

Comunità Papa Giovanni XXIII
Komuniteti Papa Xhovani XXIII



CONTACTS:

**Operazione Colomba -
Nonviolent Peace Corps of the
Association Comunità Papa Giovanni XXIII**

Italy

Website: www.operazionecolomba.it

Email: operazione.colomba@apg23.org

Tel: +39 0541 29005

Facebook: Operazione Colomba

Albania

Website: www.kundergjakmarrjes.org

Email: operazionecolomba.al@apg23.org

Tel: +355 69 4007283

Facebook: Kundër Gjakmarrjes



Operazione Colomba – Nonviolent Peace Corps

*DESCRIPTIVE DOCUMENT ON THE PHENOMENON OF “HAKMARRJA”
AND “GJAKMARRJA” TO RAISE AWARENESS AMONG ALBANIAN AND
INTERNATIONAL INSTITUTIONS
- III EDITION -*

Drafted in December 2017 by Operazione
Colomba - Nonviolent Peace Corps
of the Association Comunità Papa Giovanni XXIII -
Komuniteti Papa Xhovani XXIII¹

1 Update of the “Descriptive Document on the phenomenon of ‘hakmarrja’ and ‘gjakmarrja’ to raise awareness of Albanian and international institutions”.



INDEX

Introduction	4
1. Blood feud - causes and context	6
2. Features, dynamics and consequences of blood feud	11
3. Geographic and numerical distribution of blood feuds	18
4. Role of Albanian institutions in the fight against blood feud	25
4.1 Albanian institutions' approach to blood feud	27
4.2 Collaboration between Albanian institutions and Operazione Colomba	29
5. Recommendations	32
5.1 Mediation counselling	33
5.2 General reconciliation process	36
Bibliography	39



DESCRIPTIVE DOCUMENT ON THE PHENOMENON OF “HAKMARRJA” AND “GJAKMARRJA”² TO RAISE AWARENESS AMONG ALBANIAN AND INTERNATIONAL INSTITUTIONS

By Operazione Colomba, the Nonviolent Peace Corps of the Association Comunità Papa Giovanni XXIII³.

- 2 In this report, cases of *hakmarra* and *gjakmarra* are described using the term “blood feud”. The report focuses mainly on the north of the country where Operazione Colomba has a presence but does not entirely ignore the other parts of Albania.
- 3 Comunità Papa Giovanni XXIII Association works around the world on projects to deal with the enormous problem of social exclusion. The Community's approach is based on sharing the lives of the poor and removing the causes of social injustice. The Community is present in around 40 countries world-wide with its family houses, social co-operatives, day-care centres, therapeutic communities, fraternity homes and other forms of assistance. The Association has a presence in Tirana (reception facility for the homeless), in the village of Nenshat (therapeutic community), in Shkodra (two family houses) and Operazione Colomba.



INTRODUCTION

Operazione Colomba is the Nonviolent Peace Corps of the Comunità Papa Giovanni XXIII Association. Civilian peace corps are made up of groups of civilians who go into armed conflict environments as third parties with the aim of protecting human rights and civilians, preventing dispute escalation, building confidence⁴ and creating nonviolent solutions to disputes using nonviolent instruments.

Since 1992 Operazione Colomba has been involved in nonviolent civilian peacekeeping, peace-making and peace-building in several armed conflict's areas (e.g. the former Yugoslavia, Sierra Leone, Kosovo, East Timor (Indonesia), Chiapas (Mexico), North Uganda, etc.). Today, Operazione Colomba is working in Israel/Palestine (since 2002), Colombia (since 2009), Albania (since 2010) and in Lebanon alongside Syrian refugees (since 2013). This report is based on the work done by Operazione Colomba with the victims of blood feuds in northern Albania.

Since 2005 the contacts the Italian and Albanian workers of Comunità Papa Giovanni XXIII Association have made with feuding families have enabled them to understand, monitor and report the practice of blood feud. Comunità Papa Giovanni XXIII Association has asked Operazione Colomba to help produce a strategy for the nonviolent resolution of disputes triggered by blood feud situations.

Operazione Colomba has had a permanent physical presence in the Shkodra area since March 2010 and a monthly presence in the Tropoja area since October 2010. For over seven years its Italian and Albanian volunteers have been working to provide nonviolent ways of containing and resolving disputes arising from feuds between families.

Operazione Colomba's main aim in Albania is to fight against blood feud and eradicate it. In order to achieve this aim, its volunteers conduct several activities: paths to help the members of feuding families overcome their anger and pain; paths to mediate between feuding families to achieve reconciliation; national awareness campaigns to ensure steps are taken to fight the practice and to create a general reconciliation process through restorative justice⁵; monthly demonstrations in the areas most affected by the phenomenon to disseminate a nonviolent culture based on the respect of human rights; round tables and public meetings to involve Albanian associations and civil society in finding ways to solve the problem; dissemination of the words of people who have decided for reconciliation instead of vendetta; nonviolent accompaniments to ensure a greater freedom of movement and to enable people at risk of vendetta to access health care; networking with other associations working on the ground against vendetta to ensure the victims have access to education and recreation opportunities; monitoring and collection of data on the

4 Actions to reduce tension between the sides and to rebuild trust to encourage the injured party to build bridges with the other party.

5 See sections 5.1-5.2 below.



quantitative and geographic distribution of the phenomenon in order to develop a detailed and updated knowledge on the issue; the advertisement of the nonviolent actions undertaken. Operazione Colomba works with the people directly involved in feuds, with Albanian society, Albanian institutions and international institutions in general. Our volunteers meet feuding families on a daily basis. By living in close contact with them, our volunteers can share their difficulties, problems and risks to build up credible and trusting relationships.



1. BLOOD FEUD - CAUSES AND CONTEXT

Albanian blood feuds were originally regulated by the Kanun, a Mediaeval codex used in tribal society. From the XIV century the Kanun was used to collect the many rules that regulated every aspect of Albanian life. Its basis is a symbolic universe governed by the concepts of honour (*nderi*), word of honour (*besa*), hospitality (*mikpritja*), virility (*burrija*) and blood (*gjaku*). In Albanian culture, honour underpinned the relationship between the individual and the community to which he belonged. The protection of honour was essential to both the individual and the community because honour was the basis of social respectability. Defending your own honour and that of your clan, even at the cost of your own life, was a moral imperative. Any besmirching of the honour of a man or his clan could be revenged. Vendetta (*hakmarrja*) was a violent reaction to an injustice suffered but was not necessarily proportionate to the harm suffered. If vendetta took the form of murder, this could trigger a blood feud (*gjakmarrja*). The Albanian word *gjakmarrja* is made up of the words *gjak*, (blood) and *marrja* (taking) and literally means the taking of blood. *Gjakmarrja* could trigger a feud because it meant killing the murderer. Over the centuries the practice of *gjakmarrja* and therefore vendetta was extended to include the male relatives of the murderer. This produced long chains of killings between feuding clans. Killing a guest while he was under the protection of the owner of the house, violation of private property, failure to pay a debt, kidnapping or the seduction or rape of a woman were just some of the crimes that could trigger *gjakmarrja*.

Besa (word of honour) is a promise binding an agreement. It can have different meanings, depending on the context. Within the context of *gjakmarrja*, breaking your *besa* (word) could trigger a blood feud. A *besa* could also signal a truce in a blood feud. In this case the truce was a period of freedom and safety that could be of any length and that the victim's family allowed to the killer and/or his family, temporarily suspending the vendetta. If the victim's family refused to grant a truce, the killer and all his family then had to shut themselves in their homes as a sign of respect for the pain of the other side and to keep a low profile. According to the Kanun, the killer's family must not appear proud or arrogant. The home was inviolable and therefore was a place of safety.

Mikpritja (hospitality) was sacred. According to the Kanun, an Albanian's home belonged to God and his guests. Hospitality was therefore a moral duty. The Albanian home had to be ready to welcome guests at any time, offering *bukë, kripë dhe zemër* (bread, salt and an open heart). Welcome meant sharing meals, offering a bed for the night and the warmth of the fire. The head of the family had to offer the guest his protection, even if he was involved in a blood feud, so that when the guest left, the head of the house had to accompany him and ensure he was able to continue his road safely until the place required. The person offering hospitality was also required to declare a blood feud against anyone who insulted or harmed his visitor. *Burrija* comes from the word *burrë* (man) and signifies virility or 'being a man',



i.e. a person who is virtuous and worthy of honour, who is dedicated to his clan and his family. Anyone who broke his promises, hospitality, agreements, truces or protection to guests was considered *shburnuem* or *i zhburnuar* (dishonoured or humiliated). *Gjakmarra* was only between men over 15. Children under 15 and women were not involved in blood feuds.

Gjaku (blood) regulated relations inside and outside the tribe and therefore was an essential feature of the social structure. The importance of blood is typical of societies based on family ties. In feuds, the amount of blood spilt was the measure used to conduct the vendetta. In communities regulated by the Kanun, all males were equal. Male equality was essential to social relationships since at least in theory it prevented injustice being applied by men in a privileged social position. *Gjakmarra* was therefore based on a 'head for a head' (*një kokë për një kokë*) or 'blood for blood' (*gjak për gjak*) - a variation of the law of retaliation.

Blood also symbolises brotherhood. In the face of dishonour, vendetta was not the only solution offered by the Kanun. A dishonoured man could also choose to forgive the clan that had dishonoured him. The Kanun of Lek Dukagjini states that "dishonour cannot be revenged through compensation but by the shedding of blood or generous forgiveness"⁶ (*falja*). Forgiveness was *burnor*, i.e. an honourable and courageous choice. The potential for peace offered by the Kanun lies in the *besa* and reconciliation, which can be achieved through mediation. Mediators are community and/or religious figures whose moral authority enables them to lead the mediation, influencing the views and behaviour of the feuding parties.

If feuding clans decide to forgive an offence, a reconciliation ceremony (*pajtimi*) is celebrated at the end of the mediation process. Participants in the ceremony used to drink a drop of each other's blood mixed with the local spirits (*raki*) or water, linking arms as they drank. Drinking each other's blood meant that their families and descendants became related to each other.

Blood feud (*gjakmarra*), forgiveness and reconciliation (*falja* and *pajtimi*) formed a justice system that met the need to regulate relations between native people and families in areas where the Turks were unable to impose their own government. In this type of society, the injured party declared vendetta as punishment for what it had suffered and to act as a deterrent against criminal actions. In this sense, vendetta can be seen as a method used in the past to restore and maintain public order in a society in which the State had no authority.

During the period of Ottoman domination (XV-XIX centuries), the Kanun was respected and applied especially in the mountainous areas of the country and formed the basis of traditional local culture. All the rules in the code, including those on *gjakmarra*, were practiced in different ways depending on social context and historical circumstances. There were a number of different forms of the Kanun: of Lek

6 Martucci, 2009, p. 154.



Dukagjini⁷, of Mirdita, of Puka, of Luma, of Çermenik, of Benda, which were used in the north; the Kanun of Labëria used in the south; and the Kanun of Skanderbeg⁸ or Kanun of Arbëria used in the centre-north. This was a traditional, flexible law subject to constant change.

At the start of the XX century and despite Istanbul's tighter control over the north of Albania, the communities in that area continued to govern themselves using the tribal system. Strict Turkish policy encouraged already existing rebellion and in 1912 Albania became independent. In the years that followed, the new Albanian State created laws, a civil and criminal code and a central government to challenge the organisation of society in the mountains. In the north of the country in particular the clans did not in practice accept the laws of the new State and remained faithful to the Kanun. Blood feuds remained common and could involve entire village communities. It was only during the Italian Fascist occupation of Albania (1939-1943) that vendetta became less frequent. The Italian invasion focused local populations on resisting the foreigner and blood feud tended to give way to reconciliation as a way of ending disputes.

Between 1946 and 1991 Albania had a Communist government that became increasingly totalitarian and repressive before becoming a dictatorship. By gathering all power into his own hands and those of the Party of Labour, of which he was Secretary, Enver Hoxha governed Albania for around forty years until his death in 1985. The country was modernised through industrialisation and the nationalisation of companies. Private property was abolished and replaced by enforced collectivisation of the land. Hoxha restricted the freedom of worship and in 1967 imposed the atheist State. The Party of Labour aimed to dismantle traditional values and replace them with a National-Communist ideology. The mountain code, which had for centuries underpinned the ethics of the populations in the north of Albania, prevented the embedding of modernisation values and challenged the claims that Hoxha's Communist ideology was indisputable and absolute. The Kanun recognised and allowed private property, unlike the Party of Labour with its collectivisation of the land. The code challenged the atheist State with its clear ecclesiastical and Christian references. The Party of Labour's policy was therefore to abolish the morality enshrined in the Code. The regime imposed severe punishment on those who followed the Kanun. In the Communist period *gjakmarja* in Albania fell significantly. But even though there were fewer instances

7 Lek III Dukagjini (1410-1481), hereditary prince of a rich family from the Dukagjin area, who is credited with having collected, added and codified verbally the oral rules practiced by the populations in the mountains in the north of Albania.

8 In 1444 in Lezha, Gjergji Kastrioti (1405-1468), also known as Skanderbeg, created an alliance of all the most important Albanian princes and nobles, including Lek III Dukagjini, which led to the creation of a permanent army to fight against the Ottoman invasion. Resistance against the Ottoman invasion lasted for around 25 years and ended with the break-up of the alliance and the death of Skanderbeg (1468), who became a national hero.



of *gjakmarrja*, the principles by which village communities in the north of Albania were regulated remained in place.

When Communism fell, the country found itself in a precarious and uncertain position. Investment in economic recovery was insufficient and basic services were not guaranteed. In 1997 the attempts at economic recovery ended in dramatic collapse. The government had used Ponzi scheme to set up pyramid-shaped companies that operated like banks, whose customers were encouraged to invest in them with promises of high interest rates that would grow their savings fast. This created a financial bubble that eventually burst, carrying with it the assets of the investors. Poverty fell to even deeper depths than before and the country went bankrupt. The population reacted by attacking the government's weapons depots in an attempt to take back what they had lost, and civil war broke out.

The precarious situation and power vacuum created with the collapse of Communism led to the return of *gjakmarrja* as a traditional value to replace crumbling modernisation values. *Gjakmarrja* resurged in yet another State vacuum. While blood feud to some extent continued to regulate public order in the absence of an effective justice system, it also acquired new meaning. Blood feud was no longer just a means of resolving disputes. In a completely different environment from that in which it had originated, the meaning of the blood feud began to change and its purpose to expand. *Gjakmarrja* now started to be used in another way to suit the current situation. The causes of the bastardised form of blood feud include:

- **Factors inherited from Albania's recent past.** The abolition of the agricultural co-operatives and collectivisation led to a fight to re-establish private property. The land was redistributed. In the north of the country privatisation encountered serious difficulty. Collectivisation had arrived ten, sometimes twenty, years later than in the rest of Albania so that in the 1990s the memory of the division of land before the agricultural co-operatives was still strong. Furthermore, the land was reassigned free of charge to the farmers who held it and not to its owners. This meant that some families were living on farms on land owned by other people. The result was an explosion in disputes.
- **Institutional vacuum.** Albania's political institutions have struggled to emerge from the heavy inherited trappings of the Communist regime. In the 1990s the instability of the State and its laws led to weak institutions and high levels of corruption in the public administration. Corruption in the legal system was one of the main causes of the rise in vendetta. If members of the most economically powerful and prestigious clans could afford legal treatment different from that meted out to other people, then the law was not the same for everyone. Since the serving of sentences for honour offences or vendetta could not be relied on, general uncertainty and distrust in the State grew. In many cases, *gjakmarrja* became synonymous with private justice when State justice failed. Corruption also created another problem. The democratic principles underpinning State



laws became meaningless when the law was not applied or was applied only on a personal basis.

Communities may reject democratic values if in practice they mean corruption. However, the social need for fixed values remains and it was for this reason that the values of the past returned to the fore. If the law is not the same for everyone, the indigenous people may prefer and therefore legitimise the law of revenge if it appears to ensure equal treatment for all. As a result, DIY justice became an alternative to the State justice system.

- **Low level of education.** This has led to inadequate and insufficient education in respect for the rules of democracy, particularly in the new suburban communities where inhabitants can no longer apply rules of social control used in their traditional places of origin and they find it hard to adapt quickly to the rules of a State that is marching towards full democracy. A study by the People's Advocate on murders committed for blood feud's reasons from 1990 to 2012 shows that 39% of the killings were by people with little or no education⁹.
- **Demography.** In the 1990s the Albanian population moved from the mountains into the towns and suburban areas, spreading traditional mountain ways of thinking.
- **Current social culture.** In the 1990s weak economic development, internal migration from mountain areas to the suburbs and low education levels in rural areas in many cases created the conditions for maintaining a culture based on family, patriarchy and male chauvinism. In some areas of Albania the traditional way of thinking was also preserved through the arranged marriage of couples from mountain backgrounds. This led to clan culture behaviours, where the family is the nucleus of the patriarchal community and therefore its blood ties, personal freedom to make decisions is based on that of the family, life is not always the most important social value, personal expression is restricted to each person's personal domestic role and social pressure determines the behaviour of the individual and the clan to which he belongs.
- **Geography.** This factor is connected with the isolation that is still a feature of some areas. The impenetrability of some mountain areas means that life in the mountains in the north of Albania remains hard and that traditions remain strong and resistant to the assimilation of other ideas.

Seen from the inside, vendetta is a contradiction in the neither entirely modern nor entirely traditional society of Albania today. It occurs against a background of developing civil and political awareness, where social movements to defend particular rights are still fragmentary and education in human rights is needed in primary and secondary schools.

Seen from the outside, vendetta is preventing the country joining the European Union because it is a violation of basic human rights. One of the conditions for

9 Resuli E. (03.04.2013), Gjakmarra, 6 mije te vrare dhe 10 mije te ngujuar, *Shekulli*, Tirana.

Albania joining the EU is the rooting out of the practice. The EU does not allow private systems of justice. Vendetta also creates public order problems, not just domestically but internationally too since a number of cases of *gjakmarrje* and *hakmarrje* have occurred outside Albania (see section 3 below).

2. FEATURES, DYNAMICS AND CONSEQUENCES OF BLOOD FEUD¹⁰

In the last twenty years traditional vendetta has been a response to need felt in the new environment in which it occurs. On the one hand, institutional gaps must be filled and the resulting mistrust combatted, and on the other, action must be taken to deal with the new global capitalism model and its values. Domestic migration from mountain areas to city suburbs has also raised the question of how these flows should be managed and the way they have embedded in urban and suburban areas. As we have seen, the inhabitants of mountain communities still have a background based on the Kanun tradition. While this may have enabled mountain peoples to maintain their identities when they moved to places where integration was difficult, it has made their lives hard. Some of the needs currently felt by these populations are similar to those of the past but occur in completely different contexts and therefore take different forms. Traditional rules are consequently not being applied as set out in the Kanun of Lek Dukagjini and are creating new situations. *Gjakmarrja* is one example of this. Vendetta is no longer practiced according to the code and has become more complex. The memory of the Kanun is now in practice under constant change, partly because many feuding families have no direct knowledge of it. Culturally, the practice of vendetta is moving away from tradition to develop new forms that, because they arise from new situations, no longer have any connection with the traditional code since they are creating new socio-cultural meanings for *gjakmarrja*. The following examples show how blood feud has changed in practice. Firstly, in the oldest version of the Albanian mountain code the murderer alone was subject to vendetta. This has changed over time. *Gjakmarrje* feuds now rarely kill the murderer and it is more frequently his male relatives who are targeted. Secondly, the Kanun of Lek Dukagjini excludes religious authorities, women and children under 15 from *gjakmarrja*. In the last few years, women, children and religious authorities have been the victims of blood feud violence. On 8 October 2010, a Protestant pastor was killed in a vendetta involving a branch of his family. In Dukagjin in June 2012, a 17-year old girl was murdered in a feud between the clan to which her family of origin belonged and another (*Shqip*, 15.06.2012; *Shqip*,

¹⁰ The examples of vendetta shown in this section have occurred in the last few years and are used to show how the practice demonstrates a certain degree of continuity.



20.06.2012; *Shekulli, Panorama, Gazeta Shqiptare*, 16.06.2012; *Gazeta Shqiptare*, 19.06.2012). In April 2013 an 18-year old girl was killed in the mountain village of Tropoja during a property dispute between her father and his cousin (*Gazeta Shqiptare, Panorama*, 27.04.2013).

The Kanun of Lek Dukagjini states that manslaughter must not be revenged with weapons. In the last few years blood feuds have involved people who were in the wrong place at the wrong time. One example is the murder of 9-year old Endri Llani on 5 May 2012 in Mamurras. He was hit 'by mistake' by a bullet aimed at his 22-year old uncle during a fight with another man. Around two months later the child's father revenged the death by killing a 71-year old man who had been involved in the child's murder (*Shqip, Gazeta Shqiptare*, 06.06.2012).

Thirdly, the oldest members of the feuding clan or family used to decide how the clan should act towards the other side, but now decisions to take revenge are also being made by young male members of the family.

Abuse of the Kanun has also led to misuse of the practice of self-confinement (*ngujimi*¹¹) by the killer in his own home. According to the Kanun of Lek Dukagjini, *ngujimi* did not apply to the killer's family unless the victim's family did not agree to a truce with them. Today, self-confinement often includes the killer's family. The member of the killer's clan tend to move from the place where the murder was committed to another place, or abroad. This however is not always enough to reduce the tension between the parties or ensure the safety of those involved. Clear and implied threats that may be real or assumed through fear of vendetta will lead the members of the clan guilty of the crime to shut themselves in their homes and live in fear. The most vulnerable members of families at risk of vendetta end up living isolated from the rest of the world. People who live in self confinement lose their jobs and the ability to look after their families. In the last few years there have been cases of children, girls and women who are relatives of a killer remaining "nailed up" in their own homes. Albanian public opinion now often equates blood feud with self-confinement, but this interpretation does not help understand the breadth and extent of the practice.

The misuse of tradition has created a mentality that has given rise to and worsened current disputes. Blood feud disputes are classified as micro-disputes that by also involving the relatives of the parties in the dispute degenerate into meso-disputes. Disputes that initially involve just a few individuals end by involving their families. And the involvement of the families can in turn lead to the involvement of the entire clan. Because of the tradition from which the practice has developed, blood feuds are still strongly associated with the concepts of blood and honour. Blood ties determine the relations on which the family is built and the members of that family. By tradition, blood ties are transmitted down the male line alone, and although honourable and dishonourable acts can concern both men and women, men must

11 Literally "nailing up".



carry them out in accordance with the decisions of the family members. At present vendetta affects mainly men. Honour however regulates social relationships and is an expression of the respect an individual earns from society through honourable actions. The weight of such actions has a direct impact on the respect given to the family to which the individual belongs through blood ties and it is in this way that the family and the clan to which he belongs gains honour. These principles determine the attitudes and conduct of individuals and the families to which they belong. Recovering honour is essential to regain respect within the community. Most blood feuds occur in places where living conditions are precarious. They occur mainly in suburban and mountain areas where unemployment and poverty is great, there are few basic public services, and certain social attitudes, such as patriarchy and male chauvinism, are strong. But blood feud mentality is not typical of just the most isolated areas. Since most city inhabitants come from rural areas, it is hard to find Albanians born in one of the country's big cities. The Albanian melting pot has therefore produced such a mixture of mentalities that it is difficult to say that Kanun thinking does not also exist in urban areas today.

Furthermore, since the code has Christian origins, blood feuds mainly affect Christian families. The north of the country remains the area in which the practice is most deeply rooted because this is where most of the Christian and Catholic population lives. Yet vendetta is also a trans-religion practice and can affect any Albanian family. It therefore ignores religion but affects all religions practised in the country. The reason lies in the two practices of the past (*hakmarrja* and *gjakmarrja*) that because of the misuse of tradition now occur in bastardised form. While the victims of the practices continue to use the old names to create a link with their symbolic roots, some academics are beginning to wonder whether the same names should continue to be applied to practices that are moving away from their original uses.

The following examples are typical of blood feud disputes.

- *Gjakmarrje*:

1. 14 February 2013 in a village near Peshkopi, Hike Skuka, wife of Uran Skuka, and Xhemile Skuka, wife of Edmond Skuka (Uran and Edmond Skuka are brothers), killed 67-year old Naime Skuka (mother of Uran and Edmond Skuka) because of the abuse they had suffered at her hands, by pouring boiling oil in her ear. 13 February 2014, Uran Skuka killed Basri Nikolli, the brother of his ex-wife, to revenge the murder of his mother (*Gazeta Shqiptare*, 20.07.2014; *Panorama*, *Gazeta Shqiptare*, *Shekulli*, 10.08.2014). In 2014 Uran Skuka was given a 35-year prison sentence for "murder by *gjakmarrje* and unlawful possession of weapons of war" (*Panorama*, 7.10.2014).

CLAN NIKOLLI VS. CLAN SKUKA

Hike Skuka (ex-clan Nikolli) and Xhamile Skuka ----- killed in *hakmarrje* -----> Naime Skuka, mother of Uran and Edmond, the husbands of Hike and Xhamile

AFTER 1 YEAR

Uran Skuka ---- killed in *gjakmarrje* -----> Basri Nikolli, brother of his ex-wife Hike

2. In 1991 Lulzim Shera killed his cell mate, Arjan Baku, in a fight while serving a sentence for instigating the suicide of a girl. After the murder his sentence was increased to 20 years. On 1 September 2013, more than one year after he was released from prison and more than twenty years after the murder, Altin and Skënder Baku, the brothers of Arjan, implemented *gjakmarrja* and killed 43-year old Lulzim Shera, the murderer of their brother, in Fushë-Kruja, even though he had just served 20 years for the crime.

CLAN SHERA VS. CLAN BAKU

Lulzim Shera ----- killed in *hakmarrje* -----> Arjan Baku, brother of Altin and Skënder Baku

AFTER 22 YEARS

Altin Baku, Skënder Baku ---- killed in *gjakmarrje* -----> Lulzim Shera

Gjakmarrje can lead to vendetta cycles that gradually kill off the members of the feuding families and endanger the lives of all the relatives of the person who besmirched the other party's honour. *Gjakmarrje* feuds are consequently not easy to resolve. In this case (clan Shera vs. clan Baku) we see, for example, that even the serving of a criminal sentence is not always enough to prevent a blood feud. Since the practice is the product of a particular way of thinking, it needs to be fought not just through reform of the justice system but also culturally (see section 1 above).

- *Hakmarrje*:

1. 11 July 2015, Abaz Isa (age 54) killed Pastor Marjo Laho (age 26) in the Gramoz mountains in a feud apparently over the ownership of some meadows but that later was found to be about the beating by Marjo Laho of Abaz Isa because that latter had previously beaten the victim's father (*Panorama, Shekulli, Gazeta Shqiptare*, 13.07.2015; *Gazeta Shqiptare, Panorama, Shekulli*, 15.07.2015; *Shekulli, Shqip*, 20.07.2015).

CLAN LAHO VS. CLAN ISA

Abaz Isa ----- killed in *hakmarrje* -----> Marjo Laho

2. Tom Lala (age 69) killed Mark Ndreca (age 50), his cousin, in a village in Kurbin on 2 April 2016 in a dispute over property. Shortly after the murder, the killer's family shut itself in its home for fear of a blood feud against it. To prevent this, the police monitored the area for some days (*Gazeta Shqiptare, Panorama*, 3.04.16;



Panorama, 4.04.16, 5.04.16, 6.04.16; *Gazeta Shqiptare*, *Panorama*, 07.04.16; *Gazeta Shqiptare*, 09.04.16; *Panorama*, 10.04.2016; *Panorama*, *Gazeta Shqiptare*, 24.06.2016).

CLAN NDRECA VS. CLAN LALA

Tom Lala ----- killed in *hakmarrije* -----> Mark Ndreca

Hakmarrije can degenerate into vendetta and thus into feud.

The main causes of blood feud are:

- *disputes over property*. Historical factors (past processes and events underlying the current distribution of property in the community) are crucial to the reopening of some disputes (see section 1). On 12 August 2015 in a village in Kukës, six men from different clans almost killed each other over a dispute concerning the ownership of a stream (*Gazeta Shqiptare*, *Panorama*, 13.08.2015).
- *Human trafficking*. Human trafficking mainly concerns women and prostitution. Organised crime uses the Kanun to legitimise female subordination. In other cases the code is used to maintain internal order, ignoring the positive aspects of the tradition, such as peace-making and hospitality. Vendetta is thus used by organised crime as a way of settling accounts in illegal trafficking, e.g. of contraband.
- *Honour*. This gives rise to disputes for petty reasons. In July 2015 in Greece a 21-year old man was tortured and killed and his body burned by a jealous husband who suspected him of having an affair with his wife. All involved were Albanian. Disputes over honour can have petty reasons, such as physical or verbal provocation, envy and jealousy or quarrels at a bar after one raki too many. On 11 May 2015 the mayor of a district in the municipality of Has in Kukës shot two people after a fight for petty reasons, made worse by having drunk one too many (*Gazeta Shqiptare*, *Shqip*, 12.05.2015).
- *Car accidents*. On 23 August 2012 a man was injured by a firearm when he was in his car with his girlfriend. The police investigation assumed that this was an act of vendetta over a previous car accident in which the victim killed a member of the road police (*Panorama*, 19.11.2012).
- *Debt*. On 11 August 2015 in a small municipality in Tirana a 19-year old seriously injured a 27-year old man over a 100 euro debt (*Panorama*, 15.08.2015).
- *Work*. On 4 October 2013 a 47-year old man from Shkodra was killed over work-related problems. The main suspects were his colleagues (*Panorama*, *Shqip*, 4.10.2013).
- *Fear of vendetta* for offences caused, which drives the culprits to attack first. In these cases, inability to control emotion can degenerate into murder.

Factors in deciding on vendetta include: inability to manage emotions constructively and social pressure.

The first is found when emotions such as anger and bitterness lead to reactions that end in murder.

Over time these emotions can turn into hate and lead to vendetta.

The second factor is caused by the influence that the social environment in which the victim's family lives (neighbours, relations, school and/or work mates, etc.) has on clan decisions. Since in the current cultural environment vendetta is more common than forgiveness and reconciliation - both of which options tradition permits - social pressure is negative since it can affect the decision to seek revenge. Occasionally when dishonour occurs it is the most distant relatives or those living abroad, who are not directly bereaved but who feel that the family's honour has been besmirched, who exert the negative influence on the victims' decisions. If the direct victim of dishonour lives in an environment that causes him to turn the suffering he feels into hate and rancour, the desire for vendetta can translate into action.

The escalation of feuds turns such cases into spirals of vendetta that influence feud dynamics.

The main aspects of these dynamics are:

1. **Type of vendetta.** The actions of both sides can become increasingly savage.

The type of vendetta and its effects tend not to reflect the dishonour suffered. Rebecca Basso, the director, describes one of the disputes she discovered while filming the documentary "*Kanun, il sangue e l'onore*"¹². In one case a fight broke out in a café when a group of friends started quarrelling. In a fit of anger, one of the men pulled out a gun and killed another. In addition, *gjakmarra* when the other person is celebrating a happy occasion, such as a wedding or a christening, ruins the happiness of the other family and therefore causes greater emotional damage than a vendetta that occurs in normal circumstances.

2. Increasing hostilities **lead to the involvement of ever larger numbers of people.** In some cases the killer has shot more victims than expected during the vendetta. In 2012 an under-age boy tried to revenge the death of one of his relatives but while the burst of gunshots only injured his target, it caused two casual victims: a boy who was also injured and a young man who was killed in the attack (*Gazeta Shqiptare, Shekulli*, 23.11.2012; *Gazeta Shqiptare, Shqip, Koha Jone, Panorama*, 21.11.2012; *Panorama*, 22.11.2012). This triggered a new feud between the family of the under-age boy and that of the boy who had been killed.

3. These examples of *gjakmarra* and *hakmarra* show how vendetta incubation **times** can differ significantly. It can either explode very fast or several years after the injury or first murder. Although feud stories tend to be passed down, the reason for their origin can be forgotten as time passes.

4. At a time when **institutions are struggling to enforce the law**, vendetta is being used as a private form of justice (see section 1). In addition, the Albanian population has still not entirely absorbed what 'public' means. Citizens' pursuance of their own private interests therefore often falls outside the law of the State. Both of these factors assist in the modern implementation of Kanun tradition.

12 Basso, 2011 (Kanun, blood and honour).



5. The **lack of collaboration and the code of silence practised** by the local population do not help the police with their investigations. Silence for reasons of self-interest, or more usually for fear of reprisals, slows the course of justice and prevents the reporting of vendettas.

To comprehend the effects and consequences of vendetta, the way in which it totally conditions the lives of those involved must be understood. Insecurity and fear for life increase not only for those involved but also for Albanian society as a whole. The carelessness with which some examples of *hakmarrije* and *gjakmarrije* occur can be felt to indicate that anyone could potentially be involved.

Vendetta also affects the emotions of the individual and families. Members of families related to a murderer fear being threatened and killed. Self-confinement causes frustration and depression that destroy the personalities of those involved. Once a family “falls in blood” with another family, the daily life of each involved family member is interrupted and controlled by the vendetta. In some cases parents keep young people and children home from school for fear that something might happen to them. From a very early age, boys are considered and treated as small men within the home. The stages of childhood that contribute to balanced growth are destroyed. Vendetta therefore affects the formation and growth of the individual, as well as personal and social relations in community life. Men who used to go to work stop doing so and withdraw into their homes. Self-confinement often leads to male alcoholism and increased domestic violence. Women bear the brunt of such situations because the burden of looking after the home, educating the children and maintaining the family financially can fall on their shoulders.

And families who have suffered bereavement because of a blood feud feel anger, which can grow if there is no certainty that the murderer will be punished. The destructive power of this feeling transforms it into rancour and then hate can be transmitted to all members of the clan to which the victim belonged: the young, the adults and the old. The stories of what happened can be repeated to keep the memory of the offence alive. All these factors can influence a decision for vendetta. The main problems are: psychological harm (e.g. persecution mania, depression, neurosis, alcoholism, etc. which often translate into domestic violence) caused by the suspicious, closed, fearful environment marked by death and violence in which the people involved live and grow up; physical harm caused by lack of freedom of movement and therefore the inability to obtain medical care or by the results of violence; increased rate of illiteracy; financial harm caused by unemployment; the spread of disputes and violence caused by exclusion and isolation.

Blood feuds therefore seriously violate fundamental human rights, the most important of which are:

- the right of equality, because those involved in feuds often suffer social exclusion;
- the right to life, freedom and safety, which is violated by *hakmarrije*, *gjakmarrije* and self-confinement;
- equality before the law, a right that is violated if punishment is not certain;



- the right to privacy, which is violated whenever authorities or the media make improper use of the personal data of those involved in a vendetta;
- the right to work and education, because those involved in feuds often lose access to education and work;
- the right of asylum. Requests for international protection abroad are mainly because of vendetta, domestic violence, discrimination against minorities, human trafficking and financial and health problems. The 2014 data of the Organisation for Security and Cooperation in Europe (OSCE) show that 43% of asylum requests in Belgium and 40% of those in France were the result of vendetta. It is not always easy to ascertain whether applicants are truly caught up in a vendetta. In some cases there is a real need to leave Albania for this reason but since murders and injuries are not reported or recorded, requests can be rejected for lack of proof. In other cases, the need to emigrate is caused by poor living conditions, which the applicant conceals by submitting fake certificates showing that he/she is involved in a vendetta in order to increase the likelihood of asylum. This has tightened European international protection procedures, to the detriment of those who truly are the victims of a vendetta.

This is therefore a fragmented situation that continues to change as it moves away from tradition to become a hybrid phenomenon that concerns different places such as villages and towns. In this sense, hybridisation is based on a power relationship between the city and the suburbs and can develop either as the suburbs adopt the standards of the city or as the city is destabilised by the suburbs. This form of hybridisation is producing standards and practices that, as in the case of northern Albania, are the result of bastardised tradition.

3. GEOGRAPHIC AND NUMERICAL DISTRIBUTION OF BLOOD FEUDS

Data on the geographic and numeric distribution of blood feuds varies considerably, depending on source.

In terms of geographic distribution, most disputes occur in the suburbs of the big cities in the north and centre of the country, as Operazione Colomba research since 2010 has found. Since 2011 Operazione Colomba has been monitoring the cases of *hakmarria* and *gjakmarria* reported in the Albanian and international media, especially since 2013. The resulting database relies on the following dailies: *Panorama*, *Shekulli* and *Gazeta Shqiptare*, supplemented by other national publications such as *Shqip* and *Mapo* and occasional news reported in the international press and online media. However, the data given in the articles we have examined also provides information on older cases that go back to the 1980s.

At December 2017 the Operazione Colomba database included 550 cases of injury, attempted murder and murder caused by *hakmarria* or *gjakmarria*. Some



articles specifically refer to blood feuds, while others have been classified as such by Operazione Colomba staff based on the information they contain and typical motives for blood feud. Yet other cases are still being monitored to check future developments.

Of the 550 cases in the database, 48 are believed to be caused by *gjakmarrja* and 275 by *hakmarrja*. Some blood feuds are the result of previous *hakmarrja* that has degenerated into one or more cycles of *gjakmarrja*. The other cases are being monitored for possible eruption into blood feud. Compared with Operazione Colomba's 2014 statistics, over the three years of the new period examined (January 2015 to December 2017) there have been 141 new cases of *hakmarrja* and 15 new cases of *gjakmarrja*.

DATABASE 2011-2017

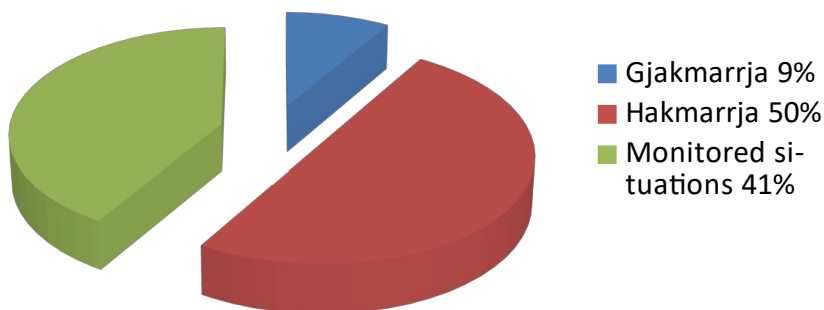


Diagram No. 1

The database shows that most causes of *hakmarrja* and *gjakmarrja* are connected with property, previous disputes or honour. These are followed by other reasons such as: petty reasons, verbal provocation, settling of accounts, debt, work problems and fear of vendetta for an offence that causes the culprits to attack first.

The cities with the largest number of *hakmarrja* and *gjakmarrja* events are (in decreasing order): Tirana (86), Shkodra (46), Durrës (36), Vlorë (17) and Lezhë (12). These are followed by: the region of Kruja/Fushë-Kruja, Fier, Tropoja and Laç, Elbasan, Berat, Pogradec, Dibër, Malësi e Madhe, Lushnjë, Saranda, Puka, Tepelenë, Kukës, Mirdita, Gjirokastrë, Dukatj and Korçë.

INTERNAL GEOGRAPHIC DISTRIBUTION

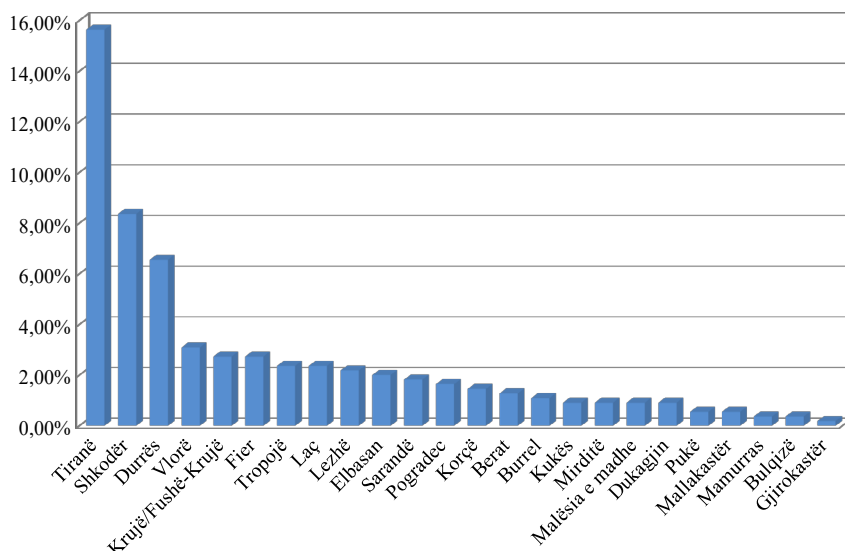


Diagram No. 2

In addition to blood feud within Albania, we are also unfortunately seeing the export of vendetta, where some cases are continued even outside the country. According to Operazione Colomba's database, since 2013 a number of blood feud murders were committed in the following countries: 11 in Italy, 4 in Greece, 2 in Belgium, 2 in France, 2 in Germany and 2 in the Netherlands. These are followed by 1 in Kosovo, 1 in Montenegro, 1 in the UK, 1 in the Czech Republic, 1 in Sweden, 1 in Switzerland, 1 in Canada and 1 in the USA.

The age of victims varies widely between 9 and 91 but most are between 20 and 60. The vast majority of victims are men (508 cases out of 550) but the number of women is also not small (42 cases out of 550). Women are included not only for the above reasons but also because of domestic violence (see section 2).



VICTIMS OF BLOOD FEUD

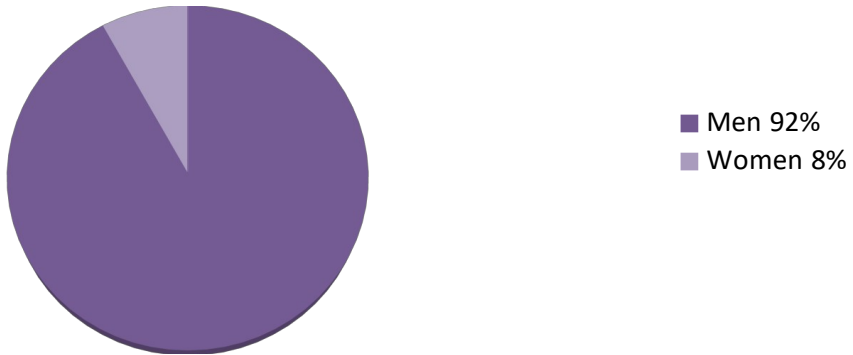


Diagram No. 3

This is a constantly growing, not decreasing, phenomenon that is generalised from many viewpoints because it concerns many places across Albania and is spreading abroad as the Albanian nationals caught up in it move outside the country, and it affects people of all ages and both sexes and wide periods of time up to the present day. Examination has shown that the dynamic of the phenomenon means that it is moving ever further from the original rules set out in the Kanun and is increasingly able to adapt to the needs felt in each new situation.

The data available varies considerably, depending on the source. There are three types of source: Albanian institutions; Albanian and international associations on the ground; and international organisations. Data published by any one of these sources is often used by the others. Information collected from these bodies consequently often overlaps.

Albanian institutional sources include the Advocate of the People and the Government of the Republic of Albania. Data collected by the Advocate of the People between 1990 and 2012 mentions 6000 deaths caused by *gjakmarrje*.

Government data 1991-1995 mentions 953 murders, of which 9.5% caused by *hakmarrje* or *gjakmarrje*. In 1997 alone, the Albanian Police identified 1542 murders and 2910 families injured or involved in *hakmarrje* or *gjakmarrje*¹³.

In 2012 the Interior Ministry issued the first official estimates of *gjakmarrja*. These showed 225 murders resulting from *gjakmarrje* over 12 years (1998 to 2012¹⁴). Interior Ministry statistics show that the 225 murders represent 7.9% of all crimes committed.

¹³ Albanian Police 2012 report on blood feuds, see Sadiku, 2013.

¹⁴ The source, the *Gazeta Shqiptare* newspaper for 17 October 2012, does not give the figures for 2002 and 2010.

The following shows the partial numeric distribution of murders caused by *gjakmarrje* from 1998 onwards, based on Interior Ministry data. Comparison with annual percentages is interesting. According to this data, the progress of the phenomenon is not constant and appears to be slowing.

Years	No. Murders	No. <i>Gjakmarrja</i> murders	Percentages %
1998	573	45	7.8%
1999	496	41	8.2%
2000	275	41	14.9%
2001	208	32	15.3%
2003	132	12	9%
2004	190	11	5.7%
2005	131	5	3.8%
2006	87	4	4.5%
2007	103	0	0%
2008	88	5	5.6%
2009	82	1	1.2%
2011	135	5	3.7%
2012	100	5	5%

Table No. 1

The information provided by Albanian and international associations on the ground includes data from the Tirana Nationwide Reconciliation Committee, the Shkodra Dukagjini Association¹⁵, the Shkodra Justice and Peace Commission and Operazione Colomba. The 2014 Operazione Colomba report also covers examination of 180 examples of dispute, injury and murder in 276 articles in the main local newspapers (*Gazeta Shqiptare*, *Panorama*, *Shekulli*) between August 2011 and September 2014. 134 cases of *hakmarrja* and 33 of *gjakmarrja* have been identified.

¹⁵ *Gazeta Shqiptare*, 17 October 2012.



Association	Year	Area	Vendetta murders
Committee of Nationwide Reconciliation	From 1991 to 2009	North, Center and Southern of Albania	9800
Association "Dukagjin"	From 1991	Dukagjin	144
Justice and Peace Commission	From 1990 to 2008	Shkodër, Malësia e Madhe	165
Operazione Colomba	From 1999 to 2015	Tropojë, Dukagjin, Malësi e Madhe, Mirditë, Elbasan, Vlorë, Berat, Pogradec, Fier, Dibër, Lushnjë, Sarandë, Pukë, Tepelenë, Kukës, Gjirokastrë, Korça	204

Table No. 2

The international organisations include the OSCE that provides data supplied by the Justice Ministry in 2007, the Shkodra Justice and Peace Commission in 2010, the Advocate of the People in 2013, the Tirana Nationwide Reconciliation Committee 2013-2014, Shkodra religious institutions in 2014, the *Children's Rights Centre of Albania* in 2013¹⁶ and the Shkodra public prosecutor in 2014.

16 NGO present in Tirana in 1997 to protect the rights of children.

	People charged with vendetta	Families in self-confinement	Adults in self-confinement	Children in self-confinement	Families in 'blood'	Year/s
Justice Ministry	13					2007
Justice and Peace Commission		138		120	2010	
People's Advocate	5	67	154 (in 2012)	33	1559	2013
Committee of Nationwide Reconciliation	980	306	4900	2013/2014		
Religious institutions in Shkodra		138		15	238	2014
Children's Rights Center of Albania						2013
Shkodra Prosecutor		36		196	2014	

Table No. 3

In August 2015 *Civil Rights Defenders*, an international organisation, published a report on Albania that referred to blood feuding and to the fact that at least 70 families were living in self-confinement¹⁷. There is clear discrepancy among the data. While some government officials maintain that NGO data has been exaggerated to support requests for urgent action from the Albanian authorities, the independent organisations accuse the Albanian authorities of underestimating the phenomenon for fear that this might slow down membership of the European Union.

The cases that have been directly monitored by Operazione Colomba concern around 200 people in 31 families in the centre-north of Albania, as follows:

- District of Tropoja: 7 families
- District of Shkodra: 16 families
- District of Koplik: 2 families
- District of Mamurras: 2 families
- District of Tirana: 2 families
- District of Durrës: 2 families

In some cases Operazione Colomba volunteers know both the family that has to decide whether to start a vendetta and also the family that fears it. In other cases,

¹⁷ Organisation founded in Stockholm in 1982 to defend human rights.

our staff knows only one of the sides (either the family that has to decide whether to start a vendetta or the family that fears it). Dividing these families into two groups, we find:

Families that have to decide whether to pursue vendetta: 11 including:

3 in the district of Tropoja, 5 in the district of Shkodra, 1 in the district of Mamurras, 1 in the district of Tirana, 1 in the district of Durrës.

Families that fear vendetta: 20 including:

4 in the district of Tropoja, 11 in the district of Shkodra, 2 in the district of Koplik, 1 in the district of Mamurras, 1 in the district of Tirana, 1 in the district of Durrës.

The feuding families monitored by Operazione Colomba in Shkodra and Tirana belong mainly to clans from Dukagjin and Tropoja (7 clans in Dukagjin and 4 in Tropoja). More than half have moved within Albania to city suburbs from their mountain areas of origin, often to escape the possible consequences and risks of a blood feud. Movement within the country reduces tension between parties but does not unfortunately guarantee safety as traditional Albanian society is based on relations between extremely extended families that can easily get information on the location of other people. Often the family surname alone is an indication of where it and its members come from, making it easy to find people who move out of a district.

Operazione Colomba does not unfortunately have the resources to monitor how this phenomenon applies across the country. However, based on our own research, including through daily newspapers, we can assume that the number of families involved in blood feuds is greater than reported and that the geographic area involved is wider than that in which the families we ourselves know live. Blood feud is therefore a worrying phenomenon that affects wide swathes of Albania and sometimes other countries too. In the last three years of our presence in Albania, analysis of data in local and international media shows that the phenomenon is spreading and getting worse.

4. ROLE OF ALBANIAN INSTITUTIONS IN THE FIGHT AGAINST BLOOD FEUD

The Albanian institutions have dealt with blood feud in different ways over the last few years. Compared with the past when recognition of blood feud was limited, since 2012 the Albanian authorities have made a number of improvements in their handling of it.

International pressure and the higher profile feuding has gained in the local and international media have encouraged the institutions to deal with blood feuds.

The European Union has been the main international organisation to focus specifically on combatting them and indeed has made the eradication of blood feuding one of the conditions of Albania's entry to the EU. In its 2013 Progress Report¹⁸ the European Commission refers to the self-confinement of children, while in a motion for resolution¹⁹ that same year the European Parliament pointed out the negative impact of vendetta, and the increase in violence and murder. The European Parliament has also called on the Albanian authorities to set up a statistical database for the phenomenon and a co-ordinating council to contrast blood feud as required under law 9389 of 2005. In 2014²⁰, 2015²¹ and 2016²² the European Union included in the section on protection of the right to life in its Progress Report references to the fight against blood feud, which examined the improvements made by Albania with a view to joining the EU. Each year the EU has called on Albania to make improvements by: setting up a database, implementing the co-ordinating council, strengthening the rule of law and increasing dispute prevention programmes.

In its 2014 Universal Periodic Review the United Nations Human Rights Council recommended that Albania set up a blood feud database and create a co-

18 European Commission (Commission Staff Working Document) (16.10.2013), *Albania 2013 Progress Report Accompanying the document Communication from the Commission to the European Parliament and the Council, Enlargement Strategy and Main Challenges 2013-2014*, Brussels, p. 43; European Commission (Commission Staff Working Document) (8.10.2014), *Albania 2014 Progress Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Enlargement Strategy and Main Challenges 2014-2015*, Brussels, p. 45.

19 European Parliament (9.12.2013), *Motion for a resolution to wind up the debate on the statement by the Commission pursuant to Rule 110(2) of the Rules of Procedure*, p. 7 at 19; Human Rights Council, twenty-seventh session Agenda Item 6, Universal Periodic Review, United Nations General Assembly (7 July 2014), *Report of the Working Group on the Universal Periodic Review, Albania*; Human Rights Council, twenty-seventh session Agenda Item 6, Universal Periodic Review (5 September 2014) *Information presented by the Albanian People's Advocate (Ombudsman)*.

20 In 2014 the European Commission pointed out that "As regards the right to life, the blood feud phenomenon is still prevalent in the north of Albania. Certain cases have been reported also in the Tirana region, mainly due to rural migration. Figures on the number of victims of blood feuds as well as of families affected vary widely. Numbers seem to be stabilising, though, rather than increasing. While it is key to develop a homogenous and reliable database to keep track of the cases and families concerned, it is even more important that the rule of law is strengthened to ensure this phenomenon is eradicated. This would also put a stop to the fraudulent use of blood feud as an argument for unfounded asylum claims in member states" (p. 46 of the Progress Report). The report adds that "Cases of children confined to their homes for fear of retribution in blood feud disputes persist" (p. 47).

21 In its 2015 Progress Report the European Commission states that "As regards the right to life, blood feuds remain a problem, albeit on a limited scale. In March, parliament adopted a resolution and recommendations on blood feuds, based on the findings of the Ombudsman's special report. The resolution calls for the coordination council on blood feuds set up in 2005 to be revived, for educational and social programmes to be run in rural areas, and for the prosecution and the police to step up investigation efforts and to invest more in preventing disputes" (p. 57).

22 In 2016, the European Commission wrote that "As regards right to life, the March 2015 parliament resolution and recommendations on blood feuds still require follow up. The Coordination Council has to be reactivated" (pg. 63).



ordinating council to fight against the phenomenon as required under law 9389/2005²³.

Foreign institutions have also shown interest in blood feuds within the context of requests for international protection made by Albanian nationals. In March 2017 the federal commission that receives and decides on requests for international protection made in Belgium published a report written following a visit to Albania to obtain information and get a better understanding of the phenomenon.

4.1. ALBANIAN INSTITUTIONS' APPROACH TO BLOOD FEUD

The Albanian institutions' approach to blood feud has gone through a number of stages. Over time the State institutions have had to face up to blood feud and all its consequences. Domestically, the institutions initially tried to deal with the situation from an exclusively legal viewpoint, making vendetta a criminal offence. In 2013 the Albanian Criminal Code was therefore amended to impose tougher penalties on offences committed in connection with a blood feud²⁴. Article 78/a imposes 30 years' or life imprisonment on blood feud murder - which thus became an independent offence and not just an aggravating circumstance - while articles 83/a and 83/b impose three years' imprisonment for threats of confinement and instigation to pursue a blood feud²⁵.

In 2014 the Shkodra Prosecutor, encouraged by the Tirana General Prosecutor, began to map the families that were victims of blood feud, focusing particularly on self-confined families. An anti-blood feud plan has also apparently been approved by the Directorate General of Police²⁶. There have also been cases of police bodies monitoring and controlling vendetta's situations to prevent their degeneration.

On 5 March 2015 the Albanian Parliament passed a "resolution to prevent blood feuds in Albania", publicly admitting that they exist and declaring that it is the State's duty to deal with and eradicate them. It also admitted that the government has not done enough to eradicate them. In the resolution, Parliament condemns the failure to implement law 9389/2005 and requests assistance in this from a number of State bodies: the Police, the Ministry of Education and Sport, the Ministry of Welfare and Youth, and from the public administration as a whole.

The Advocate of the People (Ombudsman), which has been given responsibility for blood feuds by Parliament, has been widely concerned in handling them. In

23 See Report of the Working Group on the Universal Periodic Review - Albania, 7 July 2014, pages 5, 6, 7, 10, 11, 13, 16, 22, 24.

24 Law 144 of 2 May 2013.

25 See the Albanian Criminal Code.

26 See *Mid-Term report of Albania on the implementation of the recommendations received during the second cycle of Universal Periodic Review (UPR)*, March 2017, pg. 8.

December 2015 it published its second official report on the phenomenon²⁷ in which it recommends implementation of law 9389/2005 and the involvement of a number of Albanian institutions.

Even though law 9389/2005 has not been implemented, initial collaboration began in 2015 in Shkodra, promoted by the OSCE and the Advocate of the People and involving a number of different local government bodies and society itself. Meetings were organised in March, April and September with representatives from the Municipality, the Prefect, Social Services, the Employment Office, representatives from the Prosecutor's Office and from society in general, including Operazione Colomba. These initial meetings have not however been followed up. In November 2016 the Albanian Interior Ministry promoted a campaign to raise national awareness that might have had an indirect impact on blood feuds. Entitled *Mos gjuaj, por duaj!* (Don't Shoot, but Love!), the campaign against the illegal holding of firearms could have helped reduce the number of cases in which a dispute can easily degenerate into a killing²⁸. It is the wide holding of firearms and even weapons of war (e.g. *kalashnikov* rifles) in the country that often leads to irreversible consequences after disputes over minor matters. The campaign was to allow illegally held arms to be handed in without criminal charges up to 30 April 2017. Unfortunately the campaign did not have the desired results and the arms handed over to the police were only a tiny proportion of those that Albanian citizens are assumed to hold. Nevertheless, on 22 May 2017 Albania announced the creation of a National Light Weapons Committee to impose greater control on the holding of weapons in the country.

With regard to the right of access to education, on 13 August 2013 Directive 36 (Procedures for the education of children in self-confinement²⁹) was issued. It legally requires local education authorities to implement education programmes for all children identified as being confined in connection with a blood feud. In September 2017 Shkodra's regional education authority sent the municipalities of Shkodra and Vau Dejes and the local police an order³⁰ to collaborate and provide information on children in self-seclusion since investigations at local schools had so far failed to identify any child in self-confinement.

With regard to the right to education, a primary school home schooling programme is available (first school cycle or *shkolla 9-vjeçare*), thus apparently ensuring access to primary education.

Concerning the direct protection of victims however, police investigations have not always produced the desired results. For example, the murder of a 70-year old man and his 17-year old granddaughter on 14 June 2012 in connection with a

27 See *Raport i veçantë "Mbi fenomenin e gjakmarrjes në Shqipëri"*, December 2015.

28 The campaign was promoted in partnership with UNDP - SEESAC South Eastern and Eastern Europe Clearinghouse for the Control of the Small Arms and Light Weapons.

29 Udhëzimi no. 36 "*Për procedurat për arsimin e fëmijëve të ngjuar*", 13 August 2013.

30 Drejtorja Arsimore Rajonale Shkodër, Sektori i shërbimëve të Përgjithshme, *Kërkesë për informacion* no. 2277, 13 September 2017.



blood feud has yet to lead to justice being done. The ensuing feud has continued with another attempted murder. If the State cannot provide justice, forms of private justice may re-emerge. Despite the many calls for light on the case by society, the persons guilty of the double murder have not yet been identified. At the same time in another case, pressure from the Advocate of the People encouraged the Prosecutor's Office to pay particular attention to the needs of the family of the victim of a murder caused by a family feud.

Legal action taken by the Albanian State to toughen penalties does not always produce tangible results when applied. The victim's family, which is not a party to the criminal proceedings, is often overlooked. The State therefore concerns itself - not always consistently - with punishing the guilty but fails to consider the victims. Focusing on the victims in the Albanian context of family vendettas is essential to reducing the tension between the clans involved and thus avoiding continuation of the feud.

4.2. COLLABORATION BETWEEN ALBANIAN INSTITUTIONS AND OPERAZIONE COLOMBA

A. STATE INSTITUTIONS

Since 2010 Operazione Colomba's relationship with Albanian institutions has become increasingly one of mutual trust and collaboration. Since the 5000 signatures for life campaign in 2013, a number of institutions have helped collect signatures (including a number of MPs who are members of the Albanian parliament's parliamentary commissions) and - like the then President of Albania, Bujar Nishani - have praised its aims³¹.

In 2014 the Albanian institutions promoted and supported the "*Change? It's possible! A crowd moves for peace against blood feud*" Peace March launched by Operazione Colomba together with other associations³² to promote: a culture of life, peace, forgiveness and reconciliation; to give a higher profile, including at the international level, to the blood feud problem; and to encourage the Albanian institutions to take a strong stand by implementing in full law 9389 of 4 May 2005. In ten days around 10.000 people had been made aware of blood feuds and reconciliation. The event included the signature by participants and supporters of an appeal stating the aims of the initiative and giving a commitment by all involved to promote reconciliation at the personal, social, legislative and institutional levels. The appeal was signed

31 On 23 July 2014 a delegation from the Association Comunità Papa Giovanni XXIII and Operazione Colomba had a private meeting with the then President of Albania, Bujar Nishani.

32 Ambassadors for Peace; Justice and Peace Commission; Patriotic Association of Dukagjin; Comunità Sant'Egidio; World Vision; Centre for the Psychological Support of the Children of Shkodra; Association of Albanian Scouts; Albanian Red Cross (March for Peace. Change? It's possible! A crowd moves for peace against blood feud).



by 2681 people, almost all of whom were Albanian. In addition to the associations, the Advocate of the People and other representatives of local institutions taking part in the initiative, the appeal was also signed by the then representatives of public institutions: the President of the Albanian Parliament, Ilir Meta, the Minister of Local Affairs, Bledi Çuçi, the President of the Parliamentary Commission for National Security, Spartak Braho, the President of the Parliamentary Commission for Membership of the European Union, Majlinda Bregu and the mayors of Puka and Laç Vau Dejes. Another 253 people living in a number of countries around the world signed the petition on-line. The success of the campaign was reported in Albania and internationally.

In 2015 at the time of the Albanian local elections, Operazione Colomba launched a new initiative to raise national awareness. During the electoral campaign all candidates for the position of mayor were sent a questionnaire about blood feuds in order to get the future representatives of Albanian society to state their real commitment to eradicating the practice. The same questionnaire was also sent to the new mayors to remind them of the commitments they had given their electorates. The results (replies received and failures to reply) have been published on a blog <http://www.kundergiakmarries.org/> - which is easy to access on-line and is in three languages to make easy reading for the Italian, English and Albanian-speaking publics.

The campaign showed a general lack of interest by local institutions in blood feud. The number of pre-electoral replies received was very small (7 replies from 162 candidates), but this improved after the elections (24 replies from 61 mayors). Another important result was the origin of the replies: most came from the south of the country, the area traditionally least affected by blood feud.

In 2016 another national awareness campaign, "Together we can build Reconciliation!" was launched, focusing on two cities, Shkodra and Tirana, and with two aims: to remember the victims of blood feud and to obtain a commitment from local and national institutions to fight against it. As part of the first aim, a mural was dedicated to the victims of blood feud in Shkodra and a plaque was given to the Palace of Culture in Kamëz (Tirana). Until 2016 there were no monuments or commemorative plaques to the victims of the phenomenon anywhere in the country. This was a way of giving some form of public justice to the victims' families. As part of the second aim, the institutions, forming part of the Coordination Council on blood feuds, were invited to meet to work together to produce a common strategy against the phenomenon, even though law 9389/2005 had not been implemented. Events were organised over three days of public meetings attended by the inhabitants of Shkodra and Kamëz, just outside Tirana. Each of the two events included a public meeting in the town square on the subject of forgiveness and reconciliation, a showing of the film *The forgiveness of blood* and an interview with the leading actress in the film, Sindi Laçe, who also attended and a mural to remember the victims of blood feud which people can still see. Round tables with



the institutions were organised in both towns thanks to help from the Advocate of the People. The main aim was to renew the commitment to preventing and fighting against blood feud and to developing a common strategy, as stated in the document that was then produced and shared. Even though a number of institutions did take part in the two round tables, the meetings led to no common initiatives. Institutionally, only the Advocate of the People continued to collaborate in cases of individual families caught up in blood feud.

Recently a number of institutions in the Shkodra area have organised activities in response to the consequences of the phenomenon. In 2015 for example, Shkodra Social Services organised a number of training courses for women belonging to feuding families to help integrate them into the world of work. And since 2016 some members of Shkodra Social Services have become involved with some families reported by Operazione Colomba to help meet a range of social needs. Thanks to the mutual trust that has developed, collaboration is direct and effective.

B. RELIGIOUS INSTITUTIONS

Collaboration with religious institutions has always been real and effective from many viewpoints. In terms of relations with blood feud families, local priests and imams have often handled particular cases alongside volunteers in the field, working together to support the victims in the path towards reconciliation. Representatives from the Catholic Church and the Muslim Myftinia in Shkodra and Tirana have also always taken part in Operazione Colomba awareness campaigns, becoming personally involved in local and national campaigns.

The representatives of the various religious groups in the country have also implemented a range of strategies to fight blood feud. In 2012 the bishops of northern Albania united to issue a letter excommunicating anyone who kills for vendetta and receiving back into the Church only those who repent of their violent acts³³.

In 2014 after the March for Peace, Operazione Colomba met the Papal Nuncio in Tirana and discussed with him its strategy for action to eradicate blood feud.

The Catholic Church also took advantage of the Pope's visit to launch a proposal of prayers that officially promote a three-stage path to reconciliation: reconciliation with oneself and one's past; reconciliation with God; reconciliation with others. On this final point the Church made a strong appeal to all feuding families to abandon vendetta. In March 2017 the diocese of Shkodra gave Operazione Colomba the space and a framework in which to present to the public the book "*Il perdono è un bel guadagno*" (Forgiveness is a great benefit) intended to support anyone wishing to go down the path of reconciliation to put an end to a blood feud.

33 See Decree 96/2012 of 14 September 2012 attached to "*Documento descrizione fenomeno 'gjakmarrja' per sensibilizzazione dei membri del Parlamento relativa alla criminalità in Albania*", October 2013.

5. RECOMMENDATIONS

Based on this analysis, Operazione Colomba offers institutions a number of suggestions to help promote the elimination of blood feud in Albania by involving society and feuding families.

- Support mediation between families who are the victims of a blood feud and the creation of a national reconciliation process through restorative justice (see sections 5.1. and 5.2).
- Reform the State justice system through: fight against corruption; pre-trial detention for anyone committing an offence connected with a blood feud; ensure sentences are served; ensure justice is the same for all.
- Introduce legal/institutional instruments that promote the elimination of the phenomenon and recognise and fight anything that causes or prolongs vendetta, such as the law on the civil mediation of disputes³⁴.
- Amend and implement law 9389 of 4.05.2005 to set up a Coordination Council on blood feuds (see section 5.2).
- Systematically introduce educational and cultural programmes based on the nonviolent management of disputes, education in peace, reconciliation and respect for human rights in schools, places of work and the most highly populated towns.
- Take steps to ensure the safety of Albanians who are the victims of vendetta and to ensure they are able to access basic services (hospitals, places of work, schools, etc.).
- Set up a compensation and support fund for families who are bereaved as a result of vendetta.
- Within the Police, set up an *ad hoc* emergency service to deal with cases of blood feud.
- Introduce and implement special prison programmes and associated re-education and reintegration plans for prisoners who have committed blood feud offences.
- Introduce standard criteria for identifying families involved in blood feuds.
- Publish official data on the actual extent of blood feuds.
- Create a social State dedicated to dealing with the structural factors that enable the phenomenon to exist and to contributing to the economic and cultural development of society and to the delivery of services.

A number of the above suggestions were stated in 2014 by a delegate of Comunità Papa Giovanni XXIII Association in Geneva during the Second Cycle of the Universal Periodic Review of Albania by the United Nations Human Rights Council.

Further work will also be done on several of the suggestions based on Operazione Colomba's experience and in order to identify best practice for supporting:

34 Law 10385 of 24.02.2011.



- mediation counselling to resolve feuds through reconciliation of the parties;
- implementation of a general reconciliation process to put an end to the entire blood feud phenomenon.

5.1. MEDIATION COUNSELLING

Just as the dynamics of blood feud disputes are changing with time, so the ways they are resolved can also change if this will make them more effective at ending disputes.

Mediation is an alternative dispute resolution technique that brings a third party (who may be an individual, an organisation, community, group etc.) into the dispute. Mediation helps the parties determine the facts, understand the reason for behaviours, accept different viewpoints, identify common interests, recognise that all the parties to a dispute have equal rights and duties, accept the contributions made by the parties and generate new ideas that will lead to agreement.

The Albanian Kanun tradition recognises mediation as a way of resolving disputes and feuds. In the Kanun, reconciliation is the final stage in mediation. Traditional peace-building practices are rooted in local communities and include methods applied from the XIX to the XX centuries, a number of which were taken up again after the collapse of Communism. Traditional approaches are closely linked to the local socio-cultural environment. The code therefore allows two rights/duties: the taking of blood or forgiveness of the other family (see section 1). Forgiveness is achieved through mediation. Mediators are community figures whose moral authority allows them to guide the mediation process by influencing the views and behaviours of the feuding parties. Mediators can be religious figures, *bajraktar*, missionaries of peace, individuals or clans who are not related to the feuding clans.

Deference is paid to mediators as the expectations of them are high. Depending on local community traditions, the higher the mediator's social status, the more authoritative and worth of respect his opinion is. For example, in the religious sphere, Catholic and Orthodox priests usually mediate between feuding Catholic and/or Orthodox families with a reconciliation ceremony conducted by a bishop. In Muslim clans, the mediator is an imam, who also seals the reconciliation between them. If the feuding families are of different religions, their religious representatives work together to organise the mediation and together celebrate the reconciliation. Mediators can work alone or in groups to give more weight to their actions. Albanian tradition allows waiver of blood feud through *pajtimi i gjakut* (blood reconciliation). Until the first half of the XX century, blood peace was based on formal procedures that ended with amicable settlement of the crime thanks to third party intervention, a general *besa* and collective conciliation at spontaneous assemblies. During long talks mediators sought to achieve an agreement between the parties. Asking that the offender be forgiven and reconciled with his clan involved considerable effort on



the part of the victim's family and could lead to problems for the mediator himself. Pacification was achieved by sending persons of respect and old mediators to emphasise that forgiveness meant honour, *burnnija* and *besa*. This could also be achieved through the intervention of several authoritative relatives of the victim. All bereaved family members had to agree to pacification and if the head of the family was very young no decision could be made until he became an adult. The mediators then "dusted down" the old Kanun laws to complete the mediation with blood reconciliation. Reconciliation concluded with a formal ceremony involving the close family, the religious mediators in the home of the victim and the guarantors³⁵, or the guarantors along with the heads of the families, the members of the house, the representatives of the House of Gjomarkaj³⁶ and the flag. Once the agreement was made, pacification was celebrated by a meal attended by both parties.

Today, these procedures can also include innovative mediation methods. Some of the traditional features of mediation and reconciliation have had to be embedded in the culture while introducing innovation and adapting them to modern feuding to make them more effective in ending disputes. A number of these new procedures are shown below.

Individuals and independent groups tied to bodies or associations can act as mediators, contrary to tradition. Mediators can also be foreign religious figures since the Kanun is applied in bastardised form and Albanian mediators could find themselves and their own clans threatened.

- Women are involved to improve communication with bereaved women and give them positive advice in the decisions they must make.
- Problem-solving, narrative and transformative types of mediation. Problem-solving mediation seeks to negotiate the interests and needs of both parties. The mediators help the parties think about the negative impact of revenge compared with the positive impact of forgiveness. Mediators can also help achieve a financial agreement, which has been used in the past to indemnify victims. In these cases the third parties have to realise that long-term peace will depend more on full acceptance of the reconciliation decision than on the traditional financial compensation.

Narrative mediation instead involves recognising the pain caused by the dispute and also the hope that transpires through the victims' narratives and offers a constructive way of ending hostilities. When a third party explains this second aspect, the steps the sides must take to turn the hope into reality become clear. This enables the mediators to help the victims manage and channel their negative emotions constructively while at the same time rationalising their emotional

35 Guarantors attended the reconciliation ceremony, set the date for payment of the blood price (a form of compensation that the offender's family paid to the victim's family) and ensured that the reconciliation oath was not dishonoured as time passed.

36 Clan succeeding Prince Lek Dukagjini that acted as judge and enforcer of traditional law until the end of the first half of the XX century.

experience to create a new dispute narrative that offers a way of transforming hostile relations.

Transformative mediation changes the way those involved think, through empowerment and mutual recognition. Empowerment increases group and individual understanding of their ability to manage and resolve problems constructively. Recognition promotes understanding, the development of empathy and approval of the other person and his views.

- Sharing, active listening and *equivicinanza* (equal proximity) to both sides enable the mediator to gain the trust and credibility needed to direct the mediation towards reconciliation. Mediators in feuds between families are able to share the suffering of all involved through active listening. They can help families manage their emotions constructively and channel in a positive direction the anger they feel at the injustice they have suffered. They can help heal emotional wounds. This enables both sides to redefine their pain, bereavement and dispute.
- Dialogue means using words to give positive counselling in family decisions and to build an agreement shared by both sides by moving them towards nonviolent management of their dispute.
- Developing empathy to help the parties put themselves in each other's shoes, to change the negative perception each has of the other.
- Restorative justice (see section 5.2) using the positive elements of traditional Albanian culture, such as forgiveness and reconciliation can be the catalyst that helps victims of feuds let go of their hate and anger. During counselling, victims can be supported as they explore their personal experiences, while the relatives of the culprit can take concrete action to compensate the victims and make good the damage to them.
- The forgiveness and reconciliation ceremonies may take place in public to ensure long-term peace between the families because they are performed before the community, authoritative religious figures and in sacred places. Publicising the event can also have a positive effect on social pressure.
- Persons whose presence gives support to the parties as they decide in favour of reconciliation, during mediation and after the reconciliation ceremony, ensuring that good relations between both sides are maintained.

Positive social pressure that draws on the positive elements of traditional local culture can also be maintained through awareness action that targets society.

Mediation takes a long time. In many cases, even though the mediation does not lead to official reconciliation between the parties, it does reduce the tension between them and enables the victims of the dispute to continue to lead their lives and get back to normality. The bereaved can start planning their futures. The relatives of the offender can leave fear behind.

5.2 GENERAL RECONCILIATION PROCESS

The general reconciliation process is based on restorative justice, which reintegrates the victims and perpetrators into society. Restorative justice encourages recovery, *rapprochement* and forgiveness processes in which both victims and killers play an active role. Where the criminal harms or destroys relations between individuals or groups, restorative justice has the task of creating the basis for new relations between them. Restorative justice encourages change in the way the two sides perceive each other by restating and healing the emotions felt by each social player. Victims and killers are rehabilitated by separating the individual or group from the crime, through a process that restores each other's humanity and in which the narration of personal experience confers dignity on both narrator and listeners.

The success of restorative justice is measured not in terms of sentence length but of the extent of the compensation and rehabilitation achieved. Once clear example of restorative justice is reconciliation. General reconciliation processes create an environment in which the offender is motivated to make a positive and long-term change in the situation and in his relations with the victim. In group disputes in particular, punishment of the criminals does not prevent either them or their successors from continuing to hate and desire revenge.

Reconciliation therefore requires the creation of institutions that will guarantee truth and justice. These may include: truth and reconciliation commissions, courts, rehabilitation and compensation measures, depending on legal capacity and the nature of the social divisions concerned. General reconciliation procedures are also not permanent, being completed within a given timeframe so that restorative justice can remedy the violations of human rights, including those caused by private forms of justice, and promote the justice of the State.

Analysis of the causes of blood feud shows that State presence, the promotion of cultural transformation, enforcement of the law and protection of citizens' rights could contribute to eliminating the phenomenon. This would also rebuild communities' trust in the State.

The general reconciliation process can take these factors into account because it includes meetings open to both community leaders and the victims of crime, support for the offender through the rehabilitation process and compensation to the victims. Above all, restorative justice requires a particular form of implementation that suits the Albanian context and helps eradicate blood feud. Restorative justice in the form of "reconciliation in return for State justice" could be the basis for the Albanian general reconciliation process. Adopting restorative justice would promote the operation of State justice and encourage reconciliation as a way of ending existing disputes and preventing others. Through mediation, restorative justice would therefore put a permanent end to feuds and ensure sentences are served. Mediation could be conducted privately to protect the families involved, particularly those of the victims. Reconciliation between feuding families would protect the relatives of the criminal



from vendetta and release them from self-confinement. It would also enable the criminal himself to return to a normal life without fear of repercussions once he has paid his debt through the justice of the State. Criminals who are still on the loose could give themselves up to enable reconciliation between the parties, which would ensure their own safety once they have served their sentences and protect their families from vendetta.

Second, in order to overcome the social unrest caused by blood feuds, action will be needed to deal with the thinking that gives rise to blood feud. Restorative justice could do this by offering forgiveness and reconciliation, both of which are rooted in local socio-cultural tradition and can support the democratic principles that protect human rights.

Certain sayings, such as “real men forgive, not kill” and “the forgiver is greater than a king”, express the extent to which forgiveness is considered honourable in Albanian cultural tradition. However, to prevent tradition replicating practices that create blood feud, it may be necessary to embed forgiveness and reconciliation in these sayings. For example, changing “real men forgive, not kill” into “real heroes forgive, not kill” could revitalise the traditional concept. Cultural alteration can therefore strengthen and adapt the positive features of traditional Albanian culture to suit modern Albanian society.

Third, feud victims may be the first and direct targets of institutions’ recovery, support and rehabilitation programmes with dedicated, private places in which they can recount the injustices they have suffered, redefine their pain constructively and channel their demands for justice in a positive direction. Protecting the privacy of feud victims is essential to stop them suffering additional trauma.

Fourth, creating a State compensation fund for families bereaved as a result of feud would recognise harm, offer a form of compensation for injustices suffered and improve the socio-economic conditions of the victims of vendetta.

Fifth, restorative justice could be led by authoritative figures, such as intellectuals, village elders or religious or institutional representatives. The involvement of authoritative personalities in the management of restorative justice through their personification of the positive elements of traditional Albanian culture could encourage cultural change since the authority of their position will give credibility to what they achieve. Authoritative figures can also change the thinking that vendetta is more honourable than forgiveness by declaring that life is the most important value and that reconciliation is an expression of this principle. Changing thinking about vendetta can also be encouraged by the words of those who have decided to forgive the killing of a relative and to accept reconciliation with the other side, and by educating the community in nonviolence and the respect of human rights. Finally, constant promotion and publicity of anti-blood feud initiatives in the media can provide transparent documentation of the general reconciliation process while at the same time disseminating and extending its messages. This could encourage positive social pressure to accept forgiveness and reconciliation and/or to discourage vendetta.

There are however a number of obstacles to implementation of this model. Firstly, the time must be right for it and the creation of social awareness may be a help in maintaining its momentum. Secondly, there needs to be a bridge between the town and the suburbs that will unite local communities in their determination to fight the phenomenon. There is also the problem of the lack of any strong driving force. The desire to join the EU might be enough to create a movement in Albania that is cohesive and determined to fight vendetta.

In legal terms, law 9389 of 04.05.2005 provides for a co-ordinated strategy to direct the work of institutions and society in the fight against vendetta. The law introduces a coordination council that will implement a long-term national strategy to prevent, fight and eliminate blood feuds under the direction of institutional representatives and with the participation of religious representatives and non-profit organisations that defend human rights.

The law was passed over twelve years ago but has yet to be implemented and some aspects of it might need to be amended in the light of the current socio-political situation.

Even though there is no guarantee that the above model or any of its components will ever see the light of day, firstly it should not be forgotten, secondly the need to rebuild trust between institutions and citizens must not be overlooked, and finally the urgent need to change the culture that underpins this practice must remain in the forefront of our thoughts.



BIBLIOGRAPHY

- Alston P. (20 May 2010), *Report of the Special Rapporteur on extra-judicial, summary or arbitrary executions*, Human Rights Council, United Nations General Assembly.
- Archive of cases of *hakmarrrja* and *gjakmarrrja*, Operazione Colomba - Associazione Comunità Papa Giovanni XXIII since 2011; sources: *Gazeta Shqiptare*, *Panorama*, *Shekulli*.
- Associazione Comunità Papa Giovanni XXIII (25 August 2014), *Written statement submitted by the Associazione Comunità Papa Giovanni XXIII, a non-governmental organization in special consultative status*, Human Rights Council General Assembly (Geneva), Twenty-seventh session Agenda item 6 Universal Periodic Review.
- Basso R. (2011), *Kanun, il sangue e l'onore*, Padua: Running TV International.
- Bego F. (2014), La storia dell'Albania dal 1997 e l'identità albanese del post-comunismo, *Storicamente*, 10 (26).
- Besemer C. (1999), *Gestione dei conflitti e mediazione*, Turin: EGA Editore.
- Bissi A. (1999), *Il battito della vita. Conoscere e gestire le proprie emozioni*, Rome, Edizioni Paoline.
- Bowling D., Hoffman D. (2000), Bringing peace into the room: the personal qualities of the mediator and their impact on the mediation, *Negotiation Journal*, 16(1): 5-28.
- Bush B. R. A., Folger J. P. (2009), *La promessa della mediazione: l'approccio trasformativo alla gestione dei conflitti*, Florence: Vallecchi.
- Campagnoli M. (2007/2008), *Il fenomeno del Kanun e la dimensione educativa: un'analisi*, MA thesis on the educational component of international cooperation, Department of Educational Sciences, Faculty of Educational Sciences, University of Bologna.
- Capitini A. (1989), *Le tecniche della nonviolenza*, Milan: Linea d'ombra.
- Capra S. (2000), *Albania proibita: il sangue, l'onore e il codice delle montagne*, Milan: Mimesis.
- Committee of Nationwide Reconciliation (2009), *National Strategy against blood feud. Strategic plan for the elimination of enmities and integration in EU without blood feud*, Tirana.
- Corella R. (2013), *Prisioneros del Kanun*, Spain: Grafo Documental.



- Cozzi E. (1910), *La vendetta del sangue nelle Montagne dell'alta Albania*, *Anthropos*, 5: 654-687.
- D'Alessandri A., Pitassio A. (2011), *Dopo la pioggia. Gli Stati della ex Jugoslavia e Albania (1991-2011)*, Lecce: Argo.
- Davis J. (1997), *Antropologia delle società mediterranee. Un'analisi comparata*, Turin: Trauben.
- Elezi I. (2000), *Vrasjet për hakmarrje aepër gjakmarrje në Shqipëri*, Tirana: Botim i Qendres Shqiptare re per te Drejtat e Njeriut.
- European Commission (Commission Staff Working Document) (16.10.2013), *Albania 2013 Progress Report Accompanying the document Communication from the Commission to the European Parliament and the Council, Enlargement Strategy and Main Challenges 2013-2014*, Brussels.
- European Commission (4.06.2014), *Report from the Commission to the Council and the European Parliament on Albania's Progress in the Fight Against Corruption and Organised Crime and in the Judicial Reform*, Brussels.
- European Commission (Commission Staff Working Document) (8.10.2014), *Albania 2014 Progress Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Enlargement Strategy and Main Challenges 2014-2015*, Brussels.
- European Commission (Commission Staff Working Document) (10.11.2015), *Albania 2015 Progress Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, Brussels.
- European Commission (Commission Staff Working Document) (09.11.2016), *Albania 2016 Progress Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, Brussels.
- European Parliament Resolution (30 April 2015) on the 2014 Progress Report on Albania (2014-2019).
- European Parliament (December 2015), *Combating "honour" crimes in the EU*, Members' Research Service.
- Galtung J. (1998), *After Violence: 3R, Reconstruction, Reconciliation, Resolution. Coping With Visible and Invisible Effects of War and Violence*, Princeton, NJ: TRANSCEND.



- Galtung J. (2006), *La trasformazione dei conflitti con mezzi pacifici*, Turin, Centro Studi Sereno Regis.
- Gandhi M. K. (2006), *Teoria e pratica della non-violenza*, Turin: Einaudi.
- Gjeçovi S. (1998), *Kanuni i Lekë Dukagjinit*, Shkodër: Botime Franceskane.
- Graziani G. (2015), *Albania andata e ritorno*, RAI.
- Human Rights Council, twenty-seventh session Agenda Item 6, Universal Periodic Review, United Nations General Assembly (7 July 2014), Report of the Working Group on the Universal Periodic Review (Albania).
- Illuminati G., Stortoni L., Virgilio M. (2000), *Crimini internazionali tra diritto e giustizia. Dai Tribunali Internazionali alle Commissioni Verità e Riconciliazione*, Turin: Giappichelli.
- Jaudel E. (2010), *Giustizia senza punizione. Le Commissioni Verità e Riconciliazione*, Milan: O Barra O.
- Justice and Peace Commission of Albania Caritas Albania (2010), *Blood Feud in Albania - Study*, Shkodër: Justice and Peace Commission of Albania Caritas Albania supported by secours catholique (France Caritas).
- Lush G. (2013), *Dashuria që nuk veds. Të mëdhenjtë e Shekullit XX*, Prizren: DRITA.
- Mac Ginty R. (2011), *International Peacebuilding and Local Resistance. Hybrid Forms of Peace*, London: Palgrave Macmillan.
- Maggiolini P. (2014), Understanding Life in the Ottoman-Montenegrin Borderlands of Northern Albania during the Tanzimat Era: Catholic Mirdite Tribes, Missionaries and Ottoman Officials, *Middle Eastern Studies*, 50(2): 208-232.
- Martucci D. (2009), *Il Kanun di Lek Dukagjini: le basi morali e giuridiche della società albanese*, Nardò: Besa.
- Martucci D. (2010), *I Kanun delle montagne albanesi. Fonti, fondamenti e mutazioni del diritto tradizionale albanese*, Bari: Edizioni di pagina.
- Meta I. (2015), Project - Rezolute për parandalimin e fenomenit të gjakmarrjes në Shqipëri, Tiranë: Republika e Shqipërisë Kuvendi.
- Nagler M. N. (2005), *Per un futuro nonviolento*, Milan: Ponte alle Grazie.
- Narvaez L. (2010), *La rivoluzione del perdono*, Milan: Edizioni San Paolo.
- Operazione Colomba - Associazione Comunità Papa Giovanni XXIII (2012), *Documento descrizione fenomeno "gjakmarrja" per sensibilizzazione dei membri del parlamento Albanese relative alla criminalità in Albania*, Shkodra.



- Operazione Colomba - Associazione Comunità Papa Giovanni XXIII - Shoqata Komuniteti Papa Xhovani XXIII (2013), *La Campagna 5000 firme per la vita*, Shkodra.
- Operazione Colomba - Associazione Comunità Papa Giovanni XXIII (2014), *Documento descrizione fenomeno "hakmarrje" e "gjakmarrja" per la sensibilizzazione delle Istituzioni Albanesi e Internazionali*, Shkodra.
- Operazione Colomba - Associazione Comunità Papa Giovanni XXIII - Shoqata Komuniteti Papa Xhovani XXIII (2014), *Marcia per la pace in Albania "Un popolo si muove per la pace contro le vendette di sangue"*, Shkodra.
- Operazione Colomba - Associazione Comunità Papa Giovanni XXIII - Shoqata Komuniteti Papa Xhovani XXIII (2015), *Campagna di Sensibilizzazione 2015 - Un popolo contro le vendette di sangue*, Shkodra.
- OSCE - Organization for Security and Co-operation in Europe - Presence in Albania (2014), *Report on Blood Feud in Albania*, Tirana.
- OSCE - Organization for Security and Co-operation in Europe - Office for Democratic Institutions and Human Rights - Republic of Albania (2015), Local Elections 21 June 2015, OSCE/ODIHR Election Observation Mission - Final Report, Warsaw.
- Qendra "Drejtësi dhe paqe" (2000), *Gjakmarrja në rrethet Shkodër dhe Malësi e Madhe - Studim*, Shkoder: Qendra "Drejtësi dhe paqe".
- Sadiku M. (2013), *Blood feuds and the rule of law: challenging the Kanun in contemporary Albanian society*, Graduation Thesis in State Building, Nationalism, and Development in Eastern Europe, Master of Arts in Interdisciplinary Research and Studies on Eastern Europe, Università di Bologna.
- Salvoldi G., Salvoldi V., Lush Gj. (1999), *Kosovo, non violenza per la reconciliation*, Bologna: EMI.
- Scanderbeg I. S. C. (1991), *Albania: The Awakening. Il risveglio dell'Albania*, RAI - TG2 Pegaso.
- Sejko R., Brescia M. (2008), *Albania: il paese di fronte*, Rome: Istituto Luce.
- Servizio Obiezione e Pace - Associazione Comunità Papa Giovanni XXIII (2014), *Caschi Bianchi Oltre le Vendette*, Rimini: Edizioni Sempres.
- Tarifa F. (2008), *Vengeance is Mine: Justice Albanian Style*, North Carolina: Globic Press.
- Tarifa F. (27.07.2014), Nderi, turpi dhe gjakmarrja. Norma e reciprocitetit dhe një shpjegim funksionalist mbi gjakmarrjen, *Gazeta Shqiptare*, Tirana: 19-20.



- Testa G. (2015), *Il perdono è un bel guadagno. Un cammino semplice verso la reconciliazione*, Turin: Effatà Editrice.
- Totozani I. (2013), *Raport mbi fenomenin e gjakmarjes*, Tiranë.
- Totozani I. (5 September 2014), *Information presented by the Albanian People's Advocate(Ombudsman)*, Human Rights Council General Assembly (Geneva), Twenty-seventh session Agenda item 6 Universal Periodic Review.
- Tutu D. (2001), *Non c'è futuro senza perdono*, Milan: Feltrinelli.
- United Nations, United Nations Office on Drugs and Crime (2006), *Handbook on Restorative Justice Programmes*, Criminal Justice Handbook Series, New York-Vienna.
- Vickers M. (2014), *The Albanians: a Modern History*, London-New York: I.B. Tauris.
- Vickers M., Pettifer J. (1997), *Albania: dall'anarchia a un'identità balcanica*, Triest: Asterios.
- Villa-Vicencio C., Bendana A. (2002), *La reconciliazione difficile. Dalla guerra ad una pace sostenibile*, Turin: EGA.
- Vuljanić N (9.12.2013), *Motion for a Resolution to wind up the debate on the statement by the Commission pursuant to Rule 110(2) of the Rules of Procedure*, European Parliament Plenary Sitting on the 2013 Progress Report on Albania.
- Winslade J., Monk G. (2008), *Practicing Narrative Mediation: Loosening the Grip of Dispute*, San Francisco: Jossey-Bass.
- Yamamoto K. (2008), *The ethical structure of Kanun and its cultural implications*, Milan: Plangarica.
- Zurlini Panza G. (2013), *Dalla guerra alla reconciliazione. Operazione Colomba: corpo nonviolento di pace in zone di conflitto armato*, Pisa: Centro Gandhi Edizioni.
- Zurlini Panza G. (2017), *Albania: pratiche di mediazione e di reconciliazione tra le famiglie colpite dal fenomeno delle vendette*, Ph.D thesis in humanities, University of Modena and Reggio Emilia.

