working on cases", refers to the options available to families involved in a blood feud as follows:

> "In 10 and 15 September 2010 correspondence with the Research Directorate, a sociology and anthropology research associate at Colgate University, who is also an honorary research fellow at the Department of Peace Studies at University of Bradford, who has published research about Albania and served as a paid expert witness in blood-feud-related asylum claims (in the United Kingdom), stated that blood-feud reconciliation is often attempted by appealing to local elders, but when that fails, female relatives, because not targets of the feud, will often approach larger reconciliation groups such as the Committee of Nationwide Reconciliation (CNR)." (Immigration and Refugee Board of Canada (8 October 2010) *ALB103570.E – Albania: 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*)

In a section headed "Steps taken to resolve blood feuds" this response states:

> "Several sources indicate that one of the first steps in blood-feud reconciliation is to approach family members of the victim. According to the Chairman of CNR, mediators contact the victim's relatives, such as uncles, or clan elders who are reputed to be tolerant and influential with the victim's relatives. The Research Associate at Colgate University stated that the reconciliation group would either contact 'the family to whom blood is owed' or use an intermediary to ensure that the family would agree to meet them. According to the Professor at IPFW, the process generally follows the same pattern: the reconciliation group works with a family member whom they trust, and, with the help of that person, tries to convince the male family members to agree to reconciliation. He stated that it is usually necessary for all family members to agree to reconciliation for it to occur. Once agreement is unanimous, the group prepares a reconciliation document that both families sign to indicate their agreement to stop the feud. The Research Associate at Colgate University stated that there are several ways that a blood feud may end, including payment of money, agreement that the responsible party will

move away, the offer of a daughter for marriage, or forgiveness without any compensation." (ibid)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

European Commission (12 October 2011) *Albania 2011 Progress Report*
http://www.ecoi.net/file_upload/1788_1318854194_al-rapport-2011-en.pdf
(Accessed 4 November 2011)

The Guardian (5 July 2011) *Ancient blood feuds cast long shadow over hopes for a modern Albania*
http://www.guardian.co.uk/world/2011/jul/05/albania-kanun-blood-fueds-smolar/print
(Accessed 4 November 2011)

Immigration and Refugee Board of Canada (15 October 2010) *ALB103573.E – Albania: 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)*
http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=453190&l=e
(Accessed 4 November 2011)

Immigration and Refugee Board of Canada (8 October 2010) *ALB103570.E – Albania: 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*
http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=453164&l=e
(Accessed 4 November 2011)

Irish Times (26 June 2009) *Albania's deadly tradition of blood feuds as pervasive as ever*
http://www.lexisnexis.com
(Accessed 4 November 2011)
This is a subscription database

New York Times (10 July 2008) *Tenacious custom of feuding isolates Albanian families*
http://www.nytimes.com/2008/07/10/world/europe/10iht-feud.4.14397736.html?pagewanted=print
(Accessed 4 November 2011)

Republika (24 October 2010) *Albanian Evangelists rally against blood feuds after pastor's murder* (translated from Albanian)
http://www.lexisnexis.com
(Accessed 4 November 2011)
This is a subscription database

The Telegraph (1 July 2010) *Albania's modern-day blood feuds*
http://www.telegraph.co.uk/news/worldnews/europe/albania/7843351/Albanias-modern-day-blood-fueds.html
(Accessed 4 November 2011)

UN Human Rights Council (20 May 2010) *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Addendum : Preliminary note on the mission to Albania*
http://www.unhcr.org/refworld/pdfid/4c29b1152.pdf
(Accessed 4 November 2011)

US Department of State (8 April 2011) *2010 Human Rights Report: Albania*
http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154409.htm
(Accessed 4 November 2011)

Sources Consulted:

BBC News
Electronic Immigration Network
European Country of Origin Information Network
Immigration and Refugee Board of Canada
Lexis Nexis
Refugee Documentation Centre Query Database
Refugee Review Tribunal
UNHCR Refworld
US Department of State