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3.14. Persons involved in and affected by blood feuds in the context of tribal conflict

COMMON ANALYSIS
Last update: November 2024

The analysis below is based on the following EUAA COI reports: Targeting 2022, 8.5, 8.6; Actors of protection 2018, 6.6; Arab tribes 2023, 1.1, 3, 3.9, 3.10, 5.1. Country Guidance should not be referred to as source of COI.

In the Iraqi context, tribes represent a cultural and social reality. Blood feuds are conflicts between tribes involving cycles of retaliatory killings. Tribal confederations and tribes are 'often cross-sectarian' and major tribes are composed of both Sunni and Shiite members. Due to the diversity of tribal structures and origins, geographical and sectarian divisions are not always clear-cut.

Step 1: Do the reported acts amount to persecution?

Acts to which persons involved in and affected by blood feuds in the context of tribal conflict could be exposed are of such severe nature that they would amount to persecution. More specifically, persons involved in blood feuds are at risk of revenge killing.

Step 2: What is the level of risk of persecution?

The individual assessment of whether there is a reasonable degree of likelihood for a person involved in blood feud to face persecution should take into account **risk-impacting circumstances**, such as:

- **Intensity of the blood feud and possibility of conflict resolution:** Blood feud is not considered a tribal conflict resolution mechanism as it happens precisely when tribal justice has failed. In cases of 'grave nature' such as murder or if a party is 'socially disadvantaged in various forms', that party might not accept to go through resolution process. When there is a revenge or counter killing, settlement becomes more complicated.

- **Social status of the tribes:** In Iraq, tribes can be viewed as ‘social, economic, cultural, and at times political organizations’, and have strength over the state socially, politically, and legally. Police and the judiciary are not independent of tribal influence.

- **Home area:** The practice of *thar* (revenge/blood feud) remains a common occurrence especially in southern Iraq. The existence of this cultural practice in Iraq has been observed even in large cities.

- **Gender:** Men could be at risk of revenge killings. Nevertheless, also women can be affected by blood feuds through other tribal practices against them. See also 3.11.3. Forced and child marriage.

Step 3: Is there a ground for persecution?

Where well-founded fear of persecution is substantiated for an applicant under this profile, this may be for reasons of race, as individuals are targeted because they are members of the tribe involved in blood feud. Furthermore, family members involved in a blood feud may have a well-founded fear of persecution for reasons of membership of a particular social group, based on their innate characteristic (i.e., being a member of the family) and due to the fact that families are known and may have a distinct identity in the surrounding society.



Exclusion considerations could be relevant to this profile, as persons involved in blood feuds may have been involved in excludable acts. See 7. Exclusion.

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