

**REPUBLIC OF ALBANIA
OMBUDSMAN**

Special Report

**ON BLOOD FEUD PHENOMENON
Year 2013**

Institution of Ombudsman

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I

Introduction

Considering the right to life as the most important and fundamental human right guaranteed by the law, and admitting also the threat this right is everyday posed to, the Ombudsman has retaken the initiative for sensitizing state institutions, civil society and individuals on this sensitive issue and has compiled a special report on the blood feud phenomenon on the basis of the institutional experience and data state institutions and non-governmental organizations have presented to the Ombudsman office.

During the period of more than 20 years of transition, almost everyday, the media has reported about deaths under different circumstances, but this time we have brought into your attention the murders because of the blood feud or revenge, aiming at attracting the members of parliament's attention in order to increase awareness and protect the right to life.

Let us prevent as much as possible the blood feud phenomenon that is bringing about other violations of human fundamental rights and freedoms. The people involved in the blood feud, not only lose their father, husband, son or brother, but as in a vicious circle, tens of individuals and their relatives fearing uncertainty of life lose their freedom of movement, their right to work to feed their families, their electoral rights and their children lose their right to get educated etc.

We also stress that the blood feud phenomenon, as any other challenge the state and society faces with, requires a new approach from all the Albanian public administration structures and state.

We know that even the civilized world is not immune of the criminality phenomena. We will never forget the terrorist acts of September the 11th, after which the world woke poorer in its safety and poorer in its pride and values. It was the revenge of anti-values against values that the humanity, which part we are, is trying to carry out since the very beginning of life. A miracle started appearing the day we saw human solidarity amid smoke, and lines of thousands of people ready to donate blood. Those were blood-donating and not blood-taking people.

The Ombudsman emphasizes that the human rights, democracy and the rule of law are common values of a democratic society, where the right to life is a fundamental right. These rights are protected by several international conventions and acts, starting from the Constitution to the domestic laws of the state. Their respect is priority of the work of the state bodies, especially of the law enforcing institutions. On the other side, the obligation to guarantee legal protection for human rights and the right to life, as one of the most fundamental and universal rights, influences every aspect of the work of the state institutions.

We underline the fact that besides the increase of the safety of development of political, economic and social-cultural activities, the criminality appears in different forms that affect

the right to life. Some of the forms of life's safety threatening are the crimes due to blood feud or revenge, which are based on conflicts emerging from problems of property or crimes against morality, related to different forms of trafficking, such as drugs or human trafficking.

II

The right to life, provisions at the Constitution of Albania and an historical overview of the blood feud phenomenon

The respect of human fundamental rights and freedoms takes a special importance in an emancipated society, and for this reason they have been fully reflected to the democratic constitutions of any democratic states. These rights and freedoms can not be limitlessly respected and enjoyed. Practically, it would be impossible to adopt an absolute and same protection of rights in all aspects. This is why, there exist restrictions and limits as regards human rights and freedoms, which the Constitution and international acts have classified as allowable restrictions.

Nevertheless, there exist some rights that are absolutely untouchable, which neither constitutions can restrict. The right to life, is one of these important rights.

“The life of a person is protected by law”.¹ This is how the Constitution of the Republic of Albania sanctions the juridical concept of human life protection. Such a formulation clearly and directly expresses the human life protection, which is a constitutional value. The top of the human fundamental rights and freedoms is expressed by the concept of their non-violation. According to Article 15 of the Constitution, the human rights and freedoms are indivisible and are the basis of the juridical order. This is why there exists the primary and constitutional obligation of the state to respect and protect these rights through its bodies.

The fundamental principles of life protection are also based on the constitutional provisions. “The life is a right, a fundamental attribution of the human being and when life is taken or terminated by others in every possible way, the human being at the same time is eliminated as a holder of rights and obligations. Having an indisputable value, the human right becomes subject to constitutional protection”.² Protection of human rights is not the same in all cases or circumstances, since it is affected by different factors. A lawmaker, through laws he/ she drafts and approves, may envisage details of these factors in order to guarantee the human life. Only by law, there can be exclusions predicting cases of removal of someone's life as result of the protection of other constitutional rights.

The law has the right that in certain cases related to death, as outlined in clause 2 article 2 of the European Human Rights Convention, that allow also the termination of human life.

¹ *The Constitution of the Republic of Albania 21*

² Sokol Sadushi, “The right to life – A constitutional right”, speech delivered at the national conference “The state and the civil society in protection of the right to life”,

Concretely, these cases have been legally regulated by the general provisions of the Criminal Code that envisage the juridical institution of the necessary protection and the extreme need or at Law no. 8290, dated 24.02.1998 “On use of firearms”, changed into Law no. 10291, dated 24.6.2010, which gives the Armed Forces of the Republic of Albania, the police and other armed forces not in the army as well as the private security guards to use firearms in the above-mentioned cases. According to a provision of the Convention, the human life may be terminated, and this kind of termination, caused by the state through its bodies, is not related to death penalty, as a sort of punishment given by the court, but it is related to the aforesaid cases of exclusion.

Our legislation is built this way, and this is the constitutional and law meaning on which basis the human life is protected. This is our legislation that responds to a modern and emancipated society with a solid democracy. In this aspect, the Albanian legislation is much more preceding than the traditional social mentality, which makes a very difficult obstacle to consolidate and make perfect this society. But are the Albanian state and the society ready and comfortable in front of this emancipating and modern legislation, and are they able to guarantee human life, freedom and security while the canon, the traditional rules, self-judgment and blood feud eclipse the law? The answer to this question is “No”. This answer is because in many parts of the country, especially in the North, many families are isolated in their houses because of the blood feud. Each of us understands what we feel when we know that a family or an entire tribe are isolated because of the blood feud. All these innocent individuals, who before blood feud, performed a duty (some of them were state police officials), or carried out their obligations and rights as society members, unexpectedly were obliged to dissociate themselves from the society, depriving themselves from exercise of their rights. Is it possible that these individuals be considered as convicted by no law and deprived from the exercise of their rights and freedoms guaranteed by the Constitution? The question is: What way does the state and the civil society carry out the protection of life, freedoms and safety of these innocent persons, whose families are in blood feud?

We do not feel well when we have to affirm that the law is not able to protect the life of these individuals. **We feel bad when we are obliged to affirm that their life is protected by the isolation in their houses.** Not being guaranteed by law, they are obliged to isolate themselves and deprive themselves from the best part of their freedoms. The fundamental rights and freedoms of these citizens are not fulfilled in accordance with the Constitution. They are not exerted since they are isolated.

The Constitution envisages the restriction of human rights and freedoms because of the law, but this is a legal and constitutional restriction. It is understandable that these rights and freedoms can not be conceived as untouchable and unlimited. Restriction of human rights and freedoms is acknowledged, but when predicted by law, and when others' rights protection is necessary. And this constitutional restriction is envisaged in cases of discrimination (Article 18/3), forced labor (Article 26), removal of freedom (Article 27), publishing of personal data (Article 35), control of place of abode (Article 37), the right to property (Article 41), etc.

But on the other side, in some provisions about the top of the fundamental rights and freedoms, the legislator has foreseen only the general rule, not allowing the exclusion. This means that there are some rights and freedoms that can not be restricted by law or Constitution. The lack of this exclusion is clearly obvious in many constitutional provisions, and concretely in articles that do not allow surpass of limits set by the European Human Rights Convention (Article 17/2), minority rights (Article 20), freedom to religious awareness (Article 24), stop of torture (Article 25), the right to protection (Articles 28 and 31), innocence presumption (Article 30) etc.

Making part in this group of provisions, is the right to life (Article 21), which does not envisage any sort of restrictions. This means the state can not compromise with cases or phenomena that harm the right to life. These concepts are sanctioned by the Constitution, on which basis the Constitutional Court considered the death penalty in Albania was not in compliance with the Constitution.

But how can the state and the society respond to the real incapacity to implement this constitutional provision? Not only this. The state and the entire society is aware that these citizens, not only have their lives not protected, but they are also deprived from other fundamental constitutional rights. And they are powerless to eliminate these restrictions, if there is no law for this.

If we glance the constitutional provisions, we can guess that as regards this category of individuals, the constitutional obligation of the state bodies to respect their rights and freedoms and to contribute to their realization, remains an unimplementable formulation. How do these citizens exert the right to vote, which is a fundamental right and is considered inviolable? Article 45 of the Constitution sanctions the right of every citizen to elect and to be elected, a right citizens exert through equal, free and secret vote. **The right to vote** consists an unlimited right. According to the constitutional concept, none can be deprived from the right to vote, excluding citizens the court has considered mentally disabled. **Thus, the blood feud phenomenon hampers the exercise of this constitutional and unlimited right.**

The bad fortune of these citizens does not end here. These isolated persons are not able to exert many other constitutional rights. Each person is free to choose religion or convictions and how to present them individually or collectively in public through cult, education, practices or carrying out of rites. Nevertheless, they can not participate in these religious practices. **The freedom of organization** is another constitutional right that has a special importance in creating, developing and preserving democracy. It helps guaranteeing that people gather to encourage their interests and helps preservation of other constitutional rights and freedom. But other isolated persons are restricted in their right to organize on any legal purpose, or to take part in peaceful gatherings in public places in order to exercise their constitutional rights.

These citizens can not even enjoy the freedom to freely move into any part of the state's territory, and it is out of question that they can claim to exercise their right to work, to education and to benefit from the social services. The stage the Albanian society is now, when its claims to become part of the new European reality are headed towards fulfillment, the existence of such obstacles, which does not allow the exercise of the most fundamental right such as the right to education, is unacceptable.

Non-exercise of constitutional rights and freedoms because of the blood feud, of which we are all aware, is the same to the situation the state and the society accept to be limited and accept the violation of these rights. The observed indifference towards the dimensions of this phenomenon puts the blame on the society in general and on the state in particular.

We all are aware that the Constitution protects human life by law. The core of the constitutional provisions consists in highlighting the fundamental directions that give priority to the respect of human life and dignity. The human life is the most precious value of the state and the society and it serves as a foundation for all other rights. Its denial brings about the elimination of other human rights. The human life, considered as a right from the very beginning, becomes a value on top of other values protected by the Constitution. But the question is **what the state or an entire society can do in order to protect human life and to guarantee a certain living level?**

It is known that for many reasons, many of us can feel unsafe as regards our lives. And this issue has many explanations. But the fact that there exists a mentality in the Albanian society that there have to be carried out the rules of the traditional right and the situation where many people are isolated because of the blood feud, which remains shocking, consist in a phenomenon that can not accompany a society that claims to have achieved a progressed legislation and an advanced constitution and which considers death penalty inhuman, not accepting to include it in the existing legislation. If we glance into other countries, which are totally oriented toward democracy, and we make a comparison to the stage of the mentality of the Albanian state and society, we will see that **we have a long way ahead.**

The problem of protecting human life against murder, in general, and revenge or blood feud, in particular, presents a historical, social-political, juridical and practical importance. Murders are grave crimes that affect the right to life, which is the most fundamental human right, protected by the Universal Declaration of the UN General Assembly (1948), by the European Convention (1950) and by the Constitution of the Republic of Albania (Article 21).

Many foreign writers, especially the famous albanologists J. G Hahnn, F.B Nopscha, E. Durham, S. Villari, G. Kastelett and several present authors, have written about blood feud in Albania, which has extincted entire families.

Great renaissance Albanian authors, such as S. Frashëri, P. Vasa, Z. Jubani, J. Vreto, A. Drenova, At Gjergj Fishta and even Ismail Kadare and other scholars from Albania and Kosovo have dealt this problem. They have treated the topic from different viewpoints, since human life has not been protected the same way always.

Blood feud used to be an instrument of self-protection in the primaeval pre-state formations. It was widely spread in the tribe patriarchal order, whereas in the Middle Ages it started being restricted to the principle of “an eye for an eye” and “a tooth for a tooth”. This process continued to later centuries up to its distinction. Murders due to blood feud were not only an Albanian phenomenon, bu international as well. They used to exist in different times in other world countries, such as Asia, Arabia, Ancient Greece, Ancient Rome, Germany, Caucas, Corsica etc, but they disappeared in different times.

The characteristic of Albania is that murders due to blood feud continued in some areas longer, because of internal and external, objective and subjective causes. Main causes are as follows: the existence for many centuries of tribal patriarchal relations, self-governing organization, late creation of the independent Albanian state, general social-economic, educational and cultural backwardness, the great power of the mentalities of the past and long invasions.

Reappearance of murders due to blood feud in these last 20 years, requires a deep analysis of causes and favoring conditions in order to organize a system of measures preventing them. As famous American criminologist Edwin Sutherland stated, a social disorientation took place in Albania and it led to individual disorientation, because democracy was misunderstood for anarchy and self-judgment, and there were hit the positive values of the Albanian people.

A favoring condition is the non-disclosure and non-seize on time by the police of all culprits, a deficient and non-objective investigation of cases by the prosecution institution, giving by the court of light punishments for culprits or their release before they serve full time in prison. Self-judgment and canon work where state and law do not work. It is also worth to mention psychological factors, such as the character, emotions, the past mentality etc.

III

The current situation of the blood feud and the revenge in the country

(according to the official data)

From the official statistics of the state police (attached table) regarding the security and public order measures taken during the last 10 years, it results a general tendency of reduction of murders due to blood feud or revenge (Different NGOs claim higher figures).

Murders due to blood feud revealed by the police during years 2010, 2011 and 2012, have fallen to 5 murders per year from 33, 12 and 13 murders per year that were recorded respectively in years 2001, 2002 and 2003.

The number of families that were involved in the blood feud has reduced as well during the last years and this tendency goes on. While in 1990-2000 period there were 8229 families in blood feud, in 2001-2012 this number was reduced to 1559, thus lower.

Age of persons murdered in Albania during 1990-2012, including murders due to blood feud and revenge, according to official data

Murders for 10-16 group age comprise 0.1% of those murdered due to blood feud or revenge.

Murders for 17-20 group age comprise 2.9 % of those murdered due to blood feud or revenge.

Murders for 21-37 group age comprise 47% of those murdered due to blood feud or revenge.

Murders for 38-42 group age comprise 30 % of those murdered due to blood feud or revenge.

Murders for 43-65 group age comprise 19.6% of those murdered due to blood feud or revenge.

The rest, over 65 years old group age comprise 0.4 % of those murdered due to blood feud or revenge.

Following are police data about the regional distribution of those murdered in the 36 districts of the country, including murders due to blood feud and revenge:

Tirana 23.6 % of the murdered number

Shkodra 17.6% of the murdered number

Fieri 6% of the murdered number

Vlora 5.5% of the murdered number

Berati 4.7% of the murdered number

Durres 4.5% of the murdered number

Elbasan 3.8% of the murdered number

The other districts taken together consist 34.3% of the murders in republic level. Murders due to blood feud consist 5.95 of the general number of victims identified by the police, but this figure may be higher because of different description of murders also in cases of murders due to blood feud and revenge.

Persons that have committed crimes due to blood feud and revenge did not trust justice bodies, and this is why they referred to the tradition and the canon. They have justified their act as putting justice, honor and dignity in place.

In most of the cases, the persons committing murder due to blood feud and revenge were supported by their families.

The birthplace of crime perpetrators is in rural areas, but recently there has been observed an increasing tendency of this crime in urban areas, particularly in big cities.

The dwelling place of the crime's perpetrators is more located in the urban areas than in the rural areas.

The education of the crime perpetrators is as follows: 1% of them have attended higher educational system, 35 % have attended high education system, 25 % of them have attended the eight-year basic educational system, and 39 % have attended elementary school or have no education.

Civil status of the crime's perpetrators is valued to be: 56 % of the perpetrators were married with children, and 45% of them were unmarried.

Profession of the crime's perpetrators was mainly related to agriculture and construction. 70% of families of perpetrators worked in agriculture, and 30% of them worked in various state or private entities.

About 20% of the crime perpetrators had previous criminal records and were wanted by the police, whereas 80% of them had no problems with the law and state before.

Only 1% of the crime perpetrators had licensed arms, whereas 99% of them had no license and bought or borrowed the arms from relatives or friends.

As regards the licensed firearms, most of them were initially bought for hunting purposes or for official duty purposes.

Following is the number of families isolated due to blood feud or revenge in various districts of the country:

- 39 families in Shkodra
- 9 families in Malësi e Madhe
- 13 families in Kukës
- 4 families in Lezha
- 1 family in Kruja
- 1 family in Tirana

Following is the number of individuals isolated into their houses in various districts of the country:

- 93 males and 23 children in Shkodra
- 16 males, 6 females and 7 children in Kukës,
- 4 males in Lezha,
- 1 male, 3 children and 1 female in Kruja.

The aforesaid data are taken from the General Directorate of State Police in 2012 year, but we think that they might have a margin of error up to 3%.

Different NGOs that deal with problems of blood feud and revenge and their consequences present higher figures, which should be reservedly considered.

Albania is going through a long and difficult period of transition towards the juridical state and implementation of the human rights in line with the western standards. Besides the difficulties any transitory period is characterized of, Albania is facing another negative factor, which is expressed in the confrontation between two completely different juridical system, as it is the rule of law and the old rule of traditions. The weakness of state and its institutions, the violation of the state laws, violation of the human rights, including the right to life, are the most obvious results of this silent confrontation. But the human rights are not threatened only by canon practices and mentality.

The right to life has been the focus of the Ombudsman's work since the beginning of his activity. Considering it one of the most important human rights, but also accepting the risk it faces everyday because of the blood feud, revenge and criminality in general, the Ombudsman has carried out several activities in order to increase the awareness of the state, the civil society and the individuals regarding this issue, sensitizing them about the phenomenon and encouraging the Albanian public administration to perform its duties in protection of the right to life of its citizens, which is the most fundamental right of every human being. Following are the goals of the Ombudsman Institution: '

Implementation of a concrete strategy for the entire public administration, through coordinated actions by all relevant institutions and stakeholders, under the direction of a committee and in close connection to judicial bodies;

Sensitizing support from all civil society bodies that handle human rights;

Following the recommendation of the Ombudsman by the Council of Ministers and the Justice Ministry, there has been taken an initiative and there has been compiled the draft order "On the establishment of an inter-institutional task force to compile sub-legal acts in compliance with Law no. 9389, dated 04.05.2005 "On creation and functioning of the Coordinating Council in fight against blood feud", but the acts have not been approved, yet.

We require your attention because since the approval and the entry into force of the aforesaid law, the head of the Coordinating Council has not taken any initiative to organize or assemble the council, which, among others, according to article 3 of the law "... *defines tasks and concrete measures for the executive and local governance bodies*".

The Coordinating Council, as an inter-institutional body, has not given any orientations or instructions to the technical staff of the Council of Ministers, which comprises this council, to prepare the sub-legal acts due to implementation of law no. 9389, dated 04.05.2005 "On creation and functioning of the Coordinating Council in the fight against blood feud".

For this reason, no decision-making of the Council of Ministers has been enabled in compliance with this law, moreover that articles 4, 5 and 6 require decisions to be made by the Coordinating Council as regards special issues that are subject to the law's content.

Referring to Law no. 9389, dated 04.05.2005 and the response sent by the Secretary-General of the Council of Ministers, we noticed that:

1. The sub-legal acts due to implementation of Articles 4, 5, 6 and 7 of Law no. 9389, dated 04.05.2005 “On creation and functioning of the Coordinating Council in the fight against blood feud” have not been approved, yet.
2. The Coordinating Council, not taking the initiative to gather, has negatively affected the non-implementation of the aforesaid law.
3. Non-issuing of three sub-legal acts envisaged by the provisions of the law from the Council of Ministers has influenced non-implementation of the law in question. Meanwhile, we are of the opinion that this negligence of the Council of Ministers to issue the said sub-legal acts has negatively affected the efficiency of work against the blood feud phenomenon.

The Ombudsman, through its activity in solving citizens' complaints, will actively act in preventing conflicts and their consequences up to blood feud. The regional representative of the Ombudsman Office in Shkodra has influenced and will influence in encouraging the public administration and cooperation with NGOs as regards protection of the right to life. This institution will also go on sensitizing the entire public administration and the civil society to carry out these recommendations and to measure their work with expected positive results.

IV

Some blood feud cases explored by the Ombudsman.

The Ombudsman, as quoted above, has registered and addressed over the years some complaints about the problem of blood feuds. These complaints are presented by people involved in blood feuds or their family members who have been immobilized in their houses because of it.

The subject of complaints was: Protection of their life by the state, mediation to enable the departure from their home because of the impossibility to provide safety for their life, etc.

Some of these complaints are processed by asking explanations and information to the police and law enforcement authorities in the respective districts. These cases showed that life threatening from the blood feuds or the isolation at home were not reported to the competent authorities.

The answers and guidance given to them have been appropriate to the cases: those whose life was threatened or who were forced to live in isolation because of the avenger, must report this to the police or the prosecution, to those who asked for refuge abroad, the institutional jurisdiction was explained, etc.

It is important to mention a very important fact on the Ombudsman's work during these years. As noted above, several various complaints referring to this problem are handled, dozens of other murder cases because of blood feud are made public over the years this institution is functioning.

An illustrative case: The investigation on the causes of a revenge murder in the village Qelës in Puka district on 29.06.2012.

The concerns on the blood feud phenomenon are very frequently made public in the media, especially during summer holidays or toward the end of the year, due to certain events related to blood feud or revenge murders occurred during these months in Shkodra, Puka, Tirana and other districts of our country, as well as due to some other cases transmitted on TV programs and showing the isolation in their homes of a number of people and their family members, threatened by blood feuds.

Motivated by the media and by the right of access providing to us the organic law, we registered by our own initiative the case of murder of the two brothers M and wounding of four other people, three of them from the family M and one from the family P, in the neighborhood Marnaq, village Qelës in Puka district, on 29.06.2012.

According to the media, this tragedy happened because of the inaction of the police to follow the case according to the laws on the conflict recently risen between families M and P.

In order to administratively investigate the causes leading to the tragedy on 29.06.2012, where two citizens were killed and four others were wounded, the Ombudsman decided to establish a working group and send it to Puka.

To meet the legal obligation provided in Article 14 of the Law "On the Ombudsman", the working group met the family M to obtain their consent so that our institution to explore this case. Once we got their consent to follow up this case, our institution made the necessary verifications and administrative investigations to the police and the Prosecutor Office of Puka about the claims raised by the media and the complainant.

From the meeting with the Chief of the Puka Police Station, R.B., and several other police officers, the working group was informed about the conflict between the families M and P, which were residents of the same neighborhood Marnaq and neighbors to each-other.

The working group asked to the police information about all the conflicts occurred between these families and the causes that led to the tragedy of 29.06.2012. They informed that on 21.05.2012 around 9.30 o'clock, the citizen A.P. and met A.M. in the city of Puka. A.P. asked to P.M. explanations regarding the debate that P.M. had made with the father of brothers P some days ago. The cause of this debate had been a demand of A.M. to the father of A.N. that his herd of cattle should not cross a piece of land belonging to one of the family M members. During the dispute, A.M. and A.N. have clashed physically. According to the police, A.M. hit A.P., while according to the decision of the Prosecutor's Office of Puka District not to open any criminal proceedings, it is said that both men hit each-other. During this conflict, the police intervened and escorted them to the police station, where the citizen A.P. testified and later was given a decision for a forensic examination, while from the citizens A.M. only a statement was taken. On 22.05.2012, the offense and administered materials are referred to the Prosecution of Puka District with the document no. 746 protocol. 22.05.2012 of the Puka Police Station.

This organ has registered the denouncement no. 71 of 2012. After the verification of this denouncement and relying on the forensic report act no. 26, dated 21.05.2012 "On the examination of the citizen A.P.", the case prosecutor E.K., by her decision dated May 28th, 2012 decided not to open any criminal proceedings. This decision was taken on the grounds that the offenses referred to in the Article 90 "Other intentional damages" of the Criminal

Code, can not be prosecuted by the Prosecution office because the accuser should make a request and follow the case directly in the court.

Police also informed that between the members of two families, namely B.P. and V.M., on 15.06.2012, there was a conflict in Kamza, where B hit V. Concerning this conflict, V has filled a denounce against B in the Police Station no. 5 of Tirana, while on 29.06.2012, around 6:10 in the neighborhood Marrnaq, citizens H.M. and P.M. were killed by gunfire, and the citizens A.M., T.M. and A.M. were wounded.

The killing and wounding of the above-mentioned persons was made by the citizens B.P. and F.P., who were arrested by the police. In this episode, one of the authors of the shootings, B.P., was wounded. The police declared as wanted persons the citizens A.P. (the brother of authors) and S.P. (the son of the uncle of authors) who, according to the police, were co-authors of this serious episode. Police officers and a forensic expert went to the scene and conducted the procedural acts and the examination of the scene.

This information was given by the police chief and police officers verbally and through some documents that were compiled on this event.

Our employees made a recorded precognition of two brothers of the killed persons, V. and B.M., two of their nephews F. and K.M. and the citizen A.D. (a colleague of the late P.M.). They informed us about the conflict raised during the recent months between the two families on the issue of passing the cattle by the father of the authors of murder in the property land of L.M., who is one of the brothers of the deceased (who died in a car accident in 1995). One of the nephews of the deceased, A.M., had told the father of the authors not to pass his cattle on their land. They explained that, after this debate, two physical confrontations had occurred between members of these families, one in the city of Puka on 21.05.2012 between A.M. and the citizen A.P., on which A.N. had filled a charge against A.M., and another occurred in Kamza on 15.06.2012 between V. and the citizen B.P., after which, B had filled a charge against B.

Their declaration on an event occurred some days after the first conflict between the members of these two families was very important. On 26.05.2012, near the house of the mother of the deceased F. and K. (who are the nephews of the deceased), at a distance of about 20 meters, are shown the citizens B.A. and S.P. According to them, B. had an automatic gun and S. carried an iron crowbar. F. and K. saw they were armed and coming towards them, have fled and entered in their grandmother's house, which was nearby. B. who was carrying the automatic weapon in his hand followed them. F. and K. Said that the purpose of B who chased them running with weapon in hand was to kill them in revenge for the conflict between the two families. As soon as they entered the house, F. telephoned to the Puka Police Station. He talked to a police officer named F. and informed him of the event which happened to them.

F. said that the police would come, but this had not happened. Since the police did not go, F. phoned the police again. The same police officer F. answered and told him to come to the police station and fill a report.

F. said to the police officer F. that he could not, because the two persons were waiting for them and that they could be killed if they tried to leave the house. F. said that he could not do anything, but the boy have to find time and go to the police to fill the report.

F. went to the police station of Puka two days after this incident, on 28.05.2012, and filled a written denounce report at the local police inspector of judicial police, the officer L.L. After filling the written report, a civilian police employee, presented as an officer of the serious

crimes sector, told him to withdraw the denounce because he would settle this problem. F. hesitated because in the same office was present A.P. who was one of the persons denounced by him. Afterward A. was accompanied out of the office and the police officers asked to F to withdraw the denounce, because, even in the case of non-withdrawal, they would not send it to the prosecution office. In these circumstances, F. was forced to make a new statement on the withdrawal of the denounce made earlier. After a while, the police officers let A. in and told to both of them (to F. and A.) to shake hands to each-other. After it was done, there came P.M. (the uncle of F.) and A.M. (son of his uncle). The four together, F., P., A.M., and A.P. went to have a coffee in a bar in the city. A. told them that his brother would soon come from Greece and that this problem would be settled fairly well. The next day, A. phoned to P. and told him not to leave their home because they will kill them.

According to family members of the deceased, P. and H. met the chief of the police station of Puka and discussed with him their concerns on the incident where their grandchildren F. and K. were chased by the armed family P. members and the following threat made by A. At the same time, the deceased persons, both brothers and their nephews, have informed by phone and orally the police specialist L.L., who covers the area where they lived. According to them, the police chief asked for filmed evidence regarding the weapon that the authors had, asking if they have registered them with the gun in their hands. Relatives of the deceased also claimed that the police neglected their problem. According to them, if the police had acted according to the law with the denouncing report made by F. against three members of the family P., the serious incident of the murder of H. and P.M. and the wounding four other persons would have been prevented.

Since this new and very important information regarding the denounce made by the citizen F.M. for the offense of attempted murder and illegal possession of firearms was taken, the working group went back to the police station of Puka to make further checks on phone records and to ask the people who had information on the report made by the citizen F.M.

The examination of the "Book of telephone calls records made by the public during the service" and the "Book of service hand-over in the operational room" and based on the "Operational Statement dated 27.05.2012" of this police station show that on 26.05.2012 information police officer F.N. had recorded the information provided by phone by the citizen F.M. who informed that police that the citizen A.P. had ambushed him close to his home, armed with an automatic gun. Police officer F. informed on this incident the chief of the police station and some other police officers. This information was reflected in the operational statement dated 27.05.2012 addressed to the chief of the Puka police station by the management specialist in the operational room, F.N. The operational statement said that, after a consultation with the chief of the police, he asked that the citizen F.M. should come at the police station and fill a denounce report with the police inspector of the area, L.L., who was charged to follow the situation, to contact the involved parties for explanations and to follow the legal proceedings. The employee of information sector of the police F.N. confirmed these facts, namely the phone call by the citizen F.M. and the notification of the chief of the police and other police officers for the event, during the recorded interrogation made by our employees.

The police specialist for the area, at the same time the judicial police officer L.L., after being interrogated a second time about the denounce made by the citizen F.M. on being chased by armed citizens B., A. and S.P., admitted that he had taken his denounce on 28.05.2012. According to him, on the same day he informed the chief of crimes Q.G. and had taken written statements from the citizens F.M. and A.P. He explained that, a few minutes after that, the

denunciator had withdrawn his denounce. In these circumstances, he did not undertake further actions. He also stated that neither the offense denounced, nor the procedural materials were sent to the prosecutor office, but were kept by him, with the claim that the denunciator had withdraw his denounce.

After concluding the administrative investigations by the working group of the Office of the Ombudsman, it was found that:

1. The chief of the Puka police station Puka R.B. and the police officers interrogated by us, the specialist of the police covering this area L.L. included, hid the main conflict occurred before the murder took place and the denounce made by the citizen F. M. on 28.05.2012.

We believe that this denounce, as reflected above, refers to offenses of attempted murder in cooperation between the authors B.S. and A.P. toward the citizens F. and K.M., as provided by Articles 78, 22 and 25 of the Criminal Code, as amended, as well as illegal possession of military weapons by the citizen B.P., as provided by the Article 278 of the Criminal Code, as amended.

As proved by the examination of documents to the Police Station of Puka, from the "Book of telephone calls records made by the public during the service" and the "Book of service hand-over in the operational room" on 26.05.2012 and the "Operational Statement dated 27.05.2012", the information on this offense given by phone by the citizen F. M. is registered and the Puka police Chief R.B. the judicial police officer L.L. and several other police officers were informed on it.

This fact was proved by the statements of the police officer F. N. of this police station.

2. The offenses denounced by the citizen F.M. were not refereed to Puka district prosecutor's office, neither on the day of their occurrence, nor after the written denounce filled by him to the Puka police station. The denounce made by the citizen F.M. and other procedural materials, such as the statements taken from citizens F.M. and those of the citizen A.P. were held by the judicial police officer L.L. The failure to refer the offense to the prosecution office and the failure to take measures in following the denounce, are in full and open violation with the obligations provided in Article 293/1 and 2 of the Code of Penal Procedures.³

The excuse given by the police officer L.L. That he had not referred the criminal offenses to the prosecution and had not sent the denounce to this organ because the denunciator withdraw his denounce, is completely inconsistent with the provisions of the Code of the Penal Procedures. The judicial police officer L.L. Had even registered a report "On the renunciation from the right of complaint".

3 According to the Article 293/1 of the Code of Penal Procedures, *after taking notice of an offense, the judicial police, without any delay, refers to the prosecutor, in writing form, the essential elements of the fact and other elements collected by then.* While according the Article 293/2 of this Code, *in case of emergencies, in cases of serious crimes, the notification is made immediately and verbally.*

This report was written based on Article 285/1 of the Code of Penal Procedures.⁴

We note that his action is in full violation of procedural law and with the provision where he has based this record.

The offense of (attempted) murder and the illegal possession of military weapons do not fall within the group of the offenses provided by the Article 284 of the Code of Penal Procedures, *the prosecution on which may start with the complaint of the victim, despite the fact he can withdraw it at any stage of the proceeding.*

The waive of the complaint, according the Article 285 of the Code of Penal Procedures, is valid only for those offenses that are provided in Article 284 of the Code of Penal Procedures⁵, such as the *Articles 89, 102/1, 105, 106, 130, 239, 240, 241, 243, 264, 275 and 318 of the Penal Code* and not for all offenses, as it was done in this case.

Police officers, the chief of police R.B., the police specialist of the area L.L. and other police officers (whose names will be found during the criminal investigation), with the quality of the judicial police officers, had an obligation to refer the offense to the prosecution office and to take the necessary measures provided in the Article 294/1 of the Code of Penal Procedures.⁶

⁴ According to the Article 285/1 of the Code of Penal Procedures, *the waive of the right of complaint should be done personally or by a representative, by a signed declaration or orally, in the presence of the prosecutor or a judicial police officer, who compiles a record, necessarily signed by the pleader.*

⁵ According to the Article 284/1 of the Code of Penal Procedures, *for the offenses provided by the Articles 89, 102/1, 105, 106, 130, 239, 240, 241, 243, 264, 275 and 318 of the Penal Code, the prosecution may start only after the complaint of the victim, who may withdraw it at any stage of the proceeding*

⁶ According to the Article 294/1 of the Code of Penal Procedures, *even after the referral of the offense, the judicial police continues to perform the functions indicated in the Article 30, by assembling and fixing all available elements for the reconstruction of the facts and for the individualization of the perpetrator. It (the judicial police) proceeds particularly:*

- a) in researching and fixing objects and traces of the crime, as well as their storage and the scene preservation as long as it is necessary;*
- b) in searching and questioning the persons who are able to indicate the circumstances of the fact;*
- c) in performing the due actions in the following articles.*

These attitudes of the police officers are in violation with:

- I. Article 3 of Law no. 8677, dated 02.11.2000 "On the organization and functioning of judicial police", as amended, which provides the judiciary police functions.⁷
- II. Article 1/2 of the Law no. 9749, dated 04.06.2007 "On the state police".⁸
- III. Article 4/1 of the law cited above, where the responsibilities of police are given.⁹

From the legal analysis of the administered evidence, facts and circumstances of the acts and omissions of employees of the Puka police station, we concluded that:

1. The event happened on 29.06.2012 is tragic; two citizens, brothers, were killed, and four others were wounded, three of them relatives of the victims and one of the murder authors.
2. The claims of victims families that the reason for the occurrence of this tragedy has been the Puka police station, in the opinion of our office, are objective.

As described above, we proved that the attitude of police in the case of the denounce made by the citizen F.M., is in direct contradiction with its legal obligations cited above.

⁷ "1. The judicial police, in the quality of the subject of criminal proceedings, performs the following functions:

- a) takes information of the offenses;
- b) prevents or inhibits further consequences arising from criminal acts;
- c) searches for offenders;
- d) carries out the necessary actions to assure sources of evidence and to gather everything helping the application of criminal law decisions;
- e) conducts any investigation and action ordered or delegated by the proceeding; f) conduct procedural actions for the execution of criminal law;
- f) carries out actions within the criminal jurisdictional relations with foreign authorities within or outside the territory of the Republic of Albania;
- g) carries out actions according to the Law no. 10192, dated 3.12.2009 "On preventing and combating the organized crime and trafficking through preventive measures against property;
- h) performs any other duty prescribed in legislation.

2. The functions provided in paragraph 1 of this Article shall be exercised by the officers and agents of the judicial police.

3. The judicial police documents the performance of its functions in accordance with the rules of the Code of Criminal Procedures".

⁸ "The mission of the police is to maintain the public order and the security, in accordance with the law and respecting human rights and freedoms".

- ⁹ "a) to protect people's lives, their security and their personal property;
- b) to prevent, detect and investigate, in accordance with the criminal law and criminal procedural law, the criminal offenses and perpetrators;
 - c) to protect the public order and public safety;
 - d) to protect individuals, environments and objects from potential dangers;
 - e) to perform the duties set forth in this law, other laws and bylaws, which prescribe the duties for the police".

The performing by the police employees of some acts contrary to the law, such as the report for the waiver of the right of complaint, the insistence of police against officers so the denunciation to withdraw his denounce, and their failure to fulfill the legal obligations described above by not referring the offense in the prosecution office, their failure in taking organizational measures to follow this denouncement conform to the procedural and legal rules, led to the serious event and to the criminal results where two persons lost their lives and four others were wounded.

We strongly believe that, if the chief and the employees of the Puka police station would have refer this offense to the prosecution and if they had suggested to this organ to carry out some procedural actions, such as the inspection of the house of the crime authors, tapping their conversations, observing them and applying other working legitimate methods, the authors would be arrested, the weapons seized and the killing and wounding happened on 29.06.2012 would have been prevented. We stress that, according to family M. members and the judicial police officer L.L., the police raided the house of the citizen A.M. for the criminal offense "other intentional damages" done by him to the citizen A.P. While in the case of the denunciation of the citizens F.M. for the crimes of attempted murder and illegal possession of firearms, the police did not performed any control in the house oh the authors, B.A. and S.P.

As resulting from the investigation of this case, the attitude of the employees of the Puka police station, starting from the chief of the police to other employees, is unlawful. This attitude, by hiding the denounce made by the family members of the victims concerning two serious offenses and their reactions to "solve" the problem through illegal ways and means, as it was done in this case, as well as the lacking to fulfill the legal obligations, has caused serious consequences for the life and health of some citizens. **Given the reality of our country, we believe that this event carries the risk that the murder committed for revenge will become a series of blood feud murders between two families**, as it has happened in other cases. Meanwhile, we think that this event has affected the image of the State Police.

The attitude of the police employees R.B., L.L. etc., in this case, by performing or intentional omission of some actions, are in violation of the law and constitute a failure in their duty, first by the head of the police station and second by other judicial police officers, him including.

These actions and omissions have caused serious consequences to the legitimate interests of citizens, two people being killed and four others wounded. By their actions and omissions they have consumed the elements of the offense of "abuse of office" in cooperation, provided by Articles 248 and 25 of the Penal Code.

Concerning this event, the Office of the Ombudsman has made three recommendations, namely:

- To the Prosecution of the Puka Judiciary District:

- a. The starting of criminal prosecution against employees of the Puka police station R.B., L.L. etc., for the offense of "abuse of office" conducted in cooperation, as provided by Articles 248 and 25 of the Penal Code.
- b. Puka District Court should be asked to decide on the prohibition measure provided by Article 240/1/a of the Code of Penal Procedures, "on the suspension of the exercise of a public task or service", by suspending the chief R. B. of the Puka police station and the

judicial police officer L.L. until the investigations are completed. This measure is required on the grounds that being in office, one as a director of the police station and the other as a judicial police officer, there is a risk of wiping traces for their convictions.

The recommendation was accepted by the prosecution and criminal proceedings were started against four police employees, namely: the chief of the police station R.B., the judicial police officer L.L., the chief of prevention and investigation of minor crimes Q.G. and the specialist of investigation of serious crimes K.Z. The four of them were suspended from office by the Court of Judicial District of Puka.

We recommend to the Puka police station to refer to the Puka District Prosecution Office the criminal acts denounced by the citizen F.M. On 28.05.2012.

The recommendation was accepted and his denounce was sent to the Puka Prosecution Office.

To the General Director of the State Police we recommended:

- a. To take all necessary measures to arrest as soon as possible the suspected coauthors of this event, who, being free and armed, continue to pose a threat to public order and security.
- b. To analyze with objectivity, transparency and loyalty the causes that led to the massacre in the village Qelëz of Puka district on 29.06.2012 and to take administrative measures.
- c. To initiate disciplinary proceedings against police officers who have violated the law, but who do not have criminal responsibility.
- d. To generalize this case in all organs of the State Police, so that such events of hiding the offenses from the prosecution office and not following them according to the law of the denounces made by citizens are not repeated in the future.

Conclusions from the investigation of this case, which applies on a wider context:

The administrative investigation of the causes of the blood feud done by our institution concluded that:

- The tragic event of revenge killing of two persons and wounding of four other persons resulted as a fault of the Puka police station, of its executives and employees, who, as analyzed above, have not performed their legal duties in administrating the denunciation made by the families of victims toward the perpetrators and their relatives. Police did not do the first investigative procedural actions, but later did not refer the criminal offenses in the prosecution office.

- It is known that blood feud killings are a phenomenon derived from revenge killings. If the authorities do not react with the force of law in cases of murders for revenge, there is a potential risk that those turn into series of blood feud murders between the families and relatives of the killed and the killers.

- This phenomenon is closely related to the level of trust people having in the State and its organs. If citizens do have trust in the State, they do not undertake the troublesome way of self-judgment and vice versa, if you do not trust the State, they take this road instead.

-One of the public administration organs having an important role in this phenomenon is the State Police. It is the first to face it, not only that it is the first to be informed when a crime occurs, but it performs the first procedural actions, starting with the examination of

the crime scene, collectin of evidence, preventing further consequences of the crime etc. So it can do pretty much in preventing it.

- In the first moments of the occurrence of a revenge crime, relatives of the victims of revenge often say: "We are waiting for the response of the State." This is real and we have heard statements like this from persons who have recently experienced such tragedies, like the Thumana murder case. From this expression, we understand that, despite the reputation of the State, people still have faith in it.

- We believe that we are like-minded on the fact that, who commits a crime, sooner or later will be put in front of justice. From the statistics, this happens at least in around 90% of cases. Knowing the danger of being faced with the justice, no one wants to limit his freedom and make a crime of blood feud for a family member or a relative. When the State does not work, then people lose confidence and seek to make their own revenge for the murder occurred.

- If the law enforcement institutions will perform correctly and with commitment their legal mission to maintain the public order and security, where the protection of life of the citizens is the main task, this is very influential. In these cases, they should take all necessary legal measures to detect and capture within the shortest time the author or authors of the killing for revenge or blood feud, to collect evidences, to make a thorough and rapid investigation of the case and, together with the prosecution office, to send the author(s) and the evidences in the court. Then, the victim's family members would calm down and the pain they feel would be somewhat mitigated.

In these circumstances, they have no reason to choose the crime path by making self-judgment.

- Police authorities can greatly influence the prevention of the phenomenon of isolation of family members of the killers, which is one of the consequences of the blood feud. According to the Penal Code, the threatening to isolate people because of the revenge prospective and the encouragement to commit blood feud is a criminal offense and legally punishable. Police and prosecution should not bypass in their work these phenomena with multiple consequences. They should maintain friendly contacts with the families of the killers and those of the victims, creating confidence in them. By staying close to them, they can also get information about anyone from the other party has threatened them to be isolated, or has encouraged blood feud killing.

This information should be used to prevent other crimes and to inculcate with legal responsibility the authors. The powers given to the State Police, which has the attributes of the judicial police and the technical means at its disposal, it has more capacities than before to carry out its mission with the legal means and methods and without violating the human rights.

- The lack of police reaction in the due time to perform its legal tasks has very serious consequences, and may be a cause for other crimes in the near future, just as the case of Puka district we analysed. We strongly believe that if the director and employees of the Puka police station would have referred to the prosecution the offense which had taken place between members of the two families and if they had suggested to this organ to carry out some procedural actions, such as the inspection of the authors house, wiretapping of their conversations, observing them through other legitimate methods, then the authors

would be arrested, weapons were seized and the killing and wounding of 29.06.2012 would have been prevented.

- It is to be stressed that this phenomenon is related to the role played by the Prosecutor and the Court.

- Prosecution authorities, during the investigation of these offenses, should be set at the wheel of the investigation prosecutors with experience and high professional level.

- The investigation on such cases and their authors should be complete, universal, fast and objective. They should not be content by discovering the author of the murder only, but should also find its collaborators and the instigators of the crime, etc.

- Against perpetrators of blood feud and revenge crimes the prosecutors should seek the maximum condemns.

- The court should hear cases of this nature in full, objectively and quickly, preferably with continuous trials.

- Authors of such crimes should be given maximum sentences.

We emphasize that the implementation of the national strategy for the prevention and the fight against blood feud is directly related to the organization, management and cooperation of state bodies with non-governmental organizations, with all the constituent elements of the civil society and all public opinion, where each actor implements the duties defined by the law as the commitments undertaken in their programs. The progress of our society alongside with other civilized nations asks us to overcome this challenge together with other challenges.

Treatment of cases influenced by the blood feud in some of the country's local governance units.

SHKODRA MUNICIPALITY

It is reported that 45 families involved in the blood feud are currently benefiting from the economic assistance scheme. All individuals that need social support are addressed by the social department of the city hall in supporting programs elaborated by other stakeholders such as NGOs, community centers etc.

The Children Protection Unit at Shkodra City Hall has coordinated the work with other institutions and NGOs in order to address cases where individuals have sought services and assistance, easing the situation they are in.

Most of isolated children of Shkodra region benefit educational programs of “The Second Chance” project. Currently, there are 28 pupils, out of which 18 are girls, that follow the educational programs thanks to this project, which is implemented by Shkodra Regional Education Directorate.

KOPLIK MUNICIPALITY

There are some families suffering the consequences of the blood feud in Koplik municipality. Despite of the taken measures and frequent interventions by the side of public and non-public institutions to improve the situation, we have to say that the situation has not been solved, yet.

The City Hall has helped these families, treating them with economic assistance at the maximum level envisaged by the law, and it has sent teachers and psychologists to help education of their children and ease the psychological effects the phenomenon causes. These measures have been taken in coordination with Malesi e Madhe Regional Education Directorate.

PESHKOPI MUNICIPALITY

Peshkopi City Hall offers all necessary services to these families, and it also cooperates with other stakeholders that offer their services in this field. Following are some of the offered services: protection of the families in cooperation with the police, health service, social assistance, social services and social workers that follow the cases in the field and help the families in their needs, also informing them of the services they are entitled to.

Currently, there is only a case of blood feud in the municipality of Peshkopi. The Ziza family has been isolated for a short period in Peshkopi, where they have received all the necessary services.

Central Institutions

The ministry of health,

Blood feud as a social phenomenon with primitive elements carries grave consequences in the marginalization of the society, through its isolation. It causes traumas to the children,

cultivating in the family the feeling of crime, hate, despair and humiliation, which make the family economically poor and it burdens its social situation, which needs special attention.

In order to ease the consequences of this terrible phenomenon of our society, the Ministry of Labor and Social Affairs has enabled priority orientation of extra programs of economic assistance, mainly food supply programs.

The families isolated due to blood feud are informed that they can benefit health service in accordance with the basic package of Primary Health Care and they are offered from every health center they are registered in, through family doctors.

In the case of this category, health services are offered in their houses. As regards health conditions that need a more specialized treatment, there are enabled diagnosing visits in home, in cooperation with the regional hospital service. The state social policy to protect the rights of children, the elder and the people with blood feud problems has been progressively improved.

The Ministry of Labor, Social Affairs and Equal Opportunities

It carried out all possible initiatives to include blood feud-affected families into the institutional policies of education, work, social assistance, social care, as well as local and national commitments.

This category can benefit from the unemployment payment scheme, whereas their participation in the employment encouragement programs is difficult *due to their specific conditions*.

All Albanian citizens have access and benefit from the Social Protection Programs, which are envisaged by law 9355 dated 10.03.2005 “On the economic assistance and social service”, amended. The social protection programs are related to widely including the categories in need, as envisaged by the said law, and they cover the economic assistance scheme and the payments in cash, as well as the access to the social services. These services are offered by public and non-public institutions licensed in accordance with the existing laws.

The social protection programs are implemented by the local government and all specific cases are identified and verified by social administrators of communes and municipalities. This process is directly carried out by the local structures. These persons can directly benefit from social protection programs thanks to a cooperation with the local structures.

Social services, which are also offered by non-public entities that support these specific cases, are subject to social protection programs. Their programs can take into direct protection the cases of blood feud-affected families, beyond relevant reporting of specific cases into the institutions of the public social care.

The Ministry of Labor, Social Affairs and Equal Opportunities emphasizes the fact that during its activity it has paid special attention to the strata in need, targeting their social inclusion and integration, through policies, programs and strategies it implements.

Even though INSTAT does not have an information of the number of families in blood feud or isolated and their location, we have attached statistical data of the General Directorate of State Police to this report.

VII

Conclusions and recommendations

Blood feud and revenge is one of the challenges the Albanian state and society are facing during this decade. This phenomenon, which is a custom inherited from the ancient past, is inconsistent with the principles of the civilized society and the rule of law. It brings about grave social consequences, since it leads to deaths and isolation of families, dissociating them from the social-political life and leaving children without education. **Thus, it is a fact that some of the most fundamental human rights and freedoms are violated, threatened or not implemented in our country due to the blood feud phenomenon.**

The blood feud phenomenon's is localized in restricted dimensions, but still it is a concerning problem and it has to be seriously considered from the political and the social point of view. Unfortunately, state bodies have not succeeded in assessing the situation properly, or in closely working with each-other to address this problem, yet. Indicating this fact is also the absence of correct statistics regarding the said issue.

The aforesaid phenomenon can be efficiency fought only if the state and the society work in line with a common strategy.

Through this report, the Ombudsman aims to sensitize the state institutions and the civil society to prevent and fight the crimes harming life, especially the blood feud and the revenge.

The Albanian government should influence the dependent public administration bodies to assess the blood feud phenomenon, and to strengthen cooperation and support the non-governmental organizations that handle prevention of the blood feud and revenge.

The State police bodies should take measures to prevent conflicts, disclose, cuff and handle culprits to prosecution bodies, consolidating cooperation with Interpol as regards extradition of murderers that hide abroad.

The Ministry of Education and Science should play a greater positive and preventing role in improving the curricula in order to guarantee education of the new generation with the spirit of tolerance, against self-judgment, revenge or blood feud, and in treating teachers of blood feud-affected areas, so they are able to help the isolated pupils..

The social problems of isolated families require a greater commitment of the state, and especially of the Ministry of Labor and Social Affairs, which, through regional offices, should help the isolated families with low income in order to reduce their level of poverty and unemployment.

The prosecution bodies should better cooperate with the police, and conduct faster, fuller and more objective investigations, so that to handle more complete cases to the court.

The courts are obliged to conduct fast rulings and set fair sentences for every culprit. Every light punishment or no-base declaration of innocence paves the way for self-judgment, revenge or blood feud.

The Ombudsman, through its activity in solving the citizens' complaints, will actively work in preventing conflicts and their consequences, in general, and blood feud and revenge, in particular. This institution will go on sensitizing the entire Albanian public administration and the society, law enforcing institutions and justice bodies in order to carry out these recommendations.

As mentioned before, we **ask you honorable lawmakers**, to encourage the local and central governance bodies, such as municipalities and communes, municipal and commune councils etc, to work with other bodies, such as police, educational, labor and social directorates, and different NGOs, in order to minimize and eradicate the phenomenon of blood feud and revenge, as well removing people from isolation, so that children can go to school and people get helped in their subsistence. This way, we can contribute to reducing the chances and premises for creation of the crime of blood feud and revenge, and to protecting human rights and freedoms in our country.

Thank You

Ombudsman

Igli TOTOZANI