



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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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)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

### Statistics

Several sources indicate that statistics regarding blood feuds in Albania vary widely (UN 20 May 2010, para. 3; Balkan Insight 8 Apr. 2010; AFRC 24 Sept. 2010; Professor 24 Sept. 2010). According to a report by the Special Rapporteur for the United Nations (UN) Human Rights Council (HRC) following his nine-day mission to Albania in February 2010, the discrepancies in the data are a result of "definitional differences; underreporting; limited coverage of issues; and incentives to overstate" (UN 20 May 2010, para. 11). He explained that the government uses "inadequate data-gathering and recording techniques, and insufficient coordination" and has "an understandable concern to play down the issue" (ibid. para. 3 and 10). However, he also noted that many government representatives and observers expressed concern that some non-governmental organizations (NGOs) exaggerate the extent of the problem in order to secure funding (ibid. para. 15). In a 24 September 2010 telephone interview with the Research Directorate, a history professor and chair of Indiana University-Purdue University Fort Wayne (IPFW) stated that statistics are generally "problematic" in Albania, and are "often used for political reasons."

According to statistics posted on the website of the Albanian State Police (ASP), in 2007 there were a total of 94 murders, none of which were blood-feud related, while in 2008 there were 86 murders, 4 of which were blood-feud related (Albania 2008). A presentation on state police activity for 2009 indicates that there were a total of 79 murders, 1 of which was motivated by blood feud, 1 by revenge, 6 by property disputes, and 52 by "undetermined motivation" (ibid. Jan. 2010). The United States (US) Department of State's Country Reports on Human Rights Practices for 2009 also states that the Interior Ministry reported one blood-feud-related murder in 2009 (US 11 Mar. 2010, Sec. 1a).

The Committee of Nationwide Reconciliation (CNR, Komiteti I Pajtimit Mbarëkombëtar) maintains that it is in the Albanian government's interest to state that blood-feud figures provided by NGOs are "artificially increased" (CNR 16 Apr. 2010). In a 16 April 2010 letter sent to the UN HRC Special Rapporteur and posted on the CNR website, the CNR maintained that, in 2008, there were 29 murders motivated by blood feud and 32 by honour; and 31 blood-feud murders and 36 honour killings in 2009 (ibid.). These figures were amended somewhat

when, in 19 September 2010 correspondence with the Research Directorate, the Chairman of the CNR provided the following statistics about the number of murders motivated by "revenge and blood feud" and by honour:

<b>Year</b>	<b>Revenge and Blood Feud</b>	<b>Honour</b>
2008	38	42
2009	36	39
1 Jan-30 June 2010	26	31

The CNR Chairman explained that these statistics are gathered from the CNR's representatives in 2,800 villages, 32 districts and 16 regions of Albania, and that most of the information is provided confidentially by the families and persons in conflict (ibid.). He also explained that the figures for a particular year can change as new, previously unknown information becomes available (ibid.). In separate documentation provided to the Research Directorate, the CNR claims that there were 10,000 murders for honour, blood feud and revenge between 1990 and 2009 (CNR 2009). The CNR Chairman explained that this number includes all villages, districts and regions of Albania, and can be verified "in the cemeteries of the villages and towns" (ibid. 19 Sept. 2010).

In 27 September 2010 correspondence with the Research Directorate, the Executive Director of the 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 (AFCR 24 Sept. 2010), stated that, based in part on media reports, he was of the opinion that there were between three and seven blood-feud-related murders in 2009 (ibid. 27 Sept. 2010).

The UN Special Rapporteur, comparing statistics for blood-feud-related murders, pointed out that in 2009 they ranged from one blood-feud murder identified by the Albanian government, over 30 claimed by an unnamed civil society group, to the "hundreds" reported each year by the media (UN 20 May 2010, para. 8-10). He expressed the opinion that the "correct" number of killings is likely "much closer" to the government figures (ibid.).

Several sources, including the CNR, indicate that the number of blood-feud cases has been decreasing (ibid., para. 4; Professor 15 Sept. 2010; EU 14 Oct. 2009, 11; CNR 16 Apr. 2010). The IPFW Professor states that the decrease is due to "some improvements in state institutions" and the emigration of people involved in conflicts (15 Sept. 2010). The Commission of the European Communities credits the decrease to "improved prosecution of perpetrators and to the reconciliation efforts led by civil society" (EU 14 Oct. 2009, 11). The CNR argues that the decrease in blood-feud-related killings is not a result of efforts by state institutions or the rule of law; rather it is a result of blood-feud reconciliation and the emigration of affected families (16 Apr. 2010).

Statistics on the number of families who live in isolation out of fear of blood-feud reprisal also vary widely (Balkan Insight 8 Apr. 2010; UN 20 May 2010, para. 8-9). 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 [also spelled Shkodër] (ibid.). The AFCR Executive Director also said that most blood feuds occur in northwestern

Albania (24 Sept. 2010). 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 (ibid.). 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 (OSCE 14 Sept. 2009, 11). 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 Durrës, and 138 families in Vlorë (2009).

## **State protection**

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" (Albania 1995). 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" (ibid.).

Sources indicate that there have been prosecutions in Albania for blood-feud-related murders (Research Associate 15 Sept. 2010; Professor 15 Sept. 2010; US 11 Mar. 2010, Sec. 1a). The Albanian Justice Minister reportedly stated that in 2007, there were 13 people prosecuted for blood-feud-related murders (BBC 18 Nov. 2008). Statistics on the number of prosecutions for 2008 and 2009 could not be found among the sources consulted by the Research Directorate.

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 (UN 20 May 2010, para. 39). Two sources indicate that blood-feud-related crimes are often either not recognized or are purposely categorized as more ordinary crimes with lesser sentences (Honorary Research Fellow 22 Sept. 2010; CNR 22 Feb. 2010). 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, 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 there have been several cases where perpetrators of blood-feud-related crimes have been released from jail after only one or two years (Research Associate 15 Sept. 2010).

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" (EU 14 Oct. 2009, 11). The UN Special Rapporteur similarly notes that the Albanian justice system has "serious weaknesses and considerable corruption" (UN 20 May 2010, para. 17). 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 (Global Integrity 2008).

Sources indicate that criminal proceedings are often not regarded by the

aggrieved party as a resolution to a blood feud (Senior Research Fellow 24 Sept. 2010; UN 20 May 2010, para. 18). In 24 September 2010 correspondence with the Research Directorate, a senior research fellow at St. Chad's College, Durham University, who is a specialist on Albanian blood feuds, explained that, "[a]t best, prosecution and imprisonment of offenders can merely postpone the taking of vengeance by an aggrieved family." He added that "imprisonment of one male from a family seeking revenge is unlikely to act as a deterrent to other males from taking revenge to 'cleanse' their family's honour" (Senior Research Fellow 24 Sept. 2010). The Research Associate at Colgate University notes that the murderer is often killed upon release from prison (10 Sept. 2010). The UN Special Rapporteur expressed the opinion that the government could track blood-feud-related threats more effectively and prosecute them more frequently (UN 20 May 2010, para. 19).

The Commission of the European Communities indicates that Albania has not adopted a coordinated strategy for combating the blood-feud problem (EU 14 Oct. 2009, 11). The Research Associate at Colgate University characterized the Ombudsman's role in resolving blood feuds as "very weak" (10 Sept. 2010).

Sources report that the Albanian police often do not get involved in blood-feud disputes until a crime has taken place (Senior Research Fellow 24 Sept. 2010; CNR 13 Sept. 2010). The Senior Research Fellow stated that families in isolation because of blood feuds "usually report that they receive no support from the Albanian authorities" (24 Sept. 2010). The CNR Chairman similarly stated that the Albanian police and the Albanian state do not provide any protection to families involved in blood feuds (CNR 13 Sept. 2010). The Senior Research Fellow stated that individual police officers are often reluctant to get involved in blood feuds because of the potential danger to themselves and their families (24 Sept. 2010). Two sources report that police officers risk being drawn into feuds or murdered (Honorary Research Fellow 22 Sept. 2010; CNR 22 Feb. 2010).

### **Education for children of families involved in feuds**

Several sources report that the Albanian government is providing educational assistance to the children of families isolated because of blood feuds (AFRCR 24 Sept. 2010; Honorary Research Fellow 22 Sept. 2010; Professor 15 Sept. 2010; UN 20 May 2010, para. 14; Seven, *The Sunday Telegraph Magazine* 20 June 2010) through a program called "Second Chance" (ibid.; UN 20 May 2010, para. 14; *Balkan Insight* 8 Apr. 2010). According to the head of the Shkodra school district, reports regional media source *Balkan Insight*, 41 such children in the region are receiving home schooling based on a curriculum approved by the Ministry of Education (ibid.). The UN Special Rapporteur notes that the Second Chance program offers schooling only up to grade nine (UN 20 May 2010, para. 14).

*Balkan Insight* reports that there was a boarding school in the town of Polican for the children of families isolated by blood feuds, but that it was closed following the discovery that its funds were being mismanaged (*Balkan Insight* 8 Apr. 2010). An earlier *Balkan Insight* article indicates that the former Albanian Minister of Labour was charged with abuse of power related to the funding of the school, which was run by an unlicensed NGO and given funds by the ex-minister (ibid. 15 May 2008). The NGO mishandled the funds and the children at the school were reportedly malnourished (*Balkan Insight* 15 May 2009). Further information about this boarding school could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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#### Additional Sources Consulted

**Oral sources:** Attempts to contact officials at the Embassy of Albania in Ottawa and representatives of Caritas were unsuccessful within the time constraints of this Response. Three academic sources were unable to provide information.

**Internet sites, including:** Albanian Ministry of Interior, Council of Europe, Country of Return Information Project (CRI Project), European Country of Origin Information Network (ecoi.net), Freedom House, Human Rights Watch, International Crisis Group, Legislationline, Office of the United Nations (UN) High Commissioner for Refugees (UNHCR) Refworld, Transitions Online (TOL).

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