



Instytut Historii  
i Nauk Politycznych



INTERNATIONAL INSTITUTE FOR PRIVATE  
COMMERCIAL AND COMPETITION LAW  
(IIPCL)

S | A | L  
School of American Law  
for Greece & Cyprus



# Book of proceedings

THIRTY-FIRST INTERNATIONAL CONFERENCE ON: “SOCIAL  
AND NATURAL SCIENCES – GLOBAL CHALLENGE 2023”  
(ICSNS XXXI-2023)

Lisbon - 28 December 2023

Organized by

**International Institute for Private- Commercial- and Competition  
Law (Austria)**

in Partnership with

**Institute of History and Political Science of the University of Białystok (Poland-EU),  
Keiser University (USA), Bielefeld University of Applied Sciences (Germany), School  
of American Law (Greece)**

Edited by: Dr. Lena Hoffman

© All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without either the prior written emission of the publisher. Applications for the copyright holder s written permission to reproduce any part of this publication should be addressed to the publishers.

**THIRTY-FIRST INTERNATIONAL CONFERENCE ON: “SOCIAL AND  
NATURAL SCIENCES – GLOBAL CHALLENGE 2023”  
(ICSNS XXXI-2023)**

**Editor: Lena Hoffman**

**Lisbon - 28 December 2023**

**ISBN: 978-9928-178-12-3**

**Disclaimer**

Every reasonable effort has been made to ensure that the material in this book is true, correct, complete, and appropriate at the time of writing. Nevertheless the publishers, the editors and the authors do not accept responsibility for any omission or error, or any injury, damage, loss or financial consequences arising from the use of the book. The views expressed by contributors do not necessarily reflect those of University of Bialystok (Poland), International Institute for Private, Commercial and Competition law (Austria), School of American Law (Greece).

(ICSNS XXXI-2023)

- Prof. Dr. Helmut Flachenecker, Universität Wuerzburg (Germany)*  
*Prof. Dr. John Rowley Gillingham, University of Missouri (USA)*  
*Prof. Dr. Jürgen Wolfbauer, Montanuniversität Leoben (Austria)*  
*Prof. Dr. H. Ekkehard Wolff, Universität Leipzig (Germany)*  
*Prof. Em. Dr. Karl Otwin Becker, Universität Graz (Austria)*  
*Prof. Em. Nikolaus Grass, Universität Innsbruck (Austria)*  
*Prof. Em. Rolf Ostheim, Universität Salzburg (Austria)*  
*Prof. Dr. Werner Lehfeldt, Universität Goettingen (Germany)*  
*Prof. Dr. Horst Weber, Universität Chemnitz (Germany)*  
*Prof. Em. Josef Barthel, Universität Regensburg (Germany)*  
*Prof. Dr. Gracienne Lauwers, Universiteit Antwerpen (Belgium)*  
*Prof. Dr. Evis Kushi, University of Elbasan (Albania)*  
*Dr. Sasha Dukoski, University St. Kliment Ohridski – Bitola (Macedonia)*  
*Dr. Hans-Achim Roll, Rechtsanwalt (Germany)*  
*Prof. Em. Johannes Bronkhorst, University of Lausanne (Switzerland)*  
*Prof. Dr. Horst-Dieter Westerhoff, Universität Duisburg-Essen (Germany)*  
*Prof. Dr. Francesco Scalera, Università degli studi di Bari Aldo Moro (Italy)*  
*Prof. Dr. Thomas Schildbach, Universität Passau (Germany)*  
*Dr. Angelika Kofler, Europäisches Forum Alpbach (Austria)*  
*Prof. Em. Otto Rosenberg, University of Paderborn (Germany)*  
*Prof. Dr. Joseph Mifsud, University of East Anglia, London, (UK)*  
*Prof. Dr. Nabil Ayad, University of East Anglia, London, (UK)*  
*Dr. Mladen Andrić, Director of the Diplomatic Academy (Croatia)*  
*Prof. Dr. Iraj Hashi, Staffordshire University (UK)*  
*Prof. Em. Winfried Mueller, University of Klagenfurt (Austria)*  
*Prof. Dr. Juliana Latifi, Tirana Business University (Albania)*  
*Prof. Em. Hans Albert, University of Mannheim (Germany)*  
*Dr. Magdalena El Ghamari, University of Białystok (Poland)*  
*Prof. Dr. Bektash Mema, University of Gjirokastra (Albania)*  
*Prof. Dr. Piotr Kwiatkiewicz, University of WAT/WLO (Poland)*  
*Prof. Dr. Slađana Živković, University of Niš (Serbia)*  
*Prof. Dr. Sebastiano Tafaro, Università degli studi di Bari Aldo Moro (Italy)*  
*Prof. Em. Johann Götschl, Universität Graz (Austria)*  
*Prof. Dr. Rajmonda Duka, University of Tirana (Albania)*  
*Prof. Dr. Laura Tafaro, Università degli studi di Bari Aldo Moro (Italy)*  
*Prof. Em. Robert Müller, University of Salzburg (Austria)*  
*Prof. Dr. Malyadri Pacha, Osmania University (India)*  
*Prof. Dr. Mario Calabrese, Sapienza University (Italy)*  
*Prof. Dr. Azem Hajdari, University of Pristina (Kosovo)*

## TABLE OF CONTENTS

<b>Simulation of Phase Evolution and Microstructural Transitions in Locally Produced C20 Steel .....</b>	<b>6</b>
<i>Irakli Premti</i>	
<i>Dhurata Premti</i>	
<b>Exploring Crisis Counseling in Albanian Public Schools: Examining the Experiences and Perspectives of School Psychologists.....</b>	<b>14</b>
<i>Skerdi Zahaj</i>	
<b>Decentralized Finance (DeFi) and Cryptoeconomic Systems .....</b>	<b>21</b>
<i>Pjeter Ndreca</i>	
<b>Reflection on succession institute according to the Albanian Civil Code ....</b>	<b>32</b>
<i>Donalb Xibraku</i>	
<b>Acquiring L1 Vocabulary: The Case of Albania .....</b>	<b>41</b>
<i>Anila Kananaj</i>	
<b>Security and Democracy as the main criteria for the new NATO members</b>	<b>50</b>
<i>Bledar Kurti</i>	
<b>The role of SPAK in the fight against organized crime in Albania.....</b>	<b>60</b>
<i>Mirseda Shehdula</i>	
<b>An exploration of students' and lecturers' perceptions on unethical behaviors in Higher Education in Albania .....</b>	<b>67</b>
<i>Blerta Bodinaku</i>	
<b>"Migjeni, a reverberant cry of Albanian literature" .....</b>	<b>76</b>
<i>Edlira Dhima</i>	
<b>The Impact of Social Media Marketing on E-Commerce Sales and E-Loyalty: An Empirical Investigation.....</b>	<b>81</b>
<i>Eleni Kalemaj</i>	
<b>Implementation of some efficient energy techniques in wort production process in breweries .....</b>	<b>89</b>
<i>Hasime Manaj</i>	
<b>Portrayal of migration in the Albanian media .....</b>	<b>97</b>
<i>Pranvera Skana</i>	
<b>Breaking Barriers and Empowering Futures: Unveiling the Journey of the Development Spaces Model for Inclusive Education in Albania.....</b>	<b>103</b>
<i>Skerdi Zahaj</i>	

<b>A Survey of emergency department most frequent diagnoses by age and gender.....</b>	<b>111</b>
<i>Zhenisa Çuni</i>	
<i>Romeo Mano</i>	
<b>The impact of criminal law in the protection and development of tourism in Albania .....</b>	<b>119</b>
<i>Jola Bode (Xhafo)</i>	
<b>Low School Attachment and Academic Achievement as Indicators of Aggressive Behaviors of Adolescents .....</b>	<b>129</b>
<i>Julinda Cilingiri</i>	
<b>Navigating Albania’s Labor Market: A Comprehensive Review of In-Demand Study Programs .....</b>	<b>145</b>
<i>Erinda Papa</i>	
<b>Migration of Albanian citizens during the years of the dictatorial system..</b>	<b>158</b>
<i>Çlirim Duro</i>	
<b>Issues of Albanians’ perceptions of the costs and benefits of joining the EU .....</b>	<b>165</b>
<i>Mirjam Reçi</i>	
<b>Financial management in the public sector in the Republic of Albania.....</b>	<b>182</b>
<i>Ejona Bardhi</i>	
<b>Corporate governance, advisory and consultancy services, an important part of management and audit activity.....</b>	<b>192</b>
<i>Pjetër Ndreca</i>	
<i>Rezart Dibra</i>	
<b>The judicial and prosecutorial system, work, up-to-dateness, trust and corruption, the perceptions of the public opinion of Kosovo .....</b>	<b>209</b>
<i>Andi Morina</i>	

# Simulation of Phase Evolution and Microstructural Transitions in Locally Produced C20 Steel

**Irakli Premti**

*Department of Civil Engineering, Polytechnic University, Tirana, Albania*

**Dhurata Premti**

*Department of Industrial Chemistry, Faculty of Natural Sciences, University of Tirana, Albania*

## Abstract

This study investigates the temperature-dependent phase evolution and microstructural transitions in C20 steel. We used JmatPro software program dedicated to the calculation and provision of material property data for the materials industry. The chemical composition of the material was used as main input in the simulation, characterized by carbon (C), manganese (Mn), silicon (Si), sulfur (S), phosphorus (P), copper (Cu), nitrogen (N), and carbon equivalent (Ceq) with diameters 21.8 mm, 20.4 mm, 18.4 mm, 16.4 mm, and 10.7 mm. At lower temperatures, we observed a dominance of Austenite, comprising approximately 96.7% of the composition. A crucial shift occurs at 90.0°C, marked by a notable decrease in Austenite to 96.32% and a simultaneous increase in Cementite to 2.2%, indicating a phase transformation. The temperature range between 90°C and 244.8°C leads to new phases, including  $M_7C_3$ , Cu, and  $M_2(C,N)$ , highlighting a complex phase evolution. The increase in carbon content between 80°C and 90°C contributes to carbide precipitation, observed through the presence of  $M_7C_3$  and  $M_2(C,N)$ , potentially impacting steel hardness. Changes in manganese content lead to implications for hardenability and mechanical properties which are essential for optimizing the material's performance in applications requiring specific mechanical and thermal characteristics. Phosphorus, nitrogen, and copper content remain stable, indicating minimal influence on phase evolution. The material's microstructural evolution is evaluated through Continuous Cooling Transformation (CCT) diagrams, revealing critical temperatures for phase transformations. Notably, at higher temperatures, the transition from Liquid to  $M_2(C,N)$  becomes evident, with  $M_2(C,N)$  representing 100% of the material above 1400°C, suggesting a complete transformation under extreme conditions.

**Keywords:** JmatPro, phase evolution, microstructural transition.

## 1. Introduction

The simulation software known as Java-based Materials Property (JMatPro) is used to compute various material properties relevant to general steels. The efficacy of this program is attributed to its precise representation of major phase transformations occurring during heat treatment (Saunders et al. 2004). Additionally, JMatPro can accurately calculate the properties associated with the diverse phases that form within steels. JMatPro simulation software was used by Chen et al., 2023 to study the equilibrium phase structure and properties of a composite formed by blending Norem02 alloy and F304 stainless steel. Findings indicated that variations in F304 content impact phase transitions, equilibrium composition, and material properties,

showcasing the software's accuracy through comparisons with standard physical property data.

Liu and Zhang (2023), investigated the microstructure and properties of high strength building structural steel, aiming to address issues of poor quality stability and high production costs. Utilizing JMatPro software, they design a new type of high-strength building structural steel, analyzing its thermodynamic properties, phase transformations during heat treatment, quenching performance, and martensite transformation temperature, providing valuable insights for optimizing the material's performance. In this study we apply thermodynamic simulations on properties of structural steel. The analysis explores the impact of different element contents, as outlined in Table 1, on phase characteristics and mechanical properties of the material. Based on five different type of samples with different composition, we evaluated the temperature-dependent variations in phase composition.

## 2. Materials and Methods

There is a diverse range of steel types utilized in construction in Albania, wires, plates, steel bars, pipes, and profiles. Various engineering structures in the country demand specific steel types with distinct performance characteristics and specifications. As Albania's construction industry progresses, steel production for building structures has advanced significantly, evolving from a focus on high strength to meeting multifaceted requirements such as seismic performance, fire resistance, and weather resistance. In table 1 are described chemical compositions of different samples used as input.

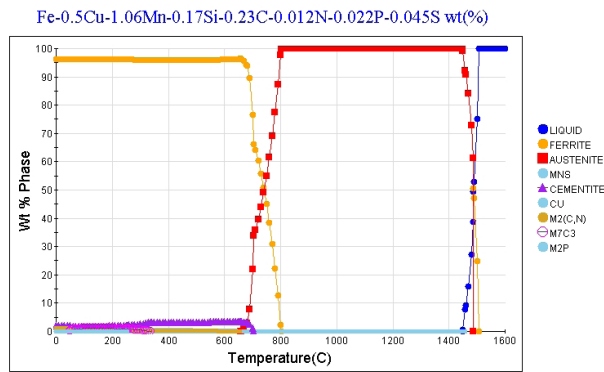
**Table 1.** Chemical composition of selected samples with different characteristics.

Diameter of sample, mm	C	Mn	Si	S	P	Cu	N	Ceq
21.8	0.22	1.01	0.215	0.035	0.0197	0.425	0.011	0.46
20.4	0.197	0.918	0.151	0.023	0.021	0.469	0.012	0.43
18.4	0.199	0.966	0.15	0.03	0.027	0.48	0.012	0.44
16.4	0.23	1.06	0.17	0.045	0.022	0.5	0.012	0.48
10.7	0.213	0.833	0.2	0.025	0.018	0.12	0.007	0.52

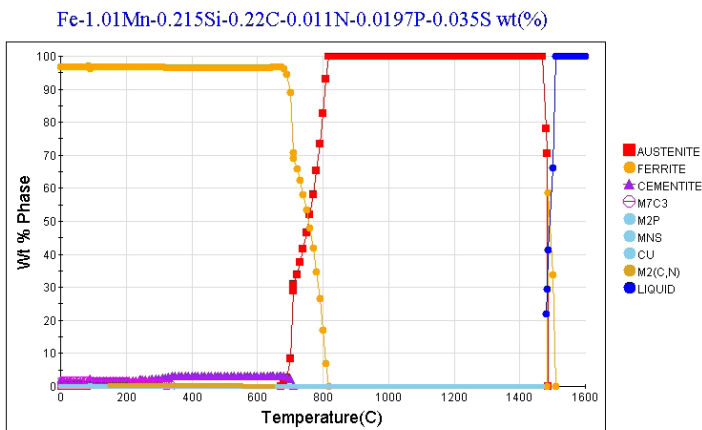
Software JMatPro was used for simulation based on thermodynamic and kinetic databases to calculate phase diagrams. It uses mathematical models for predicting the stability of different phases under varying conditions, the precipitation of carbides based on changes in element contents, especially carbon and manganese. These models consider thermodynamic factors and kinetic process. JMatPro also uses models that link alloy composition to material properties. These models may include relationships between carbide precipitation, microstructure, and hardness (Saunders et al., 2003) According to different studies optimization of Continuous Cooling Transformation (CCT) curves for steels containing Al, Cu, and B demonstrated significant advancements in understanding phase transformations (Miettinen et al., 2021; Shi et al., 2014; Khlusova et al., 2021; Wang et al., 2022).

### 3. Results and Discussions

The dataset predictions that we achieved in the simulations, have temperature-dependent variations in phase composition for a material with a fixed composition of C20. The primary phases include AUSTENITE, FERRITE, CEMENTITE,  $M_7C_3$ ,  $M_2P$ , MNS, CU, and  $M_2(C,N)$ . At lower temperatures, AUSTENITE dominates, constituting approximately 96.77% of the composition. As the temperature increases, AUSTENITE decreases, making way for an increase in FERRITE. At 90°C, a significant shift occurs, marked by a decrease in AUSTENITE to 96.32% and a simultaneous increase in CEMENTITE to 2.2%, suggesting a phase transformation. The temperature range between 90°C and 244.79°C represent new phases, including  $M_7C_3$ , CU, and  $M_2(C,N)$ , indicating a complex phase evolution. Beyond 244.79°C, AUSTENITE decreases, and FERRITE becomes the dominant phase, indicating the material's thermal sensitivity. These results present the temperature-dependent phase transitions in the material, helping in better evaluation for its application in diverse thermal environments.



**Figure 1.** Description of phase transformations for sample with diameter 16.4 mm which has a concentration of *Mn* 1.06



**Figure 2.** Description of phase transformations for sample with diameter 21.8 mm which has a concentration of *Mn* 1.01



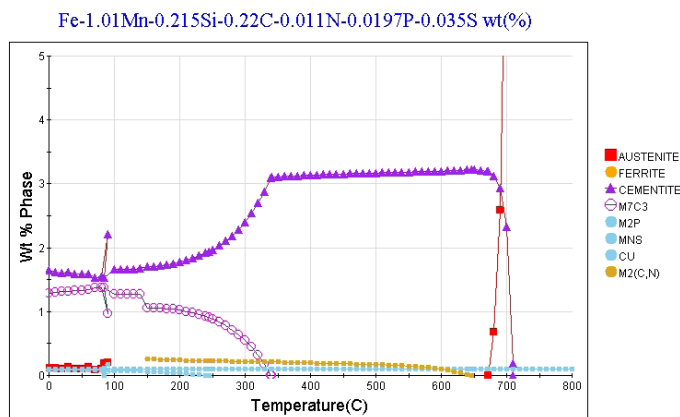
The provided data and graph of figure 2 represents the composition of various phases in a material at different temperatures. The phases include 'Austenite,' 'Ferrite,' 'Cementite,' ' $M_7C_3$ ,' ' $M_2P$ ,' 'MNS,' 'CU,' ' $M_2(C,N)$ ,' and 'Liquid.' Each phase has a corresponding percentage composition, and the temperatures.

The increase in carbon content between 80°C and 90°C (0.0961% at 80°C to 0.2007% at 90°C.) is likely to contribute to the initiation of carbide precipitation, identified by the presence of  $M_7C_3$  and  $M_2(C,N)$ . This phenomenon has potential implications for the steel's hardness and could lead to a reduction in austenite stability. Changes in manganese (decreasing from 96.8124% to 96.3196%) content may also influence the hardenability and mechanical properties of the steel. Phosphorus, nitrogen and copper content remains stable, suggesting no substantial influence on the phase evolution of the steel while carbon equivalent (Ceq) increases from 0.09495 to 0.08381, reflecting the changes in both carbon and manganese. The observed alterations in phase evolution suggest a dynamic transformation influenced by variations in temperature.

In the lower temperatures, the material is predominantly composed of 'Ferrite,' with decreasing percentages of 'Austenite' and 'Cementite.' As the temperature increases, the composition of 'Austenite' rises, peaking around 100°C, while 'Ferrite' and 'Cementite' decrease. At higher temperatures, significant changes occur. The percentage of 'Liquid' phase starts to increase, indicating the transition from solid to liquid state. Additionally, certain phases like ' $M_7C_3$ ,' ' $M_2P$ ' and 'MNS' can be found at specific temperature ranges, suggesting the formation of these compounds during the heating process.

Towards the higher temperatures we observe a phase transformation from 'Liquid' to ' $M_2(C,N)$ ,' with ' $M_2(C,N)$ ' becoming the dominant phase as the temperature approaches 1000 °C.

Moreover, it's extreme temperatures (above 1400 °C), the material transitions to a single-phase composition, with ' $M_2(C,N)$ ' representing 100% of the material. This could imply a complete transformation of the material into this particular phase under such high-temperature conditions.

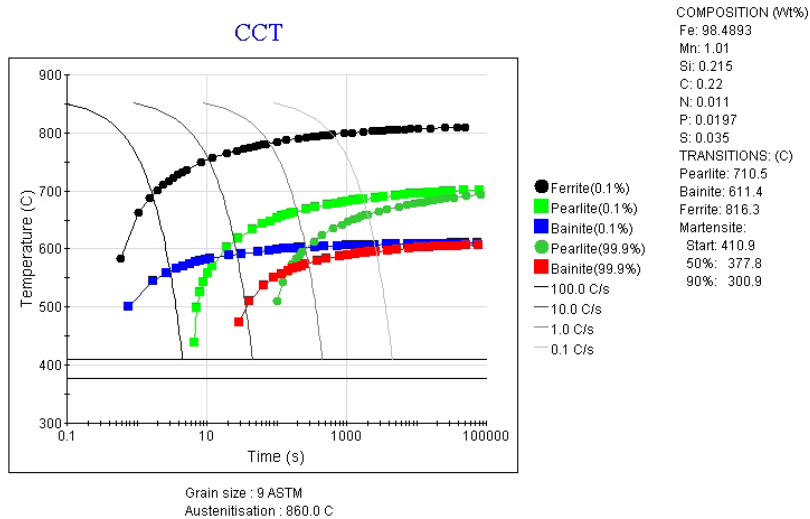


**Figure 3.** Description of detailed phase transformations from 0 to 800°C, for sample with diameter 21.8 mm which has a concentration of *Mn* 1.01.

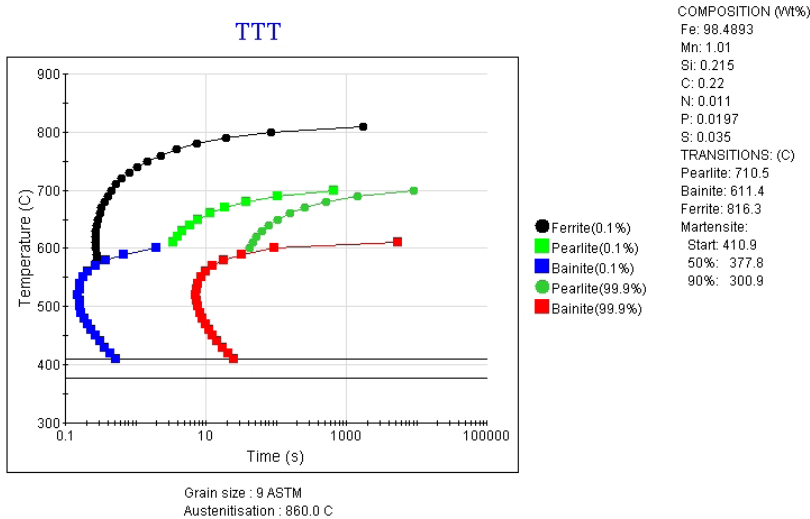
The changes in phase fractions offer valuable information for understanding the steel's microstructural evolution, which is crucial for predicting its mechanical and thermal properties.

Continuous Cooling Transformation (CCT) diagrams for various phase transitions (pearlite, bainite, and martensite) in a steel sample as a function of temperature and cooling rate. Let's analyze and interpret the data: Critical Temperatures for Phase Transformations:

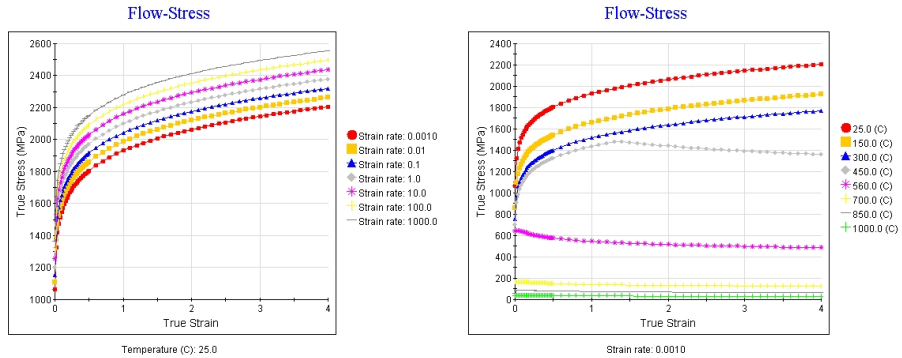
The critical temperatures for different phase transformations are identified and described in figure 3 in detail.



**Figure 3.** CCT diagram the dynamic nature of phase transformations in the steel sample as a function of temperature.

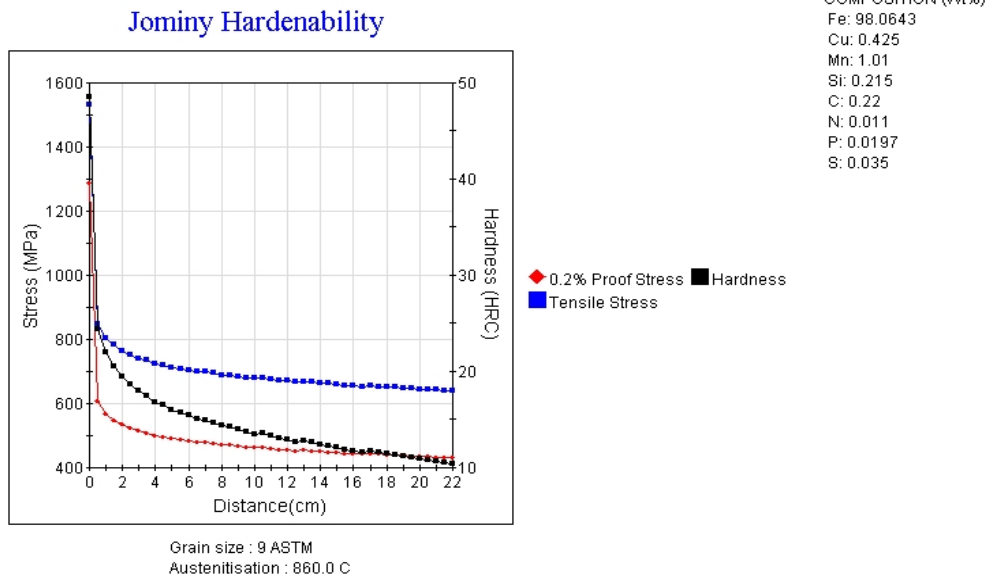


**Figure 4.** TTT diagram the dynamic nature of phase transformations in the steel sample as a function of temperature.



**Figure.5 a,b** Flow-stress diagrams a) True stress from True strain for strain rates ranging from 0.01 to 1000 b) True stress from true strain for temperatures ranging from 25°C to 1000°C.

In figure 5.a. is given the material's response to various strain rates at a specific temperature, it provides information about the material's deformation mechanisms, such as strain hardening and strain rate sensitivity. Stress rises because of the ongoing increase in strain, demonstrating the work hardening effect. The continuous increase of strain leads to the appearance of material defects and the stress decreases. In figure 5 b all curves initially showed a rising trend and then underwent a decrease. At a fixed strain rate of 0.001, the flow stress decreases with the rise in temperature.



**Figure. 6** Jominy Hardenability Graph for a Specific Composition Jominy hardenability characteristics of steel with a grain size of 9 ASTM after austenitisation at 860.0°C are described in figure 6. As the distance from the quenched end increases, the hardness, 0.2% proof stress, and tensile stress show a decline. At

the quenched end, there is a dominance of martensite, contributing to the highest hardness, while ferrite, pearlite, bainite, and austenite are notably absent. With increasing distance, a transformation occurs, leading to the emergence of ferrite, pearlite, and bainite, consequently reducing the martensite content. This shift in phase composition corresponds to the observed decrease in tensile strength, hardness, and the 0.2% proof stress.

#### 4. Conclusions

In this study, the JMatPro software was effectively used to simulate the temperature-dependent phase evolution and microstructural transitions in C20 steel. The predicted values were evaluated for varying conditions. The dominance of Austenite at lower temperatures, comprising approximately 96.7% of the composition, undergoes a significant shift at 90°C, marked by a decrease in Austenite to 96% and an increase in Cementite to 2.2%, indicating a notable phase transformation. The temperature range between 90°C and 244.8°C introduces new phases, including  $M_7C_3$ , Cu, and  $M_2(C, N)$ , highlighting a complex phase evolution. The increase in carbon content between 80°C and 90°C contributes to carbide precipitation, impacting steel hardness. Changes in manganese content influence hardenability and mechanical properties, crucial for optimizing material performance. Phosphorus, nitrogen, and copper content remain stable, indicating minimal influence on phase evolution. The microstructural evolution, (CCT) diagrams, underscores critical temperatures for phase transformations. At higher temperatures, the transition from Liquid to  $M_2(C, N)$  becomes evident, with  $M_2(C, N)$  representing 100% of the material above 1400°C, suggesting a complete transformation under extreme conditions.

#### 5. References

- Chen, Z., Yu, Y., Hou, J., Zhu, P., & Zhang, J. (2023). Microstructure and properties of iron-based surfacing layer based on JmatPro software simulation calculation. *Vibro Engineering Procedia*, 50, 180–186. <https://doi.org/10.21595/vp.2023.23400>
- Saunders, N., Guo, Z., Miodownik, A.P., & Schille, J.P. (2004). The calculation of TTT and CCT diagrams for General Steels. Internal Report of Sente Software Ltd., Guildford, UK. (download from Ref. (Sente Software 2005).
- Liu, Y., & Zhang, Z. (2023). Study on the Microstructure and Properties of High-strength Building Structural Steel. *Academic Journal of Science and Technology*, 7(3), 17-24. <https://doi.org/10.54097/ajst.v7i3.12695> ISSN: 2771-3032 | Vol. 7, No. 3, 2023
- Sente Software Ltd. (2005). A collection of free downloadable papers on the development and application of JmatPro. <http://www.sentesoftware.co.uk/biblio.html>
- Wang, G., Mao, P., Wang, Z., Zhou, L., Wang, F., & Liu, Z. (2022). High strain rates deformation behavior of an as-extruded Mg–2.5Zn–4Y magnesium alloy containing LPSO phase at high temperatures. *Journal of Materials Research and Technology*, 21, 40-53. <https://doi.org/10.1016/j.jmrt.2022.08.131>
- Saunders, N., Guo, U.K.Z., Li, X., et al. (2003). Using JMatPro to model materials properties and behavior. *JOM*, 55, 60–65. <https://doi.org/10.1007/s11837-003-0013-2>
- Miettinen, J., Koskenniska, S., Somani, M., et al. (2021). Optimization of the CCT Curves for Steels Containing Al, Cu and B. *Metall Mater Trans B*, 52, 1640–1663. <https://doi.org/10.1007/s11663-021-02130-9>
- Khlusova, E.I., Sych, O.V., & Orlov, V.V. (2021). Cold-Resistant Steels: Structure, Properties,

and Technologies. *Phys. Metals Metallogr.*, 122, 579–613. <https://doi.org/10.1134/S0031918X21060041>

Shi, G., Hu, F., & Shi, Y. (2014). Recent research advances of high strength steel structures and codification of design specification in China. *Int J Steel Struct*, 14, 873–887. <https://doi.org/10.1007/s13296-014-1218-7>

# Exploring Crisis Counseling in Albanian Public Schools: Examining the Experiences and Perspectives of School Psychologists

PhD Skerdi Zahaj  
*University of Tirana, Albania*

## 1. Introduction

In recent years, public schools in Albania have attracted considerable national attention, underscoring the urgent need for effective crisis prevention measures within these educational institutions. During the past two decades, there has been a noticeable increase in literature focusing on crisis response in Albanian public schools. Some of these scholarly works have emerged as responses to the widespread attention drawn by tragic incidents and acts of violence that have outspread within educational settings in recent times. However, despite the abundance of literature on crisis intervention, a majority of it lacks empirical research. This knowledge gap can be partially attributed to the inherent unpredictability of crises, which presents challenges in incorporating key components of the traditional scientific approach (Everly & Mitchell, 2000). Nevertheless, experts in the field unanimously agree on the vital importance of preplanning for crises and the establishment of crisis teams to ensure effective crisis response (Brock et al., 2001). Nonetheless, it remains unclear whether most school districts have acted upon this consensus by forming crisis teams and developing comprehensive crisis plans.

Although various interventions aimed at managing crisis situations exist in our Albanian educational institutions, it is highly likely that most schools will inevitably face a crisis. While incidents such as shootings, kidnapping, and other forms of violence in schools receive significant media coverage, there are other prevalent yet understated crises encountered by educational institutions, particularly those involving unexpected fatalities (Roth, J.C., 2022). Recent data reveal that unintentional injuries have been the leading cause of death among school-aged children. Among fatal injuries, motor vehicle accidents have been the most common cause, followed by homicides and suicides. These statistics unequivocally demonstrate that schools will inevitably confront student deaths resulting from diverse circumstances, significantly impacting the overall school environment.

When a crisis occurs, it is imperative for schools to intervene effectively. Experts concur that developing a crisis plan and training a crisis team before experiencing a crisis are essential elements of a sound intervention strategy (Brock et al., 2001). Although there is limited published data on the existence of school crisis plans, experts acknowledge that, until recently, many schools did not have comprehensive crisis plans in place (Roth, J.C., 2022). Furthermore, best practices emphasize the importance of defining specific roles for crisis team members and identifying school staff members who can fulfill these roles. Crisis team composition should include administrators, school psychologists, counselors, nurses, and other staff members without direct teaching responsibilities (Aronin, 1996). The specific roles assigned to crisis team members may vary, but crisis intervention experts suggest that a team leader (typically the

principal or superintendent), a counseling/intervention specialist (such as a school psychologist, counselor, or social worker), a medical team representative (usually the school nurse), a law enforcement/security representative, a media representative, a parent representative, and a teacher representative are minimally necessary (Brock et al., 2001). School mental health professionals, including school psychologists, are among the most qualified personnel to assist in the development of crisis teams and plans, as well as contribute to response efforts following a crisis.

Despite the extensive literature on crisis plans/teams and crisis response in public schools, limited empirical research has been conducted in these areas. This present study aims to replicate a previous study conducted in the United States by Austin D. Adamson and Gretchen Gimpel Peacock titled "Crisis response in the public schools: a survey of school psychologists' experiences and perceptions." The primary objective of this study is to determine the presence of school crisis intervention plans and teams while investigating specific details related to these crisis plans/teams. Secondary objectives include determining the utilization of specific crisis intervention techniques, including debriefing models, identifying the types of crises typically experienced by school psychologists in their schools, and gathering information on the crisis training received by school psychologists.

## **2. Methods**

### **2.1 Participants**

The participant pool comprised 120 school psychologists who were employed in a school setting (ranging from prekindergarten to high school) for at least half-time. The sample consisted of a greater proportion of females (87%) compared to males (13%). The age of the participants ranged from 23 to 60 years old, with a mean age of 48.68 (SD = 7.2). Convenience sampling methods were utilized to select participants from ten different cities across Albania. The participants had varying levels of experience as school psychologists, ranging from 1 to 12 years, with a mean of 5 years (M = 4.8: SD = 2.3). Based on self-reported data, 38% of participants had completed a Master's degree, 28% had obtained a Master of Arts degree, 11% held an Integrated Diploma in Psychology, and only 1% had completed a PhD in school psychology. Regarding their professional roles, 53% of participants served in both basic and higher education, 36% exclusively served in basic education, and only 11% exclusively served in higher education.

### **2.2 Materials**

A survey was translated for the purpose of this study after taking permission from the authors (Austin D. Adamson and Gretchen Gimpel Peacock has written the paper titled "Crisis response in the public schools: a survey of school psychologists' experiences and perceptions.") that have used this survey in USA and have published academic article. The first part of the survey contained questions on basic demographic variables. The next section of the survey included questions relating to the type and variety of crises experienced in the schools in which the respondents were employed. On the third section of the survey, respondents were asked about



their preparation/training to respond to crises (e.g., formal schooling, workshops) and their schools' preparation (e.g., presence of crisis teams and crisis plans). Finally, participants were asked questions concerning how their schools responded to a crisis. An open ended question was included at the end of the survey asking respondents to provide suggestions on how schools could improve crisis response.

### **3. Results and Discussions**

The survey results indicate that a significant proportion of school psychologists in Albania, comprising 67% of the respondents, reported that their schools have implemented a crisis intervention plan. This finding highlights the recognition and proactive approach of these educational institutions in addressing potential crises. However, it is concerning to note that almost a third of the respondents (29.2%) stated that their schools do not currently possess a crisis intervention plan, suggesting a potential gap in preparedness for managing crises. Furthermore, a small but notable percentage (4.2%) expressed uncertainty regarding the presence of an intervention plan in their schools, emphasizing the need for improved communication and awareness regarding crisis preparedness among school psychologists. These findings underscore the importance of promoting comprehensive crisis intervention plans in Albanian schools to ensure the safety and well-being of students and staff.

In relation to the objectives of the crisis intervention plan, the survey findings reveal that 51% of school psychologists identified the primary aim as crisis prevention. In contrast, 41% of respondents indicated that the main goal was to respond to crises after they have occurred, while 39% highlighted the objective of minimizing the impact of crises. These results demonstrate the diverse perspectives and priorities among school psychologists regarding the overarching goals of crisis intervention plans in Albanian schools. It is noteworthy that a significant portion of respondents prioritize proactive measures such as prevention, emphasizing the importance of implementing strategies to mitigate the likelihood of crises. However, a considerable number of school psychologists also recognize the significance of timely response and effective mitigation strategies in managing and reducing the impact of crises when they do arise. These findings underscore the multifaceted nature of crisis intervention planning and the need for comprehensive approaches that encompass prevention, response, and impact mitigation.

In addition to these findings, it was revealed that 58% of school psychologists indicated that the crisis intervention plan in their schools was of a general nature, whereas only 42% reported that the plan was specifically tailored to address certain types of school crises. This outcome highlights a predominant trend towards broader and more inclusive crisis intervention plans that are designed to address a range of potential crises. However, it is noteworthy that a significant proportion of school psychologists expressed the need for more targeted and context-specific plans that address the unique challenges and risks associated with specific types of school crises. These results suggest a potential area for improvement in crisis preparedness, wherein schools may benefit from developing specialized intervention strategies that align with the specific risks and vulnerabilities within their educational settings. The



integration of both general and specific components in crisis intervention planning can contribute to more effective crisis prevention, response, and recovery efforts within schools.

Approximately 62% of the surveyed school psychologists reported that their respective schools had established a crisis intervention team, indicating a significant presence of such teams within the educational institutions. Conversely, 30% of respondents indicated that their schools did not possess a crisis intervention team, suggesting a potential gap in terms of dedicated teams for crisis management. Interestingly, 8% of school psychologists expressed uncertainty regarding the existence of a crisis intervention team in their schools and further indicated that they themselves were not part of any such team. This uncertainty and lack of involvement emphasize the need for greater clarity and awareness regarding the establishment and composition of crisis intervention teams in schools. The presence of crisis intervention teams can play a crucial role in facilitating effective crisis response and recovery, underscoring the importance of establishing and maintaining these teams as an integral component of comprehensive crisis management strategies in educational settings.

In the table below (Table 1) are described the results of school psychologist for crisis intervention team roles.

*Table 1: Crisis intervention team role of school psychologist in Albania*

<b>Crisis intervention team role</b>	<b>Frequency</b>	<b>Percentage</b>
Psychological first aid	109	90.6%
Assist teachers	79	65.6%
Guide students to safety	69	57.8%
Crisis team coordinator	64	53.1%
Provide information to parents	51	42.2%
Liaison between emergency services	39	32.8%
Physical first aid director	21	17.2%
Media contact	11	9.4%

The survey results demonstrate that a significant majority of participants, specifically 90.6%, identified psychological first aid as their primary role within crisis intervention. Furthermore, 65.6% reported their involvement in assisting teachers during crises, while 57.8% mentioned their responsibility of guiding students to safety. Coordinating the crisis intervention team was highlighted as a significant role by 53.1% of respondents. However, a comparatively lower percentage, 42.2%, indicated their involvement in providing information to parents, and only 32.8% reported serving as a liaison between emergency services. These findings underscore the prominent role of school psychologists in delivering psychological first aid and supporting teachers and students during crisis situations. It also reveals opportunities for improvement, particularly in terms of enhancing communication with parents and strengthening collaboration with emergency services.

In the table below (Table 2) are described the results of school psychologist for crisis

team members only in school that have reported a crisis team and a crisis plan.

*Table 2: Crisis team members in Albanian Schools*

<b>Crisis team members</b>	<b>Frequency</b>	<b>Percentage</b>
School psychologist	78	96.9%
Principal	76	93.8%
Teacher	75	92.2%
Assistant Principal	46	56.3%
Parents	43	53.1%
Students	42	51.6%
School medical personnel	22	26.6%
Emergency service personnel	18	21.9%
Support staff	11	14.1%
Inspector	11	14.1%

The results indicate that school psychologists play an active role as team members in 96.9% of the surveyed schools, highlighting their significant involvement in crisis intervention efforts. Similarly, principals are part of the crisis intervention teams in 93.8% of schools, followed closely by teachers at 92.2%. Assistant principals contribute to the teams in 56.3% of schools, while parents and students are included in 53.1% and 51.6% of teams, respectively. School medical personnel participate in 26.6% of teams, whereas emergency service personnel are involved in 21.9% of teams. These findings suggest that in schools where crisis intervention teams are effective, the composition of team members is comprehensive and representative. The active participation of various stakeholders, including school psychologists, administrators, teachers, parents, and students, is crucial for the successful functioning of crisis intervention teams and underscores the importance of collaborative efforts in addressing and managing crises within educational settings.

Despite the comprehensive and representative composition of school teams, the survey results indicate that only 54% of school psychologists reported having clearly outlined duties and responsibilities within their roles. In contrast, 43% of respondents indicated a lack of such delineated duties and responsibilities. These findings suggest a notable discrepancy in the extent to which school psychologists have defined parameters and expectations for their involvement within crisis intervention teams. Establishing clear guidelines and expectations for school psychologists' roles and responsibilities within these teams is crucial to ensure effective coordination and maximize their contributions to crisis response efforts. Further attention should be given to developing standardized protocols and clear job descriptions for school psychologists within crisis intervention teams to optimize their effectiveness and enhance overall team functioning.

In the table below (Table 3) are described the results of school psychologist for crisis

that they have experienced in their practice.

*Table 3: Crisis experienced in Albanian schools by school psychologists*

<b>Crisis experienced in schools</b>	<b>Frequency</b>	<b>Percentage</b>
Unexpected deaths	37	31.2%
Transportation accidents	36	30.2%
Attacks	25	20.8%
School shooting	20	16.7%
Suicide	14	11.5%
Natural disaster	8	6.3%
Explosion	6	5.2%
Chemical spill	4	3.1%
Hostage situation	1	1.0%
Others	26	21.9%

From a school psychology perspective, the survey results shed light on the prevalence of different types of crises encountered in Albanian schools. The most commonly reported crisis is unexpected deaths, which was identified by 31.2% of school psychologists. This finding underscores the significant impact that sudden loss of life can have on students and the school community, necessitating the need for timely and appropriate support. Transportation accidents were reported as the next most prevalent crisis, affecting 30.2% of school psychologists. This emphasizes the importance of addressing safety measures and providing assistance to students involved in such incidents. The occurrence of attacks, as reported by 20.8% of respondents, highlights the need for crisis preparedness and strategies to manage acts of aggression within school settings. School shootings, while less frequent at 16.7%, remain a concerning crisis situation that necessitates preventative measures and effective response protocols. The report of suicide as a crisis by 11.5% of school psychologists underscores the critical role of mental health support and prevention efforts within schools. Although natural disasters (6.3%) and explosions (5.2%) were reported by a smaller proportion of respondents, their inclusion as crises highlights the need for schools to have comprehensive emergency plans to address such events. These findings collectively emphasize the importance of proactive crisis management strategies, including preparedness, prevention, intervention, and support services, to effectively respond to the wide range of crises that may occur in schools. School psychologists play a crucial role in these efforts, providing the necessary expertise and support to promote the well-being and safety of students and the entire school community.

The majority of school psychologists (72%) reported receiving crisis intervention training through self-directed study, indicating their proactive engagement in acquiring knowledge and skills in this domain. In-service training was cited by 54%

of respondents as a source of their training, reflecting the value placed on professional development opportunities provided within their working context. Furthermore, 35% of school psychologists reported receiving training on crisis intervention through university coursework and lectures, indicating the integration of this important subject matter within their academic preparation.

It is worth noting that a smaller proportion of school psychologists obtained training through workshops (22%) and conference sessions (21%), which suggests the potential benefits of attending specialized training events to enhance their crisis intervention competencies. However, a concerning finding emerged, revealing that 4% of school psychologists indicated not having received any form of intervention training. This result underscores the critical need to address this training gap to ensure that all school psychologists are equipped with the necessary knowledge and skills to effectively respond to crises in educational settings. Efforts should be made to provide comprehensive and accessible training opportunities that encompass evidence-based practices in crisis intervention to enhance the overall preparedness and capabilities of school psychologists.

## References

- Adamson, A. D., & Peacock, G. G. (2007). Crisis response in the public schools: A survey of school psychologists' experiences and perceptions. *Psychology in the Schools, 44*(8), 749–764.
- Aronin, L. (1996). Making psychology in schools indispensable: Crisis intervention for fun and profit. In R.C. Talley, T.
- Brock, S.E., Sandoval, J., & Lewis, S. (2001). *Preparing for crises in the schools: A manual for building school crisis response teams (2nd ed.)*. New York: Wiley.
- Everly, G.S., & Mitchell, J.T. (2000). The debriefing “controversy” and crisis intervention: A review of lexical and substantive issues. *International Journal of Emergency Mental Health, 2*, 211–225.
- Kubiszyn, M. Brassard, & R.J. Short (Eds.), *Making psychologists in schools indispensable: Critical questions and emerging perspectives* (pp. 143–146). Washington, DC: American Psychological Association.
- Roth, J.C. (2022). *School Crisis Response: Reflections of a Team Leader (2nd ed.)*. Routledge.

# Decentralized Finance (DeFi) and Cryptoeconomic Systems

Dr. Pjeter Ndreca

*Metropolitan University of Tirana, Albania*

## Abstract

Decentralized Finance or (DeFi) refers to an ecosystem of financial applications that are built on top of a blockchain. Its common goal is to develop and run in a decentralized way all kinds of financial services on top of an open, transparent and trust-independent network. Over the centuries, money and finance have evolved to adapt to technological developments. The latest innovations with various cryptocurrencies such as Bitcoin, Ethereum and smart contract platforms seem to be the next step in the evolution of money and the financial system we know today. In this modest work, the author has tried to present in a summarized way a basis on the operation of decentralized crypto-economic systems and their real applications in financial products such as: decentralized borrowing/lending (bilateral), decentralized exchanges that present innovations in market assignment, etc. DeFi carries with it many promises, challenges and risks that need to be addressed and resolved. In Albania, they can benefit from the opportunities that this sector is developing, but at the same time, care must be taken with the current risks that decentralized protocols present. Decentralization has the potential to undermine traditional forms of accountability and potentially erode the effectiveness and enforcement of traditional financial rules. The spectacular growth of these assets along with some truly innovative protocols suggest that DeFi could become relevant in a much wider context and has sparked interest among policy makers, researchers and financial institutions.

**Keywords:** Decentralized Finance (DeFi), Cryptocurrency, Financial System, Risk Management, Blockchain.

## I. Introduction

Crypto-economic systems are otherwise called systems such as Bitcoin, Ethereum and other networks which use a combination of cryptographic science with economic incentives to achieve their operational goals in a decentralized manner. They are complex socio-economic networks defined by: Individual autonomous actors. Economic policies embedded in software. Features that emerge from the interactions of those actors according to the rules defined by that software.

Therefore, a comprehensive definition of the crypto economy includes three levels of analysis: micro-fundamental, relating to behaviors at the level of economic agents, meso-institutional, related to the establishment of policies and the governance of the protocol, macro-observables, related to the measurement and analysis of system metrics. Crypto economic systems provide real-time data of economic activities on the network and can govern many protocol functions. Advances in artificial intelligence over the past decade have increased the ability to create new models useful for a wide range of economic applications. This, for the first time, allows near-real-time running of these economies to a degree that was previously impossible (Voshmgir & Zargham).

So far, six main service categories are identified: stable currencies, exchanges, lending/

borrowing, derivative contracts, insurance and asset management, as well as ancillary services such as portfolios and oracles. While traditional financial services depend on third parties to administer and process transactions, DeFi operates in a decentralized and public environment where services are built on open-source software and smart contracts. Historically, third parties have played an essential role in financial markets by serving as agents and intermediaries of trust, liquidity, settlement and security. The value and types of these intermediaries have increased over time to meet the growing needs of a complex financial system. Since the global crisis of 2008, there has been a focus of attention on the inefficiencies, structural inequalities and hidden risks of the Financial Intermediation System.

## II. Literature review

In the case of cryptocurrencies like Bitcoin, economic incentives are what ensure the honesty of network actors by making it costly for them to behave abusively. Each Bitcoin producer spends electricity verifying and writing transactions to the blockchain. For this task, he is rewarded with new Bitcoins issued by the network as well as the transaction fees that the parties pay. Since over 51% of the nodes distributed around the world decide on the correct version of the transaction log, then a dishonest producer would be at risk if he tried to add fake transactions to the system, because they would be rejected by the nodes others and thus this producer would not benefit from any of the fees that enable the continuation of his activity. In this way, this economic actor is encouraged to behave honestly in order to benefit from the transaction fees and the emission of new Bitcoins, otherwise he will continue to spend electricity without any benefit. This type of economic incentive strengthens the security of the Bitcoin network, while in DeFi most services include protocol token-based incentive structures to achieve important objectives such as liquidity and service governance. These incentives typically involve digital token holders locking the tokens into smart contracts in order to receive payments from the revenue the financial protocol generates. Unlike traditional finance, this agreement applies to virtually every category of DeFi. Assets received can be stable currencies, loans, insurance contracts, etc. Common mechanisms include income that pays interest for mobilizing digital assets in pools, where they serve as liquidity or collateral for a particular service such as: Liquidation fees that pay market makers a percentage of the value of liquidated sub-collateralized loans. Producing interest-paying liquidity in the form of tokens issued by the protocol itself. Due to the composable, interoperable architecture of DeFi, these mechanisms can be further integrated into structures such as yield maximization, which optimizes returns from liquidity generation and other reward mechanisms by automatically moving funds to these protocols. The rate of earnings can be determined in several ways, including a proportional share of locked funds to fees collected, a commitment curve that rewards early participation in the protocol, etc. Thus, individual actions toward a collective goal are incentivized with “goal-oriented” tokens. These tokens are equipped with crypto economic mechanisms that allow a decentralized network to simultaneously maintain the state of the ledger, support settlement between network parties, and stimulate collective



action to achieve the protocol's goal. Therefore, these networks provide a mission-critical regulatory infrastructure and security for autonomous agents in decentralized economic networks.

- **Financial primitives - Basic financial functions programmed into smart contracts**

Smart contracts are very flexible and offer solutions for industries such as energy, logistics, healthcare and, in particular, the financial sector. Here, smart contracts can enable simple functions such as payments (stable currencies), credit (lending/borrowing), as well as more complex functions such as derivatives (leverage, exchanges) and digital asset trading (decentralized exchanges). Fully automated and decentralized without any intermediaries. Decentralized applications that are based on a set of interactive smart contracts and serve these basic financial functions are referred to as financial primitives. Financial primitives are the backbone of DeFi. A set of financial primitives build an ecosystem of interactive services, i.e. the DeFi ecosystem. The long-term vision of DeFi is to connect these services in order to build a trust-independent, fully functional and fully automated financial system. As we mentioned above, in DeFi, the blockchain (in this case called layer 1) provides the level of trust and security. Above layer 1 lies layer 2: where basic financial functions such as a sustainable decentralized currency for payments in the DeFi ecosystem (such as DAI and the MakerDAO protocol) are built. The next level (layer 3) provides users with slightly more complex functions such as borrowing/lending (such as the Compound protocol). This is followed by layer 4 and more sophisticated financial services (eg decentralized exchanges like Uniswap or prediction markets like Augur). Finally, at layer 5 of the stack, applications are built that target end users. They combine different functions and build a service similar to what we know from today's banking applications: storing and sending money, investing in assets, lending these assets, etc. The characteristics of decentralized finance are referred to in the literature as promises, opportunities and principles. Based on the literature of this paper, below you can find the strengths of this infrastructure:

**Efficiency.** While much of the traditional financial system is trust-based and dependent on centralized institutions, DeFi replaces some of these trust requirements with smart contracts executed by decentralized, impartial platforms. Contracts can take on the roles of fund custodians, clearing houses, etc.

**Transparency.** Decentralized applications (dApps) are transparent. All transactions are publicly observable, and the smart contract code can be analyzed by anyone. Financial data is publicly available and can potentially be used by analysts and users. In the event of a crisis, the availability of historical (and current) data is a vast improvement over traditional financial systems, where most information is scattered across a large number of private databases or not available at all.

**Access.** Decentralized protocols can be used by anyone. As such, DeFi could potentially create a truly open and accessible financial system for all. In particular, infrastructure requirements are relatively low and the risk of discrimination is almost non-existent due to the lack of identities.

**Composability.** DeFi protocols are often compared to Lego blocks. The common

settlement layer allows these protocols and applications to be interconnected together to easily form a complex system with many independent components over digital assets. DeFi is special because there is a lack of legal regulation. This lack of regulation allows the creation and use of services without any restrictions. However, there is clearly a downside to the lack of a regulatory framework for DeFi, as it can also be easily used for fraudulent activity.

**Innovative.** By publicly distributing core technologies through open-source code, financial platforms like Bitcoin and Ethereum allow anyone to reuse these technologies. As a result, new applications can be built on top of these technologies, giving room for further advancement of these platforms.

**Interaction.** We need to make a distinction between functional interoperability and technical interoperability. With functional interoperability services can work together because they exist on the same platform. With technical interoperability two different platforms can work together. DeFi has the capacity to increase interoperability between different actors. There is a lot of attention for full interoperability between blockchains from the industry. This suggests that, if interoperability is to be achieved in DeFi, then it has a huge comparative advantage over centralized financial services.

**Border barriers.** The elimination of physical and border barriers is achieved if financial services are not tied to geographic locations or a fiat currency and that these financial services are accessible to anyone in the world. According to (Chen & Bellavitis, 2020), centralized finance cannot truly be borderless because centralized finance is always tied to geographic location or a fiat currency. Furthermore, they argue that cryptocurrencies that are based on the blockchain do not depend on borders because everyone in the world has access to them. A downside of this feature is that financial services may not be able to comply with AML and KYC regulation. Obviously, AML/KYC are concepts that don't really fit into the DeFi ecosystem.

**Automation of business processes.** Smart contracts allow the automation of business processes. As business processes are automated, their execution becomes more efficient, as argued by (Popescu). Once a smart contract is created, two parties can do business with each other without the need for an external authority, which leads to an increase in autonomy.

- **The difference between Decentralized and Traditional Finance**

Although the differences between DeFi and the current system have been covered extensively in this paper, they are worth discussing since the technological risk that DeFi brings directly affects the traditional financial system. When customers have local access to services such as payments, ATMs, savings, investments and insurance, these services are not provided exactly at their point of origin. Rather, financial markets and activities are traditionally clustered at local, regional and super-regional/global points. These services are essentially provided by a financial center where the sufficient concentration of transaction volumes in a certain sector allows the development of human resources and expertise for their most efficient handling. (Zetsche, Arner, & Buckley).

In the past, distributors of services were necessary as they were provided locally and recorded in a single ledger, with the provider of that ledger usually headquartered in a financial center.



Tabela No.1. The differences that stand out from the two architectures

	Traditional Finance.	Decentralized Finance.
Ownership of Assets.	Assets are held for the owner's account by licensed providers.	Assets are held by their owners in specific portfolios.
Unit of Account.	Usually denominated in fiat currency.	Denominated in digital assets or stable currencies (which themselves can be denominated in fiat).
Execution.	Brokers usually process transactions between parties.	Through smart contracts that operate on user assets.
Clearing and Settlement.	It is usually processed by clearing houses over a certain period of time.	Writing the transaction to the blockchain completes the settlement process.
Governance.	Set by service provider, market or regulator rules.	It is managed by the protocol developers and users who own voting tokens.
Audit.	Authorized third-party audits of proprietary software.	The open-source code and public journal allow auditors to verify the protocol and activity.
Collateral Terms.	Transactions may not involve collateral or may involve as much collateral as the funds provided.	Over-collateralization is generally required, due to the volatility of asset prices and the lack of a system on the evaluation of debtors.

Source: Summary by author (2023).

- **Main applications of DeFi**

DeFi embodies a series of activities that meet criteria of financial services such as trust minimization, personal custody of assets, open and programmable systems. Six major categories of decentralized finance are identified so far, in addition to ancillary services such as oracles and wallets. The lines between them are not always clear. However, this typology generally reflects the perceptions of DeFi market participants.

1. Stable currencies seek to maintain a constant value of a token relative to other assets, most commonly the US dollar. Non-custodial stable currencies function as standalone services in DeFi, while custodial stable currencies are centralized but can be incorporated into DeFi services.

2. Exchanges allow users to trade one digital asset for another. Decentralized exchanges avoid taking custody of user assets by enabling a two-way exchange of assets through smart contracts.

3. Credit includes the creation of financial instruments with a limited term, which must be paid at maturity, as well as the matching of lenders and borrowers to issue these instruments.
4. Derivatives are synthetic financial instruments whose value is based on the function of an asset or group of assets. Common examples are futures and options, which refer to the value of an asset at a specified time in the future.
5. Insurance provides protection against risks by trading the payment of a small premium for the possibility of collecting a large payment in the event of a scenario covered by the policy.
6. Asset management seeks to maximize the value of a portfolio of assets based on risk preferences, time horizons, diversification or other conditions.

### **III. Challenges, Risks and Benefits of DeFi**

- **Challenges and Risks**

To reach a wider user base on a massive scale, this innovative sector faces engineering and strategic challenges to which it must provide solutions to pass the market test. Many of the challenges mentioned below are being addressed and are in the process of being implemented, but these solutions have not yet been widely tested with the public to provide significant assurance for wider implementation.

**Execution of smart contracts.** While the deterministic and decentralized execution of smart contracts has its advantages, there is a risk that something could go wrong. If there are flaws in their programming, these errors could potentially create vulnerabilities that allow an attacker to withdraw smart contract funds, cause panic among users, or render the protocol unusable. Users should be aware that the protocol is only as secure as the smart contracts that power it. Unfortunately, the average user will not be able to understand the code of the contract, let alone evaluate its security. While audits, insurance services and official verification are partial solutions to this problem, a certain degree of uncertainty still remains among the users of these services.

**Operational Security.** Many DeFi protocols and applications use administrator keys. These keys allow a predetermined group of individuals (usually the core project team) to update contracts and perform emergency shutdowns in the event of piracy. While it is understandable that some projects want to implement these precautions and remain somewhat flexible, the existence of these keys can be a potential problem. If key holders do not generate or store their keys securely, malicious third parties can get their hands on these keys and compromise the smart contract. Even key team members themselves can be corrupted by significant monetary incentives.

**Addictions.** Some of the most promising features of the DeFi ecosystem are its composition and transparency. These features allow various smart contracts and decentralized applications on the blockchain to interact with each other and provide new services based on a combination of existing ones. On the other hand, these interactions introduce large dependencies. If there is a problem with a smart contract, it can have far-reaching consequences for multiple applications with all the protocols that this contract interacts with.

External data. Another point worth mentioning is the fact that many smart contracts depend on external data. Whenever a smart contract depends on data that is not available within the network, the data must be provided from external sources. These pairs of so-called oracles introduce dependencies and, in some cases, can lead to a highly centralized execution of the contract. To mitigate this risk, many projects rely on decentralized networks of oracles with a large variety of data providers.

Illegal activity. A common concern among regulators is that crypto-assets can be used by individuals who want to avoid laws and monitoring. While the inherent transparency of DeFi is a hindrance for this use case, the anonymity of the network can provide some privacy. However, this may not necessarily be a bad thing, and the situation is more complicated than it might seem at first glance. On the one hand, anonymity can be abused by actors with dishonest intentions. On the other hand, privacy may be a desirable attribute for some legitimate financial applications.

Products for end consumers. Some of the challenges against which the decentralized finance industry works to solve is the creation of intuitive interfaces that serve the end consumer and the increase of financial liquidity locked in protocols to attract increasingly large actors in this system.

DeFi services have struggled to gain traction beyond those naturally familiar with Ethereum. Many products require users to hold multiple tokens within their private wallets. Realistically, it is still too early for the general population to risk their money in this complicated and uncharted territory. Once the technical and regulatory risks are addressed, the interface of DeFi products will surely be one of the top priorities for developers. Given the mass adoption of the Internet, where early applications were difficult to use compared to today's social media platforms or intuitive brokerage services, we can hope that DeFi will overcome this challenge.

Liquidity is essential for pricing efficiency in the financial industry. Currently, liquidity in DeFi protocols is massively outpaced by centralized alternatives where many low-fee liquidity providers stabilize traditional finance. Liquidity risk is closely related to technical risks, i.e. the aforementioned technical scaling and load issues on the Ethereum platform. In times of crises, the Ethereum network (Bitcoin too) becomes so congested that arbitrageurs and liquidity providers cannot keep prices the same across exchanges, thus causing huge losses on individual exchanges, which then cause uncertainty and crashes of the markets.

Jurisdiction and applicable law. In a decentralized financial world of any form on the spectrum between complete centralization and complete decentralization, determining the jurisdiction of courts and applicable law is increasingly difficult.

- **Albania benefits from DeFi**

Albania is a developing country, a potential candidate to enter the EU and with a stable GDP growth, excluding the year 2020 where this indicator had a contraction as a result of the earthquake of 2019 and the world pandemic of 2020. However, the preferences consumers towards financial services show a lag compared to the countries of the region and the EU. The level of cash money outside banks in December 2020 reached 24% of the total. This figure is much higher than the average of the European Union and the region. In the Eurozone, according to data from the European Central

Bank, the level of money outside banks was about 9% of the total. Even in the region, this indicator is lower than 10%.<sup>1</sup> According to a survey by the society Paylink<sup>2</sup>, in Albania, 28.8% of Albanians have made, completed or benefited from a card payment in the last 12 months. This indicator compared with Kosovo which is 39% or Serbia which is 66%, or with the Eurozone which is 92.5%, shows that Albania is at a lower level. There are also other indicators regarding the use of bank cards for payments, where in Albania last year it was 7.7%, in Kosovo it was 16.5%, and in Serbia 39.4%. A 2020 report from the Payments Directorate at the Bank of Albania comes to the same conclusions on the “backwardness” of financial development, although some of the figures are older than the year 2020.<sup>3</sup> According to the report, the adult population in countries with higher-than-average income have an account ownership rate of 70%, while in Albania this figure stands at 40%, the lowest in the countries of the Western Balkans and in Europe. Also, the use of these accounts is lower in Albania, compared to countries with similar economic growth in the region and Europe. Consumer behaviors and those of Albanian businesses are mainly based on physical money, thus reflecting an economy with a high use of physical money. Of all payments initiated by consumers, 96% were made with physical money, compared to 90% of payments received. Likewise, businesses in Albania receive 99.2% of all payments in physical cash, while 66% of payments initiated by businesses are in physical cash. As it can happen with many other countries that face the same challenges, there are various reasons for the still low use of payments that are not made with physical money in Albania such as: the low level of financial culture and the low number of people adults owning an account resulting in high levels of financial exclusion; high informality in the economy; the lack of variety of different payment products available in the country that could make these instruments attractive; limited access to service delivery points; and low level of accepting electronic payments. This high dependence on physical money has significant cost implications not only for users, but also for the country’s economy in general. Based on the study “Costs and savings of small value payments in Albania” carried out by the Bank of Albania and the World Bank, it results that physical money, the most used instrument, is also the most expensive instrument, costing the Albanian economy about 1.7 % of GDP. From the legislative point of view, Albania has taken steps forward by approving Law 55/2020 on “Payment Services”, Law 62/2020 on “Capital Markets” as well as Law 66.2020 on “Financial Markets Based on Distributed Registers”, where this the latter refers precisely to the markets based on the blockchain technology on which the entire DeFi infrastructure is built. However, the recognition of digital currencies and tokens is still not clear in Albania. For this reason, the black market of Bitcoin exchange has been developing for some time. Since the majority of the population prefers cash over the banking system, even in this case it seems that anyone who has expressed an interest in trading crypto assets has chosen to exchange cash for cryptocurrencies, even though there are several foreign exchanges that offer it. this

<sup>1</sup> <https://www.monitor.al/paraja-jashte-bankave-arrin-rekordin-e-2-8-miliarde-eurove-ne-dhjetor-cfare-ndodhi-ne-pandemi/>

<sup>2</sup> <https://expocity.al/SQ/trendet-dixhitale-sherbimet-financiare/>

<sup>3</sup> [https://www.bankofalbania.org/rc/doc/Artikull\\_CBPN\\_ALB\\_LEDIA\\_BREGU\\_Shqip\\_Financial\\_17504\\_1\\_converted\\_3\\_17542.pdf](https://www.bankofalbania.org/rc/doc/Artikull_CBPN_ALB_LEDIA_BREGU_Shqip_Financial_17504_1_converted_3_17542.pdf)

service through banking (such as Kraken, Bitpanda, etc.). Being such, the data for measuring and evaluating the impact of this market in Albania are not possible. I think that the development of a regulatory framework that recognizes these assets and allows their exchange by licensed companies will help in the integration of this sector in the banking system, as well as make possible a more realistic assessment of this market in Albania. In my personal opinion, the financial culture of the population is a key obstacle that hinders the contemporary development of this industry, since the non-engagement of a large part of the population in financial products (payment systems, securities, insurance, etc.) leads to the impossibility of efficient application of economies of scale and further infrastructure development. Decentralized finance, being located online (where as we said, about 93% have access to it) and not in the physical world where it is affected by different jurisdictions and where it has to submit to the old central system, makes more accessible financial inclusion of the population, both in terms of access and costs. Any individual in the world can access financial services in DeFi using only an internet connection, which means that an Albanian citizen has equal access and opportunities to obtain financial services at the same cost and quality as a European or American citizen. This kind of equality is impossible to exist in the current system capital and financial expertise flow from financial centers to local regions and areas. The more we move away from the center, the more intermediaries are needed to provide services and the higher their cost becomes, thus making it difficult to finance various projects by entities that need cheaper capital. This also brings obstacles in the financial inclusion of countries like ours. Decentralized Finance (DeFi), which operates without a central exchange, recreates the traditional financial system without relying on intermediaries. It therefore represents a strong democratizing influence in the finance sector. DeFi is opening up investment opportunities for large populations that were previously excluded from investing in the financial markets. As more people gain access to these markets, there is a growing need to improve financial literacy, regulations and cyber security. DeFi may have the potential to reduce economic inequality by giving more people access to the best financial investments. DeFi breaks down social boundaries in finance, thereby equalizing the opportunity structure and access to investment. Almost everyone with a mobile phone will be able to invest. However, the risks to the success of this industry must be kept in mind by all stakeholders.

#### **IV. Conclusions and Recommendations**

- 1) DeFi offers opportunities for the future and has the potential to create a truly open, transparent and immutable financial infrastructure. Because it consists of highly interoperable protocols and applications, any individual can verify all transactions and the data is available for users and researchers to analyze.
- 2) The approach to eliminate centralization lies in combining core immutable logic (often embodied in smart contracts) with economic incentives for rational market agents. Each component of a particular instrument, or activity required for the operation of the service, is replaced by financially motivated actions of arbitrary agents in market competition.

- 3) Despite rapid growth and development, DeFi is at an early stage. Much of the activity so far is highly speculative and directed at existing holders of digital assets. The most common motives for participation appear to be speculative trading of digital assets, or benefiting from the various incentive mechanisms they offer. The ease of use of the services is not yet optimized for ordinary retail market participants. Resilience to known risks in financial systems remains relatively unproven at scale.
- 4) Hacking and other attacks to steal funds are common, with over \$120 million stolen in 2020 according to the research firm The Block<sup>4</sup>, of which less than \$50 million was recovered. Ethereum's blockchain, which underpins the vast majority of current DeFi activity, faces major scaling challenges. The further development of the market will require significant improvements in areas other than those mentioned above.
- 5) Retail investors, professional traders, institutional actors, regulators and policy makers will need to temper enthusiasm for the innovative potential of DeFi with a clear understanding of its challenges. Developers are actively working to address vulnerabilities and discover new mechanisms to manage risks efficiently, but this process is ongoing. Ultimately DeFi will succeed or fail based on whether it can deliver on its promise of financial services that are open, sovereign and trustworthy.
- 6) Smart contracts can have security vulnerabilities and scalability issues limit the number of users. Moreover, the term "decentralized" is misleading in some cases. Many protocols and applications use external data sources and special administrator keys to manage the system, perform contract updates, etc.
- 7) The adoption of recent laws about capital markets and those based on distributed ledgers shows the will of the state to advance the financial infrastructure in the country. Although it is still early days, as no country has established a regulatory framework for DeFi, regulation of cryptocurrency exchanges seems to be the next logical step in meeting these objectives.
- 8) Although one of the goals of decentralized services is to eliminate third parties and bureaucracies, I think that regulatory authorities should find a golden medium between bureaucratic mechanisms and the protection of investors, consumers, etc.

## References

- Bitkom. (2020). *Decentralized Finance (DeFi) – A new Fintech Revolution?*
- Bokhenek, A., Kamakin, I., & Hays, D. (2020). *Redefine 2020: A Primer.*
- Burniske, J., & Tatar, J. (2017). *Cryptoassets.*
- Buterin, V. (2013). *A NEXT GENERATION SMART CONTRACT & DECENTRALIZED APPLICATION PLATFORM.* ethereum.org.
- Chen, Y., & Bellavitis, C. (2020). Blockchain disruption and decentralized finance. *Journal of Business Venturing Insights.*
- Lau, D., Lau, D., Jin, T. S., Kho, K., Azmi, E., Lee, T., & Ong, B. (2020). *How to DeFi.* teaspoonpublishing.com.my.
- Meegan, X., & Koens, T. (n.d.). *Lessons Learned from Decentralised Finance.* ING Bank.

<sup>4</sup> <https://www.theblockcrypto.com/post/88463/2021-digital-asset-outlook>



Ndreca, H. (2019). Hyrje në Kripto-Ekonomi: Bitcoin dhe Asetet Kriptografike.

Popescu, A.-D. (n.d.). Transitions and concepts within decentralized finance space. *RESEARCH TERMINALS IN THE SOCIAL SCIENCES*.

Ramachandran, A., & Santoro, J. (2021). DeFi and the Future of Finance. *National Bureau of Economic Research, Cambridge MA USA 02138*, 92.

Russo, C. (n.d.). *The Infinite Machine*. Harper Collins.

Schär, F. (2021). *Decentralized Finance: On Blockchain- and Smart Contract-Based Financial Markets*.

Voshmgir, S., & Zargham, M. (n.d.). Foundations of Cryptoeconomic Systems.

Wharton Blockchain and Digital Asset Project. (2021). *The Emerging World of Decentralized Finance*.

Zetsche, D., Arner, D., & Buckley, R. (n.d.). *DECENTRALIZED FINANCE*. Institute of International Economic Law.

# Reflection on succession institute according to the Albanian Civil Code

**Donalb Xibraku**

*Assistant-Lector, Civil Department Faculty of Law, University of Tirana*

## Abstract

Succession is a fundamental institute in private law, particularly in civil law. Derivation of succession, which occurs upon an individual's, decease is the meaning of succession or inheritance. Universal succession is described by legal provisions or testament of the fortune to one or more heriters, according to the rules set in the civil code. Despite the family law they participate in, almost all countries have their legal framework for running the succession. This paper aims to offer a critical treatment regarding some aspects critical and ambiguous of the disposition. The handling of inheritance held great importance due to its connection with other domains of private law. Analyzing civil code articles about the heir's property, expressed in the will or by law, we remark on some problems which we will present in subsections of this paper as follows. I have also tried to argue the opinions and legal arguments regarding troubles due to the legal vacuums found in the law. At the end of this article, we will present the conclusions and recommendations regarding the findings and the changes to the Albanian Civil Code to make better provisions for this institution. These modifications must be reflected by Albanian legislators to have coherence with other domains of civil law.

**Keywords:** Inheritance, requesting the estate, division of inheritance, the heir unable to work, legal reserve, substitution.

## Introduction

Succession constitutes the derivation of the universal property rights referred to the civil code from the deceased to the heirs. The existence of two cumulative conditions makes this institute exist. Beginning with the first condition, the decease of (de cujus) must be certified and proved. The second element, the heir has rights and duties. The first condition for the decease, of a successor. There is no reason to talk about succession if the person didn't prove to be the owner of any fortune. The succession object is missing. Succession has several components related to the time, the place, the applicable law, and the ability to dispose of the fortune derived by inheritance. Certainly, standards reflect the structure of heritage in the Albanian legal system. The succession is based on standards as follows: Succession opens in the moment of decease of the successor, and at the last place of residence of the deceased. Succession is passed on according to the rules foreseen in the Civil Code, or unilateral legal action, "the will". Dealing in advance for heritage are prohibited. Transfer of succession begins from the day of opening the inheritance, corresponding to the deceased date of (de cujus). The principle of equality, between co-heirs. By this principle, and the extent of equality of natural children and spouses. The children born out of marriage, or children who are adopted, have the same right to heirs, as the other biological members of the family. Children adopted by a new family, have no rights to the heir at the family of origin. The concept of inheritance today is different from the past. The concept which existed in the past regarding the hereditary estate as a fortune belonging to the family, and it was part of it. Inheritance passes by law or by will. The legacy of inheritors acting in the absence of a will and inheritance necessary



(heredis necessari) that operates in the presence of the will, or other acts without compensation that damaged the rights that the law recognizes legal inheritors.<sup>1</sup>

### **The invalidity of the will**

The will is invalid when the testator excludes his minor or incapable heirs from the legal inheritance or violates their legal reserve<sup>2</sup>. However, we are interested in seeking the legal invalidity of the will. Related to the prescription terms of the lawsuits for the invalidity of the will, we have to examine some criteria concerning the legal provisions that set up the form of the will, the conditions for its validity and the cases of invalidity. These conditions have to be regarded, referring to the forms of invalidity of the will. The legal provisions that talk about the invalidity of the will have not made an express distinction (as happened with the provision of invalidity of legal actions) between absolute invalidity and relative invalidity. The provision made by the civil code concerning the invalidity of the will is foreseen individually in separate and specific dispositions. When only some of the dispositions of the will are declared invalid, the other dispositions remain in force. (Decision no.310 of the High Court, 2022 pg. 7). Even in this case, the “declaration of the will invalid by the court according to the opinion of the court, creates the conviction that we are facing cases of absolute invalidity of the legal action. *Considering the fact that, we are facing with the absolute invalid legal actions, there is no prescription term for the lawsuit. The lawsuit can be sued anytime.* (Decision no.310 of the High Court; 2022 pg. 7)<sup>3</sup>

The Article 411 of the Civil Code, which provides that: *“The claim for the invalidity of the will or disposition by will can be filed by the heir and any other interested person within three years from the opening of the inheritance.”*<sup>4</sup>. The non-prescriptive character of the claim for searching the inheritance is found in the interpretation of articles 349 and 351 of the Civil Code. *“An heir may request by lawsuit that any one who possesses the estate property or a part of it recognize him as heir and deliver to him the estate property and any property acquired by means of the latter, in conformity with the rules on possession in good faith and in bad faith.”*<sup>5</sup> *“An action for requesting the estate is not barred by statute [or subject to statute of limitations], except for the effects of prescription [usucapio] for separate things”*<sup>6</sup>. Acquisition of property by inheritance refers to the conditions contemplated in the provisions of this code. Acquisition of the property, done particularly by will, allows the testator to dispose of his property through this legal action (Mortis Causa) in to his/her heirs with free and independent volunteers. The Civil Code has dealt with the issue of the will as follows. Regardless of the rules foreseen for the will, it remains very problematic. The testator may exclude his heirs from the succession. The testator cannot exclude the minors due to legal reserve. If we assume such a case then, we can say that the will is invalid. Referred to article 411 of Civil Code *“An action for the invalidity of a will or of dispositions by will may be brought by an heir or any other interested person within three years from the opening of the inheritance”*<sup>7</sup>. The will that violates legal

---

<sup>1</sup> Phd “Adrian Leka Heritage Legal, between Albania and Italy accessed in 4 of Decembre 2023 Doi:10.5901/mjss.2016.v7n6p397 Mediterranean Journal of Social Sciences MCSER Publishing, Rome-Italy.

<sup>2</sup> See Article 379 (Law no.7850 “Civil Code of the Republic of Albania”, 1994).

<sup>3</sup> (Decision no.310 of the Civil Chamber of the High Court of the Republic of Albania, 2022).

<sup>4</sup> See Article 411 of the (Law no.7850 “Civil Code of the Republic of Albania” , 1994 )

<sup>5</sup> See Article 349 of Civil Code of Republic of Albania, “Action for requesting the estate”.

<sup>6</sup> See Article 351 of Civil Code of Republic of Albania.

<sup>7</sup> See Article 411 idem.

reserve is not valid<sup>8</sup>. A will has invalid elements. Interested persons (the heirs) can sue the court for invalidity because of containing illegal elements. However, the civil code does not consider this fact by neglecting it. An action for the invalidity of a will or of dispositions by will may be brought by an heir or any other interested person within three years. The question is: *“Does this provision constitute a legal obstacle when we find a violation of legal reserve ?”* In response to the question, the issue of constating the inconsistency of the will, referred to the law, differs from the succession-requiring claim. *If the minor claims a violation of his property rights because the testator did not respect the legal reserve, he cannot claim the invalidity of his will if the deadline of three years has passed. As a matter of fact, we can conclude that Article 411 of the Albanian Civil Code is estimated out of the context of the right of inheritance. It violates the property rights of minors.*<sup>9</sup> For this reason, it is crucial to emphasize the importance of implementing the provisions of Article 349 of the Civil Code. The claim of constating the invalidity of the will have to be associated with the regulation of the consequences. (Decision no.5/2012 United Chambers of the High Court, 2012)<sup>10</sup>.

About the circumstances of the fact to clarify the institution of the nullity of the legal action, the Supreme Court has considered a concrete case. Based on the circumstances of the facts, he interpreted the decisions of the two courts of fact and argued for the right solution to the case. The focus in this case is on the invalidity of the will. *“It has been proven that the deceased K.K., disposed of by will, dated 05.04.2005, the transfer of the hereditary property after his death in favour of the heirs of Thus, with the decision no. 1701, dated 31.05.2012 of the Vlora first instance District Court, decided to issue the testamentary inheritance certificate for the deceased K.K, defining as his testamentary heirs, the children B.K and M.K, according to the taxing parts defined in the will. The plaintiff has claimed that the testament dated 04.05.2005 is invalid, because the legal reserve provided by article 379 of the Civil Code has been violated, in the conditions when the children of the deceased K. K, and the plaintiff himself, were respectively of the age 55 years old and 60 years old, at the time of the testator’s death and that changes in the testator’s writing and signature are noted in the will, contrary to his age and psychological state*<sup>11</sup>. *Courts of first instance and Appeal have accepted the claim by declaring the will invalid and applying the provisions regarding legal inheritance. Against these decisions, the respondent appealed to the Supreme Court. In his recourse, he presents several issues for consideration, mentioning the issue of legal reserve, persons incapable of work, the summoning of legal heirs and heirs who inherit by substitution, the invalidity of the will, the relative and absolute invalidity, or the issue of the invalidity of part of the will. Also, the Supreme Court deals with the case in the procedural aspect, as it pertains to the issue of the legitimacy of the persons who claim the hereditary property. The plaintiff had requested the invalidity of the will of 2005, which disposed of the hereditary property in favor of the defendant. The will of 2005 had revoked the will, drawn up in 1992. The fact that the testator was physically incapable of making a will, was used by the plaintiff as an argument for claiming the validity of a will. But this pretend never gets proven. The plaintiff claimed the invalidity of the will based on Article 409 of the Civil Code. “A will shall be invalid if its dispositions are redacted under the influence of fraud, duress or violence, or*

---

<sup>8</sup> See Article 379 of Civil Code of Republic of Albania.

<sup>9</sup> See Article 349 Civil Code of Republic of Albania.

<sup>10</sup> (Decision no.5/2012 United Chambers of the High Court, 2012) pg 2-5.

<sup>11</sup> (Decision no.481 date 16 november 2022 of the Civil Chamber; High Court of the Republic of Albania, 2022).

*because of an error, in whose absence the testator would not have made such dispositions*<sup>12</sup>. This is the relative invalidity of the legal action, referring to the provisions of articles 94 and 95 of the Civil Code. The relative invalidity has not been proven in this case referred to the factual circumstances. As a result, the finding of absolute invalidity has not been requested, according to the provision of Article 92 of the Civil Code<sup>13</sup>. The absolute invalidity, when established, cannot stand on its own because it contradicts the arrangements made by the Unifying Decision no. 13/2006 of the United Colleges of the Supreme Court. Referring to the case, the plaintiff preceded the violation of Article 379 of the Civil Code of the legal reserve to the will. The testator did not transfer the inheritance in favor of his heirs, incapable of work, men over 60 years old and daughters over 55 years old. *The Court of Appeals, in the trial of this case, decided to uphold the court decision of the first instance, which had declared the invalidity of the will of 2005 and passed the disposition of the decedent's property through legal inheritance.* The Court of Appeal has resolved the case by making a wrong application of procedural and substantive law. The defendant gave several arguments opposing this decision. I think that arguments of the defendant are right. I estimate to mention the most important ones. Firstly, concerning the legal reserve and the quality of being an heir incapable of work. *In this judgment, it is seen that there are some critical approaches of the interested parties to oppose the rigid provision of the Civil Code, regarding the age criteria of 60 and 55 years, as a reason to prove ex-lege incapacity for work*<sup>14</sup>. - Secondly, , if the invalidity of the will due to the violation of the legal reserve is required to be ascertained in court, it will be accompanied by the resolution of the consequences. – *If the testament which is sought to be declared invalid has revoked another previous testament. Does the determination of the absolute invalidity of the will lead to the annulment of the act of revocation of the previous will?* It is important to mention that the testament (object of judgment) has revoked a previous testament. If the court constates the absolute invalidity of the last testament that will lead to the annulment of the act of revocation of the previous one.

- *Thirdly, does the heir (plaintiff) have the right to claim the violation of the legal reserve also for the other heirs, from a procedural point of view?* The legitimacy to claim the violation of the legal reserve is an exclusive right that belongs to each of the heirs for their share. It is possible for one of the heirs to request the invalidity of the will also for the other heirs due to the violation of the legal reserve. (Decision no.481 date 16 november 2022 of the Civil Chamber; High Court of the Republic of Albania, 2022)

### **The legal reserve**

The law recognized the asoned category of subjects' special rights. The legal reserve provided for by Article 379 of the Civil Code, explicitly stated that: *"The heir cannot exclude from the legal inheritance his minor children or other minor heirs who inherit by substitution (Article 361, second paragraph), as well as his other incapable heirs if they are called to inherit, nor to affect by will in any way, the share due to these heirs on the basis of*

<sup>12</sup> See Article 409 Civil Code. (Law no.7850 "Civil Code of the Republic of Albania" , 1994 ).

<sup>13</sup> See Article 92 of the Civil Code (Law no.7850 "Civil Code of the Republic of Albania" , 1994 ).

<sup>14</sup> Decision no.481 date 16 november 2022 of the Civil Chamber; High Court of the Republic of Albania, 2022) pg.14.

*legal inheritance, except when they have become unworthy of inherited*<sup>15</sup>. According to the content of this provision, the legal reserve aims to protect the interests of some legal heirs, including the minor children of the testator, other minor heirs without limitation, and persons unable to work dependent on the testator. Legal reserve constitutes the restriction of the testator's freedom to dispose of the estate by will, and it guarantees the right of a group of legal heirs that their share of the testator's inheritance is not affected. Understandably, the legal reservation applies in two forms. The legal reservation prevents the testator *"to exclude from the inheritance his minor children or other minor heirs who inherit by substitution, as well as his other heirs incapable of work if they fulfil the criteria for enrolling in inheritance"*. In this case, it is a question of exclusion expressed by the testator. The second form of this institute appears in cases where the testator disposes of his property by will, violating *"by will in any way, the part that belongs to these heirs based on the legal inheritance."* (Decision no.481 of High Court 2022; paragraph 24)<sup>16</sup>.

The first situation concerns to the fact that the testator has grown-up children at the time of the inheritance. The second situation relates to the fact that the testator had other minor heirs who would inherit (if the testator's child has died before him). The third situation relates to the legal reserve concerns the state of incapacity for work. The inability to work according to Article 361 of the Civil Code is related to the age criterion (which should change) since the age of 55 for women and 60 for men does not correspond to the changes in the legislation. The condition of this disposition is related to the presence of other persons unable to work who, at least one year before the death of the testator, lived with him as a family member. *"A person or one or more families have the right to live in the residence of another person or another family when they are not related to each other, when the per capita living area standards are met, as well as when they have a contract or when the head of the family to the host family or the citizen who owns a legal title of ownership or use of the apartment, by the legislation in force on procedures for changing residence. In this case, the head of the host family and the person or the head of the family who wants to live in his residence express their will for this purpose before the clerk of the civil status office. Its jurisdiction is the residence of the host family."*<sup>17</sup> (Article 17; Law no.10129 "On Civil Status; 2011).

## **The heir unable to work**

Persons unable to work are a special category of legal heirs. As a rule, they are not related by blood to the elderly. Although a person lived in a family with the heir, was his dependent and was unable to work at the time of the heir's death, the law stipulates that this person is included among the legal heirs.<sup>18</sup> The disabled person must have lived at least one year under the care of the elderly<sup>19</sup>. The law includes disabled persons in the second row of legal heirs, referring to our Civil Code. However, being that persons unable to work according to our law are included in a second inheritance, there are no obstacles in a case where the person unable to work

<sup>15</sup> Article 379 of the Civil Code (Law no.7850 "Civil Code of the Republic of Albania", 1994 ).

<sup>16</sup> (Decision no.481 date 16 november 2022 of the Civil Chamber; High Court of the Republic of Albania, 2022) paragraph 24.

<sup>17</sup> Article 17; Law no.10129 "On Civil Status; 2011.

<sup>18</sup> See. A.Nuni L.Hasneziri, "The succession right" pg.61 (A. Nuni, 2010).

<sup>19</sup> See Article 363 of (Law no.7850 "Civil Code of the Republic of Albania", 1994 ).

is the brother or sister of the grandparent, whose inheritance is third, then they pass the second row. On the one hand, the authors argue that a person unable to work, as a rule, should not have these blood ties, on the other hand, they argue that having blood ties and being unable to work are not mutually exclusive criteria<sup>20</sup>. If we refer to the deposit under item 361, the term "unable to work" appears also in the case of the husband or wife. If we make an analysis by analogy, heirs unable to work can also be persons related by blood, such as brothers, sisters, wives, or even parents, based on the age criterion but also on other criteria defined and proven in laws particular. So the opinion of the above-mentioned authors that persons incapable of work are not related by blood, is a non-exhaustive condition. In this part of the paper, I am trying to examine some legal aspects for persons unable to work. The Article 371 of the Civil Code sanctions that: "*Heirs unable to work are those who, at the time of death of the estate-leaver, have not reached the age of 16, or the age of 18 if they continue studies, the men that have reached the age of 60 and the women that have reached the age of 55, as well as the disabled persons of the first and second degrees, regardless of their age*"<sup>21</sup>. The question is: *Which category of people will be considered unable to work?* There is not only the matter of the incorrect age determination. It is related to the overall vision of the spirit of the civil code. The law on social insurance determines the age of retirement of the person. The disability to work according to the civil code is related to the person's age. The disability to work must not be related to the age determined by the civil code. This is not enough condition to classify the ability to work. There are two laws that can better define the disability to work, such as the law "On the status of the disabled", amended, and the law "For assistance and social services". The law on social insurance clearly defines the retirement age. According to the civil code, a retired person has the same status as a disabled person. The question is: *2. What is the intention of the legislation in these provisions?*

It is worth analyzing the term of a person unable to work, referring to the Albanian legislation, to answer the questions above. These explications make us understand terms. In an extended interpretation of the term disabled person, we refer to the law "*On the status of the unable*", amended, *determine the status of disabled*". The status of invalid holds the person who had an accident at work, is sick from an occupational disease or other diseases, and receives a disability pension from the social insurance system. The status of invalid is enjoyed by the person who had an accident at work, is sick from an occupational disease or other diseases, who receives a disability pension from the social insurance system<sup>22</sup>. Also, the legal framework, when referring to persons unable to work, determines some facilities for these categories of individuals. Here, for example, the exemption from customs taxes of vehicles, or assistance, vacation homes, transportation to the place of residence, travel by means of state transport, which is realized free of charge. For these categories of subjects of all the means of travel in the city and between the cities, special spaces are reserved. The social insurance system contains some facilities for persons unable to work. We mention some accessibilities. They are excluded from customs taxes of the vehicles, assistance vacation homes, transportation to the place of residence, and use of public transport free of charge. The public transport system in and between the cities reserves seats for

---

<sup>20</sup> Idem (A. Nuni, 2010) pg 62.

<sup>21</sup> Article 371 (Law no.7850 "Civil Code of the Republic of Albania", 1994 ).

<sup>22</sup> See Article 1 of (Law no.7889, dated 14. 12. 1994 "On the status of the disabled" (last up date in 2003), 1994).



them<sup>23</sup>. The Civil Code does not make such a treatment. Persons unable to work must fulfil cumulative conditions as mentioned above. Invalids of the first group who have lived with the heir can be directly inheritor, regardless of age. However, the Albanian legislator did not refer to any of the cases and causes that make a person unable to work. There are no causes of inability for work not provided for in the written text. *Legislation has linked inability for work with the age criteria. Based on, the current legal situation, regardless of the provisions made by Article 371 of the Civil Code, it must be changed. I agree that the retired age cannot be the sole criterion for defining the incapacity to work. This article must refer to the cases of the heir who is unable to work to a specific law which explains the cases of the vulnerable persons who will be enrolled in this category.* Regardless of the opinions concerning the ability for work of retired persons, I think that retired persons should be included in this category “ex-lege”, without specifying the age. Retired heirs have no reason to prove that they are unable to work. If we would change this provision made by the law it would have been discriminatory. In the expanded interpretation of this article, this has been the position of the legislator. However, each solution will depend on a case-by-case basis.

## **Analysis and Discussion**

In this paper, I have found some material and procedural aspects related to succession by using different methodologies on them. There are three topics for discussion. The first case refers the invalidity of the will, the procedural aspects requiring the violation of the legal reserve, and as it concerns the heir’s unable to work.

- What is the legal judgment for the invalidity of the will, referred to the Articles 92, 379 and Articles 403-412 of the Civil Code?
- What are the consequences of an invalid or partially invalid will?
- What is the judgment regarding the issue of active legitimacy of the plaintiff to request the invalidity of the will, what criteria must the plaintiff fulfil?
- Does the plaintiff have active legitimacy to request the invalidity of the will due to the violation of the legal reserve for the other heirs?
- What is the judgment regarding the heir incapable of work? Is the age criterion, according to the provisions of the Civil Code, a sufficient reason to classify an heir incapable of work?
- What about two people who live in a cohabitation relationship and have not been married yet? Can they inherit each other if one of the cohabitants meets the criteria of a person unable to?

## **Conclusions**

In this paper, it is brought a concentrated treatment of one of the most important institutes of private law such as the succession institutes. The aim of the paper is not to make a summary of the legislation related to succession, but it is to highlight the legal issues that necessarily require change, regulation, and adaptation, taking into consideration the contemporary legal order, the preservation of moral values, and tradition, but also coherence with the new developments in the reference legislations regarding the issues addressed in this paper. The validity of the testament, and the consequences is the main problem in our legal framework. The deadline for requesting the invalidity of the testament according to the article 411 of the Civil Code is three years. The heir can require the inherited property against anyone who keeps his property at any time. The interest heir can use this lawsuit to seek the

<sup>23</sup> See Articles 7-16 of the (Law no.7889, dated 14. 12. 1994 “On the status of the disabled” (last up date in 2003), 1994.

invalidation of the will with a 3-year term when the will, is opened. These are applied in case of relative invalidity of testament. The legitimacy for making the action for the invalidity of a will, remains to the heir, based on the article 411 of the Civil Code, under the conditions foreseen by the article 409 of the Civil Code. Transfer by will of the testator's property, made under the influence of fraud, threats, or violence, or because of an aberration, without which the testator is relatively invalid, The interest person or the heir, had to prove the circumstances that has caused deformation of the voluntary of the testator in making the testament. So, in my opinion the heir should refer his claim to the article 411 of the civil Code. Every heir has the right to require the inherited property at any time, to everyone who hold that, referred to the articles 113 and 351 of the Civil Code. It is very difficult to prove relative invalidity in cases of fraud and threats, the burden of proof. For this reason, when the heir cannot prove the cases of relative invalidity of the will, he can file a lawsuit for absolute invalidity at any time, regardless of the 3-year term.

In addition, I think that the provision of Article 411 has no sanction and is useless in most cases. The legal inheritance would apply if the testament is invalid. As it concerns, heirs' inability to work cannot be related only to reaching retirement age. It seems that the law limits cases of incapacity for work. In an expanded interpretation of disposition, we understand that it is the same opinion for both categories. Elderlies have reached the age of retirement. They may have the capacity to work, but the law does not allow that. That means that "ex-lege", the retired remains equivalent with the heirs unable to work. The provision that classifies pensioners aged 60 and 55 should be changed since the retirement age has changed. The modification of this article doesn't have any effect. Elderlies who have reached retirement age can claim that they are capable of working. The provision of the civil code makes unfair labelling. My recommendation is related to the amendment of the Article 361 of the Civil Code, regarding the row of inheritance. I think that the parents (mother and father), should be included as heirs in the first row, in forced share of 1/6 together. While the remaining part is divided between the spouse and children. Other persons related by blood, such as brothers, sisters, and children, who have reached the age cannot benefit from the inheritance. They can benefit even they fulfill the criteria. The situation where two people who live in a cohabitation relationship and are not yet married has always been put up for discussion. *Can they inherit each other if one of the cohabitants meets the criteria of a person unable to work?* There are many currents of thought, and the cohabitant should be in the same status as the spouse. There is even an attempt to bring them closer to the marriage institute. This is an attempt that has no argument. The consequences of this "development" to the legal framework undervalue the institute of the family. If we start to undervalue the family, it will cause various social problems in the future. Albanian legislation well regulates the institution of marriage by including spouses as each other's heirs. The European Court of Human Rights has a consolidated jurisprudence on the protection of private and family life. It cannot be protected, if we do not take measures to preserve the institution of the family. The husband and bride must be always the heirs of each other. cohabitants can be included in the circle of heirs and can inherit each other only if one of them is unable to work. To conclude, the cohabitant unable to work must prove that he has lived with the deceased for at least one year. The deceased had supported the heir unable to work with his income. Ultimately, the status of the heir unable to work, is link to the age, and the cumulative criteria's that prove the link with the deceased heir.

## References

- A. Nuni, L. Hasneziri. (2010). *E Drejta Civil III (Trashëgimia)*. Tiranë.
- Decision no.5/2012 United Chambers of the High Court. (2012, October 30). Accessed on <http://www.gjykataelarte.gov.al>
- Decision no.13/2006 of the United Colleges of Hight Court. (2006). Accessed on <http://www.gjykataelarte.gov.al>
- Decision no.481 of the Civil Chamber; High Court of the Republic of Albania. (2022, November 16). Accessed on <http://www.gjykataelarte.gov.al>
- Decision no.310 of the Civil Chamber of the High Court of the Republic of Albania. (2022, September 14). Accessed on <http://www.gjykataelarte.gov.al>
- Law no.7850 «Civil Code of the Republic of Albania» . (1994 , July 29). Accessed on <https://www.cclaw.al/wp-content/uploads/law/The-Albanian-Civil-Code.pdf>
- Law no.7703 «For social inonacne in the Republic of Albania. (1993, May 11). Accessed on [https://www.issh.gov.al/wp-content/uploads/2023/09/LIGJ-Nr.-7703-date-11.05.1993\\_i-perditesuar\\_2023.pdf](https://www.issh.gov.al/wp-content/uploads/2023/09/LIGJ-Nr.-7703-date-11.05.1993_i-perditesuar_2023.pdf)
- Leka, A. (2016, November). Heritage legal. between Albania and Italy. *Mediterranean Journal of Social Sciences*, 7(6), 397-401.
- Law no.7889, dated 14. 12. 1994 «On the status of the disabled» (last up date in 2003). (1994, Decembre 14). Accessed on <https://www.infocip.org/al/?p=12580>
- Law no.7703, datë 11.05.1993 On social inonance in the Republic of Albania. (1993 , May 11). Accessed on [https://www.issh.gov.al/?page\\_id=73](https://www.issh.gov.al/?page_id=73)
- Law no.10129 dt 11.05.2009 « The civil status Law» . (2009, May 11). Accessed on <https://mb.gov.al/wp-content/uploads/2021/01/Ligji-per-Gjendjen-Civile-i-NDRYSHUAR.pdf>



# Acquiring L1 Vocabulary: The Case of Albania

**Anila Kananaj**

*Research Scientist in Linguistics, Institute of Literature and Linguistics, Academy of Albanological Studies, National Research Institutes, Tirana, Albania*

## Abstract

The growth of lexical competence among L1 speakers is at the very core of the mission of schools. Different frameworks have been applied throughout the years with the sole purpose of improving L1 vocabulary growth in Albanian pupils. Visual materials are a common approach in foreign language teaching and learning, yet the efficacy of these techniques is little explored in native speakers vocabulary acquisition in Albanian schools. Therefore, my study seeks to fill this gap by exploring the efficacy of visual aids in teaching and acquiring L1 vocabulary with regard to word meanings and forms.

The study is conducted as follows. Two groups of first-grade pupils participated in the research. One group was shown coloured pictures along with appropriate written definitions, as well as examples of their usage in proper context. The other group was only given the written definitions of the words and examples of their usage. Lastly, a short quiz was administered to all the participating pupils in order to assess the results of the first task.

The results show that there is a significant difference between the two groups regarding vocabulary development in native speakers in primary schools, favouring the use of visual means in classroom setting.

**Keywords:** L1 vocabulary, development, visual aids, word meaning, word form.

## 1. Introduction

Mastering new vocabulary plays an important role in the process of language acquisition (Clark, 2009). Not only is it essential in mother tongue (L1) areas of communication, but it also lays a good foundation for learning other languages. It is critical to pupils' success in school and in life. Thus, the need for new and better language teaching and acquisition techniques is always present and very important to researchers throughout the globe. Different methods are developed to enhance these processes, among which the visual aids technique is considered important by teachers and researchers alike. The visual aids model is considered one of the most successful techniques in vocabulary teaching and acquisition processes (Calhoun, 1999). Although very much in-depth investigated in many languages, the vocabulary acquisition processes and techniques of native pupils are very little studied in Albania (Kapia & Kananaj, 2013). Teachers consistently report problems with the vocabulary knowledge of their pupils. Pupils in Albania speak two main dialects with significant differences among them: Gheg and Tosk. The Gheg dialect is spoken by most Albanians. However, the Tosk dialect is the basis of Standard Albanian, which is taught in school. Elementary school includes grades 1–5. Children go to first grade at the age of 6–7. They start another foreign language (English, French, German, or Italian) in the third grade.

This study uses an experimental design to evaluate the efficacy of acquiring new

vocabulary by means of visual aids, specifically through the Visual Aids Method. The research question is formulated as follows: How can the use of Visual Aids Method impact the acquisition of new vocabulary in Albanian elementary schools? The hypothesis of this research are as follows:  
Null Hypothesis 1: The means of data grouped by one factor are the same, i.e., there is no difference between meaning and spelling.  
Null Hypothesis 2: The means of the data grouped by the other factor are the same, i.e., there is no difference between the Visual Aids Method and the Traditional Method.  
Null Hypothesis 3: There is no interaction between the two factors, i.e., the effect of the chosen method does not depend on meaning or spelling.

## **2. Previous research**

Language is the tool that enables children to become an active part of society. Children need to understand and use a great number of words and their usages in order to achieve this. Firstly, children must learn to talk about objects and events in their first language, and the early school years are very important in this aspect (Clark, 2009). Research related to vocabulary acquisition has highlighted different aspects of this process. Thus, Gentner (1982) reports that object words are typical for early vocabularies, meaning that children learn noun constructions earlier than verb constructions. At the age of 6–7 years old, children are still learning basic vocabulary. Although studies have been focused on specific languages, especially English, the insight provided in them is valuable for all languages in the world. As far as Albanian language, Kapia & Kananaj (2013) have worked to create a vocabulary instrument to assess vocabulary acquisition, but it is not a standardized tool yet. Vocabulary knowledge and acquisition are influenced by a number of linguistic and extralinguistic factors as well. Akhta & Tomasello (1996) have already emphasized the importance of discourse novelty in word learning. Andreou et al. (2016) remind us that having a planned and organized structure helps children, both monolingual and bilingual, in their discourse production. Needless to say, teaching techniques play an important role in vocabulary learning and acquisition. Allen (1983) has described techniques for teaching vocabulary, with special emphasis on visual aids. Thornsbury (2002) suggests a set of choices to present new meanings, such as pictures, actions, gestures, definitions, and situations. Brown (2000; 2014) offers 12 principles for language learning and teaching, among which I would like to emphasize language-culture connection, meaningful learning (a context to use language), automaticity (achieving subconscious processing of language), and children's self-confidence. Levin & Mayer (1993), on the other hand, point out the effectiveness of text illustrations. Research in vocabulary acquisition and teaching techniques is abundant. Among them, Calhoun (1999) has had a big impact with her picture-word inductive model. The author describes a number of steps to apply this technique. These steps are adapted from my study and described in detail in the method's section of this article. Nevertheless, it is useful to point out that the Visual Aids Method gives pleasant results in vocabulary acquisition, as well as in phonetics, spelling, and grammar areas of language learning and acquisition. For these reasons, it has yielded better results than Traditional Methods of teaching.

### 3. Study objectives

The purpose of this study is to investigate the effectiveness of Picture Word Inductive Model in the acquisition of Albanian vocabulary by monolingual pupils of the first grade attending primary school in Albania. This model is compared to the traditional model of teaching. Both models are examined in relation to word meanings and forms.

### 4. Materials

A conceptual story that can be told by means of pictures was developed by the researcher. It contained at least 20 new vocabulary items. Two primary school teachers were also consulted regarding the vocabulary items. Then, a colourful illustration that included the new vocabulary items was prepared by a professional designer in a way that was attractive to primary school pupils. The illustration, which is shown below, was printed in a big format (A0, 118.9 x 84.1 cm).



Also, flashcards with the written word on one side and its description with corpus examples for proper meaning usage on the other side, were also provided by the researcher. Furthermore, a quiz to assess pupils' new vocabulary acquisition was created and printed in regular letter by the researcher.

### 5. Method

#### *Participants*

Two year one classes, with 30 pupils each, in a primary school in Tirana participated in the study. One class was taught with the Visual Aids Method and the other one was taught with traditional teaching method, i.e. Traditional Method which served as the control group. Pupils were all native Albanians. They only spoke Albanian and

did not understand any other languages. Pupils were not asked if they were of Gheg or Tosk origin. Also, the pupils' class teacher assisted them at all times.

### *Design*

This research was done in Standard Albanian. It included three parts. Firstly, a colourful picture was composed of objects that targeted new vocabulary. The vocabulary included new words or new meanings of already known words, such as: livadh – meadow, mjegullnajë – big mass of clouds, barakë – type of woden house, kulm – peak (of the house roof), parvaz – window ledge, i zhveshur – bared (braches of tree), i tharë – dried out, çukit – peck, qukapik – woodpecker, vemje/larvë – caterpillar/larva, luspa – scales of animals, kthetra – claws, cung – stump (for a tree), kopshtar – gardener, krasit – prune, krasitës - pruner, kësulë – cap (for a mushroom). Furthermore, morpho-syntactic properties of the words were taken into close consideration as far as the criteria followed for chosen items: object nouns (derived and nonderived), derived verbal adjectives, synonyms, antonyms, frequency of usage, basic functional vocabulary.

Secondly, flashcards with the written new word on one side and the meaning description on the other side were created to reinforce the written form and the semantic content of targeted vocabulary.

The last part was a quiz, which was designed to measure the acquisition of new vocabulary as far as word spelling and meaning. The quiz consisted of three parts which were balanced in the targeted skills. It had a total of 25 randomized items. The requests in the quiz were: 1. Link the meaning or the picture with the word (10 items). 2. Fill in the missing letter of the word (10 items). 3. Write the proper word under the picture (5 items).

### *Procedure*

A lesson of 45 minutes was taught separately to each group. This amount of time is typical for a class in primary schools in Albania. To ensure the same and accurate results the researcher was the teacher for both groups. A week earlier the researcher was introduced to pupils in order to create a friendly relationship prior to the study. The pupils' teacher assisted the lesson and the quiz.

*Steps for teaching the Visual Aids Method group:*

1. Show the picture to the pupils.
2. Give pupils an opportunity to find out words for objects they can identify in the illustration.
3. Stick a label with the written form of the word above the objects.
4. Organize pupils to read the words aloud.
5. Give flashcards with the word and its description, as well as corpus examples of each meaning usage.
6. Pupils share their experiences in relation to the new vocabulary of the lesson.

*Steps for teaching the Traditional Method group the control group followed a traditional teaching method:*

1. Give flashcards with the word one side and its description, as well as corpus examples of each meaning usage.
2. Pupils read the words loud.
3. Teacher writes the words in the blackboard.
4. Pupils read the meaning descriptions on the other side of the flashcards.
5. Pupils make sentences for each word in the flashcards.
6. Pupils share their experiences in relation to the new vocabulary of the lesson.

The quiz was taken two days after the lesson. Pupils were allowed to spend as much as 45 minutes to fill it in.

## **6. Discussion**

The quantitative and qualitative data presented in this study agree with previous theoretical findings cited in this paper. The Visual Aids Method model of teaching highly impacts the acquisition of new vocabulary in Albanian elementary schools. It produces statistically important differences regarding the other method, both in meaning recognition and spelling modules. Qualitative data also support the claim that Visual Aids Method produces higher results in vocabulary acquisition process than spelling. This was within the expectations of this research as it agrees with the findings of O'Grady (2005) that children can use words and learn their meanings before they even master all the sounds of their language. As far as qualitative findings, pupils liked the idea of associating new vocabulary to a specific topic because it gave them an opportunity to communicate with each-other and share their personal experiences in class. This made the teaching process fun and attractive to them. In addition, it enabled them to learn new vocabulary and reinforce memorization of word meaning and spelling. In accordance with previous research findings (Allen, 1983; Thornbury, 2002; Brown, 2000 & 2014; Levin & Mayer, 1993; O'Grady, 2005), the association of a word with an image of the content and the written form of it gave in better results than just using the written form of words either in blackboard or in flashcards. Furthermore, pupils' liking of coloured illustrations indicates that they have a visual learning style. Both methods combined visual, auditory, tactile and interactive learning styles. However, the visual style was much stronger in the Visual Aids Method, which shows the importance of engaging this powerful technique in the acquisition phase of vocabulary. It also supports the idea that visual aids are very effective in the teaching process in classroom. This fact is a positive argument for the statement that pupils learn more when activities are more interesting to them.

As far as pupils feeling more comfortable with the Visual Aids Method, this depends on a few factors, especially on the teacher. It requires special training for teachers in order to make this technique fun and attractive, otherwise it can produce poorer, or even worse results than the Traditional Method.

Teachers were also happier with the results of Visual Aids Method, which was motivated by the satisfaction of their pupils and the results they observed. Satisfaction and motivation of both pupils and teachers in the learning process lead to better vocabulary acquisition results.



Findings of this study are thus consistent with previous research in that it enhances vocabulary learning and increases language abilities of native elementary school pupils. However, it should be noted that native primary school children require different learning/acquisition strategies from bilinguals or adult pupils.

## 7. Analysis

The data was analyzed quantitatively and qualitatively. Individual results for each student are represented quantitatively. In addition, percentages and means are given to compare the results between two variables (modules of meanings and spelling) between groups and within each group.

Moreover, ANOVA two-factor test was conducted in order to see if there is a statistical difference between the data such as to reject the null hypothesis formulated above. Furthermore, the researcher's observations during the experiment are described as far as attention span, motivation and satisfaction of pupils and teachers.

## 8. Findings

The first graph shows a quantitative comparison of quiz scores. The dots represent the result of each student that participated in the quiz.

Pupils in the Visual Aids Method (the red line in the graph) group scored from 27 – 30 points (i.e. the maximum of the total quiz score), while pupils in the Traditional Method group (the blue line in the graph) reached as far as 18 – 27 points in the quiz. The first group scored 96% (mean =28) vs. 74% (mean=22) in the second group. Considering the individual scores of each student, the Visual Aids Method group performed 22% better than Traditional Method group.

The following graphs show mean scores, first between the two groups in general results, then between spelling and meaning comprehension sections.

The Visual Aids Method group scored 96% in total (mean=28), while the Traditional Method group scored 74% (mean=15).

As far as spelling, the Visual Aids Method group scored 93% (mean=14), while the Traditional Method group scored 69% (mean=10). Regarding meaning comprehension, the Visual Aids Method group scored 99% (mean=15), while the Traditional Method group scored 99% (mean=12).

The last graphs show a comparison of vocabulary mean scores in spelling and meaning comprehension modules within each group.

Within the Visual Aids Method group, pupils scored 52% in meaning comprehension vs. 48% in vocabulary spelling. In the Traditional Method group, pupils scored 53% in meaning comprehension vs. 47% in vocabulary spelling.

In order to test the null hypothesis of the research, the ANOVA two-factor was conducted. The findings from ANOVA test are given below.

ANOVA: Two-factor

<i>Source of Variation</i>	<i>SS</i>	<i>df</i>	<i>MS</i>	<i>F</i>	<i>P-value</i>	<i>F crit</i>
Modules	37.53333	19	1.975439	2.604974	0.001576	1.718026

Columns	64.53333	1	64.53333	85.0989	3.18E-14	3.960352
Interaction	74.46667	19	3.919298	5.168305	8.23E-08	1.718026
Within	60.66667	80	0.758333			
Total	237.2	119				

## 9. Results

Results show that there is a significant difference between the two groups regarding vocabulary acquisition in first graders in Albania. Seen in each separate module, the Visual Aids Method group performed significantly better in both recognizing meaning content and vocabulary spelling. However, pupils in each class performed better in meaning recognition than word spelling. Interestingly, from the graphs it looks like within the same group, both methods produced the same ratio between the two variables.

The researcher observed that the attention span, motivation and satisfaction were higher in the Visual Aids Method group.

ANOVA two-factor results are as follows.

Modules:  $2.6 > 1.7$ ,  $F > F$  crit, the null hypothesis 1 is rejected, i.e. there is a statistical difference between meaning and spelling modules. This is also supported by *p value* = 0.001,  $p < 0.05$ .

Columns:  $85 > 3.09$ ,  $F > F$  crit, null hypothesis 2 is rejected, which means that there is a statistical difference between the means of the data grouped by the method that was used. Thus, there is a statistical difference between Visual Aids Method and Traditional Method; *p-value* is also very small.

Interaction:  $5.15 > 2.12$ ,  $F > F$  crit, null hypothesis 3 is rejected, which means that there is interaction between the two factors. This means that there is a statistical difference between the effect of the method on meaning and spelling modules; *p-value* is very small, which also results in rejecting the null hypothesis in favour of the alternate hypothesis, i.e. the method chosen has an effect on spelling and meaning recognition. Results show that teaching new vocabulary by means of visual aids increased the efficacy of vocabulary meaning and spelling acquisition. Pupils liked the idea of associating new vocabulary to a specific topic. They liked the interactive method of sharing their experiences related to the objects in the illustration or to the topic of illustration as a whole. They felt more comfortable with the Visual Aids Method, which also increased the attention span of pupils, as well as the satisfaction of pupils and teachers in elementary school.

Thus, Visual Aids Method plays an important role on L1 vocabulary acquisition in particular and in the teaching process in elementary school in general.

## 10. Recommendations

Firstly, bigger studies that take into account other modules such as reading comprehension, long term memorization of vocabulary items, grammatical and semantic complexity, pronunciation, length, such as grammatical properties and functions of vocabulary (important for Albanian which is very rich in inflection), the



background of pupils, repetition, knowledge of the spoken form of words, etc., need to be conducted. Native language teachers need to be provided teaching materials and training in visual teaching methods such as Visual Aids Method. The creation of picture dictionaries and thematic picture dictionaries would be a very good practical step in enhancing vocabulary learning for Albanian elementary school pupils.

## 11. Conclusion

In this study, I examined the efficacy of Visual Aids Method in the acquisition of new Albanian vocabulary in native speakers in primary school in Albania. I compared a primary class where Visual Aids Method was used to another one where the Traditional Method of teaching was applied. After examining the outcomes of 60 first-grade pupils in Tirana, based on quantitative and qualitative data analysis, I concluded that Visual Aids Method resulted in better outcomes than the traditional teaching method. There are some other variables that can affect the scores, such as grammatical properties and functions of vocabulary, the background of pupils, repetition, knowledge of the spoken form of words, and so on, but the difference between Visual Aids Method and traditional teaching method cannot be ignored. This is a pioneer study in this area regarding Albanian language even though contemporary findings for other languages have already indicated that Visual Aids Method improves first language acquisition. Future studies should consider investigating other important modules related to first language acquisition. Nevertheless, this study shows that Visual Aids Method enhances vocabulary acquisition in primary school pupils; it improves the pupils' attention span and increases the motivation and satisfaction of both learning and teaching process in class.

## *Acknowledgements*

The author has no conflict of interest to declare.

I would like to thank Msc. Neritan Kananaj for designing the illustrations. Special thanks to all the pupils for actively participating in the study. I am grateful to the two primary teachers who collaborated in the study.

## References

- Clark, E. V. (2009). First language acquisition. Cambridge, UK: Cambridge University Press.
- Calhoun, E. F. (1999). Teaching beginning reading and writing with the picture word inductive model. Alexandria, Virginia, USA: Association for Supervision and Curriculum Development.
- Kapia, E., & Kananaj, A. (2013). The Albanian vocabulary instrument. Tirane: Center for Albanian Studies, Institute of Linguistics and Literature.
- Gentner, D. (1982). Why nouns are learned before verbs: Linguistic relativity versus natural partitioning. *Language*, 2, 301-334.
- Akhta, N., Carpenter, M., & Tomasello, M. (1996). The role of discourse. *Child Development*, 67, 635-645.
- Andreou, M., Tsimpli, I. M., Kananaj, A., & Kapia, E. (2016). Narrative insights from 6-7-year-old. In *Selected Papers of the 21st International Symposium on Theoretical and Applied Linguistics (ISTAL 21)* (pp. 67-82). Greece: Aristotle University of Thessaloniki.
- Allen, V. F. (1983). *Techniques in teaching vocabulary*. New York, N.Y.: Oxford University

Press.

Thornbury, S. (2002). *How to Teach Vocabulary*. London, UK: Pearson.

Brown, H. D. (2000). *Teaching by principles: An interactive approach to language pedagogy* (2nd edition). NY, USA: Longman.

Brown, H. D. (2014). *Principles of language learning and teaching* (5th edition). NY, USA: Pearson Education.

Levin, J. R., & Mayer, R. (1993). Understanding illustrations in text. In B. K. Britton, A. Woodward, & M. Binkley (Eds.), *Learning from textbooks: Theory and practice* (pp. 95-113). New York: Routledge.

O'Grady, W. (2005). *How children learn language*. Cambridge, United Kingdom: Cambridge University Press.

## Security and Democracy as the main criteria for the new NATO members

Bledar Kurti

*Albanian University, Albania*

### Abstract

During the recent years NATO has taken fast steps to expand its membership, hence its zone of influence. Whilst the public opinion, as well as the academics is focused on one of the pillars of the North Atlantic Alliance, i.e. security, the other fundamental pillar, democracy seems to be understated. Therefore, with regards to the integration of aspiring countries to NATO it is necessary to consider the lessons learned from the experience of the integration of Eastern European countries to NATO. This paper focuses on Albania, a country that in 1955, during the Communist regime, was part of the Warsaw Pact, left this bloc in 1968, and commenced the process of NATO membership in 1992, received the invitation for NATO membership at the Bucharest summit on April 2, 2008, and officially joining NATO on April 1, 2009. This paper will analyze how the process of Albania's membership in NATO has gone through many developments that include the transformation of the Armed Forces of Albania, engagement in peacekeeping missions and the commitment of Albanian institutions to support the Alliance's security policies. Albania and NATO cooperate in several areas, with a focus on the defense and security sector, as well as on the Alliance's support for a reform of the country's defense institutions. Albania has one of the highest levels of public support for NATO in the entire Alliance, yet, this country contributes to defense with 0.0900% of the GDP, failing to fulfill the commitment of a minimum of 2% of GDP to defense spending as agreed upon in 2006, by the NATO Defense Ministers. Furthermore, while "the commitment to freedom, *democracy*, and the rule of law are the values that lie at the *heart* of the NATO Alliance," as the Secretary General Jens Stoltenberg stated, Albania has posed many serious issues on democracy, rule of law and other sectors, important for a NATO member country.

The outcome of the paper will present the key challenges for the integration of new members, and ideas on how to face them based on the lessons learned from Albania.

**Keywords:** NATO, Albania, defense, democracy, rule of law, stability, peace, corruption.

### Security and Democracy as the main criteria for the new NATO members

In 1955, during the Communist regime, Albania was part of the Warsaw Pact, left this bloc in 1968, and commenced the process of NATO membership in 1992, received the invitation for NATO membership at the Bucharest summit on April 2, 2008, and officially joined NATO on April 1, 2009. Albania and NATO cooperate in several areas, with a focus on the defense and security sector, as well as on the Alliance's support for a reform of the country's defense institutions. Albania-NATO relations have entered a new phase, after the Alliance's decision to build an air base in Kuçova, where NATO has planned to invest at the Kuçova Air Base, during the next 5 years, 51 million Euros. (NATO, 2019) Albania has one of the highest levels of public support for NATO in the entire Alliance, all political parties in power or opposition have supported the NATO and EU integration process, however: Albania's cost share arrangements for civil & military budget and NATO Security Investment Program is 0.0900% and far from fulfilling the commitment of a minimum of 2% of GDP to

defense spending as agreed upon in 2006, by the NATO Defense Ministers. Albania's military capacity is sufficient only for national protection in land, air and sea, with good position in terms of ships, main ports, coastline and oil consumption. While "the commitment to freedom, *democracy*, and the rule of law are the values that lie at the *heart* of the NATO Alliance," as the Secretary General Jens Stoltenberg stated (Stoltenberg, 2022) Albania has posed many serious issues on democracy, rule of law and other sectors, important for a NATO member country. The lack of a consolidated democracy threatens security. They are the main pillars of NATO.

### **Hybrid democracy and setbacks of the integration process.**

Albanians are European not only geographically but also at heart. The EU aspiration is a national calling and mission, and since the fall of Communism in Albania every government has been committed to the integration process of the country. The political specter at large has been united in its stance towards the achieving of this goal, yet the political agenda of the parties on several occasions has brought about setbacks on this process.

An unprecedented situation occurred in 2019 that halted the spirit of the process, damaged the progress and wasted the energies of the stakeholders in relation to Albania's democracy and EU integration process. In 2019, for 3 years, Albania found itself in the conditions of a one-party government where the ruling party (Socialist Party) controlled 90% of the power in the central and local governments. According to the reports and studies of the Albanian Institute of Political Studies, in 1991, the Labor Party (former Communist party) controlled 82% of central and local government, whilst in 2019-2023 the one-party power was 90%. This was an unprecedented situation, considering that when the ruling party, SP, came to power in 2013 controlled 48% (Institute of Political Studies, Report, 2019)

No country in Europe, EU candidate, or NATO member has ever been in the situation of one-party control of the state. The Albanian opposition parties, gave up the mandates *en bloc*, an unprecedented act for the Assembly of the republic. Furthermore, they refused to participate in the 2019 local elections, at the expense of the people, country, and the EU integration process. As the ODHIR reports indicated, these acts deprived the citizens from expressing their will and to exercise the right of voting and representation. According to the report: The 30 June local elections were held with little regard for the interests of the electorate. The opposition decided not to participate, and the government determined to hold the elections without it. In the climate of a political standoff and polarization, voters did not have a meaningful choice between political options. In 31 of the 61 municipalities mayoral candidates ran unopposed. There were credible allegations of citizens being pressured by both sides. Political confrontation led to legal uncertainty, and many decisions of the election administration were taken with the political objective of ensuring the conduct of elections (ODHIR Statement of Preliminary Findings and Conclusions, 2019). As a result the ruling party obtained total control of the central government, municipalities and the city councils, followed by an environment of political and social unrest that not only did not help towards the EU integration process, but setback the progress

and wasted precious time and energy.

### **Struggling with corruption**

Corruption is the ailment of every society. Many countries are continuously combating this phenomenon that cannot be erased but certainly reduced. Albania's fight against corruption has witnessed several achievements yet it remains a problematic issue and a key factor for the integration process of the country. The Albanian political parties have always been biased on the issue of corruption: the opposition accusing the ruling party for being corrupt and the ruling party justifying the corruption cases by taking the credit for bringing to justice high officials, meaning that the government is committed to combating corruption. But the diagnosis on the health of a society, good governance and the integration process relies on the indicators. EU, US, Independent Institutions, Civil Society Organizations, local and international study and research bodies, have been active and constructive on presenting a vivid picture of the fight against corruption in Albania.

According to the recent report by Transparency International, Albania ranks 106 out of 180 - score 35/100 points (Transparency International, Report, 2022). The US State Department Report continues to reiterate that "Corruption is widespread in all branches of government .... Officials in Albania engage in corrupt practices with impunity.... Prosecution of higher-level crimes remains rare due to investigators' fear of punishment.... Impunity remains a serious problem. Officials, politicians, judges and persons with powerful business interests were often able to avoid prosecution. Police corruption remains a problem. (US State Department Report, 2022). Cato Institute's Human Freedom Index concluded that Albania scored a poor 5.1 out of 10 points, where 10 was "being freer" in Legal System and Property Rights and 5.3 out of 10 in Rule of Law. Albania scored 2.5 out of 10 on Judiciary Independence. (Cato Institute, Human Freedom Index 2022). World Justice and Rule of Law Project Index concluded that Albania is ranked 103 out of 126 for corruption. (World Justice and Rule of Law Project Index 2021) Fraser Institute's report on Economic Freedom in the World Albania's weakest performance was in the Legal System and Property Rights category, with a score of 5.09 out of 10, and ranked 83rd. from 162 countries. (Fraser Institute, Report on Economic Freedom, 2022) World Bank's World Governance Index reiterated that Albania 39th out of 100 for the Rule of Law. This score is lower than Europe and Central Asia's Rule of Law score of 63 points out of 100. (World Bank, World Governance Index, 2022)

### **Last in the region for Doing Business**

NATO was born as a security Alliance, yet established itself through economic plans, as well as the European Union was initially founded on economic cooperation and common values (European Union, History), hence, the economic aspect remains important on the development of future NATO and EU candidate states. Albania has reached significant economic growth during the last decade. It would require another paper to analyze the difference between the school that measures the economic

growth by the increase of the budget and GDP, and the other school that measures the economic growth by the increase of the standard of living of the ordinary citizen or individual. However, concerning the economic progress of Albania, the business climate is of paramount importance.

According to the recent World Bank Doing Business Report, out of 200 countries, Albania ranks at number 82, North Macedonia at 17 and Kosovo at 57 (World Bank Doing Business Report, 2022). This ranking lists Albania last in the region and among the last on the European Continent for business climate. This low ranking and business climate causes issues and insecurities for the local entrepreneurs as well as discourages foreign investors and serious western companies to invest in Albania. It is worth mentioning that the EU is Albania's biggest trading partner. The EU's Foreign Direct Investment in Albania reached 610.9 million Euros in 2021. The volume of trade in goods with the EU was €5.9 billion in 2021. (Official EU factsheet, 2021) This trade and investment partnership requires a good and strong economic, business and entrepreneurship climate and environment.

### **Serious issues and setbacks**

According to the 2022 report by the Council of Europe MONEYVAL agency, improvements in fighting money laundering and terrorist financing have led to upgraded ratings (Council of Europe MONEYVAL, 2022) The Council of Europe's anti-money laundering body MONEYVAL states that Albania has improved measures to combat money laundering and terrorist financing, demonstrating good progress in the level of compliance with the FATF (Financial Action Task Force) standards.

During the period of 2015-2019 – Albania was ranked as a “grey zone” affecting the EU integration process and presenting setbacks on the evaluation of the country. 2022 report states: The positive steps taken by the authorities resulted in the upgrading of the country's ratings from “partially compliant” to “largely compliant.” A progress that helps the process.

One of the EU Commission's criteria for Albania's EU accession and integration process is the reduction of asylum cases. The criteria requires the Albanian government to be committed in reducing the asylum phenomenon. According to Eurostat, in 2022 Asylum applications of Albanian citizens in the European Union countries increased by 68% compared to 2021, bringing the total to 6,860 cases (Eurostat, 2022), despite EU calls to clamp down on the issue, (not considering the reported 14,000 applications in the UK from January during 2021 only).

France remains the first destination for Albanian asylum seekers, with almost half of the total applications, followed by Germany with 12%. This increase of asylum seekers is occurring at a high speed despite being one of the Commission's criteria for Albania's EU accession to reduce the unfounded asylum cases. Albania, which ranks 41st on the Global Peace Index in 2022, saw 1,100 citizens of its 2.7 million strong population file asylum applications in the EU by July 2022. This number is more than the 950 Ukrainians, people in a nation of 43 million who are fleeing war.

The number of asylum applications filed in EU countries during the last months of 2022 was up by 0.4%, showing an increase. Considering more case, that of 35,000



migrants, a record high, who have crossed the English Channel in 2022, using EU countries as route, the number of asylum seekers is high and increasing rapidly. The indicator of mass emigration of Albanians is also the high number of legal emigration, or in many cases obtaining the citizenship of an EU country due to asylum seeking. According to the data made public in the Eurostat database there are about 554 thousand Albanian citizens who have left the country over the last two decades and managed to get a passport in one of the countries of the European Union since 2002. The highest number of passports was issued in 2016, with about 67.5 thousand. In 2021 alone, 32,000 citizenships were granted, ranking Albania third after Morocco and Syria. Compared to a year earlier, the number has decreased by 20%. In 2021, Albania was the third in Europe for the number of citizens who obtained citizenship in one of the EU countries. On 1 January 2022, EU citizens represented 94.6% of the EU population. Moroccans, Syrians and Albanians continue to be the main recipients of EU member state citizenship in 2021. (Eurostat, Main Recipients of an EU Member State Citizenship, Brussels, 2021). This phenomenon is a challenge for the Albanian government that despite its effort to strengthen laws, collaboration with other countries, border control, raising awareness to the public, and so on, still has a difficult battle to win and the tangible results seem far for the immediate future.

According to EMCDDA Albania is the largest outdoor producer of cannabis in the region. The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) is the leading authority on illicit drugs in the European Union. The Lisbon-based agency has been providing for years independent scientific evidence and analysis on all aspects of this constantly changing threat to individual lives and wider society. Its work has contributed to EU and national policies to protect Europe's citizens from drug-related harms, and it has drafted many thorough reports on Albania on this matter. Sadly, during the last decades, Albania has drawn the attention of the relevant authorities and agencies on drugs trafficking, and despite the commitment of the state to combat it, the indicators still remain negative and the positive progress very minimal.

The recent report of The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) states that Albania is the biggest trafficker of cannabis in EU. This agency found that Albania remains the largest producer of trafficked cannabis in the European Union (EMCDDA, 2022). The Director of the General Directorate of Anti-Drug Services in Italy, General Giuseppe Cuchiara recently stated that Albania remains an important country of marijuana production. The Italian justice authorities have continuously expressed concern also about the increasing influence of Albanians in the trafficking of cocaine and other drugs in the neighboring country. The head of the Italian Anti-mafia, Chief Prosecutor Federico Calfiero De Raho in a television interview, stated that Albanian traffickers have an important role in Italy, cooperating with the local mafia (Ora News TV, Interview, 2020.) Federico Calfiero De Raho added that Albanian criminal groups already have a large presence in Italian territory where there are Albanian groups that manage the traffic of narcotics, sometimes in alliance with Italian mafia groups, sometimes in autonomy. The fact proves that Albanian criminal activity in Italy is particularly extensive and extends to other European countries. This mafia itself manages the import of cocaine from the producing



countries and has set up a network to receive and receive these drug loads in various ports of the Tyrrhenian Sea and in Northern Europe.

The Netherlands have expressed their concern for the Albanian organized crime operating in Holland. Their concerns have reached a great extent and initiatives were undertaken in 2019 by the Dutch Assembly to restore the Schengen visa regime for Albania. A pioneer country for the liberation of the visa regime for Albanians on December 8, 2010, almost a decade later the Netherlands attempted to reverse that decision.

It is worth noticing that in a 2019 session of the Dutch Assembly, the majority party summoned the Minister of Foreign Affairs, Stef Blok and the Minister of Justice and Security, Ferdinand Grapperhaus, in relation to Albanian organized crime and its penetration into the Netherlands. The two ministers assured the Dutch parliament that the Netherlands is against opening negotiations with Albania due to the state of organized crime and corruption. Attitude which has been made known to the Albanian authorities. Due to the links with organized crime, the members of the Dutch parliament threw the idea of returning the visas. The government coalition parties presented a resolution asking the Dutch government that the EU suspend free movement and restore the visa regime with Albania. The resolution was voted on in the Dutch Assembly on April 16 2019. (SchengenVisaInfo.com, 2019) These events and stances by EU member countries constitute and continue to constitute step backs for the Albanian progress in the EU integration process. According to the EU Commission Report 2022 Albania should also keep addressing the phenomenon of unaccompanied minors. The EU Commission is monitoring the trend very closely in the framework of the post-visa liberalization monitoring mechanism.

### **Failures in the EU integration process**

On December 2022, the Council of Europe welcomed the fact that the first intergovernmental conference was held in July 2022, stating that this was a clear recognition of the progress Albania has achieved on advancing the EU reform agenda and on delivering tangible and sustained results. (EU Council, 2022) The Council welcomed Albania's progress on the rule of law, specifically by implementing the comprehensive justice reform and by strengthening the fight against corruption and organized crime. At the same time, the Council also emphasized that Albania needs to intensify efforts to establish a solid track record on high-level corruption. As the indicators mentioned earlier on the level of corruption, this issue is mentioned in every annual European Union Council conclusions. But the Council called on Albania to make tangible progress also in the areas of human rights such as, the freedom of expression, and requiring to consolidate property rights in a transparent manner, issues that have proved to be difficult to tackle. 2022 was an optimistic year for Albania and the Western Balkans at large, regarding the EU integration process.

On the meeting of June 23, 2022 European Council conclusions on the Western Balkans reiterated the European Union's expression of its full and unequivocal commitment to the EU membership perspective of the Western Balkans, calling for the acceleration of the accession process.

Building on the revised methodology, the European Council invited the Commission, the High Representative and the Council to further advance the gradual integration between the European Union and the region already during the enlargement process itself in a reversible and merit-based manner. (European Council Conclusions, 2022) The European Council closed its remarks on the Western Balkans recalling the importance of reforms, notably in the area of rule of law and in particular those related to the independence and functioning of the judiciary and the fight against corruption, calling on the partners to guarantee the rights and equal treatment of persons belonging to minorities.

On October 17, 2022, Screening of Competitiveness and Inclusive Growth cluster as part of negotiations process kicked off with Albania. The European Commission further advanced the screening process with Albania and North Macedonia. Experts from the European Commission, Albania and North Macedonia begun examining the EU laws and policies under Cluster 3 on Competitiveness and Inclusive Growth (Directorate-General for Neighborhood and Enlargement Negotiations, 2022) Cluster 3 encompasses media, digital transformation, science, research, enterprise, industrial policy, social policy and employment, and education and culture. A variety of chapters are also included, namely customs union, economic and monetary policy, and taxation.

For Albania it started on 19 July 2022, immediately after the Intergovernmental Conferences, and resumed in September with Cluster 1 and in October with Cluster 2. Specifically Fundamentals and the Internal Market. According to the new methodology, the Screening of Competitiveness and Inclusive Growth consists of two phases: the explanatory session where the Commission departments explain chapter by chapter the EU *acquis*, and the bilateral session where each candidate country is invited to present where it stands, by chapter, in its preparations to adopt and implement the *acquis*. The European Commission will evaluate and report to the Council on the degree of preparedness of a candidate country on a given cluster, on the candidate country's plans for future preparations and on preliminary indications of the issues that will most likely come up in the negotiations. The Council will decide, by unanimity, whether to define opening benchmarks on each negotiating cluster, on the basis of the proposal from the Commission in the screening report.

The highlight of 2022 was the EU Summit held in Tirana. 2022 concluded with an impactful summit for the European future of Albania. On December 6, 2022 the EU Summit was held in Tirana. This was a significant mark for Albania. A symbolic and meaningful summit, with an encouraging message for Albania's integration process. Emphasizing the importance of the strategic partnership between the EU and the Western Balkans region, the EU reconfirmed its full and unequivocal commitment to the European Union membership perspective of the Western Balkans and called for the acceleration of the accession process, based upon credible reforms by Partners, fair and rigorous conditionality and the principle of own merits, which consists of mutual interest. It also welcomed the progress made by the Western Balkans Partners on their respective EU paths since the EU-Western Balkans Summit at Brdo in October 2021. Adding that the EU welcomed the holding of the first Intergovernmental Conferences with Albania and North Macedonia. Yet, as it was emphasized in the

EU conclusions of 2022, the rule of law, specifically the implementation of the comprehensive justice reform and the strengthening of the fight against corruption and organized crime remain important priorities for Albania in its integration process.

The Justice Reform is an essential factor of combating corruption, organized crime, bringing about the rule of law, improving the key negative indicators that hinder Albania's integration process. The vetting of the judges, the functionality of the Constitutional Court and the High Court, that remained nonfunctional for three to six years brought the country back to normality heading toward progress.

However the EU Commission Report 2022 concluded that Albania's judicial system has reached a moderate level of preparation. More improvements are needed to reach a high level of preparation. It is important to mention that the rule of law or the proper functioning of the judiciary system does not benefit only the citizen, the social peace and order of society, but also the economic progress. Only the rule of law guarantees fair and unbiased disputes between local and foreign investors and state agencies or the government.

The rule of law was stressed by the EU President Ursula von der Leyen on the occasion of her official visit to Albania on October 27, 2022. President noted that: You are strengthening the rule of law, with important reforms of your judicial system, for which you actually managed to build a cross-party consensus, and I really thank you for that. Because we know by experience that this is a precondition, but it is not easy, it takes a lot of strength to do that. And it is the right way to go forward. (President Ursula von der Leyen, speech, Tirana, 2022)

Albania faces many difficult challenges in the EU integration process. The upcoming local elections of May 14, 2023 pose the possibility for political redemption of all sides of the spectrum, both the ruling majority and the opposition. They are important, first of all, in ending the unprecedented situation of political sabotage and abandonment of participating in the race for the local governance, like the opposition parties did in 2019. After May 14, 2023 the political balance in the local governance will be restored because the city councils will consist of a variety of political spectrum. It is a chance for a free and fair electoral process which is also paramount for the integration process.

Other priorities of the Albanian integration process efforts include the freedom of speech, human rights, institutional transparency, more laws aligned with the EU *acquis*, and so on.

The Albanian government, political parties, civil society and every actor in the country need to work on improving the indicators on corruption, drugs and trafficking, money laundering, organized crime, asylum cases, and strengthen democracy and the rule of law.

A comprehensive approach that does not rely on promises and words, but as President von der Leyen said to the Albanian people in her visit to Tirana: more from your deeds, you prove that your people have shown not only vision but also resilience. You are on track on your way to the European Union.

## Conclusion: Security and democracy go hand in hand

Concerning the integration of aspiring countries in NATO it is necessary to consider the case of Albania, as well as other countries, regarding security, democracy, political stability, rule of law, etc. NATO is a geopolitical alliance that should continue to promote the democratic values, which is part of its mission, not only for the stability of the member country, the region and beyond, but also to minimize the risks that emerge from political instability, organized crime, trafficking and so on, that could undermine security.

NATO member states should be assets not liabilities. They should not be just another added piece to the puzzle of a new George F. Kennan's Cold War Containment Policy, tailored to today's great power competition or the current Russian conflict in Ukraine. NATO members must be strong, stable and democratic, vigilant at all times and prepared for any new security challenges, such as that of Covid-19 pandemics. The collective security agencies and institutions marked a series of failures during the pandemics: failure of international cooperation during the COVID-19 pandemic; NATO members focused on national security rather than a common security; that crisis reasserted the importance and force of sovereign control; populations became more acutely conscious of their nationality and citizenship and their reliance upon their governments to protect them from the spread of the virus; national governments themselves engaged in emblematic exercises of sovereign power, including the closing of borders and restrictions on air travel both out of and into their countries. These are issues that should be addressed. They are new challenges for NATO, combating a new enemy to the world, whereas the strengthening of democracy, accepting consolidated states as new members of the Alliance needs to be of paramount importance in preserving security. Democracy will also contribute to unity, as Stoltenberg emphasized "Standing together in NATO we will continue to keep the peace and protect our democratic way of life. As we have done for more than 70 years." (Stoltenberg, 2022)

## References

- Cato Institute, Human Freedom Index, 2022, <https://www.cato.org/human-freedom-index/2022>
- Council of Europe, *The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism – MONEYVAL*, 2022 <https://www.coe.int/en/web/moneyval>
- EU Commission, *Directorate-General for Neighborhood and Enlargement Negotiations*, 2022, [https://commission.europa.eu/about-european-commission/departments-and-executive-agencies/european-neighbourhood-and-enlargement-negotiations\\_en](https://commission.europa.eu/about-european-commission/departments-and-executive-agencies/european-neighbourhood-and-enlargement-negotiations_en)
- EU Summit, Tirana, December 6, 2022 <https://www.consilium.europa.eu/en/press/press-releases/2022/12/06/tirana-declaration-6-december-2022/>
- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) 2021 [https://www.emcdda.europa.eu/emcdda-home-page\\_en](https://www.emcdda.europa.eu/emcdda-home-page_en)
- European Council, Brussels, June 23, 2022 <https://www.consilium.europa.eu/en/meetings/european-council/2022/06/23-24/>
- European Union, Official Website, History. [https://european-union.europa.eu/index\\_en](https://european-union.europa.eu/index_en)
- Eurostat, *Main Recipients of an EU Member State Citizenship*, Brussels, 2021 <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20230301-1>

Federico Calferio De Raho, Chief Prosecutor of Italy, head of the Italian Anti-mafia, Interview, 2022, <https://www.dailymotion.com/video/x7tvke7>

Fraser Institute, Report on Economic Freedom in the World, 2022, <https://www.fraserinstitute.org/studies/economic-freedom-of-the-world-2022-annual-report>

Giuseppe Cuçhiara, Gen. Director of the General Directorate of Anti-Drug Services in Italy. Interview Ora News TV, Interview, 25 February, 2020 [https://www.youtube.com/watch?v=xhnSC\\_pytiQ](https://www.youtube.com/watch?v=xhnSC_pytiQ)

Institute of Political Studies, Report, Tirana, 2019 <https://isp.com.al/mbipushteti-i-nje-partie-politike-tabela-ilustruese-1991-2020/>

NATO, Press release, February 1, 2019. <https://shape.nato.int/news-archive/2019/video-albania--nato-and-kucova-air-base-2>

OSCE, ODHIR Statement of Preliminary Findings and Conclusions, 2019. [https://www.osce.org/files/f/documents/2/b/424433\\_0.pdf](https://www.osce.org/files/f/documents/2/b/424433_0.pdf)

SchengenVisaInfo.com, 2019, <https://www.schengenvisainfo.com/news/dutch-government-asks-european-commission-to-suspend-visa-free-movement-for-albanians/>

Stoltenberg, Jens, Munich Security Conference, 18 February, 2022 [https://www.nato.int/cps/en/natohq/opinions\\_212041.htm](https://www.nato.int/cps/en/natohq/opinions_212041.htm)

Stoltenberg, Jens. The ceremony marking the 40th Anniversary of Spain's accession to NATO, 30 May, 2022. [https://www.nato.int/cps/en/natohq/opinions\\_195950.htm](https://www.nato.int/cps/en/natohq/opinions_195950.htm)

Transparency International, Corruption Perceptions Index, 2022. <https://www.transparency.org/en/cpi/2022>

Ursula von der Leyen, EU President, speech, Tirana, 2022, <https://www.youtube.com/watch?v=JwKs2zh7PxM>

US State Department Report, Washington, 2022. <https://www.state.gov/subjects/corruption/>

World Bank, Doing Business Report, 2022. <https://www.worldbank.org/en/programs/business-enabling-environment/doing-business-legacy>

World Bank, World Governance Index, 2022. <https://databank.worldbank.org/source/worldwide-governance-indicators>

World Justice and Rule of Law Project Index, 2022. <https://worldjusticeproject.org/rule-of-law-index/>

# The role of SPAK in the fight against organized crime in Albania

PhD (C.) Mirseda Shehdula

*“Aleksander Moisiu” University Albania*

## Abstract

In Albania, the Special Structure Against Corruption and Organized Crime has been evaluated as in their health work because an independent and impartial structure has decided about the rule of law in the country. Polls have shown that the majority of Albanians believe that SPAK is somehow fighting their corruption and crime like no other. The evaluation tabs were completed with residents of Ward 3 of the city of Durres, it is noted that the problems are concerned about the sustainability of SPAK in its mission, seeing cases of political blackmail and not only by the leaders and prosecutors of SPAK. The year 2023 is marking the culmination of major developments in the SPAK war by high-ranking political and state officials. Some think that they have lost interest because it was too soon to conclude, without knowing what the decisions are that will be taken for the cases under investigation. The study was micro-supported in the application for the regulation of SPAK activities, in specific cases in an investigation by SPAK and in a questionnaire created with citizens.

**Keywords:** SPAK, prosecutors, senior officials, decisions.

## Introduction

As for the creation of new institutions, as a result of the reform of the justice system, a special court (GJKKO), a special prosecutor's office (SPAK) and a special investigative unit (BKH) were created according to the American model of the FBI. All three of these institutions have as their main objective the fight against organized crime and corruption, have a separate legislation for organization and operation, are totally independent from other control bodies of the justice system and operate only on the basis of the Constitution and their law of organization. This new form of organization and operation has eliminated a serious problem encountered over the years, that of functional and organizational dependence on the governing links of the justice system. All three of these institutions are composed of judges, prosecutors and investigators who have previously undergone a re-evaluation process (vetting), in terms of image, wealth and professionalism. The goal is that the fight against corruption and organized crime is carried forward by honest and capable judges, prosecutors and investigators (Strategy against organized crime and serious crimes 2021-2025, 2020, pg 13.).

Albania is not the only country in the region that is reforming the justice system. Southeastern European countries such as Croatia, Serbia, Macedonia, Romania, Bulgaria, Moldova and Ukraine have undertaken various reform initiatives in the justice system. What unites these countries with Albania is that they had almost the same problems with the judicial system. Like the reforms implemented after the fall of communism, the essence of all these reforms was the separation of the judiciary from politics and the creation of an independent judiciary. However, each initiative has its



own characteristics, while the Albanian model of vetting of judges and prosecutors is considered unique throughout the world (Skendaj, 2022, pg.1).

The number of prosecutors of the Special Prosecution was determined by the High Prosecution Council, with decision No. 10/1, dated January 7, 2019, with which it was decided to announce the beginning of the procedures for filling 15 vacant positions through promotion to this prosecution. December 19, 2019 is known as the day of the establishment and start of operation of the Special Prosecutor's Office, to which the first 8 prosecutors were appointed. During 2020, 5 (five) more prosecutors were appointed, reaching a total of 13 prosecutors (Annual Report for 2020 of SPAK, 2021). Based on Article 148/dh of the Constitution, the Special Prosecutor's Office is an independent constitutional body that carries out criminal prosecution and represents the accusation before the special courts provided for in Article 135, point 2, of the Constitution, as well as before the Supreme Court for criminal offenses provided for in Article 75/a of the Code of Criminal Procedure. The Special Prosecutor's Office together with the specialized structure of its Judicial Police (National Bureau of Investigation) form the Special Structure against Corruption and Organized Crime, entitled ("SPAK").

The subject competence of the Special Prosecution is for those criminal offenses and special subjects that are within the subject competence of the special court against corruption and organized crime, in reference to Article 75/a of the Code of Criminal Procedure<sup>14</sup>. This provision has changed within the reform of the justice system with law no. no. 35/2017, dated 30.3.2017, but it also underwent additions to its letter "a", with the changes made by law no. 147/2020, dated 17.12.2020 and law no. 41/2021, dated 23.3.2021. According to this provision, GJKKO judges:

a) crimes provided by articles 230, 230/a, 230/b, 230/c, 230/ç, 231, 232, 232/a, 232/b, 233, 234, 234/a, 234/b, 244 , paragraph 2, 244/a, 245, 245/1, paragraphs 2 and 4, 257, 258, paragraph 2, 259, paragraph 2, 259/a, 260, 312, 319, 319/a, 319/b, 319 /c, 319/ç, 319/d, 319/dh, 319/e, 328 and 328/b of the Criminal Code;

b) any criminal offense committed by a structured criminal group, criminal organization, terrorist organization and armed gang, according to the provisions of the Criminal Code;

c) criminal charges against the President of the Republic, the Speaker of the Assembly, the Prime Minister, the member of the Council of Ministers, the judge of the Constitutional Court and the Supreme Court, the Prosecutor General, the High Inspector of Justice, the mayor, the deputy, the deputy minister, the member of the High Judicial Council and the High Prosecution Council, and the leaders of the central or independent institutions defined in the Constitution or in the law;

ç) criminal charges against the above former officials, when the offense was committed during the exercise of duty

SPAK has the following three goals:

1. Reducing the threat and impact of organized crime and serious crimes.
2. Protection of citizens, institutions and the economy.
3. Prevention

Meanwhile, the Special Prosecutor's Office Against Corruption and Organized Crime considers essential the cooperation with other law enforcement institutions



within the country, strengthening it mainly with the General Prosecutor's Office, the General Directorate of the State Police, the General Directorate of Prevention of Money Laundering, the Service for Internal Affairs and Complaints in the Ministry of the Interior, the State Information Service, the High State Control, and the High Inspector of Justice.

### **Information on the activities of SPAK for the year 2022**

During the investigation of criminal groups in 2022, an increase in the sophistication of the commission of criminal offenses by them, communication between members of the organization, connections with international criminal organizations and forms of cleaning of criminal products is observed. Already, structured criminal groups led by Albanian citizens are being considered by international law enforcement agencies as criminal groups with a significant influence on the international drug markets, mainly in those of cannabis and cocaine. These criminal groups are active not only in the region but also in several countries of the EU, Great Britain, Turkey, USA, etc. On the other hand, criminal groups led by Albanian citizens have managed to have direct access to the countries of origin of cocaine production, creating strong ties with criminal organizations in Latin America. There is a trend of moving their criminal proceeds outside Albanian jurisdiction to offshore companies or tax havens, significantly increasing the difficulty of tracking and prosecuting them. Their use of informal money transfer systems such as hawala, hundi or 'fei chien' or sending payments to tax havens in countries such as Cyprus, San Marino or Dubai is also noticed (Annual Report 2022 of SPAK).

In addition to periodic evaluations carried out by Albanian institutions, international, independent and impartial organizations report that "Albania has made good progress in strengthening the fight against organized crime... and tangible results have been achieved in this direction". According to the European Commission, the progress made in this direction by our country is evidenced through the further intensification of police operations to destroy criminal groups...and the strong commitment to destroy drug trafficking (Annual Report 2022 of SPAK).

Due to the ever-increasing sophistication of organized crime and "white-collar" corruption, special attention has been given to the investigations that have been initiated. Thus, from 18 criminal proceedings started mainly in 2021, this number has gone to 28 in 2022, experiencing an increase of at least 56%. In relation to the investigation of criminal offenses in the field of corruption, in the time frame of the last three years, the Special Prosecutor's Office has managed to register investigations for former high officials, a total of 24 criminal proceedings with 25 persons under investigation. On the other hand, the number of criminal proceedings registered for criminal offenses in the framework of organized crime for 2022 is 79, experiencing a significant increase of 139% compared to 2021, where this number was 33 criminal proceedings (Annual Report 2022 of SPAK).

Meanwhile, there is an increase in investigations abroad which have been reflected in the intensification of cooperation with foreign judicial authorities. From 51 requests for legal assistance abroad in 2021, this number has increased to 62 in 2022. To be

singled out is the significant increase in the number of joint investigation teams, which has increased by 22% from 2021.

At the request of the Special Prosecutor's Office, from the Special Court of First Instance for Corruption and Organized Crime during the year 2022, 4 sentencing decisions were given to 4 people convicted for former high-level officials. • Meanwhile, in the period 2020-2022, it appears that a total of 24 criminal proceedings with 25 people under investigation, against former high-level officials, were investigated by the Special Prosecutor's Office. • Among these have been sent to the court with a request for trial: o 8 criminal proceedings with 8 defendants (former Judge) o 3 criminal proceedings with 3 defendants (former Prosecutor) o 1 criminal proceeding with 2 defendants (former Deputy) o 1 criminal proceeding with 1 defendant (former Deputy Minister) o 1 criminal proceeding with 1 defendant (KPK member) o 4 criminal proceedings with 4 defendants (former Mayor).

For Albania, the report emphasizes that "the rating for the fight against corruption increased from 2.75 to 3.00 points, thanks to a series of indictments and high-profile convictions of former officials from the Special Structure Against Corruption and Organized Crime (SPAK), as well as its proactive role in promoting the fight against corruption and organized crime". This caused the overall rating to increase from 3.75 to 3.79, on a rating scale of 1 to 7 points, where 1 is the lowest level of democracy and 7 is the highest (Report of Freedom House, 2023).

The Special Prosecutor's Office against Corruption and Organized Crime (SPAK) registered 12 cases for the criminal offense of "Active corruption of high state officials or local elected officials", 6 of which the accused persons are in prison. During this period, SPAK registered 13 cases where police officers were involved in corruption and are under arrest. In addition to the 100 corruption cases, the other half of the cases monitored by the Fol Center, 95 cases belong to Drug and Organized Crime crimes. Last November and June of this year are the months in which the most important operations were undertaken in the field of the fight against narcotics. The Fol Center report points out that traffic is more affected than the cultivation of narcotics (Agolli, 2023).

### **Matters of SPAK's problems for the performance of its functions.**

The analysis of the Justice System concluded that our justice system had not only failed to fight the phenomenon of corruption in society, but was also corrupt itself. The analysis identified the causes of this situation as follows:

- The division of duties between the criminal justice institutions that should fight corruption (police, prosecution and courts) was unclear. There were conflicts of competences and insufficient coordination of work between these institutions;
- Prosecutors investigating corruption were not independent from their superiors who (superiors) often had direct ties to politics and big business;
- There was no system for checking the integrity of the prosecutors and police officers investigating corruption;
- The quality of cooperation between the prosecution and other institutions (especially the police) in the investigation of corruption was weak;

- Techniques used to investigate corruption were weak;
- Human and financial resources available for investigating corruption were few (<https://njihreformenedrejttesi.al/sq/spak/shkaqet-e-krijimit-te-spak>).

The staff shortages at the SPAK Courts have been met with an increase of special allowances and a campaign to raise awareness of the positions. To mitigate the problem, the High Judicial Council has extended a previously existing mechanism to the SPAK Courts that allows its bench to be supplemented with temporary judges, who are chosen by lot from among eligible candidates without requiring application. However, temporary judges can only be assigned to specific cases in the event of the absence or legal unavailability (e.g., recusal) of a permanent judge. To date, the efforts will not seem to have significantly improved the situation (Gunjic. 2022, pg 15) The lack of extradition of exponents of organized crime from the United Arab Emirates, a country where many exponents of organized crime have found refuge, remains worrying. The lack of judicial police officer status of International Cooperation Sector specialists is also an issue that remains to be addressed. Another problem is the lack of infrastructure, a factor that makes it difficult to employ financial experts and other fields due to the lack of normal work environments. The addition of a new facility where there will be a better division of work between the Special Prosecutor's Office and the BKH is a problem that requires a solution as soon as possible.

The heavy workload and limited resources characterize the situation in all prosecutions throughout Albania. 8 Therefore, increasing the efficiency and effectiveness of the prosecution is essential to guarantee a strong criminal prosecution process and to support the work of prosecutors. Considering the practical problems currently faced by prosecutors, this part of the Manual deals with aspects of (i) improving cooperation with the police, (ii) better use of resources, (iii) improving public perception in the work of the prosecution and (iv) increasing their proactivity (OSCE, 2020, pg 12).

### **Findings from the assessment sheets**

Evaluation sheets were completed by 56 adults. To the question about the recognition of the vetting process and the activity of Spak, 62% answered with a score of 4 and 5. So a satisfactory percentage. Regarding the realization of objectives and objectivity on the part of SPAK, 79% of the respondents answered with a grade of 5, i.e. completely agree. This shows that SPAK is seen by the citizens as the only institution to date, where justice is believed, as surveys of various international organizations have been carried out over the years and the result has not been promising. Until SPAK, Albanian society believed that justice depended on politics and that this brought punishment to ordinary people and not officials.

In the comments written in the tab, it turns out that 45% of them believe that SPAK is managed by the United States of America and they agree that it should be so. This is because they are still afraid of Albanian politics and the influence it can have on the leaders of SPAK.

While on the question of whether, they want SPAK to continue operating and that it should not be stopped. According to them, it is the only way to increase the responsibility of officials, reduce corruption and bring people with criminal records to justice.

## Conclusions

From the issues discussed above, it can be concluded that SPAK is seen as one of the most fruitful models of justice delivery bodies. This institution has been taken as an experience by other countries such as Romania, Bulgaria, etc., where clear results have been seen in the fight against organized crime or crimes committed by leaders of high state institutions.

In his work, SPAK, it is stated that the number of cases investigated by SPAK has increased and this has brought difficulties, due to the limited number of prosecutors, judicial police officers and according to the head of SPAK Mr. Dumani, the budget is also problematic. insufficient and for this reason he has requested a doubling of the budget for 2024. However, also from the evaluation reports, it was concluded that SPAK is required to increase cooperation with the police body, utilization of human resources, advertising of SPAK's work and increase in productivity.

People, starting from the assessment files, they show increased confidence in the administration of justice, especially with the water issues of 2023. They think that we should not turn back and that way we can move forward and encourage SPAK to continue his work. The results achieved are a step, but there are still big issues that people expect to be taken care of by SPAK. This shows a new spirit in justice, loss of inviolability that politicians, judges, prosecutors, mayors, etc. had until yesterday.

## References

- Ministry of the Interior, (2020), RA, Strategy against organized crime and serious crimes 2021- 2025, page 13.
- Skendaj, E, (2022), Constitutional questions of initiatives that weaken the effectiveness of justice institutions in the fight against corruption, Published in the Magazine "Advocacy", no. 44, page 1.
- SPAK's annual report for 2020, accessible at this link: <https://spak.al/wp-content/uploads/2021/04/Raporti-2020-perfundimtarr.pdf>
- SPAK, Annual Report 2022, page 4.
- Freedom House report: SPAK, promising signs in the fight against corruption. <https://ata.gov.al/2023/05/24/raporti-i-freedom-house-spak-shenja-premtuese-ne-luftenkunder-corruption/>
- Agolli, I, (2023) Study, SPAK and GJKKO increase investigations and punishments of corruption and crime, <https://www.zeriamerikes.com/a/7198938.html>
- Gunjic, I, Albania's Special Courts against Corruption and Organized Crime, 2022, pg. 15, <https://www.u4.no/publications/albanias-special-courts-against-corruption-and-organized-crime.pdf>
- OSCE, 2020, The leading role of the Prosecutor, Tirana, pg. 12.

## Evaluation form for SPAK

<b>Nr</b>	<b>Features to be evaluated</b>	<b>I don't agree at all</b>	<b>I don't agree</b>	<b>Neutral</b>	<b>I agree</b>	<b>I completely agree</b>
1	I know the VETTING process	1	2	3	4	5
2	This process is clear and understandable	1	2	3	4	5
3	I know SPAK	1	2	3	4	5
4	I am aware of SPAK's activity	1	2	3	4	5
5	SPAK is performing the task for which it was created	1	2	3	4	5
6	SPAK is objective in its task	1	2	3	4	5
7	SPAK has achieved satisfactory results	1	2	3	4	5
8	SPAK best manages the cases under investigation	1	2	3	4	5
9	SPAK must continue to function	1	2	3	4	5

Reviews / suggestions : \_\_\_\_\_

**Thank you for your attention!**

# **An exploration of students' and lecturers' perceptions on unethical behaviors in Higher Education in Albania**

**Blerta Bodinaku**

*Department of Psychology and Education, Faculty of Social Sciences,  
University of Tirana, Albania*

## **Abstract**

The aim of this study is to explore unethical behaviours of students and academic staff in higher education institutions in Albania. It attempts to describe the most frequent unethical behaviours and explore the contrasted perceptions of both students and lecturers.

The study employed a quantitative explanatory design with a stratified sample of students and lecturers (N=736) across public universities in Albania. Two separate questionnaires were prepared and administered addressing respectively, students' and lecturers' perceptions.

Results indicate that students and lecturers consider all unethical behaviours as serious, but not frequent. Plagiarism, grade manipulation, exploitation of students, unequal treatment, and class disruption are reported among the most frequent unethical behaviours from both, students and lecturers. In all cases, students report higher frequency and perceived severity of unethical behaviour compared to lecturers, whether displayed by students or lecturers.

Improvement of the legislative framework and relevant mechanisms to prevent and address cases of ethical violation, enhancement of ethical education and professional development of academic staff are among the main recommendations generated by this study.

**Keywords:** unethical behaviour, student, lecturer, higher education, Albania.

## **Introduction**

Unethical behaviour in higher education (HE) can have profound and far-reaching effects on multiple levels. It erodes the trust and integrity within educational institutions, undermines the reputation of the institution (Gallant, 2016), jeopardizes public trust in the education system, affects social mobility, and hampers the progress of knowledge and innovation (Fanelli, 2018). Unethical climate leads to a decrease in student enrolment, loss of funding opportunities, and a decline in the overall quality of education (Lease & Jackson, 2019). Unethical behaviour negatively impacts students' educational experiences by devaluing their achievements and diminishing the credibility of their degrees (Stroebe, 2020). It perpetuates a culture of dishonesty, compromising the moral development of students and hindering their professional growth (Allen et al., 2016).

In the competitive landscape of higher education, the pressure to excel academically, secure funding, and attain prestigious positions can lead to unethical behaviour. Intense competition for grants, promotions, and tenure can incentivize individuals to engage in academic misconduct, including plagiarism, fabrication of research findings, and unfair authorship practices (Gallant & Rettinger, 2020; Morris, 2018; Zheng et al., 2022), questionable research practices, such as selective reporting or data manipulation (Fanelli, 2018; Ioannidis, 2019).



Unethical behaviour in higher education encompasses other various forms that undermine the integrity, fairness, and trust within educational institutions. Academic dishonesty, such as plagiarism and cheating on exams, devalues the accomplishments of honest students and undermines the educational process (Gallant, 2016). Discrimination and bias based on race, gender, religion, or disability result in unequal treatment and limited opportunities (Sue et al., 2019). The exploitation of students through excessive workload, inadequate supervision, or inappropriate relationships exploits their vulnerable position (Tesar et al., 2021). Grade inflation, contract cheating, inadequate disclosure of conflicts of interest, unfair admission practices, expensive and unnecessary textbook requirements, inadequate academic advising, retaliation against whistle-blowers, and inadequate protection of human subjects are further forms of unethical behaviour in higher education (Ahsan et al., 2022; Stuart, 2018; Gallant & Rettinger, 2022; Reay, 2021; Hilton et al., 2017; Sillat et al., 2021; Allen et al., 2016).

The discourse on ethical standards and education in Higher Education Institutions (HEIs) in Albania is relatively limited compared to other educational levels (Barlett et al., 2016). Having a strong legacy of the previous education system (Kajsiu, 2016; Zhllima, 2018), the main challenge of HE in Albania is to develop a new identity guided by the principles of free market, changing societies, and educational quality. The transformation of HE in Albania since the 1990s has led to ethical and value-related issues due to the increase in HEIs, study programs, and student enrolment, along with the unsupervised flourishing of the private sector (Barlett et al., 2016). This paper explores the ethical main issues in the Albanian HE according to the perception of students and academic staff.

## Methods

The main objective of this study was to explore and describe unethical behaviours in higher education in Albania and to provide recommendations for the development of policies for ethical advancement in the Albanian Education System.

### **Population - Sampling and Participants**

The study employed a sequential stratified random sampling procedure aiming at representing all students and lecturers in public HEIs in Albania. This procedure minimized sample selection bias and avoided any segments of the student and lecturers population being over or underrepresented. The sampling frame for this study was obtained from the Albanian Institute of Statistics (INSTAT) and from the statistical yearbook of education from the Ministry of Education, Sport and Youth (MESY).

With a county-wide total number of 3,153 lecturers and 117,313 students, the sample size was calculated 343 lecturers (CL 95%, CI 5%) and 383 students (CL 95%, CI 5%) (61.9% female and 35.5% male). For triangulation reasons, the number of lecturers was decided to be 383 (58.4% female and 38.1% male).

### **Measures**

A review of existing literature identified no previous instruments for measuring unethical behaviour in the Albanian HE system. Therefore, a new measurement for



unethical behaviour was necessitated for the sake of this study. Unethical behaviour examples were identified through a) a thorough literature review process; b) examination of Codes of Ethics in HEIs in Albania; c) input from academic staffs and d) students, which was obtained through questionnaires and focus groups. The process generated 1,114 items, out of which 100 unique items of unethical behaviours were extracted after a thorough systematic examination.

Two different scales were developed: one for lecturers' and one for students' unethical behaviour. A team of 27 judges conducted a thematic analysis to generate variables for each scale. Eleven (11) dimensions of unethical behaviour of lecturers and 9 for students were identified. Dimensions of unethical behaviour for lecturers included disrespect toward students, unequal treatment, prejudice, privacy violation, abuse, biased assessment, lack of preparation, sexual abuse, and lack of collaboration. Dimensions of unethical behaviour for students included prejudices, copying and plagiarism, defiant behaviors, substance use, manipulation of assessment, abuse, sexual abuse, damage to school equipment, and disruptive behaviours.

### Data analysis

The data analysis was conducted with the Statistical Package of Social Science (SPSS, 22). First, the data were checked for normality distribution and homogeneity of variance. Descriptive statistics and inferential analyses (bivariate correlations, T-test and Anova) were performed.

## Results

Table 1 shows the perceptions of lecturers and students in regard to the manifestation of unethical behaviours in HEIs. Results show that 23% of lecturers and 17% of students report being affected in person by unethical behaviours and 43% of lecturers and 56% of students report the existence of unethical behaviours in their HEI without being personally affected.

Both lecturers and students report students engaging in unethical behaviours more frequently compared to lecturers. Most lecturers (60.9%) and students (43.9%) report that unethical behaviours in their HEI go unaddressed or addressed insufficiently.

**Table 1**

*Contrasted perceptions of lecturers and students on the presence of unethical behaviors in HEIs*

Category	Variables	Lecturers		Students	
		Frequency	%	Frequency	%
Appearance of unethical behaviour	There is no unethical behaviour	57	14.5	38	9.6
	unethical behaviors exist, but have not affected me	168	42.6	219	55.6
	unethical behaviours exist and have affected me	89	22.6	68	17.3
	I do not know/No answer	66	16.8	60	15.2

Who violated ethics more often?	Lecturers	37	9.4		83	21.1
	Students	233	59.1		141	35.8
	Psychosocial staff (psychologist, social worker)	25	6.3		68	17.3
	Supportive services staff (guardian, cleaner, etc.)	86	21.8		94	23.9
	I do not know/No answer					
		35	8.9		72	18.3
Cases of unethical behaviours that have been treated	None	154	39.1		86	21.8
	Few	86	21.8		87	22.1
	Some	13	3.3		28	7.1
	Many	93	23.6		113	28.7
	I do not know/No answer	57	14.5		38	9.6

Tables 2 and 3 display the perception of lecturers and students on the frequency of unethical behaviours in HEIS and the severity of the same behaviours, focusing on behaviours with the highest contrast of perceptions. The data indicate that unethical behaviours in HEIs are not very frequent as reported by both, lecturers and students (Table 2), but when they occur they are perceived to be very severe (Table 3).

**Table 2.**

*Contrasted frequency of unethical behaviours as reported by lecturers and students*

	Category	N	Mean	SD	t	p
Violence against students	lecturers	372	1.73	0.52	-5.31	0
	students	378	2.01	0.86	-5.33	0
Lack of respect toward students	lecturers	369	1.86	0.69	-6.76	0
	students	378	2.3	1.04	-6.79	0
Exploitation of students	lecturers	368	1.86	0.84	-5.64	0
	students	370	2.28	1.13	-5.64	0
Unequal treatment of students	lecturers	365	1.82	0.78	-7.54	0
	students	374	2.35	1.09	-7.57	0
Unfair assessment of students	lecturers	362	1.79	0.85	-5.59	0
	students	358	2.19	1.1	-5.58	0
Lack of lecturer's preparation	lecturers	366	1.8	0.86	-5.1	0
	students	366	2.16	1	-5.1	0
Lack of lecturer's professionalism	lecturers	364	1.57	0.63	-5.2	0
	students	364	1.87	0.89	-5.2	0
Violence by students	lecturers	361	1.8	0.75	-6	0
	students	386	2.42	1.81	-6.15	0

Use of narcotics in faculty by students	lecturers	354	1.92	0.9	-4.71	0
	students	363	2.29	1.17	-4.73	0
Manipulation for improving grade from student	lecturers	317	1.68	0.83	-4.57	0
	students	331	2.05	1.16	-4.6	0
Damage of faculty equipment from students	lecturers	350	1.92	0.86	-6.15	0
	students	356	2.39	1.14	-8.15	0

Compared to lecturers, students report a higher frequency all categories of unethical behaviour occurring in HEIs. In contrast, when perceptions of the severity of unethical behaviours were reported, lecturers show higher severity in in all cases of unethical behaviour.

**Table 3.**

*Contrasted severity of unethical behaviours as reported by lecturers and students*

	Category	N	Mean	SD	t	p
Violence against students	lecturers	360	4.03	0.91	7.31	.000
	students	376	3.44	1.22	7.36	.000
Unequal treatment of students	students	362	3.46	1.29	7.59	.000
	lecturers	348	4.37	0.82	8.59	.000
Prejudice against students	students	369	3.68	1.25	8.69	.000
	lecturers	348	4.37	0.82	7.57	.000
Violation of privacy	students	355	3.59	1.54	7.59	.000
	lecturers	346	4.40	0.95	10.31	.000
Lack of lecturer's preparation	students	358	3.46	1.41	10.37	.000
	lecturers	350	4.36	0.92	9.19	.000
Lack of lecturer's professionalism	students	361	3.58	1.29	9.24	.000
	lecturers	352	4.24	0.91	9.56	.000
Lack of cooperation	students	363	3.42	1.33	9.61	.000
	lecturers	354	4.22	0.88	8.21	.000
Sexual abuse from lecturers	students	354	3.55	1.25	8.21	.000
	lecturers	332	4.64	0.95	7.90	.000
Violence by students	students	331	3.85	1.55	7.90	.000
	lecturers	346	4.56	0.79	9.81	.000
Prejudice by students	students	364	3.77	1.29	9.92	.000
	lecturers	346	4.42	0.81	8.81	.000
Rebellious behaviour from students	students	363	3.67	1.37	8.91	.000
	lecturers	351	4.45	0.73	8.79	.000
	students	361	3.81	1.16	8.85	.000

Use of narcotics in faculty	lecturers	347	4.48	0.91	7.97	.000
by students	students	351	3.79	1.30	7.99	.000
Manipulation for improving grade from student	lecturers	329	4.61	0.87	7.86	.000
	students	362	3.96	1.26	7.99	.000
Disruption of class by students	lecturers	381	4.04	1.59	12.75	.000
	students	358	3.76	1.05	12.91	.000
Damage of faculty equipment from students	lecturers	360	4.03	0.91	7.31	.000
	students	376	3.44	1.22	7.36	.000

The data also indicate that larger differences between students and lecturers on the perceived severity of ethical violations are observed in the category of violations committed by students.

When factors influencing unethical behaviors in HEIs were explored, the data indicated that familiarity with ethical standards is the most influencing factor in committing ethical violations with  $F(3,304) = 13,316$ ,  $p < .01$ . Lecturers who are less familiar with ethical standards engage more in ethical violations compared to those who are more familiar.

Another important factor is reliance on the impact of the code of ethics  $F(3,370) = 2804$ ,  $p < .05$ . Lecturers who believe that the code of ethics does not have much impact, involve more in ethical violations of ethics, compared to those who rely more on the code of ethics.

Attention to ethics during occupational training  $F(3,369) = 3.426$ ,  $p < .05$ , is found to be another important factor. Lecturers who received more training on ethics during their occupational qualification engage less in ethical violations of ethics in HEIs, compared to those who received less training.

## Discussions

Findings suggest that unethical behavior in HEIs in Albania is not frequent but it is perceived severe in cases it happens. Unethical behavior in HEIs in Albania is mostly informally recognized. Lecturers report being personally affected by unethical behaviour to a larger extent (23%) than students (17%), while students are reported by both lecturers and students to violate ethics more frequently than lecturers.

There are consistent differences between lecturers and students regarding perceptions of the frequency and severity of unethical behaviours. In all cases, students report a higher incidence of unethical behaviour, whether committed by lecturers or students, while lecturers, in all cases, report higher sensitivity towards the severity of unethical behaviours. These results may indicate that students are more exposed to ethical violations by both students and lecturers and have developed a desensitized perception towards unethical behaviours. As for lecturers, these findings may suggest that they are less exposed to ethical violations, more reluctant to report them, and more informed about ethical standards and the importance of ethics in education.

Although both lecturers and students report students violating ethics more frequently,

both groups perceive their own group to show less frequent unethical behaviours compared to how the other group perceives them. Therefore, students report lecturers to have a higher incidence of unethical behaviour than lecturers report themselves, and vice versa.

### **Unethical behaviours of lecturers**

The most frequent unethical behaviours of lecturers, as reported by lecturers and students, is punishing students for not fulfilling academic obligations, and for disrupting class hours. Students report that such behaviours include punishing students by requesting to leave the class, humiliating the student in front of the class, and threatening to use grades as a punishment.

Other common unethical behaviours of lecturers, as indicated by this study, include: arriving constantly late, missing classes, not respecting class schedule, using phone communications during classes, not complying with the syllabus, abusing with textbooks, and taking credits for others' work, and not informing students about their own assessment. Such findings are confirmed by other previous studies (Mato al., 2014; Kächelein et al., 2013).

One of the most frequent violations of lecturers is ignoring unethical behaviours of other lecturers. This is related to the lack of support structures, reduction of social and professional responsibility as well as lack of organizational culture. Vertical reporting is the most used strategy and there exists a lack of confidence in horizontal structures.

### **Unethical behaviours of students**

Students' more frequent violations include cheating in exams by sharing answers with friends during exams and by using phones during examinations. Various studies rank plagiarism and cheating among the most frequent violations of ethics by students in Albanian HEIs (Lamallari et al., 2016). Among the most significant factors that favour academic dishonesty are lack of information and real understanding of plagiarism, impunity, mismanagement of time and workload, lack of trust in realistic academic assessment, social values and pressure that praise cheating and plagiarism (Park, 2003).

Other frequent unethical behaviours of students include showing prejudice towards lecturers based on different characteristics, insulting them, harassing other students based on their religion, using improper words, and dressing in the premises of the institution.

### **Factors influencing ethical violations and recommendations**

The study shows that the most influencing factors in committing ethical violations, as reported by lecturers, are limited familiarity with ethical standards, limited trust in the impact of the code of ethics, limited reliance on codes of ethics, and poor attention to ethics during occupational training.

Based on these findings, advancement of ethical education in higher education system in Albania requires a) improved legal framework and relevant mechanisms for the prevention and treatment of cases of ethics violation; b) increased attention in regard to professional development at work for lecturers; c) improved legal

framework and the mechanisms for the publication and the use of academic texts; d) improved university curricula and research programs focused on understanding ethical behaviour, ethical practice, and ethical research.

### Limitations

The research was based on self-reporting of perceptions, therefore the data may be affected by over- or under-reporting.

### Disclosure statement

No potential conflict of interest was reported by the authors.

### References

- Ahsan, K., Akbar, S., & Kam, B. (2022). Contract cheating in higher education: a systematic literature review and future research agenda. *Assessment & Evaluation in Higher Education*, 47(4), 523-539. <https://doi.org/10.1080/02602938.2021.1931660>
- Allen, J. K., Robbins, S. B., Casillas, A., & Oh, I. S. (2016). Trait and skill predictors of college students' academic performance. *Journal of College Student Development*, 57(8), 983-999.
- Barlett, W., Uvalić, M., Durazzi, N., Monastriotis, V. & Sene, T. (2016). From university to employment: Higher education provision and labour market needs in the Western Balkans synthesis report. European Commission. <https://www.lse.ac.uk/business/consulting/reports/from-university-to-employment>
- Fanelli, D. (2018). Opinion: Is science really facing a reproducibility crisis, and do we need it to? *Proceedings of the National Academy of Sciences*, 115(11), 2628-2631. <https://doi.org/10.1073/pnas.1708272114>
- Gallant, T. B. (2016). Academic integrity in online education: A call for proactive leadership. *Journal of Leadership Studies*, 9(4), 30-35. <https://doi.org/10.1080/00405841.2017.1308173>
- Gallant, T.B. & Rettinger, D. (2022). An introduction to 30 years of research on academic integrity. *Journal of College and Character*, 23(1), 1-5. <https://doi.org/10.1080/2194587X.2021.2017975>
- Hilton, J., Fischer, L., Wiley, D., & Williams, L. (2017). Maintaining momentum toward graduation: OER and the course throughput rate. *International Review of Research in Open and Distributed Learning*, 18(4), 18-34. <https://doi.org/10.19173/IRRODL.V17I6.2686>
- Ioannidis, J. P. A. (2019). The challenge of reforming nutritional epidemiologic research. *Jama*, 321(21), 2069-2070. <https://doi.org/10.1001/jama.2018.11025>
- Kächelein, H., Jasini, A. & Zhllima, E. (2013). Abusive behaviours in universities: a qualitative assessment for the case of Albania. Proceedings of social political and economic change in the Western Balkans Conference, Belgrade: Regional Research Promotion Program.
- Kajsiu, B. (2013). The birth of corruption and the politics of anti-corruption in Albania, 1991–2005. *The Journal of Nationalism and Ethnicity*, 6(41), 1008 – 1025.
- Lamallari, B., Madhi, G., & Shpuza, M. (2016). Academic (dis)honesty in Albania: concerns on plagiarism. Regional Research Promotion Program
- Lease, L. A., & Jackson, L. M. (2019). Inclusive excellence in higher education: A critical examination. *Educational Policy*, 33(3), 371-408.
- Mato, E., Keta, M., & Mita, N. (2014). *Çështjet e Etikës dhe Korrupsionit në Sistemin Arsimor Shqiptar (Studim Pilot)*. [Issues of ethics and corruption in the Albanian Education System. (Pilot Study)].
- Morris, E. J. (2018). Academic integrity matters: five considerations for addressing contract cheating. *International Journal of Educational Integrity*, 14(15), 1-12. <https://doi.org/10.1007/s40979-018-0038-5>
- Reay, D. (2021). The working classes and higher education: Meritocratic fallacies of upward



- mobility in the United Kingdom. *European Journal of Education*, 56, 53– 64. <https://doi.org/10.1111/ejed.12438>
- Sillat, L.H., Tammets, K., Laanpere, M. (2021). Digital competence assessment methods in higher education: A systematic literature review. *Education Science*, 11(8), 402. <https://doi.org/10.3390/educsci11080402>
- Stroebe, W. (2020). Student evaluations of teaching encourages poor teaching and contributes to grade inflation: A theoretical and empirical analysis. *Basic and Applied Social Psychology*, 42(4), 276-294. <https://doi.org/10.1080/01973533.2020.1756817>
- Tesar, M., Peters, M., & Jackson, L. (2021). The ethical academy? The university as an ethical system. *Educational Philosophy and Theory*, 53(5), 419-425, <https://doi.org/10.1080/00131857.2021.1884977>
- Zheng, Y., Epitropaki, O., Graham, L., & Caveney, N. (2022). Ethical leadership and ethical voice: The mediating mechanisms of value internalization and integrity identity. *Journal of Management*, 48(4), 973–1002. <https://doi.org/10.1177/01492063211002611>.
- Zhllima, E., Imami, D., Rama, K., & Shahini, A. (2018). Corruption in Education during Socialism and the Postsocialist Transition. *Slavica Publishers*, 7(2), 51-57.

## “Migjeni, a reverberant cry of Albanian literature”

Edlira Dhima

University of Vlora “Ismail Qemali”, Vlora, Albania

### Abstract

With his work through which he managed to reflect clear pictures of a macabre Albanian reality, Migjeni became a representative of a literature which put the mortal man, the simple individual, at its center. The whole structure and every cell of his work creates an abyss-like difference that distinguishes him from the great crowd of the writers of the time. He entered the literary arena of the time in the circumstances of a painful reality. This arena, away from standard orientations and merged in its embodied genre, his creative identity made him a special voice of Albanian literature and beyond. Research on this work, which occasionally produces new understandings, is indispensable. If we were to draw a parallel with Dante’s “Hell”, his communication with it, we can say that it is telepathic. The real faces of Albanian misery are the same characters: beggars, prostitutes and the unemployed. A Dantesque world that offers you characters, images, backgrounds of hell, a fragmented messy life, where misery kills hopes and death comes quickly. Migjeni feels sympathy and revolt, body and soul touched by the circles of hell in the fragments of the road with which life made him collide. The powerful emotions of the poet who does not moralize nor prejudice, life facts, dramas, the pain of losing a woman’s identity, a national drama, he immortalized in female portraits. Carried on the back of the Albanian life of the 1930s, hell becomes synonymous with the individuality, the world, the unfulfilled life of the Albanian woman. Escape towards a better life, the desire for a brighter future, illuminate the Mygjenian hell like dim rays of the sun.

**Keywords:** work, hell, woman, drama, suffering, pain, life, misery.

### 1. Introduction

Presented differently from his contemporaries, Migjeni’s work requires a special investigation. The grim reality of the 1930s, the life of a beggar, a divorced woman, poverty, ignorance, death will be revealed through the explosive suffering and proud pain of Migjen. Located geographically in the tragedy and dark colors of Albania at that time, the writer’s point of view is quite unique. Misery was approached differently, conveying such a meaning that turned it into the signification of a particular social and historical context. Although there was no direct acquaintance with Dante, a series of tendencies and principles similar to his appear clearly. In the circles of Albanian hell, Migjeni will appear as infernal as Dante, creating a similar work with him. Profiled differently, his work became avant-garde in Albanian literature of the 1930s. Comparing it to a volcano in Albanian literature, the researcher Sabri Hamiti claims that: *“Migjeni’s themes in prose and poetry are almost the same: human life in the most difficult existential situations, even seen through psychological manifestations.”* The difficult situations that this man goes through lead him to the extreme, when all cults collapse: religious, political, or patriotic.”<sup>1</sup>

---

<sup>1</sup> Sabri Hamiti, *Modern Albanian literature*, UET/Press, Tirana, 2009, pg. 400.

## 2. The opinion of the critic about the Migjenian work

Among others, Ismail Kadare, says that Migjeni himself is separated from a large group of writers of the time with a chasm cut in the entire structure and in every cell of this art. He enters the time of the literary arena, in the circumstances of a painful reality: Poverty, ignorance, beggars, death, prostitutes will be the main themes of his creations: *"Migjeni, although very young, must have felt what a dangerous path he was entering... There was a possibility that the state would settle its accounts with the free verses (which to some extent happened), "Novels of the northern city", could be left to the mediocrity who would bury him better than the perhaps more ruthless and hopeless state"*<sup>2</sup>

If we were to draw a parallel with Dante's Inferno, his communication with it could be said to be telepathic. Kadare writes that: *"At that time, the Albanian literary press often expressed the hope that maybe a genius would finally come to Albanian literature, a Dante, a Shakespeare, a Goethe. It was a dream that, although a little daring, still seemed possible for the nation ... We can imagine the three great writers of the era (and we have reasons for this) as being located in three areas: in the heavenly area, Paradise; in an exile area, a kind of purgatory, Noli and in the hell of ordinary days Migjen."*<sup>3</sup>

Far from standard orientations, consolidated in its gender face, his creative identity made him a special voice of Albanian literature and beyond. Research on this work, which occasionally produces new understandings, is indispensable. *"Unlike the first two, Migjeni separates himself from the era the hard way: by being attached to it. He, as he himself declares, enjoys wallowing in the mud of time, traversing its hell... Migjen's greatness lies precisely in the fact that even being in the dirt and mud, he never loses that vision"*<sup>4</sup>, points out Ismail Kadare.

In similar periods of social development, slavery to sin, as well as slavery to misery, express the crisis of human identity on a global scale. Although the literary contact with Dante does not exist, Migjeni creates a work similar to him: *"do not pray for me, because I must go to hell again and again!"*<sup>5</sup>

In his essay *Remembrance of the Migjen*, Professor Arshi Pipa, among others, calls him the wretch of the poor because the Albanian misery of the 30s was reflected in black and white, the shadow of death everywhere, Dante's circles appear through it. Thus, in the stinking nooks and crannies of the streets, among the smoky potholes of the taverns, on the dirty state of the prostitutes, among the prisons, among the huts even darker than the prisons, a permanent "tragicomedy" is played with actors of lairs, streetwalkers, beggars, drunkards., prisoners, sick of all kinds, all starving. Migjen's eye has made him the protagonist of his works.

The researcher Moikom Zeqo, among others, states that: *"...Migjeni is a peak writer of Albanian letters, worthy of the pantheon of European letters in the 30s of the 20<sup>th</sup> century. Migjeni is only reviving, because the existential problems of Albanian society are still very sharp(...) I can say with conviction that Migjeni is more alive than us random living and ordinary mortals. In this sense it has a transcendental dimension and belongs to the future more than others."*<sup>6</sup>

<sup>2</sup> Ismail Kadare, *The arrival of Migjen in Albanian literature*, "November 8", Tirana, 1991, pg. 88-89.

<sup>3</sup> In the same reference, pg. 91.

<sup>4</sup> In the same reference, pg. 90.

<sup>5</sup> Migjeni, *The work*, "Scandalous song.", Naim Frashëri, 1998, pg. 48.

<sup>6</sup> Moikom Zeqo, "Migjeni, the most conceptual of Albanian letters", Magazine "Drini.com, 25. 05. 2011.

### 3. The above-ground hell in the Migjanean work

Born from the core of poems, the *Northern City Novels* reflect the sharpest social issues of the 1930s. The real faces of Albanian misery are the same characters: beggars, prostitutes, the unemployed. A Dantesque world that offers you characters, images, backgrounds of hell, a fragmented, messy life where misery kills hopes, and death comes quickly. Migjeni feels regret and revolt, he touches in his body and soul the circles of hell in the fragments of the road in which life collided. According to researcher Rinush Idrizi: "*Physical hunger was a common motive, but spiritual hunger was the killer of the nation. Everywhere they insulted the man, lied to him, deceived him, while he believed. And in this belief began his abyss, the abyss where he had to die.*"<sup>7</sup>

A hellish world in prose rises from poetic images and backgrounds. The researcher Roland Barthe claims that: "*On the one hand, first, there is the content of scientific thought, which is everything; on the other hand, secondly, there is the verbal form responsible for the expression of this content which is nothing.*"<sup>8</sup>

Precisely, in the rough languor of this reality, what stands out is the female figure. Oppressed by reality, society and prejudices, men, misery, this oppression is multiple. Her magnificent portrait is bewildered by this unfolding reality in all its ugliness.

Migjeni himself claims that: "*We don't need masterpieces, we need writers who know how to reflect reality, who live, who see life without curtains, without incense, without fear. If they don't know the stylistics well or make mistakes in verse or grammar or spelling, it doesn't matter. Stylists will be born later, from these with effort.*"<sup>9</sup>

On the back of the Albanian life of the 1930s, hell becomes synonymous with the individuality, the world, the unfulfilled life of the Albanian woman. Suffering and pain live inside her so much that she does not love life or herself or the newborn baby but hates and curses it. It seems that everything is against her, already denatured, she has become a ghost that comes out of hell and sinks back into it.

Through the sad verses of the poem *The Slum hood*, researcher Resmie Kryeziu writes that they: "*... turn into a guide through the circles of hell in which a woman finds herself. This slum actually symbolizes Albania, where every single value is put on dubious foundations, where people do not live, but live like animals.*"<sup>10</sup>

Heartbroken, with gray hair, barefoot, heartbroken, and withered lips, turned into a shadow, she has neither past nor future. The word happiness is not mentioned anywhere. The physical and spiritual misery of the woman reaches its zenith, and this is clearly revealed in the *Poem of Misery*. Reconciliation with the world of hell, going out to the streets to survive, selling the body, it symbolizes the wound of the poet himself, the wound of the nation.

In *City ballad*, we can find the struggle for survival between the lines: "*Once, when her breasts were proud/ bursting with fragrance/ then the Lord loved her very much./ And today?/ Her life is this dance that drives her crazy/ in the streets of the city ours, / a life is extinguished, a life is wasted/ a troubled soul, a broken heart, an echo, an echo/ that dances late at night /*

<sup>7</sup> Rinush Idrizi, *Migjeni*, Encyclopedic, Tirana, 1992, pg. 208-209.

<sup>8</sup> Roland Barthe, *Science versus literature*, Structuralism: A read, N. York: Basic Books, 1970, pg. 411.

<sup>9</sup> *Migjeni*, Renaissance, Pristina, 1977, pg. 212.

<sup>10</sup> Resmie Kryeziu, *The character of the woman in Migjen's poetry*, Albanological Traces, Albanological Institute, Pristina, 1998, pg. 221.

through the streets of our city".<sup>11</sup>

In *Broken Melody*, it appears as the melody of hell: "They are silent from the oil, their shoulders are shaking, and they are naked / it stings, it stings the casting / The man is silent from the woman who cries and shames us."<sup>12</sup>

The powerful emotions of the poet who does not make morals, does not prejudice, the facts of life, the dramas, the pain of the loss of the female identity, the national drama, he immortalized in the female portraits: "The woman or the goddess is enveloped in the darkness of the night".<sup>13</sup>

Escape from a better life, the desire for a better future, illuminate the Migjenian hell like dim rays of sunlight: "Two lips, as if bloody, two fiery desires/fatal beauty of a stout woman!".<sup>14</sup>

The researcher R. Kryeziu about the Migjenian poetry claims that: "The fate of the woman in this poem is an adaptation of the national tragedy experienced by Albania in the thirties. In this poem, the man (woman) resembles biblical figures, it is a version of Job, which, unlike him, has been muddied by social conditions. For the woman who finds neither healing nor consolation in her immediate circle, Migjeni creates other circles of hell that are the ruins of her tragedy. As an all-powerful circle for him, it is night."<sup>15</sup>

The ugly Albanian reality of the 1930s unfolds with all its ugliness in the Migjenian verses. According to the researcher Mensur Raifi: "The inherited problems of the new Albanian state, the state of the semi-colonial country facing the danger of fascism, scarcity, misery, ignorance, corruption, religion, the superstitions of Migjeni's time, are related to the psychology of the person who remained in the childhood of early without a parent and without a brother, who suffered all his life from bad health, from tuberculosis, from poverty and from hindered love."<sup>16</sup>

## Conclusions

Through the fearful circles of the hell of misery wanders mortal man, in search of human right. The song of beggars, of the poor, ugliness, death, corpses, winters, graves echo and shed light on the spiritual and physical depression of a nation. The struggle between life and death, unemployment, misery, remain strong existential dilemmas for human society at any time. Death in Migjeni's work is unnatural, it is the result of circumstances and institutions that act against the individual and human life, unlike Dante where it comes naturally as a biological process and punishment comes from God. Albanian hell in the Migjenian world where poverty and misery reign as frighteningly as in Dante's hell. The earthly widow brought in black and white to his pen, weighing like a curse on the shoulders of humanity. Concealed under the pangs of hunger, Migjenian suffering is in search of another world, where misery will end, it cries out in search of human rights.

---

<sup>11</sup> Migjeni, *The Work*, Naim Frashëri, 1998, pg. 26-27.

<sup>12</sup> In the same reference, pg. 35-36.

<sup>13</sup> Migjeni, *The Works*, Naim Frashëri, *One night*, 1998, pg. 77.

<sup>14</sup> Migjeni, *The Works*, Naim Frashëri, *Two lips*, 1998, pg. 73.

<sup>15</sup> Resmie Kryeziu, *The character of the woman in Migjen's poetry*, Albanological Traces, Albanological Institute, Pristina, 1998, pg. 225.

<sup>16</sup> Mensur Raifi, *Fan S. Noli and Migjeni*, Renaissance, Pristina, 1979, pg. 176.

## References

1. Sabri Hamiti, *Modern Albanian literature*, UET/Press, Tirana, 2009.
2. Ismail Kadare, *The arrival of Migjen in Albanian literature*, " November 8 ", Tirana, 1991.
3. Migjeni, *The Works*, Naim Frashëri, 1998.
4. Moikom Zeqo, " Migjeni, the most conceptual of Albanian letters ", Magazine "Drini.com", 25. 05. 2011.
5. Rinush Idrizi, *Migjeni*, Encyclopedic, Tirana, 1992.
6. Roland Barthe, *Science versus literature*, Structuralism: A read, N. York: Basic Books, 1970.
7. *Migjeni*, Renaissance, Pristina, 1977.
8. Resmie Kryeziu, *The character of the woman in Migjen's poetry*, Albanological Traces, Albanological Institute, Pristina, 1998.
9. Yves Chevrel, *Comparative literature*, Albin, Tirana, 2000.



# The Impact of Social Media Marketing on E-Commerce Sales and E-Loyalty: An Empirical Investigation

Eleni Kalemaj

*Lecturer at the Department of Business Administration  
at University of New York, Tirana, Albania*

## Abstract

In today's digital landscape, social media marketing has become a powerful tool for businesses to engage customers and drive sales. This study marks the first empirical investigation in Albania on the influence of social media marketing on e-commerce sales and e-loyalty. The primary objective of this research is to examine the relationship between social media marketing, e-commerce sales, and e-loyalty within the Albanian context. The marketing in various social media platforms, such as Facebook, Instagram and WhatsApp, are examined to determine their effects on e-commerce sales and e-loyalty. The study employs a quantitative approach, utilizing a sample of 183 subjects, representing a diverse cross-section of the Albanian e-commerce sector. Data were analyzed using factor analysis, correlation and regression models. The results of the study demonstrated a significant positive impact of social media marketing on both e-commerce sales and e-loyalty. The findings revealed that businesses that effectively utilize social media marketing strategies experience higher levels of e-commerce sales and foster greater customer loyalty compared to those with limited or ineffective social media presence. These outcomes offer valuable empirical insights and practical implications for businesses to develop effective strategies, enhance e-commerce performance, and foster long-term customer loyalty.

**Keywords:** social media marketing, e-commerce, sales, customer loyalty, e-loyalty, Albania, regression, quantitative analysis.

## 1. Introduction

Social media marketing has become a potent instrument for businesses looking to improve their online visibility, draw in clients, and increase revenue. With the growing popularity of social media, Albania e-commerce companies should be asking themselves whether online sales and e-loyalty are connected to the use of these platforms and, if so, how. Social media's impact on marketing has little been studied in the Albania context and no prior study have investigate how it specifically affects e-commerce sales and e-loyalty. Albania case is interesting not only for the lack of studies on social media marketing but also for a paradox it has. In comparison to most European nations, the country has a smaller percentage of online customers and sellers, yet having a higher population and businesses using social media. Through a quantitative approach, this study explores the relationship between social media marketing and the crucial performance objectives of e-commerce sales and e-loyalty, addressing this knowledge gap. According to the study's findings from a representative sample of Albanian e-commerce companies, social media marketing significantly increases e-loyalty and e-commerce purchases. As compared to companies with a weak or nonexistent social media marketing, the results showed that

companies who successfully apply social media marketing techniques enjoy higher levels of e-commerce sales and build stronger consumer loyalty. These findings give firms insightful empirical information and useful takeaways for crafting winning plans, improving e-commerce success, and cultivating enduring client loyalty.

## **II. Literature Review**

An essential component of digital marketing strategies that improve brand performance is social media marketing. Social media marketing is commonly referred to as the process of creating, communicating, and delivering value to the company's stakeholders through the use of social media technology and platforms (Yadav & Rahman, 2017, 2018; Tuten & Solomon, 2017). Weblogs, social blogs, microblogging, wikis, podcasts, images, videos, ratings, and social bookmarking are just a few of the many formats they might take (Kim & Ko, 2012; Mayfield, 2008). Thus, social media encompasses various platforms, such as Instagram, Youtube, Facebook, Whatsapp, Twitter, and numerous others. Social media has also been used by e-commerce businesses to promote their initiatives. Social Media has an important influence on e-commerce (Yunita & Gunawan 2018). E-commerce companies have also embraced social media and engaged in social media marketing to advertise their services. It's most likely that the adoption of social media and Internet e-commerce is happening in close proximity to one another rather than in parallel (Andzulis et al. 2012). E-commerce has several advantages, some of which include: globally reach, reduced costs, faster delivery of digital goods, innovation in business methods, and personalization (Shkoukan et al., 2017). Also, in both marketing theory and practice, e-loyalty in electronic marketplaces has become a factor. The online application of the traditional loyalty notion is called e-loyalty (Ghane et al., 2011). Customers who are more inclined to make repeat purchases from the same website than to visit other websites are considered e-loyal (Srinivasan et al., 2002; Flavián et al., 2006; Hur et al., 2011). Tran & Strutton (2020) outlined a number of advantages that result from gaining customer loyalty, including increased sales, fewer brand switches, lower marketing expenses (because fewer new customers need to be acquired), the chance to increase revenue by persuading devoted customers to make larger purchases, and the chance to receive word-of-mouth advertising from devoted customers, as they would be more inclined to do so (in person or through e-channels). Therefore, increasing online sales and e-loyalty is essential for e-businesses to grow sustainably. The effects of social media marketing have not received much attention from researchers in Albania, nor have any studies looked at how social media in particular influences e-commerce sales and e-loyalty. Online sales have recently increased in Albania. Businesses are selling more online as technology advances and social networks spread, although in an unorganized manner (Kalemaj, 2022). Albania has the lowest percentage of online sales among EU members and prospective members, according to the European E-Commerce Report 2022. This report shows that 29.75% of respondents said they had made purchases online, and 70.25% of respondents said they had not. In the European Union, 68% of respondents on average said they have made purchases online. Furthermore, AIDA and the World Bank (2022) found that just 0–24% of all sales for 70% of enterprises come from online sources, indicating that Albanian e-commerce is still in its infancy. Only 13.5% of Albanian enterprises are

selling online, per a Eurostat 2021 survey. In comparison, online e-sales account for 22.8% of all firms in the European Union (Eurostat, 2021). Therefore, when it comes to e-commerce and online shopping, Albania still falls behind, even by comparable standards of neighboring nations or the region at large. On the other hand, when it comes to the usage of social networks by individuals, Albania is a leading country with 90.05% of the internet users participate in social networks (Eurostat, 2022). Also, social networks are widely used by Albanian businesses to increase their activity. Social networks are the most popular digital marketing channel in Albanian e-commerce (Kalemaj, 2022). According to Eurostat (2021), 67% Albania enterprises used at least one type of social media scoring higher than the average of the EU enterprises (59%) or other candidate EU countries. Predicting the impact of social media marketing on e-commerce sales and e-loyalty is challenging given this contradiction and the unstudied link in the Albanian environment.

This study aims to explore if online sales and e-loyalty are connected to the use of social media marketing and, if so, how. There are a lot of studies that indicates that social media marketing is important in increases sales and profit and positively influencing customer loyalty. (i.e Ebrahim, 2020; Andzulis et al. 2012; Yunita & Gunawan 2018; Anggraini & Hananto 2020; Chatterjee & Kumar Kar, 2020; Adiyono et al. 2021). However other studies indicate that social media marketing does not consistently result in increased sales and customer loyalty (Rodriguez et al. 2012, Weber, 2009; Erdoğan & Cicek, 2012). As such, outcomes across nations and economic sectors are often unclear and contradictory. For these reasons, it is worthwhile to investigate the impact of social media marketing on e-commerce in the context of Albania, as it offers firms both theoretical and practical benefits to improve online sales and e-loyalty.

### III. Methodology

The purpose of this research is to address the following key question:

*Question 1:* How much the use of social media marketing has impacted the E-commerce Sales and E-Loyalty in Albania?

Hence, the present study posits the following hypothesis to address the research question:

H1: Social media marketing have a positive effect on the e-commerce sales.

H2: Social media marketing have a positive effect on the e-loyalty.

According to the country's National Institute of Statistics (INSTAT 2021) the population of e-commerce businesses in Albania is 335 subjects. The Taro Yamane formula (Yamane, 1967) was used to calculate the representative sample size of 183 e-commerce enterprises with a 95 percent confidence level and a 5 percent error margin. The use of simple random sampling from several e-commerce companies guarantees the approximate independence of the observations.

A questionnaire was employed as the primary tool for data collection. The units of inquiry included operations managers, marketing managers, and business owners. Due to the assurance of anonymity, the survey participants felt comfortable providing honest and truthful answers. Data were collected during January-February 2023 using telephone survey. The collected information was analyzed in SPSS, and a

linear regression analysis was conducted to examine the relationship between the dependent variables (e-commerce sales and loyal customers) and the independent variable (social media marketing). The questionnaire consisted of three sections designed to gather background information, details about social media marketing, and sales and customer indicators, which are summarized in Table 1. It is worth noting that the sample used in this study had no missing values, as all respondents provided responses to all the questions posed.

**Table 1.** The explanation of the questionnaire

Variables	Measured by
<p>SECTION I: General Information</p> <p>Multiple choice answers</p>	<p>What sector is your business in?</p> <p>How long has your company been in business?</p> <p>How many years have your company been using social media marketing as a strategy?</p>
<p>SECTION II: Social Media Marketing</p> <p>Agree, to what extent have the following Social Media Marketing tools impacted the performance of the e-commerce?</p> <p>In the scale of 0= I don't use it, 1= Not at all, 2= Some extent, 3=Moderate extent, 4=Great extent, 5= Very great extent.</p>	<p>Sponsored Facebook advertising</p> <p>Sponsored Instagram advertising</p> <p>WhatsApp Business account to communicate offers</p>
<p>SECTION III: E-Commerce Performance Indicator</p> <p>To what extent has social media marketing impacted the following e-commerce indicators in your company?</p> <p>1= Not at all, 2= Some extent, 3=Moderate extent, 4=Great extent, 5= Very great extent</p>	<p>Increased E-Commerce Sales Revenue</p> <p>Increased e-loyalty</p>

**Note:** Own elaboration

The instrument used in this study was assessed for validity, including content validity, to ensure its accuracy and relevance. Additionally, the reliability of the instrument was assessed using Cronbach's alpha coefficients. Social media marketing was measured using three items: sponsored Facebook advertising, sponsored Instagram advertising and WhatsApp business account to communicate offers resulting in a score of the Cronbach's alpha coefficients of 0.74. A Cronbach alpha of 0.7 or higher is considered acceptable for research purposes. Consequently, the instrument was deemed suitable for data collection and was utilized accordingly. This study uses

factor analyses to determine whether the questions group together consistently and clearly because of the consistency of the phrasing of these questions throughout our survey data. Table 2 presents the findings of the analysis. The questions in each data set are clearly grouped according to this outcome.

**Table 2.** Deconstructing the Components of Social Media Marketing

<b>Rotated Component Matrix</b>	1	2
E-Loyalty	.562	
Online Sales	.551	
WhatsApp Business Account to communicate offers		.778
Sponsored Instagram Advertising		.761
Sponsored Facebook Advertising		.696

**Notes:** Results from factor analysis, showing the statements used commonly made about Social Media Marketing

Extraction Method: Principal Component Analysis.

Rotation Method: Varimax with Kaiser Normalization.

To accomplish the goal of the study and test hypotheses, the statistics package program of IBM SPSS was utilized. Descriptive analysis was used with SPSS to examine the sample’s demographic makeup. Additionally, dependability was tested using Cronbach’s  $\alpha$  and each instrument’s validity was established by the factor analysis. The hypotheses were tested using linear regression.

#### IV. Findings

The study’s findings demonstrated that social media marketing on Facebook, Instagram, and WhatsApp can all considerably increase Albanian e-commerce businesses’ online sales and e-loyalty. According to the results summary, the average score for social media marketing was 4.2 which is considered strong score. The variables showed a strong correlation with each other. According to the results of the correlation test, there was a high correlation (0.62) between social media marketing (independent variable) and online sales (dependent variable), as well as a strong correlation (0.49) between social media marketing (independent variable) and e-loyalty (dependent variable).

**Table 3.** Hypotheses Testing with linear regression model

Relationship	B	S.E.	t	R	R2	Adjusted R2	F-score	Decision
Social Media Marketing -> Online Sales	0.585	0.054	10.801**	0.626	0.392	0.389	116.65**	Supported
Social Media Marketing -> E-loyalty	0.341	0.044	7.739**	0.499	0.249	0.244	59.891**	Supported

**Source:** The Table is derived from the output of the IBM SPSS

**Note:** N = 183; Independent variables: social media marketing; Dependent variables: online sales, e-loyalty  
 $p < 0.001^{**}$

Table 3 demonstrates that the first hypothesis (H1) is accepted based on the data, indicating that social media marketing significantly increases online sales. The positive impact gives rise to the idea that more social media marketing might boost online sales in Albania’s e-commerce industry. Table 3’s findings clarify that H2 is accepted, indicating that social media marketing significantly improves e-loyalty. This positive impact gives rise to the idea that an increase in social media marketing would boost e-loyalty in Albania’s electronic commerce sector. According to the correlation matrix in table 4, the e-loyalty and online sales revenue seems to be more highly positive correlation with the WhatsApp Promotion. Also, e-loyalty is significantly positive related with online sales revenues. Based on those findings those relationship is worth to be investigated in future researches.

**Table 4.** Correlation matrix analyses

Correlation Matrix	E-loyalty	Online Sales Revenue	Sponsored Instagram Ads	Sponsored Facebook Ads	WhatsApp Promotion
E-loyalty	1.000	.656**	.454**	.492**	.576**
Online Sales Revenue	.656**	1.000	.467**	.486**	.571**
Sponsored Instagram Ads	.454**	.467**	1.000	.309**	.519**
Sponsored Facebook Ads	.492**	.486**	.309**	1.000	.624**
WhatsApp Promotion	.576**	.571**	.519**	.624**	1.000

**Source:** The Table is derived from the output of the IBM SPSS

**Note:** N = 183;  $p < 0.001^{**}$

Other noteworthy results include the fact that all Albanian e-commerce companies who responded to the poll use Facebook Sponsored Ads, Instagram Sponsored Ads, and WhatsApp Promotion. Only a tiny percentage (7%, 10%, and 14%, respectively) claimed not to use social media marketing. The e-commerce companies under study perceived Instagram Ads as the most influenced in their e-commerce results (average 4.4) followed by Facebook Ads (average 4.27) and WhatsApp Prmotion (average 4.19). Also, the linear regression suggest that the Instagram Ads are the most influential social media marketing under study with a positive significant impact of 45.8% on the online sales and 48.3% on e-loyalty.

#### IV. Conclusions and Recommendations

The results of this study address the function of social media marketing in boosting significant marketing performance goals, such as online sales and e-loyalty, and offer various insights that add to the growing body of literature in social media marketing.



This study contributes to the body of knowledge in terms of validating the relation in an unexplored geographic context such as Albania. No prior study has investigated the application of social media marketing's in the e-commerce sector so this study will be the first of its type in Albania to address this data gap. The research findings indicate that social media marketing has both positive and significant impact on online sales and consumer loyalty in e-commerce. Up to 39.2 percent of the variance in online sales and up to 24.9 percent of the variance in e-loyalty can be predicted by social media marketing in the model that is being presented. Social media marketing in Facebook, Instagram and WhatsApp has a powerful impact to boost online sales and e-loyalty. Instagram Ads are the most influential social media marketing under study with a positive significant impact of 45.8% on the online sales and 48.3% on e-loyalty. This study will serve as a foundation for further research on social media marketing in Albania as well as a guide for businesses in the e-commerce sector looking to better coordinate their social media marketing activities.

## V. References

- Adiyono, N. G., Rahmat, T. Y., & Anindita, R. (2021). Digital marketing strategies to increase online business sales through social media. *Journal of Humanities, Social Science, Public Administration and Management (HUSOCPUMENT)*, 1(2), 31-37.
- AIDA and World Bank. 2022. *Gjendja e Tregtisë Elektronike te ndërrmarjet Mikro, të Vogla dhe të Mesme Shqiptare*. <https://aida.gov.al/sq/te-reja-publikime/publikime/1268-gjendja-e-tregtise-elektronike-e-commerce-te-nderrmarjet-mikro-te-vogla-dhe-te-mesme-shqiptare-nmvm>
- Andzulis, J. M., Panagopoulos, N. G., & Rapp, A. (2012). A review of social media and implications for the sales process. *Journal of personal selling & sales management*, 32(3), 305-316.
- Anggraini, V. A., & Hananto, A. (2020). The role of social media marketing activities on customer equity drivers and customer loyalty. *AFEBI Management and Business Review*, 5(1), 1-15.
- Chatterjee, S., & Kar, A. K. (2020). Why do small and medium enterprises use social media marketing and what is the impact: Empirical insights from India. *International Journal of Information Management*, 53, 102103.
- Ebrahim, R. S. (2020). The role of trust in understanding the impact of social media marketing on brand equity and brand loyalty. *Journal of Relationship Marketing*, 19(4), 287-308.
- Erdoğan, İ. E., & Cicek, M. (2012). The impact of social media marketing on brand loyalty. *Procedia-Social and behavioral sciences*, 58, 1353-1360.
- Eurocommerce (2022). *Europeane-commerce report 2022*, Available at: <https://www.eurocommerce.eu/european-e-commerce-report-2022/>
- Eurostat. (2021). *E-commerce statistics*. Available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce\\_statistics#:~:text=exploited%20by%20enterprises-,E%2Dsales%20record%20a%20slight%20increase%20over%20recent%20years,2012%20to%2022.8%20%25%20in%202021](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics#:~:text=exploited%20by%20enterprises-,E%2Dsales%20record%20a%20slight%20increase%20over%20recent%20years,2012%20to%2022.8%20%25%20in%202021)
- Eurostat. (2022). *Individuals - internet activities* Available at: [https://ec.europa.eu/eurostat/databrowser/view/ISOC\\_CI\\_AC\\_I\\_custom\\_6640856/bookmark/table?lang=en&bookmarkId=e4c1a296-0aab-4458-bc8d-356e5aaa8c53](https://ec.europa.eu/eurostat/databrowser/view/ISOC_CI_AC_I_custom_6640856/bookmark/table?lang=en&bookmarkId=e4c1a296-0aab-4458-bc8d-356e5aaa8c53)
- Eurostat. (2022). *E-commerce statistics for individuals*
- Eurostat. (2021). *Social media use by type, internet advertising and size class of enterprise*. Available at: [https://ec.europa.eu/eurostat/databrowser/view/isoc\\_cismt/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/isoc_cismt/default/table?lang=en)
- Flavián, C., & Guinalú, M. (2006). Consumer trust, perceived security and privacy policy: three basic elements of loyalty to a web site. *Industrial management & data Systems*, 106(5), 601-

- Ghane, S., Fathian, M., & Gholamian, M. R. (2011). Full relationship among e-satisfaction, e-trust, e-service quality, and e-loyalty: The case of Iran e-banking. *Journal of Theoretical and Applied Information Technology*, 33(1), 1–6.
- Hur, Y., Ko, Y. J., & Valacich, J. (2011). A structural model of the relationships between sport website quality, e-satisfaction, and e-loyalty. *Journal of Sport Management*, 25(5), 458–473.
- KALEMAJ, E. (2022). The Relationship Between Green Marketing Adoption and Business Size: Evidences from e-commerce sector in Albania. *CIRCULAR ECONOMY*, 342.
- Kalemaj, E. (2022). Digital Marketing in The New Era: An Empirical Study of E-Commerce in Albania. *2nd Conference in Business Research & Management* 1, 233-238
- Kim, A. J., & Ko, E. (2012). Do social media marketing activities enhance customer equity? An empirical study of luxury fashion brand. *Journal of Business Research*, 65(10), 1480-1486.
- Liang, T. P., & Turban, E. (2011). Introduction to the special issue social commerce: a research framework for social commerce. *International Journal of electronic commerce*, 16(2), 5-14.
- Mayfield, A. (2008). What is social media? iCrossing. Retrieved July, 17, 2015.
- Rodriguez, M., Peterson, R. M., Krishnan, V. (2012). "Social media's influence on business to business sales performance", *Journal of Personal Selling & Sales Management*, Vol. 32 Issue 3, 2012, pp. 365-378.
- Tran, G. A., & Strutton, D. (2020). Comparing email and SNS users: Investigating e-servicescape, customer reviews, trust, loyalty and E-WOM. *Journal of Retailing and Consumer Services*, 53, 101782.
- Tuten, T. L., & Solomon, M. (2017). *Social media marketing*. London, United Kingdom, Sage Publications Ltd.
- Weber, L. (2009). "Marketing to the social web: How digital customer communities build your business", *John Wiley & Sons Publisher*.
- Yadav, M., & Rahman, Z. (2017). Measuring consumer perception of social media marketing activities in e-commerce industry: Scale development & validation. *Telematics and Informatics*, 34, 1294–1307. doi:10.1016/j.tele.2017.06.001
- Yadav, M., & Rahman, Z. (2018). The influence of social media marketing activities on customer loyalty: A study of e-commerce industry. *Benchmarking: An International Journal*, 25(9), 3882–3905. doi:10.1108/BIJ-05-2017-0092
- Yunita, I. R., & Gunawan, W. (2018, September). The influence of social media to loyalty in an e-commerce. In *IOP Conference Series: Materials Science and Engineering* (Vol. 420, No. 1, p. 012102). IOP Publishing.

# Implementation of some efficient energy techniques in wort production process in breweries

Hasime Manaj

*Department of Industrial Chemistry, Faculty of Natural Sciences,  
University of Tirana, Tirana, Albania*

## Abstract

Saving and recovering energy in a brewery remains a challenge, especially in the wort production sector, which is one of the biggest consumers of external energy in a brewery. This paper focuses on the reduction of specific energy consumption in cider brewing.

A typical boiling in practice under atmospheric conditions takes about 90 minutes. This is the benchmark against which other processes will be compared. We will consider the impact of different factors such as process cost, energy and environmental impacts on the effectiveness of brewing. There are three main alternatives to carry out boiling: continuous boiling at high temperature; low pressure cooking accompanied by energy conservation; combustor steam recompression.

These three systems are compared based on capital cost, energy efficiency, flexibility and effectiveness. The conclusions reached are: wort boiling at high temperature is the most efficient in terms of energy, but it is inflexible and creates some problems in taste. Boiling at low pressure with a buffer gives the optimal balance in terms of economic considerations and provision of hot water. Vapor recompression offers an effective technology and economical solution

External brewing systems use steam to preheat the wort for subsequent brewing. During the transition to vacuum, the evaporation rate is 2.0-2.5% without using heating. In this way, energy consumption is reduced by 40% compared to atmospheric boiling.

The quality of the wort was almost at the same level. External boiling systems can be used for boiling in volumes above the required volume, as they do not change the parameters of boiling.

**Keywords:** wort, energy efficiency, capital cost, brewery, steam.

## 1. Introduction

External heating systems are widely used globally and have proven to be successful (Beck et al., 2022; Narziss et al., 1991; Willaert & Baron, 2001). A boiling at a temperature of 103-104°C with a residence time of 60-70 minutes is satisfactory for achieving good protein precipitation or just reaching a certain limit. With this procedure, the isomerization of bitter substances is not achieved sufficiently; therefore, it must be completed in the whirlpool. The same result is obtained in internal heating systems if good and efficient circulation of the mash is ensured. The boiling time can be reduced to 75-80 minutes, reaching a temperature of 102°C at the top of the heating system. Vapor recompression is a sustainable way to preserve energy, in any case, and when technology with an external or internal system is used. Boiling the mash at low pressure provides a very short time at low pressure, for 30 minutes at 102-103°C and boiling at pressure after 20 minutes for results. Boiling the mash at high temperature

occurs at 130°C for 2-3 minutes. It is necessary to expand and evaporate on large surfaces and maintain the final heating at 107-130°C without fouling. Plate heat exchangers are better than tube ones. Reactions should be developed in the hot phase of the mash at 98°C. A boiling time of 90-120 minutes allows sufficient precipitation of proteins, sufficient isomerization of bitter substances, and pleasant evaporation of volatile aromas.

Increasing the capacity of the wort boiling required the necessity of installing additional equipment for heating the mash, and these were designed in various forms, such as internal cylinders, cascades, and external devices known as calandria (Willaert & Baron. 2005). The crises of 1973 and 1978 lead to the development of energy-saving systems through the recovery of heat from steam condensers or the application of high temperatures to reduce boiling time. A controlled increase in the boiling temperature up to 110°C could be achieved in external heaters, but these systems were adapted to the latter with a cone-shaped waiting. The increase in temperature up to 110°C was accompanied by a reduction in boiling time by 30 minutes or less.

## 2. Materials and analysis of alternatives

An industrial process has several points that need to be considered by the producer:

- Reducing the cost of energy production
- To reduce energy consumption and CO<sub>2</sub> emissions
- Reduction of other emissions from the plant
- Reduction of the capital cost of the new plant

To achieve these objectives, three main alternatives with a number of options to be considered are seen to reduce the cost of boiling the mash compared to traditional atmospheric boiling (Häggqvist, 2023; Simate, 2015).

They are:

- ✓ Implementation of continuous boiling at high temperature with a temperature of 130-140°C, with a residence time of 3 minutes with internal energy recovery.
- ✓ Implementation of low-pressure boiling at a temperature above 110°C with reduced evaporation and recovery of energy in the form of hot water.
- ✓ Implementation of boiling with steam recompression to prevent heating.

Experiments took place at the brewery of Stefani & Co brewery in Tirana, Albania (Kovalchuk & Mudrak, (2022); Renner (1990).

### Comparison Basics

The comparison of systems is initially based on the total cost of the wort boiling plant and the cost of wort boiling. The total cost includes processes from mashing process to final wort production.

*Alternative 1:* High-Temperature Wort Boiling (HTWB) is presented in Figure 2.

In chemical and physical terms, the unit is efficient. Evaporation is achieved, coagulable nitrogen is reduced, wort is sterilized, and alpha-acids are isomerized. The utilization of hops is superior to conventional kettles. There is a question of whether volatile products are produced and removed in the same proportion as in traditional brewing with long durations. The process is reproducible except when

performance drops due to fouling of heat exchanger surfaces, requiring cleaning. Control is maximal (Titze.,2014).

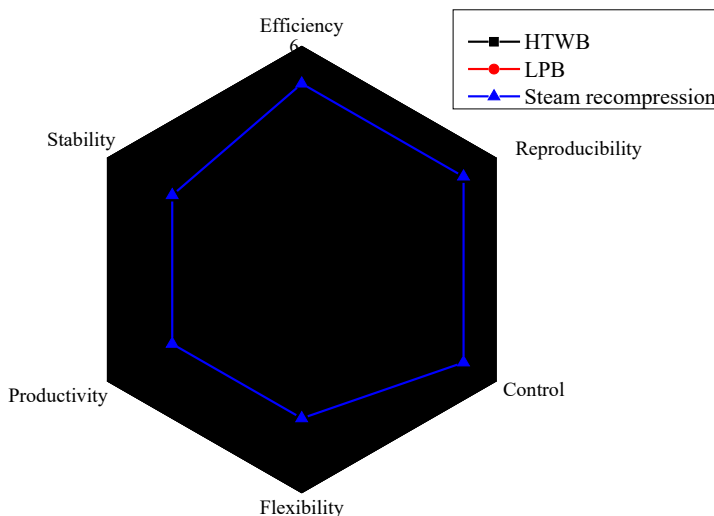
One of the major drawbacks of this plant is the lack of flexibility. There are very few possibilities to change the boiling time at high temperatures. Once the temperature and boiling time are selected, the steam quantity is fixed. Efficiency in terms of energy recovery is high, and the steam demand is low. The process has average parameter stability, requiring stable conditions to produce a consistent product.

From a taste perspective, beers produced by this method are less valued than those produced by traditional boiling.

*Alternative 2: Low-Pressure Boiling with Energy Storage (LPB)* presented in Figure 3. Low-pressure boiling implies a pressure of about 0.5 bar with temperatures above 110 °C to expedite isomerization, turbulence formation, and chemical reactions. The choice of pressure/temperature determines minimal evaporation but has no maximum since boiling occurs both before and after the pressure phase.

The system is effective—it can be used as a conventional system—with reproducible results. It is flexible, and optimal flexibility control is achievable. The utilization of hops has increased significantly, and turbulence formation is good.

This alternative is relatively robust, meaning changes in operating conditions do not deform process parameters. Heating can be done with external or internal heaters. Thermal efficiency is not as high as in the HTWB system and depends heavily on the use of recovered hot water from the steam tank. The first use of this energy in modern systems is to heat the wort on the way to the brew kettle. Assuming 80% efficiency in energy use, 1% of boiling would increase the wort temperature by 4.5 °C.



**Figure 1.** Evaluations of each alternative on key aspects such as efficiency, reproducibility, control, flexibility, productivity, and sustainability.

*Alternative 3: Steam Recompression.*

In this steam system, after the boiling has started and air is eliminated, steam is compressed at a pressure of 0.3 bar and used for the continuation of boiling. Different external and internal heaters can be used; initially, a small heater uses the primary steam, and later it is replaced by a larger heater powered by recompressed steam. The evaluations are similar to the low-pressure boiling technique, except efficiency may be higher since there is no risk of producing excess hot water. The plant is much less flexible at high temperatures, limiting processes to 106°C in short periods. This may or may not be a limitation for specific cases depending on the desired temperature.

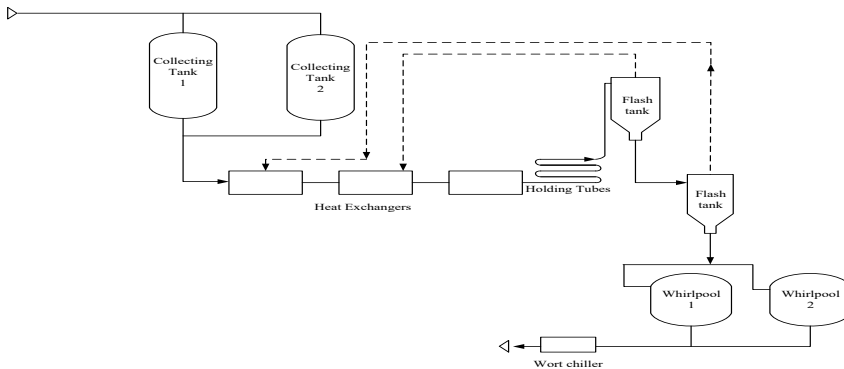
To summarize at this stage, it seems that technologically there is no preference between low-pressure boiling and steam recompression, but both have lower risks than boiling wort at high temperatures.

Evaluation of the three alternatives regarding internal or external wort boiling:

Intensive boiling can be achieved in two main ways, through thermal effects or through pumping.

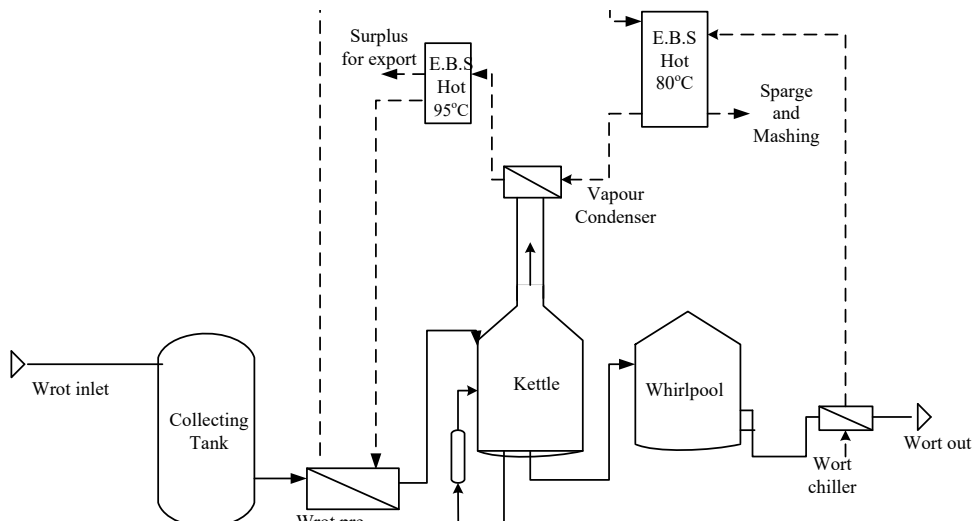
If motion is generated by thermal effects, there will be a direct connection between energy and the boiling rate. If an external heater with a pump is used, the two effects can be separated—the process requires a pump and an additional valve. It is also possible to adjust the circulation rate independently of the heating effect during boiling.

Two other factors depend on the choice. If steam recompression is used with a large heat exchange surface, an internal heater that takes up a lot of space in the boiling system is needed. Secondly, if we want to use a combined whirlpool tank with an internal heater, the design of steam recovery and the condensing connections of the heater become crucial to ensure non-interference with whirlpool actions.



**Figure 2.** Continuous high temperature wort boiling option for wort processing.





**Figure 3.** Low pressure boiling option with separate whirlpools and E.B.S

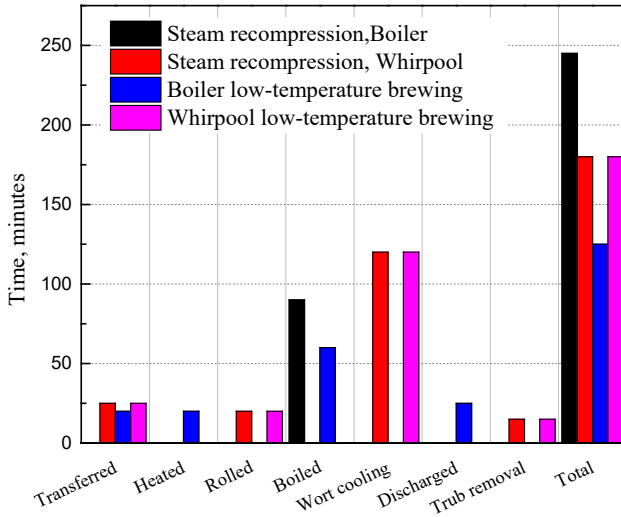
### 3. Results and Discussions

To operate the high-temperature system, it is necessary first to accumulate a brew before it passes through the brewing plant. During the initial brewing process, the second brew must be collected, allowing 2 hours for it to pass through the whirlpool. Additionally, it requires 30 minutes of settling time and 2 hours to pump it into the fermenter. Two whirlpools are needed to facilitate clarification, cleaning, and extended settling time for approximately one hour.

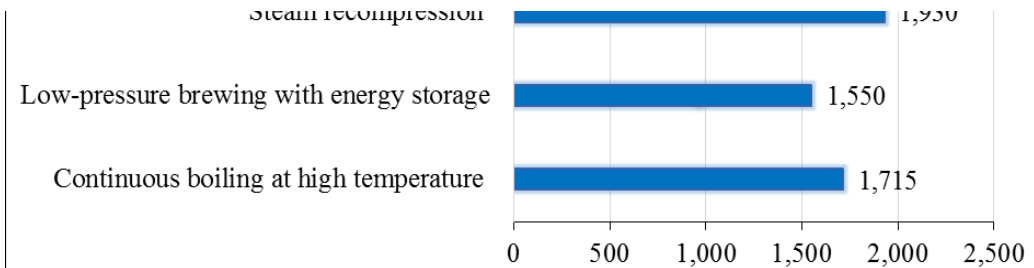
**Table 1.** Presentation of component costs for the wort brewing alternatives.

<i>Components</i>	<i>High-Temperature Brewing</i>	<i>Low-Temperature Brewing with Whirlpool</i>	<i>Steam Recompression Separator</i>
Cumulative Tank (2)	260	130	
Continuous Boiling	730	420	840
Whirlpool (2)	225	110	110
Wort Cooling	195	195	195
Energy Accumulation		450	
Steam Recompression			605
Construction Cost	305	245	180
Total E.C.U (000)	1715	1550	1930

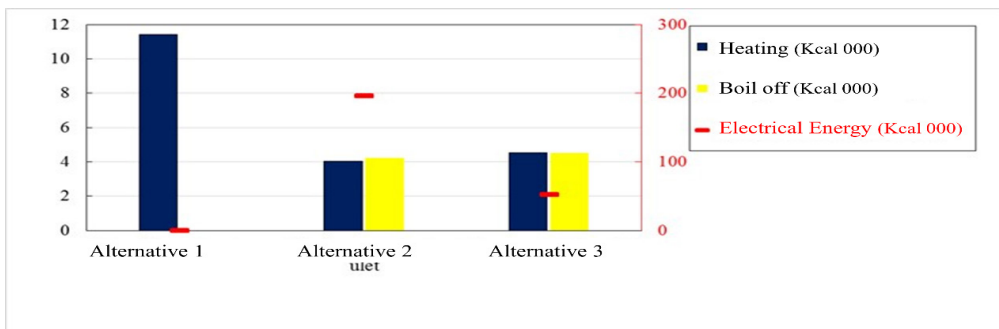
From Table 1, it can be observed that the alternative of low-temperature brewing (Low-temperature brewing with a whirlpool separator) has a lower total cost, including capital costs and various system components. Thus, this option appears to be more economical from a financial perspective. The steam recompression alternative has high capital costs but may be a more energy-efficient option in the future.



**Figure. 4** Graphic representation of the comparison of cycle times for the steam recompression process and low-temperature brewing with heating and whirlpool.



**Figure. 5** Comparison of capital cost (ECU\* 10<sup>6</sup>) for the three studied systems.



**Figure. 6** Comparison of heating quantities on the three studied beer brewing alternatives.

In figure 6 is given the comparison of heating amounts for the three studied beer brewing alternatives, where "Boil off" refers to the amount of vapor produced and lost during the boiling or heating process in brewing or similar industrial processes.

In the low-temperature brewing process with a whirlpool separator, assuming that the wort goes through the filtration cycle more than twice in three hours, operating with a single brew kettle is impractical. A collecting vessel is necessary, and if an external heater is used, the cost is reduced by 40,000 E.C.U. If steam recompression is employed, an increase in heating time and brewing time is observed compared to low-pressure brewing due to lower steam temperatures (Figure 4). The system can be constructed using two brew kettles and a whirlpool, resulting in a savings of 90,000 ECU by using an external heater.

From Figure 5, the combined capital cost, along with the inflexibility of the HTWB system and taste-related issues, challenges it despite its energy efficiency. If taste is not a problem, this plant can be applied to wort extraction procedures, although it remains a riskier option. If we exclude this option, the choice is between low-pressure brewing with energy storage or steam recompression brewing. The capital cost of low-pressure brewing is lower, especially when using an internal heater or suitable tanks for energy storage. Total energy demand shows little difference between the two systems when any kind of buffer store is used. Although the total energy demand of the steam recompression system is lower than electricity, it is still more expensive.

#### 4. Conclusions

The conducted study has addressed the challenges of energy saving and recovery in the brewery, focusing primarily on reducing specific energy consumption in the wort boiling process. Through three main alternatives: continuous high-temperature brewing, low-pressure brewing with energy storage, and steam recompression, the study has evaluated their performance in aspects such as efficiency, flexibility, and cost.

After analyzing the alternatives, it was found that:

- a) High-temperature wort brewing is efficient in terms of energy but lacks flexibility and may create product taste issues.
- b) Low-pressure brewing with energy storage offers a good economic alternative and ensures hot water supply, improving hop utilization and turbulence formation.
- c) Steam recompression provides an effective and economically viable technology, especially when using an internal heater.

The study of alternatives has shown that low-pressure brewing with energy storage is the most suitable option when considering all aspects, including capital cost and thermal efficiency. However, this choice depends on the specific characteristics and requirements of the brewery.

#### 5. References

- Beck, A., Knöttner, S., Unterluggauer, J., Halmschlager, D., & Hofmann, R. (2022). An Integrated Optimization Model for Industrial Energy System Retrofit with Process Scheduling, Heat Recovery, and Energy Supply System Synthesis. *Processes*, 10, 572. <https://doi.org/10.3390/pr10030572>
- Häggqvist, H. (2023). Production and Profitability in Swedish Breweries, 1924-1950. *Revista De Historia Industrial — Industrial History Review*, 32(88), 119-47. <https://doi.org/10.1344/rhihr.40772>
- Kovalchuk, S., & Mudrak, T. (2022). A resource-saving and energy-efficient technology of

fermentation of wort from starch-containing raw materials for bioethanol production. *Food Science and Technology*, 16(1), 4-11. <https://doi.org/10.15673/fst.v16i1.2293>

Narziss, L., Miedaner, H., & Schneider, F. (1991). Further Experiments on the Technology of Wort Boiling with Special Consideration of Energy Conservation Measures. Part 1: Semiscale Boiling and the Applicability of the Results to Industrial Internal and External Boiler Systems. *Monatsschr. Brauwiss.*, 44(3), 96-106.

Renner, J. (1990). New Installation – Stauder Private Brewery, Essen. External Wort Boiling System with Mechanical Vapor Recompression. *Proc. Br. Natl. Comm. Electroheat, Seminar on Efficient Use of Electricity in the Brewing Industry, Burton-on-Trent, Paper 3 (Part 1)*.

Shaohua Wang, Lei Jin, Jiachao Guo, & Xiaoliang Tian. (2023). Experimental study of boiling heat transfer characteristics of forced flow in annular tube under negative pressure. *AIP Advances*, 13(9), 095219. <https://doi.org/10.1063/5.0150817>

Simate, G. S. (2015). Water Treatment and Reuse in Breweries. In A. E. Hill (Ed.), *Brewing Microbiology*, Woodhead Publishing Series in Food Science, Technology and Nutrition (pp. 425-456). Woodhead Publishing. ISBN 9781782423317. <https://doi.org/10.1016/B978-1-78242-331-7.00020-4>

Titze, J., Beermann, M., Blieninger, S., & Kaltenbrunner, A. (2014, April). Sour wort concentrate as an efficient alternative to traditional biological acidification or the use of acidified malt. In *Proceedings 2014, Döhler GmbH*.

Willaert, R. G., & Baron, G. V. (2001). Wort Boiling Today – Boiling Systems with Low Thermal Stress in Combination with Volatile Stripping. *Cerevisia*, 26(4), Laboratory of Brewing and Fermentation Technology, Hogeschool Gent, B-9000 Gent, Belgium; Ronnie.Willaert@hogent.be, Dept. of Chemical Engineering, Vrije Universiteit Brussel, Pleinlaan 2, B-1050 Brussel, Belgium; gvbaron@vub.ac.be.

Willaert, R. G., & Baron, G. V. (2005). Applying sustainable technology for saving primary energy in the brewhouse during beer brewing. *Clean Technologies and Environmental Policy*, 7(1), 15–32. <https://doi.org/10.1007/s10098-004-0249-8>

# Portrayal of migration in the Albanian media

Dr. Pranvera Skana

*Lecturer, Department of Political and Legal Sciences,  
University "Aleksandër Moisiu" Durrës, Albania*

## Abstract

Nowadays, migration is on top of the media agenda in Albania and beyond. Media, in particular the social platforms, give their contribution in how debates of high public sensitivity are held and how such online platforms quite often portray migrants in a sensationalized and polarizing way. The online media, in particular, have a trend of reporting negative stereotypes and sensationalizing migration stories for clicks, whereas the traditional media seek to promote more realistic and accurate portrayals of migrants through chronicles focused on their life experiences. Under such circumstances, media play a meaningful role in shaping public perceptions on migration and the role those perceptions might have in the broader public opinion and policy. But, how is this phenomenon reported in Albania, a country that has been experiencing it since the early '90s? How are such developments addressed in the media and which is the online audience's opinion on them? Thanks to a random selection of 5 TV shows focused on migration, in Top Channel and TV Klan, as the most important media in Albania, and a monitoring of the blogosphere of these online shows, we will be able to perform a linguistic discourse analysis with quantitatively and qualitatively data for this paper.

**Keywords:** migration, fake news, diversity, hateful speech, multiculturalism.

## Introduction

The media portrayal of migration may have a profound impact on the public perceptions and attitudes toward migration. There have been numerous cases of migration media coverage conveying a biased view and disinformation. The images of "illegal migrant" or "border crossing" are common portrayals of migration in the media, aiming to indicate that such migrants are criminals and a threat to society. This narrow and often incorrect description may lead to stigma and discrimination against migrants, and may further exacerbate the negative views on them. Another common media portrayal of migration involves the "victim" or "refugee" image, which may be similarly restrictive. Steve Utych (2017) focused his research on examining how the language used to talk about migration may influence political attitudes and media portrayals. Utych writes that the term "foreign" is undoubtedly dehumanizing and may result in negative responses toward migrants. This reasoning originates in the "undocumented migrants" label attributed to "illegal migrants", often defaulting to "illegals", which is indubitably a dehumanizing and problematic term...<sup>1</sup>

The media portrayal of migration has a considerable impact on societal perceptions, attitudes, and discourse related to this complex phenomenon. The Albanian media often sensationalizes and negatively depicts migration. Sensationalized titles and

<sup>1</sup>Utych Steve, (2017), How Dehumanization Influences Attitudes toward Immigrants, [https://www.researchgate.net/publication/321634540\\_How\\_Dehumanization\\_Influences\\_Attitudes\\_toward\\_Immigrants](https://www.researchgate.net/publication/321634540_How_Dehumanization_Influences_Attitudes_toward_Immigrants)

dramatic stories are used to capture attention, resulting in a biased depiction of migrants. This approach aims to underscore stereotypes and foster fear and animosity toward migrants. Media may focus on isolated incidents involving migrants, thus reinforcing their negative impact, while simultaneously overlooking their broader contributions and the diverse experiences they bring. Kosta and Sakouleva (2019), in their analysis of the media portrayal of migration in Albania, found an excessively negative and sensationalized coverage of this issue, which reinforces stereotypes and fosters fear of migrants.<sup>2</sup> Koni (2018) highlights media's tendency to label migration as a threat to national security and economy, while disregarding the fundamental causes and individual stories of such migrants.<sup>3</sup> These studies collectively demonstrate the prevalence of negative, exaggerated, and biased coverage of migration in Albania. The following narratives have been observed:

1. **Economic burden narrative:** Migration has often been portrayed as a national economic burden by the Albanian media. The emphasis concerns the loss of young and capable individuals, which results in brain drain and a perceived drain of national resources. Media seek to underline the economic challenges relevant to Albania as a result of the workforce leaving and the potential implications for development. This narrative overlooks the positive aspects, such as remittances and knowledge transfer, which may contribute toward economic growth.
2. **Political factors and main causes:** While media agrees that political factors affect migration, the resulting coverage often lacks thorough analysis and fails to address specific issues. The complex interaction between political instability, corruption, and ineffective governance, which force people to leave, is yet to be adequately explored. This superficial coverage may lead to a limited understanding of the root causes and may hinder meaningful discussions aimed at addressing the fundamental issues that give rise to migration.
3. **Humanizing stories and personal experiences:** Despite the widespread negative depictions, in certain cases, the Albanian media has portrayed migrants in a humanized way through their personal stories and experiences. Such stories shed light on the challenges, aspirations and endurance of people that have chosen to migrate. These stories may potentially challenge stereotypes and foster empathy, thus encouraging a more nuanced understanding of migration.
4. **Lack of diversity and contextual analysis:** Oftentimes, the media coverage of migration in Albania lacks perspective and experience diversity. Migrants tend to be described as a homogenous group, while the diversity of their origin, motivations and contributions is disregarded. In addition, the media tends to overlook the broader contextual factors, such as globalization, geopolitics and labor market dynamics, which shape migration patterns. This lack of contextual analysis limits the public understanding of migration's complexity.

## Literature review

The literature relevant to this work will assist us in combining theoretical and practical issues, as well as in comparing various studies in the area of migration. The

---

<sup>2</sup> Kosta, E., & Sakouleva, D. (2019). Media Representations of Migration in Albania. *Journal of Media Critiques*, 5(20), 111-130.

<sup>3</sup> Koni, S. (2018). Media Discourse on Migration in Albania. *European Scientific Journal*, 14(31).



theory of agenda-setting by McCombs and Shaw (1972) has facilitated the review of the four media processes pertaining to news “selection, emphasis, exclusion and elaboration”. Thus, by way of these processes, media convey news and information, leading to the formation of perceptions and attitudes, and reinforcement of the existing stereotypes. Media attracts the public’s attention by its way of reporting and writing about the process of migration and migrants. Through the editing, selection, emphasis and exclusion process, media determine the specific tone and language used to communicate the news and the manner in which such news will be understood<sup>4</sup>. Chimienti and Gemenne (2019) emphasize the negative and, often, sensationalized portrayal of migration in media and its impact on the public perceptions of and attitudes toward migrants. The authors examine the factors that compose the media coverage of migration, including political and economic interests, journalistic norms and practices, as well as audience preferences. They also address the role of media in shaping the political decisions regarding migration.<sup>5</sup> Meanwhile, in his study, Skey (2017) underlines the power of media with respect to shaping the ways in which people understand the world around them and argues that media plays a key role in establishing the division “us” vs. “them”, which is characteristic to public debates about migration.

Media have a moral obligation to report on migration correctly, unbiasedly and in a way that respects human dignity. Media must avoid sensationalism and stereotypes with regard to migration reporting. According to Abazi and Reka (2019)<sup>6</sup>, media sensationalism may induce fear and panic, leading to discrimination against migrants. Similarly, stereotypes may promote negative attitudes toward migrants, which can result in social exclusion and discrimination. Respecting the privacy of individuals involved in migration is another social obligation of the media. It involves prohibiting the publication of personal information or images against the explicit consent of the person in question. According to Tocci (2019)<sup>7</sup>, media should ensure that the reporting will not infringe on the dignity and privacy of migrants. Therefore, media should be mindful not to report on individual migrant cases that may violate privacy. Media should also highlight the positive contributions of migrants to society. This may help counteract negative stereotypes and promote a more inclusive and welcoming society. According to Abazi and Reka (2019)<sup>8</sup>, media can help change the public’s perceptions of migration by underscoring migrants’ positive contributions to society. For example, media could report on the economic, social, and cultural benefits brought about by migrants in Albania.

When reporting on migration, media should provide context that helps readers understand the broader social, economic, and political factors leading to migration.

<sup>4</sup> McCombs, M. E., & Shaw, D. L. (1972). The agenda-setting function of mass media. *Public Opinion Quarterly*, 36(2), 176-187.

<sup>5</sup> Chimienti, M., & Gemenne, F. (2019). Media coverage of migration: A literature review. *Journal of Ethnic and Migration Studies*, 45(2), 201-219.

<sup>6</sup> Abazi, E., & Reka, B. (2019). Media representation of migrants in the Western Balkans: A comparative analysis of Macedonian and Albanian media. *Journal of Ethnic and Migration Studies*, 45(3), 326-343. doi: 10.1080/1369183X.2018.1507584.

<sup>7</sup> Tocci, N. (2019). The politics of migration in the Western Balkans. *European View*, 18(1), 79-88. doi: 10.1177/1781685818819656.

<sup>8</sup> Abazi, E., & Reka, B. (2019). Media representation of migrants in the Western Balkans: A comparative analysis of Macedonian and Albanian media. *Journal of Ethnic and Migration Studies*, 45(3), 326-343. doi:10.1080/1369183X.2018.1507584.

This may help combat the simplified or fallacious narratives about migration.

## Methodology

Firstly, a content analysis of five popular television programs that have touched on migration issues, such as: Tv Klan, "Opinion" on the topic of: What are the consequences of Albanians' emigration? ( 2.12.2022), In favor of and against migrants in Albania? (09.12.2023), Rama-Sunak, migrants in-between ( 23.03.2023). As well as Top Channel, "Exclusive" on the topic of: Albania's depopulation (13.11.2022), "Inside Story" on the topic of: The drama of emigration (26.04.2023), for which we will analyze the manner of migration's portrayal in traditional media and prime time programs, as well as the guests' language in the studio, the guests selected to discuss migration, the relevant images selected to cover this topic, attitudes, etc.

Secondly, we will analyze the linguistic discourse pertaining to 568 comments posted online about such programs, in order to understand the language used on the web and how civic journalism contributes to the depiction of migration issues in society.

## Results and discussions

Media is a crucial source of information and entertainment for all and it can play a key role in the manner in which it represents migrants. Youth are particularly sensitive to media's influence, as they often consume a large quantity of media content. Studies have shown that media may create stereotypes and reinforce negative attitudes toward migrants and migration<sup>9</sup>The news on migration are gathered when something sensational and worth reporting occurs. Usually, this is something "bad" that relates to migrants or migration. Migration coverage is often primarily dictated by the general political agenda. The reported issues usually cover personal stories loaded with emotions that may garner the interest of a wider audience. These may be stories telling the "human" and "daily life" aspect of migration, such as reunited families, children exceling at school, success stories, people fleeing from conflict and losing their spouses, parents, or family members during this process, trafficking and prostitution stories. Such stories involve stereotypical accounts of migrants in general, and of migrant women in particular. They tend to align with three stereotypical representations of the migrant (woman) as the victim, hero, or threat<sup>10</sup>.

*How does this discourse take place in the Albanian media? What type of language is used to reflect such social developments?* In order to examine how migration is portrayed in the Albanian media, five television programs broadcasted by Top Channel and Tv Klan have been monitored. The programs were watched on the respective YouTube channels of both media. Naturally, both of these national Albanian televisions are careful and ethical in their handling of migration issues. The selection of guests tends to be inclusive. Guests include journalists, civil society representatives, migration professionals, religious community representatives, as well as politicians and reporters. Nevertheless, the media should enhance experts' reliability by emphasizing their qualifications, research findings, and contribution in the area of migration. There

<sup>9</sup> Igartua, J. J., & Cheng, L. (2009). A comparative analysis of the framing of immigration news in British, French and German newspapers). *European Journal of Communication*, 24(2), 171-192.

<sup>10</sup> Hennebry et al. 2017. Hennebry, Jenna, Williams, Keegan, Celis-Parra, David and Daley, Rachele (2017) *Mis/Representations of Women Migrant Workers in the Media: A Critical Solution*, UN Women.

were no cases of polarizing language use in their description or attitudes in the studio in terms of being “in favor of” or “against”, particularly with regard to the Afghan immigrants expected to arrive in Albania.<sup>11</sup> However, the sensitivity of studio guests mainly relates to local politics and the accusations against it as the cause of Albanians leaving the country over the past 30 years of transition, or the “non-transparent” manner of migrant reception in our country.

**Table 1.**

TV name/Program	Topic	Guests	Interactivity	Linguistic discourse/ Comments
<i>Opinion/Tv Klan</i> 2.12.2022	<i>What are the consequences of Albanians' emigration?</i>	<i>A. Brahaj, E. Gemi, B. Kadia, E. Shabani, E. Pashaj, Aurora Dollenberg, Ervin Gjonaj</i>	<i>68 K views</i> <i>117 comments</i>	<i>Negative comments against politics, labelling it as the cause of emigration.<sup>12</sup> Wages fit for Albania, prices fit for Italy. So, how can one live in Albania?</i>
9.12. 2023	<i>In favor of and against immigrants in Albania!</i>	<i>I.Luarasi, T.Gogu, J.Daci, D. Shakohoxha, A.Pano, G.Bogdani, J.Zyla</i>	<i>48K views</i> <i>255 comments</i>	<i>More than 85% of comments were degrading<sup>13</sup>, such as moron, rude priest, bootlicker, etc.</i>
23.03.2023	<i>Rama-Sunak, migrants in-between</i>	<i>B.Gjylameti, E.Salianji, F.Mejdini, J.Zyla. M. Miroli</i>	<i>16K, views</i> <i>40 comments</i>	<i>Hateful and insulting speech against studio guests, unrelated to the topic: dimwit, criminal, you belong in prison, ignorant, idiot.<sup>14</sup></i>
<i>Top channel/ Exclusive</i> 13.11. 2022	<i>Albania's depopulation</i>	<i>- report</i>	<i>14k, views</i> <i>44 comments</i>	<i>the entire corrupt class of our country, foul media, the problem is well known, why are you avoiding the source of the problem<sup>15</sup></i>
<i>Inside story</i> 26. 04. 2023	<i>The drama of emigration</i>	<i>- report</i>	<i>149k, views</i> <i>112 comments</i>	<i>We are discriminated against in Albania, not in emigration<sup>16</sup>, comments about governance issues.</i>

The migration topic piques the curiosity of the audience and triggers sensitivity. Nevertheless, based on the monitoring of 568 comments relating to the aforementioned programs broadcasted online, hateful, insulting and discriminatory language is quite prevalent. It bears noting that no comment involves degrading or insulting language toward a different culture or toward a migrant, nationality, origin or identity different from ours. It appears that Albanians have embraced the phenomena resulting from migration and multiculturalism, as a people that has been emigrating since the '90s, particularly to Greece and Italy. Instead, their online hateful speech is directed at certain 'individuals', mainly politicians, whom they view as the main cause of

<sup>11</sup> <https://www.evropaelire.org/a/shqiperi-italia-marveshje-emigrantet-/32673469.html>

<sup>12</sup> <https://www.youtube.com/watch?v=OIwNQIKNWCO>

<sup>13</sup> <https://www.youtube.com/watch?v=Swf4D1ebknY>

<sup>14</sup> <https://www.youtube.com/watch?v=mSmD09pke8A>

<sup>15</sup> <https://www.youtube.com/watch?v=6ooKRIL0k7E&t=1s>

<sup>16</sup> <https://www.youtube.com/watch?v=LxAMfAVv79Y&t=1s>

emigration and inadequate policies on Albanian people's welfare, leading to the latter leaving the country. Although migration is a phenomenon that originated with humanity, the online comments tend to view it as a negative phenomenon, despite the other positive aspects for both the host country, as well as for the country of origin.

## Conclusions

Considering that migration issues are a relevant topic in media agendas both domestically and abroad, the qualification of journalists covering such topics would be beneficial, as it would increase reporting accuracy and impartiality; media may assist in combatting disinformation and 'labelling' targeted at migrants, as well as in promoting a better informed and constructive public discourse regarding migration policy.

The media portrays migration as a phenomenon that causes 'uncertainty' and affects the Albanian economy. The media images of migrants shown in news reports are sensationalized and influence the general attitude of society. On the other hand, guests discuss the causes leading to people leaving their country by involving politics as an influencing factor but without delving any deeper into specific issues.

Furthermore, media have a social responsibility to use their platforms to promote social inclusivity and diversity observance. This may be achieved by highlighting positive stories in migrant communities, promoting cross-cultural understanding and dialogue, and providing the space for diverse points of view and voices.

## References

- Abazi, E., & Reka, B. (2019). Media representation of migrants in the Western Balkans: A comparative analysis of Macedonian and Albanian media. *Journal of Ethnic and Migration Studies*, 45(3), 326-343. doi: 10.1080/1369183X.2018.1507584
- Chimienti, M., & Gemenne, F. (2019). Media coverage of migration: A literature review. *Journal of Ethnic and Migration Studies*, 45(2), 201-219.
- Hennebry et al. 2017. Hennebry, Jenna, Williams, Keegan, Celis-Parra, David and Daley, Igartua, J. J., & Cheng, L. (2009). A comparative analysis of the framing of immigration news in British, French and German newspapers). *European Journal of Communication*, 24(2), 171-192.
- Koni, S. (2018). Media Discourse on Migration in Albania. *European Scientific Journal*, 14(31), 1857-7881.
- Kosta, E., & Sakouleva, D. (2019). Media Representations of Migration in Albania. *Journal of Media Critiques*, 5(20), 111-130
- McCombs, M. E., & Shaw, D. L. (1972). The agenda-setting function of mass media. *Public Opinion Quarterly*, 36(2), 176-187
- Rachelle (2017) Mis/Representations of Women Migrant Workers in the Media: A Critical Solution, UN Women.
- Tocci, N. (2019). The politics of migration in the Western Balkans. *European View*, 18(1), 79-88. doi: 10.1177/1781685818819656
- Utych Steve, (2017), How Dehumanization Influences Attitudes toward Immigrants, [https://www.researchgate.net/publication/321634540\\_How\\_Dehumanization\\_Influences\\_Attitudes\\_toward\\_Immigrants](https://www.researchgate.net/publication/321634540_How_Dehumanization_Influences_Attitudes_toward_Immigrants)

# **Breaking Barriers and Empowering Futures: Unveiling the Journey of the Development Spaces Model for Inclusive Education in Albania**

**PhD Skerdi Zahaj**  
*University of Tirana, Albania*

## **1. Introduction**

The notion that the Albanian education system will cater to the needs of all students, regardless of their abilities, and assist them in realizing their full potential to the best of their capabilities, is firmly established in the Pre-University Law 69/2012. However, beyond the employment of auxiliary teachers for identified children with special needs, the Government has made limited efforts to shift the discourse on equal access policies towards emphasizing equitable outcomes, with a growing focus on equipping students for success in the globalized, knowledge-driven economy of the 21st century. Against this backdrop, World Vision Albania advocates for the design and development of innovative new areas and the renovation of existing facilities, known as Developmental Spaces, as a policy that enables and facilitates modern pedagogical practices. Consequently, these measures are expected to effectively achieve the stated objective of preparing students for the demands of the global economy in the 21st century.

Arguments against maintaining traditional single-cell classrooms stem from their perpetuation of conventional, uniform approaches to teaching and learning, which do not cater to individual needs. On the other hand, novel and innovative architectural designs offer the potential to facilitate the implementation of desired “new” pedagogies. By embracing flexible learning environments, educators are encouraged and empowered to move away from traditional frontal teaching methods towards collaborative, interactive, and facilitative styles of instruction. Often working in teams, teachers engage with multiple students in shared learning spaces, fostering a dynamic and inclusive educational atmosphere. The Albanian Curriculum has explicitly prioritized inclusion as an educational principle, and the discourse surrounding developmental rooms serves as a reminder to schools of their commitment to this principle. Moreover, it explicitly establishes a connection between building design and inclusivity. This shift towards enhanced flexibility and innovation has significant implications for promoting inclusivity, as evidenced by both Ministry of Education policy discussions and criticisms that highlight the potential exclusionary consequences of inflexible educational settings.

## **2. Purpose and Scope of the study**

The research aimed to achieve the following objectives:

- (1) Identify and analyze best practices observed during the nationwide implementation of the Development Spaces model.
- (2) Identify and analyze key challenges from a systemic perspective that hinder the implementation of the model at the school level.

These findings will be utilized to:

- (3) Formulate a set of recommendations for policy advocacy at the local and national levels, aiming to ensure the sustainability of the model.
- (4) Documenting the lessons learned from the field implementation, along with a set of recommendations to ensure the long-term viability of the model.
- (5) Develop a module format product that consolidates the goals, approaches, and minimum standards for the application of the model in Albanian schools.

### 3. Methods

This study took the form of a participatory qualitative methods approach (Olsen and Jason 2015), which involves the equitable participation of community partner organizations and evaluation team each contributing their expertise and sharing control of the research enterprise. Specific activities are summarized below to provide context for the reflections on lessons learned through this collaborative project.

#### **Part 1 – School directors and school psychologists/social workers’ perceptions for Development Spaces.**

In this study, school directors and school psychologists/social workers were invited to participate in one-on-one semi structured interviews regarding their schools’ Development Spaces. They were selected randomly in 9 schools. School directors and school psychologists/social workers’ interviews lasted approximately 45 and 60 min, respectively. Participants completed a sociodemographic form to help contextualize analysis. Using an inductive approach, a trained researcher coded all interviews transcripts.

#### **Part 2 – Parents’, teachers’, and special education teachers’ perceptions for Development Spaces in 6 schools**

In this study, parents, teachers, and special education teachers were invited to participate in focus groups regarding their children’s Development Spaces. They were selected randomly in 6 schools A trained research assistant was guided to conduct the focus groups. Using an inductive approach, a trained researcher coded all focus groups transcripts. The evaluation team will have met periodically to resolve coding discrepancies and help with the organization of themes in both datasets, guided by the project’s research evaluation questions.

#### **Part 3 – Exploring teacher’s perspectives**

Observing children systematically – especially during “Development Spaces” time in institutional settings – allows for insightful information on what could be considered best practice. The special needs teachers were asked to share photos or videos of what they consider best practice that they might have taken during their work. They were asked to explain why that photo/video is important to them. The interviewers included that to a drop box with the teacher caption. Coding was used to anonymize the entries. The teachers might opt not to share that information.

A trained researcher analysed the photo/videos and their captions. This we believe contributed to a deeper understanding of the role of “Development Spaces” design in fostering or enhancing child development. More importantly, the analysis of such data helped us to formulate specific, detailed recommendations for educators



and administrators about how to use the existing physical infrastructure to create opportunities for a wide range of development activities. Written consent of parents was required, should the child be visible in the videos/photos.

#### **Part 4 – Listening to children’s perspectives**

To address ethical issues unique to participatory research with young children (Einarsdottir 2007) and to allow for children’s authentic participation, this study adopted a dynamic and responsive method based on multimodal processes. Photovoice activities (Wang and Burris 1997) combined with the Mosaic Approach (Clark 2011) were used stimulate discussion about and elicit children’s perspectives on their development spaces.

The children in the developmental areas when the interviewer was in the school were given a cell phone and then invited to take photos of the places, they like the most in the developmental areas. Then the child described why this place is so important for them. The interviewer uploaded the photo and its caption in the drop box, ensuring anonymized entry.

#### **4. Data analysis**

For the analysis of qualitative data (text), the Weft QDA program was employed. Transcripts were read and analysed by coding each sentence, where possible, through conceptual labels of evaluation topic. Analysis was carried out on each interview and focus group transcript in turn. Throughout the analysis, and especially during the initial stages of coding, the analysis remained close to the data. After determining the codes, specific categories that explain the best practices of the World Vision Albania’s Development Spaces model and contributing factors were created. In the last phase of analysis themes of qualitative data were created.

A trained researcher analysed the photo/videos and their captions. This contributed to a deeper understanding of the role of “Development Spaces” design in fostering or enhancing child development. More importantly, the analysis of such data helped to formulate specific, detailed recommendations for educators and administrators about how to use the existing physical infrastructure to create opportunities for a wide range of development activities. As per WV Child Protection Policies and regulations, parents were required a written consent for the participation of their child in photos/ videos.

#### **5. Findings and Discussions**

##### ***5.1 Best practices from field implementation of Development Spaces***

Education plays a huge role in child development. Education is not only important in developing child intellectual and personal quality, but also an influential factor in better living and autonomy. For children with special needs, education is a vital part of their lives and enabled them to read and write, to speak and to be involved in making decisions along with their family members. In addition, education is important as it able to give one’s a better life, respect from others, realize one’s rights and gain interpersonal skills.

The Development Spaces are the best opportunity for children with special needs for inclusive education. The Development Spaces has helped the special needs children to be integrated in schools and to learn new skills and knowledge. The Development Spaces especially has helped the schools to integrate special needs children with severe problems could not be part of the schools.

*A child with severe autism is part of our schools now and is progressing through the work in the developmental space although the assessment commission recommended to go to specialized centres.*

*School psychologist, Kurbin*

The Development Spaces has helped the teachers to explore and identify the potentials in special needs children. During the time that they are using the Development Spaces the teachers can observe the children interests and in some of them explore their potentials. During this process the special needs children are very motivated to be part of the school and learning process. In some schools the teachers and parents reported that the Development Spaces has been open also during summer which was the best opportunity for special needs children not to stay isolated at their house. Some of the different professionals have been available in Development Spaces during the summer and this has helped many special needs children progress with learning. Based on all the data gathered Development Spaces were the best opportunity for children with special needs children to be part of education system.

Developmental Spaces are seen as the golden standard for inclusive education. In these spaces the teachers can make inclusive activities between special needs children and other children.

*This is the place for all the children and also for us as teachers. Now we have the opportunity to organize inclusive activities with all the children.*

*School teacher, Durrës*

The Developmental Spaces give the opportunity for all the teachers and the children to be together and learn from each other's. In addition, it has helped the general population of students to accept at a deeper level the inclusion of children with special needs.

Teachers mainly use developmental spaces to organize activities for students with special needs. In the analysed photos and videos, it was clear that "Developmental Spaces" are mainly used for these students: to achieve certain developmental objectives, or to calm down students with ADHD who need to be calmed down.

According to the analysis of the photos and videos, the teachers have a direct interaction with the students with specific tasks. Also, they allow the students to play alone to calm down, but under the supervision of a teacher in these spaces.

The voice of the teachers in the analysed videos was focused on achieving certain learning objectives. Gaze is focused on the students to draw his/her attention. The teachers repeated certain sentences in a way that the child would be focused and understood the requirement of the task.



In the other photos, it is shown that these development spaces are used during certain holidays, such as National holidays in November, Christmas time, or March 7 (teachers' day).

One of the most important effects of Development Spaces is early identification of special needs children. After the opening of Development Spaces in schools, many parents were motivated to assess and diagnose their child by professionals and then to register him in the schools with Development Spaces. The Development Space has helped many parents to accept the problems of their child and later the Development Space as an opportunity.

*In the beginning, a parent didn't want that his child to be part of the Development Space because he was afraid of labelling. After showing him the Development Space and the social activities, we do as a school with all the children he changed his mind.*

*School psychologist, Dibra*

Many social activities that are organized with special needs children and other children have helped reduce the prejudices toward special needs children. The social activities have helped the children to accept more the special needs children and to raise important awareness messages.

The Development Space has given the opportunity for the teachers to apply the experiential learning for all the children. The teachers report poor infrastructure and school supplies in the regular classrooms, and they use the Developmental Space as the best opportunity for teaching the curricula or to make the teaching interesting. The only good enough environment with school supplies that they have in their school is the Developmental Space and as a result they use it to teach school curricula and for the development and education of special needs children.

Often, they use the Development Space

to organize birthdays or celebrate holidays. One of the most important contributions of Development Space is the opportunity of the teachers' to instruments for teaching through senses and through experience.

*I have students that when I explain the numbers, they can touch them and learn easier and faster than just writing.*

*Special needs teacher, Tirana*

In all the photos and videos taken with the children in focus, it was noticed that they

were enjoying the Development Spaces". For children with special needs, it was a place where they could release energy (throwing in the rubber band ball), or to learn through puzzle or music toys.

In all the videos and photos analysed, children loved the "Developmental Spaces". Not only those with different abilities, but also the other students at the school. These spaces seem to give them a different perspective on how to learn and approach to novelty. This was also reported by the teachers themselves in focus groups, who emphasized the fact that students love the development space.

*This is a place that we have used for all the students and all the school. We organize here different events.*

*School director, Elbasan*

In all the photos and videos, the children were focused on their tasks, and they were staying in the place the teachers had assigned them. In other photos, they were smiling to show that they really liked the development spaces.

The Development Space is used also to help the children with learning difficulties. The teachers have found it very useful and helpful especially with all these children. The Development Space has been very important especially for children with ADHD because they can relief the hyperactive symptoms and can be more focused and have better attention. However, many times the teachers use the Development Space as positive reinforcement for children with learning difficulties or there are times that the teachers use the Development Space as negative reinforcement. Hence, the children can go in Development Space if they behave properly in the class or they are punished (not allowed to use the Development Space) if they do not behave properly in the class.

Based on the reports of teachers the Development Space is a very safe and relaxing place for children and for the teachers. When the children are angry or irritated, they can feel safe and relaxed in the Development Space. Also, many teachers when they feel burn out or very stressed usually go to the Development Space alone till they feel much better emotionally.

In conclusion, the Development Space is the best opportunity for children with special needs for inclusive education and has helped the teachers to explore and identify the talents in special needs children. Developmental Spaces are seen as the golden standard for inclusive education and they are a very good model for early identification of special needs children and raising the awareness in community. The Development Space has given the opportunity for the teachers to apply the experiential learning for all the children and for children who have learning difficulties.

### ***5.2 The key challenges of Development Space for implementing the model in schools' level***

Although the Development Space is the best opportunity for children with special needs for inclusive education this space is their only opportunity for their progress. Unfortunately, this is not enough. One of the main obstacles that teacher experience is that children do not continue the developmental plan at home or in other centers outside the Development Space. As a matter of fact, the results are often slow, or even reversed during longer periods of children not attending school, such as summer

vacations or prolonged illnesses.

*At their homes the children do not have any opportunity to continue what we have done at school.*

*Special needs teacher, Korça*

The Development Space is seen by parents and other members of community as the only hope for special needs children development and progress. Many children live in poverty and in difficult socio-economic situations that affect their progress and their possibilities. Hence, the parents want the Development Space to be open also during afternoon and to have a place for their child. These conditions make the parents see the Development Space more as a centre for treating the special needs child than as a place for development and inclusion.

Despite both explicit and implicit efforts by teachers and professionals to foster greater awareness, appreciation, and consideration of the needs of diverse children, some parents and students may nevertheless maintain negative attitudes towards certain groups of special needs children that contribute to active opposition to efforts to provide equal access. The teachers and directors reported prejudices from parents, children, and community for Development Space especially in the beginning.

*Now, we have changed the schema that the Development Space is only for disabled children.*

*Special needs teacher, Librazhd*

Parental involvement in the education of children with special needs can take a variety of forms. Parents may participate in school-based activities, such as volunteer working in their children's classroom, communicating with teachers, and attending school meetings. Parents of children with special needs may also engage in a variety of homebased educational activities with their children, including one-on-one instruction, therapeutic play, and positive behaviour support. The results show that teachers have experienced many challenges in the process of collaboration with parents. The collaboration has been difficult to educate them on the uses of the Development Spaces and to explain to them the importance of using the space for the development of the child.

*Many parents do not accept the reality and are not collaborative for the education of the children. There are some special needs children that do not have a special teacher because their parents do not accept that they need help.*

*Special needs teacher, Tirana*

One of the main challenges reported by teachers was using the Developmental Spaces resources to fulfil the needs of all groups of children, even though the needs were very diverse. In the beginning teachers found it very difficult to fulfil the development needs of children in the Developmental Space. However, later they learned gradually how to use the space for education purposes of children in general, and special needs children in particular. Also, they need other professionals such as physiotherapist or speech therapist to use the full dimensions of Developmental Space.

In the same line with the above results, teachers reported that was very challenging to adapt teaching with the new approach and methods of the Developmental Space. They have experienced technical difficulties that have affected the process of teaching in the Developmental Space. Also, it has been difficult for the children who begin the school for the first time to be familiarized with this new approach and new



environment. Since there is only one Developmental Space per school, which caters for many children, coordination has not been very easy for some of the teachers and in some schools.

The Developmental Space have helped the teachers to work with all the children and especially with special needs children. However, they have experienced challenges to work with grown up children in this space. Based on their experience, the Developmental Space is designed more for elementary school children.

*The children that are in 8<sup>th</sup> or 9<sup>th</sup> class is very difficult to stay here. We have to be creative and design new games or activities for them.*

*School teacher, Durrës*

The teachers needed experiential training by professional during the job to help them use the Developmental Space in fulfilling the children needs better. They appreciate the training that they have taken before however they need specific and advanced trainings in the Development Space to experience the complete experience.

The last challenge that is reported by the teachers is the burn out that they experience. Teaching is generally regarded as a highly pressured demanding profession in which burnout is very common. The literature suggests that low pay, poor training, crowded classrooms, discipline problems, lack of resources, lack of teaching and learning materials, lack of a well-designed program, the mess of bureaucracy, bureaucratic society's criticisms, social and political oppression on educational organizations, insufficiency of rewarding and lack of participation in decision making are some of the reasons for teacher burnout. All these factors are more dynamic while working with special needs children and collaboration with the parents of these children. Teacher burnout has been found to affect the quality of educational services since over a period of time and influence a teacher's behaviour in the classroom and the teaching profession.

## References

- Engle, L., Fernald, L., Alderman, H., Behrman, J., O'Gara, C., Yousafzai, A., . . . Iltus, S. (2011). Strategies for reducing inequalities and improving developmental outcomes for young children in low-income and middle-income countries. *The Lancet*, Volume 378, Issue 9799,, 1339-1353. doi:[https://doi.org/10.1016/S0140-6736\(11\)60889-1](https://doi.org/10.1016/S0140-6736(11)60889-1).
- Clark, A. and Moss, P., 2011. *Listening to young children: The mosaic approach*. 2nd ed. London: National Children's Bureau.
- Einarsdottir, J., 2007. Research with children: methodological and ethical challenges. *European early childhood education research journal*, 15 (2), 197-211. doi:10.1080/13502930701321477
- Olsen, B.D. and Jason, L.A., 2015. Participatory mixed methods research. In: S. Hesse-Biber and B. Johnson, eds. *The Oxford handbook of multimethod and mixed methods research inquiry*. Oxford, UK: Oxford University Press, 393-405.
- Wang, C. and Burris, M.A., 1997. Photovoice: concept, methodology, and use for participatory needs assessment. *Health education & behavior*, 24 (3), 369-387. doi:10.1177/109019819702400309



# A Survey of emergency department most frequent diagnoses by age and gender

**Zhenisa Çuni**

*Eqrem Çabej'' University of Gjirokastër, Albania*

**Romeo Mano**

*''Eqrem Çabej'' University of Gjirokastër, Albania*

## Introduction

Emergency is one the most important pillars of health care systems and the most challenging health service. It needs continuous training of medical staff and an increase in funds. We did this statistical study to clearly understand the patient who mostly comes to the emergency ward. Our results can be useful to healthcare managers to better distribute funds and human resources, and to medical staff as well to join training modules according to our findings. Our study took place in the regional hospital of the southernmost city of Albania, Gjirokastër.

## Methods

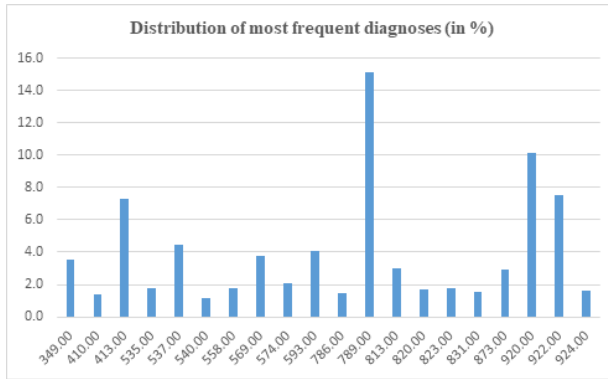
This is an observational study. The population of this study is made up of the patients who came to the Emergency Ward of the Regional Hospital of Gjirokastër from June 2016 until December 2019. We observed and collected data recorded on their official medical card.

The population is divided into 4 age groups as follows, up to 20 years old, 21-40 years old, 41-60 years old, and over 60 years old, to have a better understanding and interpretation of the results. Data have been statistically analyzed through SPSS.

## Results

The sample comprises 2916 patients who presented in the Emergency Ward of the Regional Hospital of Gjirokastër from June 2016 until December 2019. We recorded and analyzed the primary diagnosis/symptoms or suspected diagnoses in the Emergency Ward as concluded by doctors.

As we can see in Graph 1, the five most frequent diagnoses/symptoms of patients visiting the emergency ward during our study were acute abdominal pain, head trauma, body trauma, angina pectoris, and upper digestive tract symptoms.



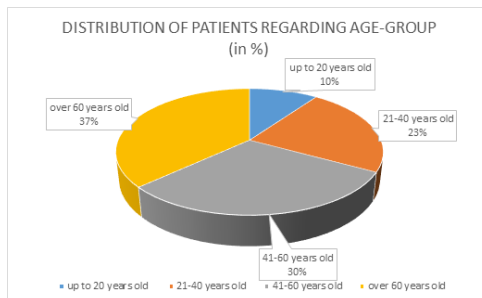
Graphic 1

In the following, we have a more detailed analysis of the emergency ward’s patients regarding age group and gender. For each age group, we have analyzed diagnoses/symptoms that appeared to happen in at least 4% of its sample.

Table 1

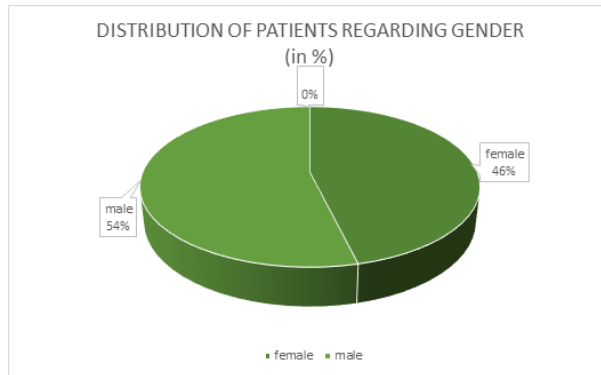
AGE GROUP	AGE GROUP SAMPLE (number of patients)	TOTAL SAMPLE (number of patients)	% OF PATIENTS REGARDING AGE GROUP
up to 20 years old	288	2916	9.876543
21-40 years old	672	2916	23.04527
41-60 years old	881	2916	30.21262
over 60 years old	1072	2916	36.76269

In Table 1 we see the percentage that each age group sample represents in the total sample of the study, which is also visually shown in Graphic 2. For the age group ‘up to 20 years old’ the sample is made of 288 patients or 9.87% of the total sample, for the age group ‘21-40 years old’ the sample is made of 672 patients or 23.05% of the total sample, for age group ‘41-60 years old’ the sample is made of 881 patients or 30.21% of the total sample and for age group ‘over 60 years old’ the sample is made of 1072 patients or 36.76% of the total sample. Three patients were removed from the sample because their data were statistically not useful.



Graphic 2

In graphic 3 we see the distribution of the total sample regarding gender, in percentage.



Graphic 3

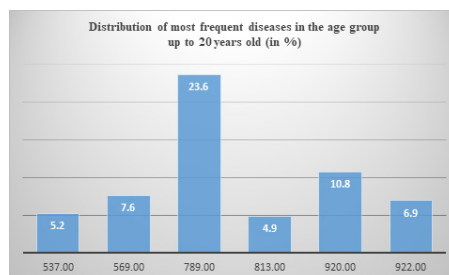
During the period of our study, 53.8% of the patients who visited the emergency ward were males and 46.2% were females.

The diagnosis for each patient has been prescribed by emergency doctors using the ICD9 code which was the official one. Furthermore, we recorded the prescribed diagnoses in Latin. So in the following tables and graphics, diagnoses are described according to this code after being double-checked with written diagnoses in Latin.

*Age group up to 20 years old*

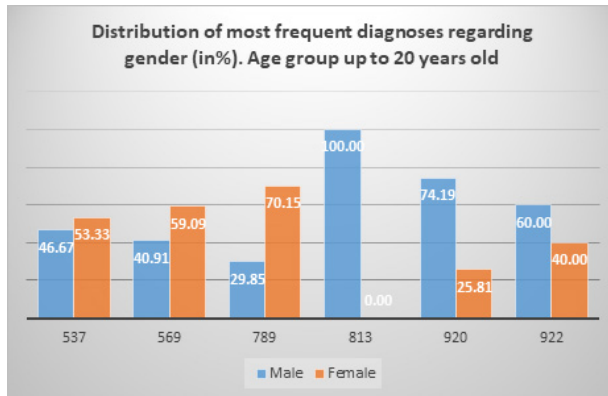
Table 2

<b>AGE GROUP UP TO 20 YO</b>				
CODE ICD9	Frequency	Percent	V a l i d Percent	Cumulative Percent
537.00	15	5.2	5.2	10.4
569.00	22	7.6	7.6	24.0
789.00	68	23.6	23.6	56.3
813.00	14	4.9	4.9	62.8
920.00	31	10.8	10.8	89.6
922.00	20	6.9	6.9	96.5
Total	288	100.0	100.0	



Graphic 4

For this age group, the following diagnoses account for 59% of its sample. The most frequent diagnoses were: undetermined abdominal pain in 23.6% of patients; head trauma in 10.8% of patients; abdominal pain suspected originating from the intestine in 7.6% of patients; body contusion in 6.9% of patients; suspected disease of stomach and duodenum happened in 5.2% of patients; fracture of forearm (radius and ulna) happened in 4.9% of patients.



Graphic 5

As we can see in graphic 5, females had higher numbers for digestive tract diseases, meanwhile males had higher numbers for head and body trauma. It's interesting the fact that all patients with fractures of the forearm were males.

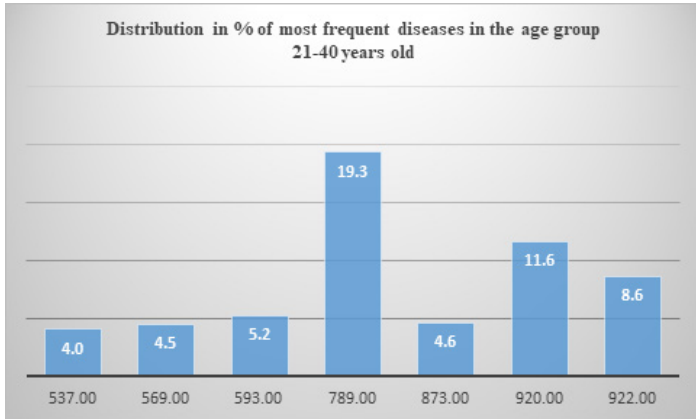
*Age group 21-40 years old*

Table 3

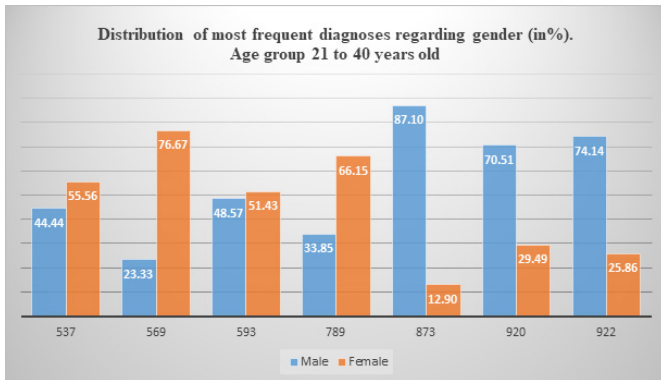
AGE GROUP 21-40 YO				
Code ICD9	Frequency	Percent	Valid Percent	Cumulative Percent
537.00	27	4.0	4.0	13.4
569.00	30	4.5	4.5	22.0
593.00	35	5.2	5.2	30.8
789.00	130	19.3	19.3	55.2
873.00	31	4.6	4.6	69.8
920.00	78	11.6	11.6	86.6
922.00	58	8.6	8.6	95.2
Total	672	100.0	100.0	

For this age group, the following diagnoses account for 57.9% of its sample. The most frequent diagnoses were: undetermined abdominal pain in 19.3% of patients; head trauma in 11.6% of patients; body contusion in 8.6% of patients; suspected disease originating from kidneys and ureters happened in 5.2% of patients; open wounds of the head happened in 4.6% of patients; abdominal pain suspected originating from

intestine happened in 4.5% of patients; suspected disease of stomach and duodenum happened in 4% of patients.



Graphic 6



Graphic 7

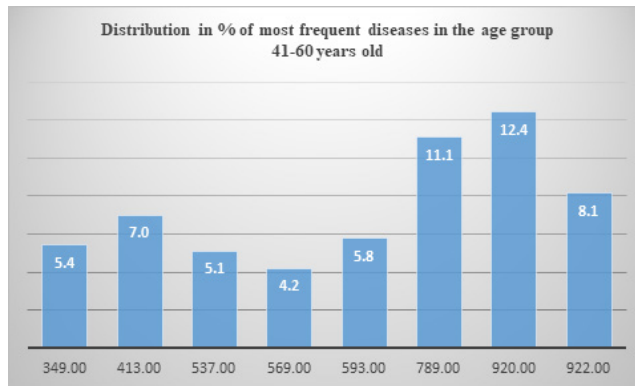
As we can see in graphic 7, females had higher numbers of digestive and urinary tract diseases, meanwhile, males had higher numbers of head and body trauma.

*Age group 41-60 years old*

Table 4

AGE GROUP 41-60 YO				
CODE ICD9	Frequency	Percent	Valid Percent	Cumulative Percent
349.00	48	5.4	5.4	7.2
413.00	62	7.0	7.0	15.3
537.00	45	5.1	5.1	23.7

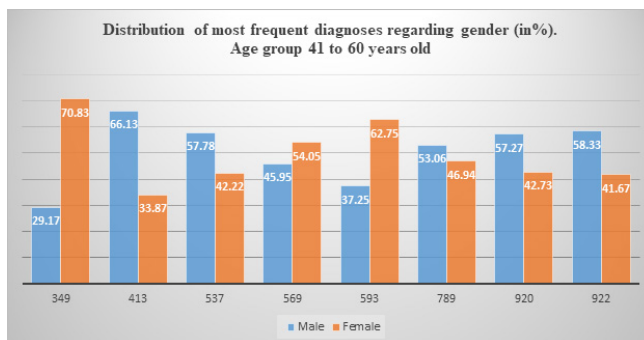
	569.00	37	4.2	4.2	30.5
	593.00	51	5.8	5.8	40.9
	789.00	98	11.1	11.1	58.8
	920.00	110	12.4	12.5	89.7
	922.00	72	8.1	8.2	97.8
	Total	881	99.7	100.0	
Missing	System	3	.3		
Total		884	100.0		



Graphic 8

For this age group, the following diagnoses account for 59.4% of its sample. The most frequent diagnoses were: head trauma in 12.4% of patients; undetermined abdominal pain in 11.1% of patients; body contusion in 8.1% of patients; angina pectoris in 7% of patients; suspected disease originating from kidneys and ureters happened in 5.8% of patients; unspecified headache happened in 5.4% of patients; suspected disease of stomach and duodenum happened in 5.1% of patients; abdominal pain suspected originating from intestine happened in 4.2% of patients.

Graphic 9



As we can see in graphic 9, females had higher numbers for headaches (more than



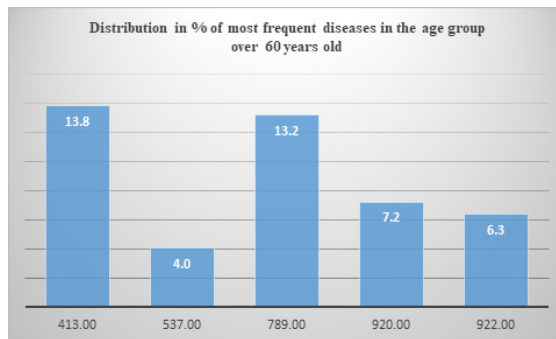
double the % of males having headaches), urinary tract, and intestinal diseases, meanwhile, males had higher numbers in head and body trauma, digestive tract diseases, and angina pectoris.

*Age group over 60 years old*

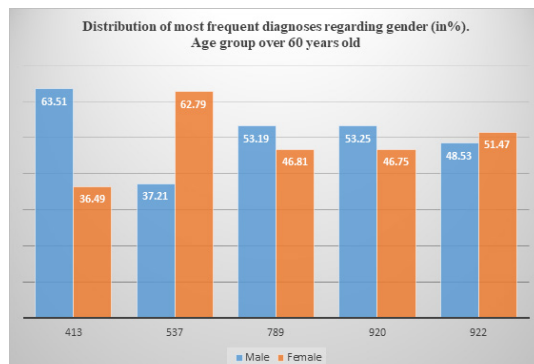
Table 5

CODE ICD9	Frequency	Percent	Valid Percent	Cumulative Percent
413.00	148	13.8	13.8	20.7
537.00	43	4.0	4.0	29.2
789.00	141	13.2	13.2	62.4
920.00	77	7.2	7.2	91.7
922.00	68	6.3	6.3	98.1
Total	1072	100.0	100.0	

For this age group, the following diagnoses account for 44.5% of its sample The most frequent diagnoses were: angina pectoris happened in 13.8% of patients; undetermined abdominal pain happened in 13.2% of patients; head trauma happened in 7.2% of patients; body contusion happened in 6.3% of patients; suspected disease of stomach and duodenum happened in 4% of patients.



Graphic 10



Graphic 11

As we can see in graphic 11, females had higher numbers in upper digestive tract diseases and slightly higher numbers in body trauma, meanwhile, males had higher numbers in angina pectoris, head trauma, and acute abdominal pain.

### **Conclusions and discussion**

As a result of this study, the most probable patient that comes for medical help in the Emergency Department is over 40 years old and there is a small difference regarding gender, slightly higher for males. The five most frequent diagnoses/symptoms of patients visiting the emergency ward during our study were acute abdominal pain, head trauma, body trauma, angina pectoris, and upper digestive tract symptoms.

The age group Up to 20 years old was most frequently presented with acute abdominal pain, head trauma and abdominal pain suspected to be caused by the intestine, which is due to this age group's diet, sports activities, and outdoor games as well as from high incidence of digestive tract's viral infections. Regarding their gender, 49.7% of them were females and 50.3% were males. We must point out the fact that pediatric emergencies (infants and toddlers) go to the Pediatric Ward, not the Emergency Ward, therefore they are not included in this study.

The age group 21-40 years old was most frequently presented with acute abdominal pain, head trauma, and body contusion which is due to changes in their social life including becoming new drivers. Regarding their gender, 47.3% of them were females and 52.7% were males.

The age group 41-60 years old was most frequently presented with head trauma, acute abdominal pain, and body contusions which is due to this age group's high usage of cars and motorbikes, trauma exposure at work and lifestyle. Regarding their gender, 47.61% of them were females and 52.39% were males.

The age group over 60 years old was most frequently presented with angina pectoris, acute abdominal pain, and head trauma which is due to cardiovascular diseases, digestive tract diseases, and trauma exposure outdoors or at home. As expected, this age group had the widest variety of diagnoses. Regarding their gender, 45.7% of them were females and 54.3% were males.

A few diagnoses/symptoms are present, between the most frequent ones, in all the age groups. These are head and body trauma, undetermined acute abdominal pain, and suspected disease of the stomach and duodenum.

Angina pectoris appeared to be one the most frequent diagnosis in people over 40 years old, male patients were almost double the percentage of females.

Headache was one of the most frequent symptoms in the age group 41-60 years old, female patients were more than double the percentage of males.

Fracture of the forearm (radius and ulna) appeared as one the most frequent diagnoses in the age group 'up to 20 years old' and 100% of them were males.

These conclusions might be useful to medical staff to keep updated their professional skills regarding the most frequent diagnoses in ED, and to hospitals' managers to better distribute and organize human resources and materials.

# The impact of criminal law in the protection and development of tourism in Albania

**Jola Bode (Xhafo)**

*Faculty of Law, University of Tirana  
Criminal Law Department*

## Abstract

Tourism is a very important activity with a crucial role in the economic development in Albania. After the fall of the communist regime and the democratic developments, tourism was considered a key priority. During this period, several provisions attempted to adapt the criminal legislation to the new developments. Currently, with the new Criminal Code new provisions have been sanctioned and other provisions formulations have been improved in terms of their content and detail.

Since 1995, the criminal provisions dealing with tourism have not been suitable to the new reality of tourism development and new changes were necessary. The aim of this article is to present some issues regarding the criminal legislation, as defined in the Criminal Code, dealing with the protection and development of tourism and the issues related with their implementation. This article will focus mainly on:

\* Criminal legal reform after the democratic developments focusing on the criminal code provisions, as well as laws regulating the protection and development of tourism;

\* Analysing legal provisions of the Albanian Criminal Code related to criminal activity in the field of tourism;

Issues related to practical implementation of the above-mentioned legal provisions;

\* The relevant suggestions in improving measures and mechanisms that protect tourism resources in Albania.

**Keywords:** Criminal Code, legislation reform, criminal offenses, tourism development, provision

## Introduction

Tourism is one of the most important sectors for the development of our country's economy. The data prove that tourism is one of the sectors that bring more income to the state budget, the business and family budget, as well as the sector that has the highest employment potential<sup>1</sup>. Albania is one of the few countries that, due to its favorable geographic position, offers both coastal and mountain tourism. Albania offers a variety form of tourism such as coastal, mountain, natural, thematic, cultural, historical, etc.

Historic archeological sites such as Butrint, Apollonia, or cities like Berat, Gjirokastra, Kruja, etc. make tourism in Albania even more attractive, acquiring the interest of foreign tourists. Albania hosts tourists not only from neighboring countries, but also from other European countries and beyond.

Statistical data show that the year 2023 is the best historical year in the development of

<sup>1</sup> Decision No. 413, dated 19.6.2019 "For the approval of the National Strategy for the Sustainable Development of Tourism 2019-2023 and the Action Plan", pg. 1.

tourism in Albania. In 2023, tourism has not only reached record numbers of foreign tourists who have entered the Albanian territory, but tourism revenues have doubled compared to 2022<sup>2</sup>.

Statistical data of the Ministry of Tourism, Culture, Youth and Sports indicate that in the period January-August 2023, Albania was visited by 7,190,410 tourists or 27% more than in the same period of 2022. Only in June in Albania have nearly entered 1.8 million foreigners, that is more than half of the country's resident population<sup>3</sup>. In August 2023, Albania was visited by 2,022,754 foreign citizens. This figure results in an increase of 18.3 compared to the same year of 2022<sup>4</sup>.

The tourism industry is a strategic sector, as it has a major impact on economic development in both monetary and employment terms. It is considered as one of the main sources of income for our economy. The monetary values derived from tourism exceed the income from exports and the income from indirect investments. Thus, tourism is an important source of economic growth<sup>5</sup>.

On the other hand, one of the challenges that accompanies the development of tourism is the informality in tourist activity<sup>6</sup>.

Illegal activities and informality have been a disturbing phenomenon in tourism development. Illegal activities have appeared in several forms such as illegal constructions, environmental pollution, damage to coastal areas and several other phenomena that directly or indirectly affect the development of tourism. The significant potential of tourism in Albania imposes the need to create a complete legal framework which, on the one hand, supports and encourages the tourism sector, on the other hand, guarantees the development of this activity in accordance with the principle of legality.

Considered also one of the top priorities of the government, there have been also undertaken several legal steps that directly affect the development of tourism<sup>7</sup>. Although not with a direct impact, criminal law plays an important role in this respect. Its main source is the Criminal Code which by punishing certain violations influences the protection of those elements considered crucial for tourism developing such as environmental protection, art and cultures etc.

## 1. The historical framework of criminal offences related to tourism

Regarding the historical background, an important moment was the entry into force of the Criminal Code of King Zog in 1927, with document no. 83-1 dated 28.05.1927 of the Presidency of the Senate. This code represented a step forward in the legal field and in the state-building processes. The provisions of this code had a very detailed treatment and were characterized by a rather harsh system of sanctions.

Nonetheless, in this code we do not find a proper legal treatment for offenses related to tourism. This is so, because tourism did not constitute a priority for the government,

<sup>2</sup> *Business Magazine Albania*, 31/08/2023, pg. 1, (<https://businessmag.al/>).

<sup>3</sup> *Monitor Magazine*, 8 December 2023, pg. 1 ([www.Monitor.al](http://www.Monitor.al)).

<sup>4</sup> Ministry of Tourism and Environment, *Tourism Statistical Bulletin*, September 2023, pg. 3, (<https://turizmi.gov.al/statistika-e-turizmit-2023/>).

<sup>5</sup> See, [wikipedia.org/tourism in Albania](https://wikipedia.org/tourism%20in%20Albania).

<sup>6</sup> *National Strategy for the Sustainable Development of Tourism 2019-2023*, e cited, pg. 11.

<sup>7</sup> Law no. 93/2015 "On tourism", *National Strategy for the Sustainable Development of Tourism 2019-2023*, etc.

considering the period and the historical circumstances. This characteristic will continue also during the dictatorship and will be reflected in the criminal law.

In the Criminal Code of King Zog, criminal offenses in the tourism field were not provided in any specific chapter. From a juridical analysis of this Code, we may bring evidence of some provisions that, although have a general nature, also guarantee the protection of the cultural heritage as well as the natural recourses.

More specifically, in Chapter X, in the context of crimes against property, the theft offense has received a detailed formulation. This offense was punishable with imprisonment from one month up to three years. Article 447 provided for a category of things that constituted the object of the theft offense and that received special protection. In such a case the penalty is harsher. The category of objects listed in this article included also goods intended to be used for public benefit<sup>8</sup>. Furthermore, in a separate section, was provided criminal legal protection for trees and forests<sup>9</sup>.

With the same logic was formulated also the disposition providing for criminal offenses of damage to the property<sup>10</sup>. Even in this case, tougher sanctions were envisaged if the offense was committed against public buildings or intended for public usage and public monuments.

After the liberation of the country, in Albania was established a new form of regime based on the communist ideology. The new Criminal Code of 1952<sup>11</sup>, was characterized by severity and ideologization that inspired the entire state system. The system directed the development of the economy which, including tourism, was all in the hands of the government.

Consequently, tourism was limited only in the form of domestic tourism and the number of foreigners who visited Albania was almost insignificant. This limited character, was also reflected in the Criminal Code provisions, particularly in the Criminal Code of 1977 where the ideological spirit became harsher<sup>12</sup>.

In the framework of this ideological spirit, the Criminal Code provides for special protection of the socialist property and socialist system. Thus, dispositions in the field of tourism were missing, except for certain provisions that may affect the protection of touristic activities, such as the one that providing for the intentional destruction or damage of socialist property<sup>13</sup>, destruction or willful damage to the means of communication, etc<sup>14</sup>.

## **2. The new Criminal Code provisions and the impact in the development of tourism activities**

The adoption of the new Criminal Code in 1995 was a major step in the framework of the legal changes<sup>15</sup>. Compliant with the democratic principles, the code constituted a new era in the treatment of criminal offenses. Just as in the previous codes, in the

<sup>8</sup> *King Zog Criminal Code*, article 447(1).

<sup>9</sup> *Idem*, paragraph 7.

<sup>10</sup> *Idem*, article 472.

<sup>11</sup> Approved by law no. 470, date 23.05.1952.

<sup>12</sup> Approved by law no. 5591, date 15.06.

<sup>13</sup> *Criminal Code 1977*, Article 67.

<sup>14</sup> *Idem*, article 78.

<sup>15</sup> Approved by law no 7895 date 27.01.1995.

new Criminal Code offenses in the tourism field have not been provided in a separate chapter.

Nonetheless, from an analysis of the Criminal Code, we find some provisions who predicted prohibited acts or omissions affecting tourism related activities. With the subsequent amendments, the Criminal Code was enriched also with provisions against illegal activities involving the tourism sector. For example, the new Criminal Code includes provisions that criminalize trafficking of works of art and culture, which were not foreseen in the past. Below we will give a detailed analysis of these provisions.

In the third chapter of the Criminal Code, in the framework of offenses against property, robbery of works of art and culture is provided as a criminal offense, punishable by fine or imprisonment up to five years<sup>16</sup>. If the works of art and culture have national importance, it is provided imprisonment from five to ten years.

By law no. 8733 dated 24.01.2001, "trafficking" was added as a new form of illegal activity. Among the various forms of trafficking was included the trafficking of works of art and culture<sup>17</sup>. Being a new form of crime that has emerged as a phenomenon after the fall of the dictatorship, the legislator has defined it as:

*"The import, export, transit and trade in violation to the law on works of art and culture with the purpose to profit or receive any other benefit"*<sup>18</sup>

This activity is punishable with imprisonment from three to ten years. If this illegal act is carried out in collaboration with others, or is carried out more than once, or brings serious consequences, it is punished with imprisonment from five to fifteen years.

This new provision emerged as a necessity to fight trafficking abroad works of art and culture with the purpose of material earning which became particularly worrisome and brought serious consequences in terms of protecting our cultural heritage. If importing, exporting or transiting cultural and national values is carried out in violation to customs provisions in this area, it is considered as smuggling, for which the legislator has provided for imprisonment punishment up to ten years<sup>19</sup>. In this case the aim is to avoid customs control of goods and payment of customs duties which in practice may occur in ways such as falsification of documents, concealing the nature of the goods etc.

Another provision that serves the protection of cultural objects is the one, which provides for the destruction or intentional damage of cultural objects<sup>20</sup>. This provision aims to protect monuments, and other objects of cultural value from illegal actions that cause their total destruction or damage. This activity is punishable by fine or imprisonment up to 3 years. When the criminal offense is related with the destroy or damage of cultural objects of national importance, the punishment sanctioned ranges from a fine to imprisonment from two to eight years.

The environment is one of the major components that directly affects tourism development. Taking into consideration the importance of protecting the environment, criminal offenses against the environment are envisaged in a separate chapter, that is

<sup>16</sup> *Criminal Code 1995*, article 138.

<sup>17</sup> *Idem*, article 138/a.

<sup>18</sup> *Idem*, article 141/a.

<sup>19</sup> *Idem*, article 176.

<sup>20</sup> *Idem*, article 160.



chapter IV of the Criminal Code.

This chapter envisages as criminal offenses, all illegal acts threatening the ecological equilibrium, thus, directly hindering tourism development such as air pollution, water pollution and illegal cutting of forests. The regulations provided for in this chapter enable the criminal-legal protection of nature, the environment and natural resources.

Article 201 of the Criminal Code sanctions a criminal offense the air pollution through emission of ionizing radiation and other toxic radioactive substances beyond the legal norms. These illegal activities are punishable by fine or imprisonment up to three years.

The same activity, when it is carried out in areas specially protected by law, such as areas with environmental, cultural, artistic, historical, or archaeological values, or when it has caused or is likely to cause serious damage to the ecosystem, biodiversity, flora or fauna, is punished by imprisonment from one to five years<sup>21</sup>. In cases where the consequences are severe, the punishment measures go up to fifteen years of imprisonment<sup>22</sup>.

Very important legal changes were made in 2019 in chapter IV<sup>23</sup>. Through these changes, the content of the exciting provisions was expanded and new provisions such as article 201/a, article 201/b, 201/c and article 201/ç were added. Through these provisions, the quality of air, land and water, as well as animals and plants are protected from the adverse activity related to the management and transportation of waste and nuclear materials and dangerous radioactive substances.

Another provision added with the legal changes of 2019 is the one that aims to protect habitats in protected environmental areas. Through this provision, are punished all actions that violate the requirements of the legislation in force for protected areas and that cause severe deterioration of a habitat located within an environmental protected area. These illegal actions are punishable by a fine or imprisonment of up to five years<sup>24</sup>.

Every human being has the right to a clean and ecologically acceptable and healthy environment, as a condition for a healthy life, which results from the individual or collective obligation to protect the environment. Although the regulation provisions do not refer directly to the protection of tourism, in a country like Albania where tourism plays a primary role in the country's economy, ecological pollution is a key element in the development of tourism.

The connection between tourism and the need to protect the environment is expressly provided for in other regular acts, one of which is the Code of Ethics for the Maritime Tourism Operator<sup>25</sup>. This code is applied by marine tourism operators who develop marine tourism activities, as well as far as possible by other enterprises that interact with them, tourists and/or visitors<sup>26</sup>.

The purpose of the Code is the sustainable development of tourism in accordance with

<sup>21</sup> Criminal Code, article 201/2.

<sup>22</sup> Idem, article 201/5.

<sup>23</sup> Law no. 44/2019, dated 18.7.2019.

<sup>24</sup> Criminal Code, article 202/b.

<sup>25</sup> Order No. 344, dated 31.12.2020 "For the approval of the Code of Ethics for Maritime Tourism Operator and the Self-Declaration format".

<sup>26</sup> Idem, article 2.

the preservation and protection of the environment, culture and heritage. It defines a series of rules for the tourist operators who carry out marine tourism activities to comply with the regulations provided by the legal framework in force regarding the protection of the environment, flora and fauna, protected areas as well as the cultural and historical heritage of the country.

A special attention is paid in the Criminal Code to the forest protection, considering as a criminal offense cutting or damaging the forest without permission or in prohibited time and places<sup>27</sup>. These illegal activities are punishable by a fine or imprisonment for up to one year.

In a separate provision, cutting decorative trees and damaging gardens and parks in cities is defined as a criminal offense, punishable by fine. This category of offenses serves to the safeguard of spaces that affect tourism development as forests, parks, gardens etc<sup>28</sup>.

In addition, several special laws deal with detailed aspects related to the administration and protection of the environment and natural assets, such as Law No. 10 431, dated 9.6.2011 "On the protection of the environment", amended, Law No. 162/2014 "On the protection of air quality in the environment", Law No. 27/2016 "On the management of chemicals"; Law No. 9587, dated 20.7.2006 "On the protection of biodiversity", amended, etc.

During the period 2014-2020, the Criminal Code underwent changes in accordance with the need to fight new phenomena of illegal activities that appeared in Albanian society. One of the most widespread phenomena after the 90s was the activity of illegal construction. To combat this phenomenon, one of the most important aspects of the changes was the tightening of the provisions of the Criminal Code for unauthorized construction.

With the amendments of the Criminal Code, illegal actions related to construction without permission or in violation of legal procedures were criminalized and defined as a criminal offense. These changes also had an impact on the fight against illegality in the tourism sector. With law no. 10 023, dated 27.11.2008, article 199/a entitled "Illegal construction" was added to the Criminal Code. This provision was placed in Section XI, which provides for criminal offenses that violate the legal regime of land and buildings. From the moment of its establishment in the criminal code, the provision has undergone a series of changes<sup>29</sup>.

The legislator has made a concise formulation of the provision since regulatory details related to administrative aspects in the field of construction are provided in a separate law.

The provision envisages incrimination for three main circumstances which fall into the category of illegal constructions:

- Construction carried out without a permit: which means construction is carried out without following any procedure for obtaining a permit from the competent authorities.
- Construction carried out in serious violation of the permit: i.e. carried out contrary

---

<sup>27</sup> *Criminal Code*, article 205.

<sup>28</sup> *Idem*, article 206.

<sup>29</sup> Amended by law no. 176/2014, dated 18.12.2014, law no. 146/2020, dated 17.12.2020.

to the provisions and criteria specified in the relevant permit.

➤ Construction carried out under the conditions of a revoked permit: that is, which has expired or has been revoked due to new legal changes or other reasons.

If the illegal construction is carried out on the land owned by the author, the provision foresees a penalty of up to one year in prison. This criminal offense, committed on public or state land, or on another's land, is punishable by imprisonment from one to five years. When the offense has brought serious consequences or was committed for the purpose of profit, it is punishable by imprisonment from three to eight years. From the content of the provision, it can be concluded that the amount of punishment undergoes a significant increase in the case when, among others, this offense is committed on public land or for the purpose of profit. In this way, it is possible to protect against illegal constructions, including constructions for tourism purposes such as hotels, etc., which do not guarantee compliance with the standards necessary for quality tourism.

In article 199/b, criminal liability also extends to individuals who, in the capacity of relevant functions such as designers, supervisors, implementers of works etc, have violated the rules that guarantee the completion of constructions in accordance with the law, as well as standards professional in force. In this case, the prescribed measure of punishment is imprisonment from one to five years.

When the criminal offense has serious consequences, it is punished with imprisonment from five to ten years<sup>30</sup>. When serious consequences have been caused to people's lives and health, it is punishable by imprisonment from five to fifteen years<sup>31</sup>.

These provisions also had an impact in the field of tourism by disciplining the construction of buildings with the purpose or destination of tourist activities. This serves not only the control of legality in the construction activity, but also the protection and good administration of the territory.

The legal analysis shows that the provisions of the Criminal Code regarding the field of tourism have undergone a series of changes enabling the protection of spaces, territory and tourist activities. However, improvements that reflect the legal problems of tourism development in Albania still need to be made. This consideration is valid not only in terms of wording, but also regarding the nature of the sanctions provided. In terms of wording, in all provisions would be necessary to envisage as circumstance the case, when these forms of illegal activity are committed in tourist areas or places that offer opportunities for the development of tourism. Any case it would be necessary a tougher system of sanctions.

In addition to the criminal legislation regulations, several other fiscal, legal and regulatory measures have been implemented to address informality and illegal activities that negatively affect the development of tourism in Albania.

Another step in this direction was the approval of Law No. 93/2015 "On Tourism". This law replaced Law No. 9734, dated 14.05.2007, addressing various issues raised by the business community and tourism sector experts. The Law on Tourism defines a series of priorities for the development and promotion of tourism in Albania. It is much more detailed in relation to the previous law, as regards the definitions, the

<sup>30</sup> *Criminal Code*, article 199/b/2.

<sup>31</sup> *Idem*, article 199/b/3.

obligations that are imposed on the entities that exercise responsibility in the field of tourism, as well as the competences of the institutions responsible for tourism. One of the positive elements of the law is the certification and licensing of entities in the field of tourism. The previous law did not provide for the licensing of entities that carried out tourist activities, which brought a low-quality and non-standard service, to the detriment of the consumer and at the same time significantly influencing the increase in informality<sup>32</sup>. This element was thought to have a significant impact on the fight against informality and the exercise of tourism activities contrary to legal regulations. The fight against information and illegal phenomena in the tourism sector remains a challenge. This element was thought to have a significant impact on the fight against informality and the exercise of tourism activities contrary to legal regulations. The fight against information and illegal phenomena in the tourism sector remains a challenge.

## Conclusions

The regulatory framework related to the development of tourism has undergone continuous changes in accordance with the dynamics and economic developments in Albania. In this context, the regulations of the Criminal Code that refer to criminal offenses are of particular importance. Regarding the historical background during the governance of King Zog, although the Criminal Code was qualitative and detailed, there were only a few provisions that provide protection and development of tourism. This is because, considering historical factors, the development of tourism at that time was very limited. Even during the dictatorship, because of ideology and the nature of the system, tourism did not represent a priority. This was reflected in the Criminal Code provisions that provided for the protection of tourism, that were few and had a lack of application in practice.

During democracy, tourism became a strategic sector of the economy. Statistical data over the years prove the importance of tourism in the economic, social and national development of the country. Considering its importance, special attention is being paid to its development. For this purpose, important legal steps and institutional measures have been taken to enable the development of sustainable tourism and to make tourism resources attractive and competitive in the region and beyond.

In the framework of the measures taken, an important role has been played by criminal legislation which criminalizes the illegal actions or omissions that affect the development of tourist activities.

The provisions of the Penal Code constitute an important basis for fighting criminal offenses in the field of the economic sphere, including activities of a touristic nature. Some of the most important components of tourism development are national cultural heritage and natural resources. In Criminal Code provisions, tougher sanctions are provided in all cases of violation of these components, including fines and imprisonment.

By penalizing illegal activities of damage, destruction, theft or trafficking of art and cultural works, the Criminal Code provides the safeguard of cultural heritage and national identity. Also, the provisions of this Code provide safeguard of natural

<sup>32</sup> Zerva, E, *Legal and institutional framework on tourism*, Albania Investment Council, (2018), pg. 4.

resources through sanctioning actions related to air and water pollution and forests destruction, as elements of nature and the environment.

Although the Criminal Code has been amended several times, the provisions relating to the protection of tourism need to be improved. These changes are necessary both in terms of improving the content of the existing provisions, as well as towards the roughness of sanctions. It will also be necessary to improve the Criminal Code with new provisions that provide infrastructure safeguards, especially in coastal areas or cities that enable cultural tourism.

In the framework of the initiative for the drafting of the new Penal Code, which is still in process, it is expected that there will be changes in the criminal offenses that refer to the economic sphere and the field of tourism. In this context, the drafting of changes needs to be preceded by a broad consultation process with all stakeholders from the private sector, civil society, the academic world as well as responsible public institutions.

The implementation of the legislation is expected to be more effective and should still give the right results in the fight against illegality and violations affecting the tourism sector in Albania. The activity of the competent bodies that implement the legislation does not yet address the scale of the needs to fight informality and the problems related to the development of tourism.

The responsible authorities of the public power, at the central and local level in the exercise of their legal responsibilities, must react more efficiently to prevent the totality of illegal actions that harm the development of tourism to enable the control and protection of tourism. Also, the bodies of the criminal justice system must be effective in cracking down on illegal phenomena and bringing criminal responsibility to any natural and legal person who does not respect the rules and criteria provided in the legislation in force regarding the exercise of tourism activities.

## References

- Elezi, I, Kaçupi, S, Haxhia, M, *“Commentary of the Criminal Code of the Republic of Albania”*.  
Zerva, E, Legal and institutional framework for tourism, Albania Investment Council, (2018).  
*The King Zog Criminal Code (1927)* adopted by the letter no. 83-1 date 28.05.1927 of the Presidency.  
*The Criminal Code of the Popular Republic of Albania (1952)*, approved by Law no. 1470, date 05.12.  
*The Criminal Code of the Popular Socialist Republic of Albania (1977)*, approved by Law no. 5591, date 15.06.  
*Constitution of Republic of Albania (1998)*, as amended.  
*The Criminal Code of the Republic of Albania (1995)*, approved by Law no. 7895, date 27.01.1995, as amended.  
Law no. 8733 date 24.01.2001 *“On some amendments to Law no. 7895, 27. 01. 1995, “Criminal Code of the Republic of Albania”* .  
Law no. no. 93/2015 *“On tourism”*, as amended.  
*National Strategy for the Sustainable Development of Tourism 2019-2023 and the Action Plan*, approved by decision no. No. 413, dated 19.6.2019.  
Law No. 9587, dated 20.7.2006 *“On the protection of biodiversity”* as amended.  
No. 9734, dated 14.05.2007 *“On tourism”*, abolished.  
Law No. 10 431, dated 9.6.2011 *“On the protection of the environment”* as amended.  
Law No. 162/2014 *“On the protection of air quality in the environment”* .

Law No. 27/2016 “*On the management of chemicals*”.

Order No. 344, dated 31.12.2020 “*For the approval of the Code of Ethics for Maritime Tourism Operator and the Self-Declaration format*”.

*Business Magazine Albania*, 31/08/2023, (<https://businessmag.al/>).

*Monitor Magazine*, 8 December 2023, ([www.Monitor.al](http://www.Monitor.al)).

Ministry of Tourism and Environment, *Tourism Statistical Bulletin*, September 2023, (<https://turizmi.gov.al/statistika-e-turizmit-2023/>).



# Low School Attachment and Academic Achievement as Indicators of Aggressive Behaviors of Adolescents

**Julinda Cilingiri**

*University of Durrës, "Aleksandër Moisiu", Albania*

## **Abstract**

For the last decades, in the context of dynamic social, demographic, and cultural transformations, Albanian youth, with their behaviors and choices, seem to question the traditional relationships and influences between family, school, and peers. Previous research has found that the social contexts where children live, socialize or study can significantly motivate their behaviors and attitudes. Still, they vary in discussing the level of these influences and how they interrelate with each other during adolescent development. The present study builds on the ecological approach of exploring the environmental roots of adolescent norm-breaking aggressive behaviors. It aims to investigate the nature and prevalence of a range of aggressive actions of adolescents in school settings and evaluate the effects of school-related risk factors on such behaviors.

A survey was conducted with 1300 students of secondary and high schools in three sites in central Albania. Adolescents from 13–17 years old in urban and rural neighborhoods reported the prevalence of aggressive behaviors they had been engaged in, their experiences, and perceptions about themselves, family, peers, school, and community. This article shares results concerning school influences, particularly school attachment and academic achievement. Univariate and bivariate analysis showed a high prevalence of aggressive behaviors between peers, significantly higher for boys and students from secondary schools in urban neighborhoods. Logistic regression analysis was used to build an explanatory model for the risk factors influencing adolescents' aggressive behaviors. Among the important risk factors, low attachment to school influences the increasing odds for students to engage in problem behaviors in school. The emotional disengagement from school that students are experiencing might indicate that it is failing to exert social control to model children's positive behaviors and provide a secure setting for them to socialize and educate in moral norms.

**Keywords:** adolescents, aggressive behaviors, school influences, risk factors, school attachment.

## **Introduction**

The study examined aggressive behaviors reported and connections between aggressiveness in school settings and factors associated with the school. The sample of Albanian teenage students was used for this research, and the results are presented in this publication.

In recent years, in Albania, we have seen the media reporting concerning statistics and scenarios of adolescents engaging in aggressive behaviors and actively causing harm to themselves, their peers, or others (Arqimandriti et al., 2018; Dhëmbo & Duci, 2021; Instituti i Shëndetit Publik, 2009, 2015; Ministria e Drejtësisë, 2021; Qirjako et al., 2014). Too often, educational institutions are the context in which such actions occur or are recorded, because they are an important reality in the everyday life of the majority of adolescents, where students engage in a variety of curricular and extracurricular activities, dynamic peer and adult interactions, intentions, predicted,

as well as spontaneous relations among all the actors involved. The family and the entire society, being highly sensitive to children's overall development, have high expectations of the school, as an educational and socializing-focused microsystem, to prioritize not only child wellbeing and child protection, but also to be more transparent, to communicate with the community, parents, and other stakeholders regularly (Ligji Nr.18/2017 "Për të drejtat dhe mbrojtjen e fëmijës", 2017; Standartet e shkollës si qendër komunitare, 2014; Ligji për arsimin parauniversitar në Republikën e Shqipërisë, Nr. 69/2012, 2012).

One of the most tangible as well as increasing challenges, teachers are facing in recent years, especially in high schools, are violent and aggressive actions of youth within school and for them to control and prevent such misbehaviors (Beaman et al., 2007; Dragoti & Ismaili, 2017; European Commission/EACEA/Eurydice, 2021; European Trade Union Committee for Education, 2008; Instituti i Shëndetit Publik, 2009; Koutrouba, 2013; Tahirovic, 2015).

Aggressive, violent behaviors that are externalized toward the environment or others are often classified under the broad term 'problem behaviors' of teenagers. Within the school setting, aggressive behavior of a student is defined as beginning and continuing the behavior in a school setting, with the intent and expectation of breaking the rules and norms, inflicting psychological and physical pain on a peer, a grown or younger person, or causing damage to private or public property (Baron & Richardson, 1994; Krahe, 2001). There is no single type of aggressive behavior; rather, there is a spectrum, sometimes illegal, that ranges from externalizing rage, trespassing on school grounds, verbal threatening and/or physically attacking peers, or object/property destruction. Typically, such acts endanger the right of school staff and children to a safe and calm learning environment by interfering with the processes of child socialization, constructive learning, and teaching (Farrington, 2004). It must have measurable qualities in order for educational professionals to identify and intervene: severity, duration, frequency, intensity, and continuity. According to the adolescent development approach, aggressive teenagers are more likely to engage in delinquent behavior and drug use (Kosterman et al., 2001; Olweus, 1997; Patterson et al., 1989).

Although researchers do not always agree on the causes and interventions for adolescent aggression, most studies point out that the frequency of norm/rule-breaking behaviors increases during the first years of adolescence (on average, the age peak is around 12-14 years old) and decreases later in high school (Calkins & Keane, 2009; Dhëmbo & Duci, 2021; Dragoti & Ismaili, 2017; Enzmann et al., 2010; Krohn et al., 2001; Snyder, 2001; Sweeten et al., 2013; Tolan & Thomas, 1995).

While discussing adolescents' violent behaviors in schools, we must focus on the influencing factors, referred to as 'risk factors' that increase the probability of teenagers engaging aggressively in this setting.

### **Risk factors approach**

According to Mrazek and Haggerty (1994), Hawkins et al. (1992), and Clayton (1992), this concept refers to individual or contextual characteristics, circumstances, or events

that may have existed for a specific amount of time during a child's development and that, when presented alone or in combination, increase the likelihood that the child will interact aggressively. The propensity for early onset age, frequency, continuity, and persistence is strengthened by risk variables (Farrington, 2007). They must exist prior to the behavior manifestation and have a strong link with the violent behavior in order to be referred to as "risk factors" (Kazdin et al., 1997).

According to the bioecological theory of child development, social environments (such as family, peers, and school) have a direct impact on a child's development, as does the interplay between these microsystems and larger networks (Bronfenbrenner, 1989). A thorough examination of the school microsystem reveals that it is made up of interconnected, hierarchical organizational levels, relationships, and culturally specific practices and beliefs. Hawkins and Weis (1985) contend in their theory of the social development of the adolescent that early experiences in the classroom, along with those in other contexts, have an impact on children's behavior patterns, peer relationships, communication between children and adults, and the emotional bond with the school. These experiences must specifically demonstrate the students' active participation, availability for social and educational events, and possibility to participate in the formulation of school policies and procedures. Adolescents need to believe in the traditional values that schools uphold, in the learned and practiced competencies, and in the significance and enjoyment of school experiences.

Risk factors associated to school include situations, occasions, people, and relationships that may have an impact on the social control the school exerts as well as the emotional connection that students may have with their teachers and the school environment. For the purpose of this article, I will focus on few school-related factors that influence aggression among adolescents.

## **Literature review**

In their meta-analysis, Lipsey and Derzon (1998) and Hawkins et al. (1998, 2000) examined several school-related indicators of adolescents' aggressive behaviors. They stress that low accomplishment and school failure, together with a lack of emotional connection to the school, persistent absences, and numerous school transitions, are all linked to violence and aggression in young people.

## **Academic poor performance**

Academic failure, school involvement, and performance are the most significant markers of influence, according to a number of cross-cultural studies examining teenage aggression and violence and the factors that drive it. Maguin and Loeber (1996) discovered in a large sample meta-analysis, that poor academic performance was strongly connected with the initiation, frequency, and seriousness of violent behaviors among adolescent students, in addition to other economic, demographic, and social characteristics. In a longitudinal survey of 411 males from ages 8 years old to 32 years old, Farrington (1989) found that school failure was among the most significant predictors of adolescent aggression at early ages (12 years old)

up to adulthood. Estévez et al. (2018) explored peer violence among teen students and found that violent behavior was associated with low academic engagement, a negative attitude toward school, and a perception of low teacher support. In a different cross-sectional study, Avci et al. (2016) discovered higher levels of hostility in male students, supporting earlier findings. Based on a nationally representative sample of 8<sup>th</sup>-grade students between the ages of 14 and 22, some American researchers concluded that academic success, a positive study attitude, and high self-confidence reduced the likelihood that adolescents would engage in violent behaviors, substance abuse, and delinquency (Bachman, et al., 2008).

### **Low school attachment**

School attachment, as the commitment, dedication, and motivation to attend and enjoy curricular and extracurricular activities and socialize within the school, with teachers and peers is considered an important factor in determining children's positive attitude toward education and learning, as well as performance, behaviors, and experiences (Hawkins et al., 1998). Those who scored higher on verbal and physical violent and hostile conduct also had considerably higher scores on school refusal in a Spanish study with a large sample of secondary school students (González et al., 2021). Teachers' style of communication and attitudes toward students have an important impact in how students feel about themselves and the school drives. Students' low commitment to school, lack of enthusiasm and effort in learning, and problem behaviors are all closely correlated with teachers' differing attitudes about particular pupils as well as their low expectations and beliefs. Confirming similar conclusions about students' aggressive behaviors, Maguin and Loeber (1996) discovered an age difference: youths between the ages of 14 and 16 showed a stronger link between low self-confidence and low school dedication than teens in earlier age groups.

The way that teachers and schools respond to teenagers' behaviors has a significant impact on students' self-esteem, understanding of the purpose of education, drive to learn, and sense of attachment to their school. According to several studies, when students exhibit aggressive behavior in the classroom, harsh sanctions, frequent suspensions, expulsion, and poor communication with the student and family, not only reduce the frequency of aggression, but also increase feelings of alienation, school rejection, rage, demotivation, and helplessness. These factors lead to students engaging in more serious violent and delinquent behaviors and joining peer deviant groups, which give them the sense of status membership and belonging that the school is unable to provide for them (McCord, 1997; Monahan et al., 2014; Shaikh et al., 2019). On the other hand, there is a clear correlation between a higher level of school emotional bond, reduced absenteeism, and higher self-control of aggressive actions, when teachers provide emotional and academic support as well as a friendly, safe classroom environment, particularly for adolescent students (Akman, 2021; Brewster & Bowen, 2004).

The school loses its social control effect in positive socialization and teaching values and morality if students miss school and classes consistently. This leaves the adolescent in a vulnerable position where he or she may identify with peers who

exhibit similar aggressive behaviors (Gardner & Steinberg, 2005; Hemphill, et al., 2009). In different geographical and period contexts, some studies revealed that frequent school absenteeism is related to a varied number of deviant behaviors of teen students, such as violence, bullying, and drug experimentation. They also found that 12-14 years old students and those who had dropped out of school before 15 years old correlated significantly with a higher level of reported aggression (Aqeel & Rehna, 2020; Farrington, 1989; Pengpid & Peltzer, 2019; Rocque et al., 2017). Even though most empirical research was conducted in high- or middle-income nations, a small number of studies conducted in low-income nations have confirmed the strong correlation between teenage violent behaviors and frequent absences from school (Acquah et al., 2014; Lee et al., 2007).

Research results on aggressive behaviors of adolescents are often contradictory, some studies have not found direct correlations between school problems and adolescents' aggression. They argue that such problems directly influence students' lack of interest in participating in meaningful and pro-social school-based activities, instead preferring to gather with highly controlling peer groups (Simons et al., 1991). The research to date indicates that students' feelings and attitudes about school and teachers and negative experiences in school more than students' abilities, can explain performance, and consequently increase the risk for aggressive and other deviant behaviors during adolescence (Mahmood & Iqbal, 2015; Soomro & Clabour, 2012).

Although a large body of research in Albania has examined the frequency and prevalence of risky behaviors during adolescence, assessment of the contributing variables to the explanation of problem behaviors of teenagers, such as violent actions or other deviant tendencies, has received little attention up until this point (Babameto et al., 2016; Dhëmbo & Duci, 2021; Dragoti & Ismaili, 2017; Instituti i Shëndetit Publik, 2009; Instituti i Shëndetit Publik, 2015; Instituti i Zhvillimit të Arsimit-ASCAP, 2020; Jetishi, 2018; Kruti & Melonashi, 2015; Zeqaj, 2017).

## **The aim of the study**

Therefore, by utilizing in-field data from a sizable sample of teen students, the current study aims to contribute to the research done on risky behaviors, notably, aggression among teenagers in Albanian schools. The purpose of the study is to characterize the dynamics and nature of aggressive behaviors in teenagers and to pinpoint the markers that point to the development of these behaviors. In this presentation, the main goal will be to examine the degree to which certain aspects of school affect the aggressive behaviors that teenagers exhibit in such context and to find out which aggressive actions teenagers describe most frequently.

## **Methodology**

### *Participants*

This is a cross-sectional survey conducted in schools, with a sample of 1300 students in grades 7–12 in 41 secondary and high schools spread over three major regions in central Albania. The students' ages ranged from 13 to 17 (Mean age  $\pm$  SD 15.1

± 1.4). More than half of the participants were girls (60%) and all students were present in school at the time of the survey. The school administrators and regional directories of education were informed about the goal of the study and the necessary procedure, and ethical consent was acquired from them. To investigate potential demographic differences, a geographically diversified sample comprising suburban, rural, and urban communities was chosen. The sample was drawn from a population of students of the same age group, in public secondary and high schools, according to the academic year statistics obtained from the study sites' regional educational directories.

Using a sample size calculator, a sample size of above 1270 participants was estimated to be necessary for performing bivariate analysis with a 95% confidence interval and a significance level of .05.

In order to explore for differences between ages and study sites, multistage sampling was used, by drawing five separate strata (for five ages) for each of the three study sites; the age strata were proportionally representative of the single age populations in all sites.

### *Materials*

Students responded to a youth risk survey, to be administered in school settings, adapted from the Communities that Care (CTC) version (Arthur et al., 2002; Hawkins et al., 2008). This instrument is constructed to describe the risk behaviors of adolescents and the overall student's health in school settings to plan and monitor prevention programs, policies, and practices in schools. The self-reporting methodology is often used with adolescent participants when estimating the frequency and nature of risky or deviant behaviors and attitudes, to provide a safe way of disclosing delicate realities and prevent hesitation or fear of social judgment (Kristjansson et al., 2013). The instrument is constructed based on the ecological approach and the social development theory to explore the etiology of adolescents' aggressive, antisocial behavior (Catalano & Hawkins, 1996). It allows us to make comparisons between ages, gender, and other socio-demographic characteristics.

Students reported their lifetime and past month's prevalence and frequency of substance use and frequency of five aggressive behaviors for the last year, and their perceptions and attitudes related to five domains: individual, family, peers, school, and neighborhood. 23 risk factors, on a Likert scale, compose these domains; 8 items explore the demographic profile of adolescents.

For this article, I will report the results related to the frequency of the measured aggressive behaviors and describe the risk factors related to the experiences and perceptions of the school and teachers.

Low school attachment was measured with 16 questions aiming to explore the level of commitment and engagement in school activities and procedures, for instance: "Thinking about this last year of school, how often did you enjoy being a student?" The internal consistency of the scale is .82, whereas academic achievement (for example "Are your grades higher than the majority of your class?"), focusing on measuring the self-perceived level of academic results and performance was assessed with five questions and the internal consistency is .75.



### *Procedure*

To increase the reliability of measures, the questionnaire items were translated, adapted into Albanian, and piloted to a group of students to avoid any linguistic or semantics misunderstanding. On the day of the survey, participants were informed of the purpose of the study and were asked to voluntarily respond to the questionnaire regarding their opinions and experiences. Students completed a paper and pen form, within a class hour, and the questionnaires were submitted in closed envelopes. No school personnel or other adults were present when students filled out the forms to avoid any disruptions or any influence on their answers.

### **Results**

One of the objectives of the research was to explore the frequency of the reported aggressive behaviors during the 12 months, such as “being suspended from school”, “carrying and taking weapons in school”, “attacking someone to hurt seriously”, “attacked or bullied a fellow student”, “been stopped or/and arrested for aggression”. The above behaviors that originally were constructed in an ordinal scale ranging from ‘never’ to ‘1-2 times’ and so on, up to 40 and more times’ resulted in asymmetrical distribution, therefore they were dichotomized from ‘0 – never been involved’ to ‘1 – has been involved at least once’. Dichotomizing the scales that represent behaviors, facilitates bivariate analysis between variables; it enables their easy identification and presentation of results and adds meaningful findings to the discussion (Farrington & Loeber, 2000).

First, the collected data were subjected to descriptive analysis. Next, to examine relationships between school risk factors and demographic data (gender, family structure, school location, type of neighborhood, and aggressive behaviors, a statistical test for comparison of independent groups was used. Because the measured variables resulted in a non-normal pattern ( $p \leq 0.05$ ), nonparametric tests for independent groups, Kruskal-Wallis H (for exploring behavior differences comparing between ages) and Mann-Whitney U (for comparison between two independent groups) were used (Singh, 2007).

The percentage of students who indicated that they have engaged in at least once of the specified behaviors is shown in Table 1. The data shows that while being stopped or arrested by the police was the least common reported occurrence (3.6%), bullying at school was recorded with the highest frequency (19.5%). When comparing the frequency of the activities to gender, boys reported engaging in all measured behaviors substantially more frequently than girls ( $p \leq 0.001$ ). Most of the behaviors peaked at the youngest age group of the samples, it was higher among 13-14-year-olds and decreased in a non-regular pattern among older students. No significant differences between ages and the frequency of behaviors were noticed. Adolescents enrolled in suburban and urban schools reported considerably higher frequency of the measured behaviors ( $p < 0.001$ ).

**Table 1***Frequency of the Aggressive Behaviors During the Last Year (Least Once)*

Aggressive behaviors	Frequency	Gender <sup>***</sup> (boys)
School suspension	13.1	8.46
Carrying and taking weapons in school	8.7	6.1
Attacking someone intentionally	11.7	7.5
Bullying fellow students	19.5	10.8
Getting stopped or/and arrested for aggression	3.6	2.9

<sup>\*\*\*</sup>  $p < 0.001$  for comparing gender differences in aggressive behaviors' frequency.

### School risk factors profile

The other objective of this ecological approach study was to assess the level of impact of the two risk factors scales related to school, 'School Attachment' and 'Academic Achievement', over the aggressive behaviors of adolescents. To perform further bivariate and multivariate analysis between the risk factors and the aggressive behaviors, all the risk factors were dichotomized into 'low risk' and 'high risk' to differentiate between the level of exposure of the corresponding factor. A cutting point value was calculated for each age and risk factor (Arthur et al., 2007; Hays, 1994). Values higher than the cutting point were recoded as 'high risk', whereas values below as 'low risk'. This dichotomization classified adolescents of each age and risk factor scale according to the level of risk exposed.

The percentage of students who resulted with a high risk of exposure was 44% for 'school attachment' and 36% for 'academic achievement', below the normative average of 50% average in a scale of 0-100% (Hawkins et al., 2008).

Gender (not age and other demographic variables) emerged as a significant indicator in a further analysis comparing the level of the risk factors between demographic groups; boys were significantly exposed to a higher level of 'school attachment' ( $p @ 0.001$ ), but there were no gender differences for 'academic achievement'.

The two risk variables of the school domain were analyzed for significance using logistic regression, and the relationship between the predictor risk scales and the aggressive behaviors of teenagers was evaluated. Table 2 presents the reduced predicting factors model. The independent variables that had no statistical importance were excluded, such as 'academic achievement' and others from the measured risk domains.

Within a 10% confidence interval, all of the risk factor coefficients in the simplified logit model have statistical significance. A statistically significant logistic regression model was found:  $X^2(14, N = 1300) = 350.80, p < 0.0000$ .

It was found that, when all other predictor risk factors are held constant, there is a 7.1% (95% CI [.040 – .757]) increase in the likelihood of adolescents engaging in

aggressive behaviors in school settings for every unit increase in “school attachment”.

**Table 2**

*Logistic Regression Model of Predictors of Aggressive Behaviors of Adolescents*

Logistic Regression cases observed = 1300	Number of				
(14) = 350.80	LR chi2				
0.0000	$p > \chi^2 <$				
<b>Log likelihood = -703.03398</b> = 0.1997	Pseudo R2				
Risk factors	Odds Ratio	SE	z <sup>a</sup>	$p >  z $	95% Confidence Interval
<b>Socio-demographic factors</b>					
Age	0.827	0.041	-3.84	0.000	0.751 – 0.911
Gender	2.535	0.350	6.73	0.000	1.933 – 3.324
<b>Individual and peer risk factors</b>					
Early onset age of drug use and problem behaviors	2.815	0.380	7.67	0.000	2.161 – 3.668
Rebelliousness	1.698	0.232	3.88	0.000	1.300 – 2.219
Favorable attitudes toward problem behaviors	1.644	0.233	3.46	0.001	1.241 – 2.179
Friends’ problem behavior history	1.329	0.190	1.98	0.047	1.003 – 1.758
Friends’ use of drugs	1.631	0.236	3.38	0.001	1.2278 – 2.166
<b>Family risk factors</b>					
Family history of problem behavior	1.418	0.191	2.59	0.010	1.089 – 1.847
Family conflicts	1.300	0.182	1.88	0.061	0.988 – 1.709

Poor family supervision	0.753	0.105	-2.04	0.041	0.574 – 0.989
<b>School risk factors</b>					
Lack of commitment to school	1.351	0.181	2.25	0.024	1.040 – 1.757
<b>Neighborhood risk factors</b>					
High mobility and transitions	1.305	0.179	1.94	0.053	0.997 – 1.708
Constant	1.6045	1.161	0.65	0.513	0.389 – 6.623

## Discussion

The study aimed to determine how frequently adolescents reported engaging in aggressive conduct in school during the previous 12 months. Descriptive analysis was used to process the data, and statistical tests were used to compare the results between separate groups. The results indicate that bullying at school was the most often reported behavior, and boys were much more likely than girls to engage in all measured behaviors. Regarding the impact of the two school-related risk variables and the violent behaviors of teenagers, “school attachment” was demonstrated to be very important, but “academic achievement” was not.

The analysis supports previous research that among teenagers, aggression increases, containing more physical traits, involving knives and weapons, causing serious harm to peers or trespassing authority and school rules (Acquah et al., 2014; Miller et al., 2020). Most of the behaviors reported by Albanian adolescents are committed in groups, demonstrating that relationships with peers have a powerful impact on adolescents’ aggressive behaviors (Avci et al., 2016; Dragoti & Ismaili, 2017; Lopez & Emmer, 2002). Adolescents’ aggression seems to be significantly influenced by peer interactions (Farrell et al., 2017; Gardner & Steinberg, 2005). Acting aggressively can be a strategy for achieving popularity or high social standing among peers by displaying authority or dominance. In addition to being a socially shaped behavior learnt from groups whose peers exhibit similar behaviors, aggressive behavior can also be the product of peer pressure stemming from a fear of social rejection or isolation.

Another promising finding was that there are age and gender differences in explaining aggressive behavior among adolescents. Boys report aggressive behaviors more frequently, and younger adolescents are more likely to act aggressively in school. Boys were notably more exposed to greater levels of ‘low school connection’, although there were no gender differences in the ‘academic achievement’ scale. This is a worrying result, considering that data from previous research have found that children and adolescents who are aggressive toward peers have three times the risk of being reprimanded and suspended by school staff, 15 times the likelihood of keeping

knives or using drugs, and five times more risk of associating with aggressive peers in groups (Loeber et al., 2008; Olweus, 1997).

The results that concentrated on the relationship between aggressive behaviors and risk variables associated with school align with social control theories, that view the school as an immediate social system that shapes children's attitudes and actions (Hirschi, 1969). In addition to driving teenagers toward peer groups with similar behavioral trends, schools that, like families and peers' contexts, offer few and unfavorable connections and experiences, mitigate the family shared responsibility of school in shaping behaviors and ensuring maturation into social norms and standards.

### **Limitations**

The present study presents a number of limitations to be considered. Most important, the study did not explore the influence of culture and economy on the behaviors of the adolescents. It is possible, therefore, that school risk factors take on a different significance because adolescents from diverse social and cultural backgrounds are more vulnerable to peer pressure, the incapacity of the family to provide adequate parental supervision, and the instability of social cohesion within the community as a result of culture, mentality, and social challenges.

Another limitation lies in the sample selection bias. The study sample does not represent all the adolescents, as it is delineated within 13–17-year-olds, leaving out younger and older adolescents, who if included, might provide a variety of unique results and aid in the investigation of further differences or relationships between a wider range of age groups, aggressive behaviors, and school risk factors. On the other hand, this is a school-based study; with the focus to explore the perceptions and experiences of the school teens population. Therefore, it excluded a large group of adolescents who did not attend school but who may still have contributed to the study questions and produced a range of possible outcomes.

Next, the study's findings should be carefully considered, because, despite being age-stratified proportionately, the sample was rather small and not typical of all of Albanian regions.

Finally, as a cross-sectional study, it collects the experiences and opinions of teenage students on a one-time basis. Longitudinal research would be a better strategy to have a developmental view of the risk variables' influence on the behavior of teenagers and the level of risk for each age.

### **Implications and recommendations for future research**

The findings confirm that it was a wise decision to investigate risk indicators of aggressive behaviors among adolescent's students through an ecological approach, as it offered a demographic trend, a comprehensive understanding of the type and frequency of the behaviors, and a careful examination of the effects of school-related factors in the likelihood of teens' aggressiveness.

The findings add to our understanding of social and environmental determinants of

adolescents' aggression in Albanian schools. Therefore, a practical implication of the research, is that the present findings can be used as a recommendation for schools, especially throughout basic education and in urban schools and neighborhoods, to adopt a preventive anti-aggression policy approach to foster school connectedness, by establishing positive norms, providing clear expectations for prosocial behavior and consequences, a range of meaningful and real-life activities to ensure socialization, and foster physical and psychological safety for all students.

Further, findings highly encourage the need for planning and using research-grounded intervening and preventive practices and strategies, focusing on elementary and secondary school, to identify early the tendencies and the nature of violent behaviors. Therefore, the students and teachers can get continuous attention and training to interact positively, build self-regulation and conflict-resolution skills through communication, and create safe mechanisms for reporting and intervening in bullying cases.

Future research should concentrate on adapting the risk factor assessment approach in developing violent behaviors in diverse adolescent populations, demographically, culturally, and from different social and educational contexts.

In the present study adolescents reported their experiences, attitudes, and opinions. We would greatly benefit from teachers' and parents' perspectives to have a clearer view of adolescents' nature of aggressive behaviors and the factors that explain them, especially exploring methods of adult intervention and prevention.

## References

- Parlamenti Shqiptar. (2012). Ligji për arsimin parauniversitar në Republikën e Shqipërisë, Nr. 69/2012.
- Acquah, E., Lloyd, J., Davis, L., & Wilson, M. (2014). Adolescent Physical Fighting in Ghana, Their Demographic and Social Characteristics. *Social Sciences*, 3, 227–241. doi:10.3390/socsci3020227
- Akman, Y. (2021). The Relationship between School Climate and Students' Aggressive Behaviors. *International Journal of Progressive Education*, 17(2), 430-448. doi:10.29329/ijpe.2021.332.26
- Aqeel, M., & Rehna, T. (2020). Association among school refusal behavior, self-esteem, parental school involvement and aggression in punctual and truant school-going adolescents: a multilevel analysis. *International Journal of Human Rights in Health Care*, 13(5), 385-404. doi:10.1108/IJHRH-06-2020-0041
- Arqimandriti, M., Lena, O., Uka, A., & Kapllanaj, M. (2018). *Dhuna në marrëdhëniet intime në adoleshencë në Shqipëri*. Rrjeti i Fuqizimit të Gruas në Shqipëri - AWEN.
- Arthur, M. W., Briney, J. S., Hawkins, J. D., Abbott, R. D., Brooke-Weiss, B. L., & Catalano, R. F. (2007). Measuring Risk and Protection in Communities using the Communities That Care Youth Survey. *Evaluation and Program Planning*, 30(2), 197–211. <http://gen.lib.rus.ec/scimag/get.php?doi=10.1016%2Fj.evalprogplan.2007.01.009>
- Arthur, M. W., Hawkins, J. D., Pollard, J. A., Catalano, R. F., & Baglioni Jr., A. (2002). Measuring risk and protective factors for substance use, delinquency, and other adolescent problem behaviors: The communities that care youth survey. *Evaluation Review*, 26(6), 575-601. doi:10.1177/019384102237850
- Avci, D., Kilic, M., Selçuk, K., & Uzunçakmak, T. (2016). Levels of Aggression among Turkish Adolescents and Factors Leading to Aggression. *Issues in Mental Health Nursing*, 37(7), 1-9. doi:10.3109/01612840.2016.1155680



- Babameto, A., Kraja, B., Prifti, S., & Resuli, B. (2016). Alcohol use among adolescents and young adults in Albania. *Albanian Medical Journal* 2016;3:21-6., 3, 21-26. [https://www.ishp.gov.al/wp-content/uploads/2018/10/Adriana\\_Babameto\\_Bledar\\_Kraja\\_Skerdi\\_Prifti\\_Bashkim\\_Resuli.pdf](https://www.ishp.gov.al/wp-content/uploads/2018/10/Adriana_Babameto_Bledar_Kraja_Skerdi_Prifti_Bashkim_Resuli.pdf)
- Bachman, G. G., O'Malley, P. M., Schulenberg, J. E., Johnston, L. D., Freedman-Doan, P., & Messersmith, E. E. (2008). *The education drug use connection. How successes and failures in school relate to adolescent smoking, drinking, drug use and delinquency*. Institute for Social Research, University of Michigan. Taylor & Francis Group. Retrieved from [http://dx.bookzz.org/genesis/448000/f5c3de114c4c8d99f395e15645850f19/\\_as/\[Jerald\\_G.\\_Bachman,\\_Patrick\\_M.\\_O'Malley,\\_John\\_E.\\_S\(BookZZ.org\).pdf](http://dx.bookzz.org/genesis/448000/f5c3de114c4c8d99f395e15645850f19/_as/[Jerald_G._Bachman,_Patrick_M._O'Malley,_John_E._S(BookZZ.org).pdf)
- Baron, R. A., & Richardson, D. R. (1994). *Human aggression* (2 ed.). New York: Plenum Press.
- Beaman, R., Wheldall, K., & Kemp, C. (2007). Recent Research on Troublesome Classroom Behaviour: A Review. *Australasian Journal of Special Education*, 31(1), 45-60.
- Brewster, A. B., & Bowen, G. L. (2004). Teacher Support and the School Engagement of Latino Middle and High School Students at Risk of School Failure. *Child and Adolescent Social Work Journal*, 47-67. doi:<https://doi.org/10.1023/B:CASW.0000012348.83939.6b>
- Bronfenbrenner, U. (1989). Ecological systems theory. *Annals of Child Development*, 6, 187-249.
- Calkins, S. D., & Keane, S. P. (2009). Developmental origins of early antisocial behavior. *Development and Psychopathology*, 1095-1109. doi:10.1017/S095457940999006X
- Catalano, R. F., & Hawkins, D. J. (1996). The social development model: A theory of antisocial behavior. Në D. J. Hawkins (Re.), *Delinquency and crime: Current theories* (fv. 149-197). New York: Cambridge University Press. <http://people.oregonstate.edu/~flayb/MY%20COURSES/H671%20Advanced%20Theories%20of%20Health%20Behavior%20-%20Fall%202012/Readings/Catalano%20&%20Hawkins%201996%20Social%20Development%20Model%20In%20Hawkins.pdf>
- Clayton, R. R. (1992). Transitions in drug use: Risk and protective factors. Në M. Glantz, & R. Pickens (Red.), *Vulnerability to drug abuse* (bot. i 1, fv. 15-51). Washington, DC: American Psychological Association. doi:<http://dx.doi.org/10.1037/10107-001>
- Dhëmbo, E., & Duci, V. (2021). *Dhuna në marrëdhëniet intime dhe dhuna seksuale tek të rinjtë në Shqipëri*. Rjeti i Fuqizimit të Gruas në Shqipëri - AWEN. <https://awenetwork.org/studime/>
- Dragoti, E., & Ismaili, E. (2017). *National survey on bullying and violent extremism in the education system of Albania. Field report*. Tirane: Keshilli i Europes. <https://rm.coe.int/albania-study-report-on-bullying-alb/1680732871>
- Enzmann, D., Marshall, I. H., Killias, M., Junger-Tas, J., Steketee, M., & Gruszczynska, B. (2010). Self-reported youth delinquency in Europe and beyond: First results of the second international self-report delinquency study in the context of police and victimization data. *European Journal of Criminology*, 7(2), 159-183. doi:10.1177/1477370809358018
- Estévez, E., Jiménez, T., & Moreno, D. (2018). Aggressive behavior in adolescence as a predictor of personal, family, and school adjustment problems. *Psicothema*, 30(1), 66-73. doi:10.7334/psicothema2016.294
- European Commission/EACEA/Eurydice. (2021). *Teachers in Europe. Careers, Development and Well-being*. Luxembourg: Publications Office of the European Union.
- European Trade Union Committee for Education . (2008). *Teacher Education in Europe. An ETUCE Policy Paper*.
- Farrell, A., Thompson, E., & Mehari, K. (2017). Dimensions of Peer Influences and Their Relationship to Adolescents' Aggression, Other Problem Behaviors and Prosocial Behavior. *Journal of Youth and Adolescence*, 46(6), 1351-1369. doi:10.1007/s10964-016-0601-4
- Farrington, D. P. (1989). Early predictors of adolescent aggression and adult violence. *Violence and Victims*, 4(2), 79-100.
- Farrington, D. P. (2004). Conduct disorder, aggression, and delinquency. Në R. M. Lerner, & L. Steinberg (Red.), *Handbook of Adolescent Psychology* (bot. i 2, fv. 627-624). New York: Wiley & Sons.

- Farrington, D. P. (2007). Childhood Risk Factors and Risk-focused Prevention. Në M. Maguire, R. Morgan, & R. Reiner (Red.), *The Oxford Handbook of Criminology* (bot. i 4, fv. 602-640). Oxford. UK: Oxford University Press.
- Farrington, D. P., & Loeber, R. (2000). Some benefits of dichotomization in psychiatric and criminological research. *Criminal Behaviour and Mental Health*, 10, 100–122. <http://www2.jura.uni-hamburg.de/instkrim/kriminologie/Mitarbeiter/Enzmann/Lehre/StatIKrim/BeneDich.pdf>
- Gardner, M., & Steinberg, L. (2005). Peer influence on risk taking, risk preference, and risky decision making in adolescence and adulthood: An experimental study. *Developmental Psychology*, 41(4), 625–635. <http://facultyinh.syr.edu/bjsheeha/Research%20Projects/music%20download%20research/music%20download%20project/articles%20for%20music%20download/GardnerSteinberg.pdf>
- Gonzálvez, C., Martín, M., Vicent, M., & Sanmartín, R. (2021). School refusal behavior and aggression in Spanish adolescents. *Frontiers in Psychology*, 12, 1-9. <https://www.frontiersin.org/articles/10.3389/fpsyg.2021.669438/full>
- Hawkins, D. J., & Weis, J. G. (1985). The social development model: An integrated approach to delinquency prevention. *Journal of Primary Prevention*, 6(2), 73-97. <http://gen.lib.rus.ec/scimag/get.php?doi=10.1007%2Fb01325432>
- Hawkins, J. D., Catalano, R. F., & Miller, J. Y. (1992). Risk and protective factors for alcohol and other drug problems in adolescence and early adulthood: Implications for substance abuse prevention. *Psychological Bulletin*, 112(1), 64-105. doi:10.1037/0033-2909.112.1.64
- Hawkins, J. D., Catalano, R. F., Arthur, M. W., Egan, E., Brown, E. C., Abbott, R. D., & Murray, D. M. (2008). Testing communities that care: The rationale, design and behavioral baseline equivalence of the community youth development study. *Prevention Science*, 9(3), 178–190. doi:10.1007/s11121-008-0092-y
- Hawkins, J. D., Herrenkohl, T. I., Farrington, D. P., Brewer, D., Catalano, R. F., Harachi, T. W., & Cothorn, L. (2000). Predictors of youth violence. *Juvenile Justice Bulletin*. <https://www.ncjrs.gov/pdffiles1/ojdp/179065.pdf>
- Hawkins, J. D., Herrenkohl, T., Farrington, D. P., Brewer, D., Catalano, R., & Harachi, T. (1998, Maj). A review of predictors of youth violence. In R. Loeber, & D. P. Farrington (Red.), *Serious and violent juvenile offenders* (pg. 106-146). Thousand Oaks, CA: Sage Publications.
- Hays, W. (1994). *Statistics* (bot. i 5). New York: Cengage Learning.
- Hemphill, S. A., Smith, R., Toumbourou, J., Herrenkohl, T., Catalano, R., McMorris, B., & Romanuik, H. (2009). Modifiable Determinants of Youth Violence in Australia and the United States: A Longitudinal Study. *Australian & New Zealand Journal of Criminology*, 42(3), 289–309. doi:10.1375/acri.42.3.289
- Hirschi, T. (1969). *Causes of delinquency*. Berkeley: University of California Press.
- Instituti i Shëndetit Publik. (2009). *Studim i sjelljeve me risk tek të rinjtë e shkollave të mesme në vëndin tonë*. Tiranë: Instituti i Shëndetit Publik. <http://www.emcdda.europa.eu/html.cfm/index211541SQ.html>
- Instituti i Shëndetit Publik. (2015). *Studimi europian mbi alkoolin dhe drogat e tjera tek të rinjtë në Shqipëri*. Tiranë: European Monitoring Centre for Drugs and Drug Addiction. <http://ishp.gov.al/wp-content/uploads/2015/04/Raporti-ESPAD.pdf>
- Instituti i Zhvillimit të Arsimit-ASCAP. (2020). *Analiza e gjendjes mbi edukimin për drogat në arsimin parauniversitar në Shqipëri*. Tiranë. <https://www.actforsocietycenter.org/manuals>
- Jetishi, P. (2018). *Funksionimi familjar dhe problemet emocionale dhe te sjelljes tek adoleshentet kosovare 11-18 vjec*. Universiteti European i Tiranës, Tirane. [https://uet.edu.al/wp-content/uploads/2021/11/Pranvera\\_Jetishi.pdf](https://uet.edu.al/wp-content/uploads/2021/11/Pranvera_Jetishi.pdf)
- Kazdin, A., Kraemer, H., Kessler, R., Kupfer, D., & Offord, D. (1997). Contributions of risk factor research to developmental psychopathology. *Clinical Psychology Review*, 17(4), 375-406.
- Kosterman, R., Graham, J. W., Hawkins, J. D., Catalano, R. F., & Herrenkohl, T. I. (2001). Childhood risk factors for persistence of violence in the transition to adulthood: A social development perspective. *Violence and Victims*, 16(4), 355-369.

- Koutrouba, K. (2013). Student misbehaviour in secondary education: Greek teachers' views and attitudes. *Educational Review*, 61(1), 1-19.
- Krahe, B. (2001). *The social psychology of aggression*. Philadelphia: Psychology Press Ltd.
- Kristjansson, A. L., Sigfusson, J., Sigfusdottir, I., & Allegrante, J. (2013). Data collection procedures for school-based surveys among adolescents: the Youth in Europe Study. *Journal of School Health*, 83(9), 662-667. doi:10.1111/josh.12079
- Krohn, M. D., Thornberry, T. P., Rivera, C., & Le Blanc, M. (2001). Later delinquency careers. Në R. Loeber, & D. P. Farrington (Red.), *Child delinquents: Development, intervention, and service needs* (fv. 67-93). Thousand Oaks, CA: SAGE Publications, Inc.
- Kruti, I., & Melonashi, E. (2015). Aggression Among Albanian Adolescents. *International Journal of Academic Research and Reflection*, 3(6), 16-24. [https://www.researchgate.net/publication/373650069\\_AGGRESSION\\_AMONG\\_ALBANIAN\\_ADOLESCENTS](https://www.researchgate.net/publication/373650069_AGGRESSION_AMONG_ALBANIAN_ADOLESCENTS)
- Kuvendi i Republikës së Shqipërisë. (2017). Ligji Nr.18/2017 "Për të drejtat dhe mbrojtjen e fëmijës".
- Lee, L.-K., Chen, P. C., Lee, K.-K., & Kaur, J. (2007). Violence-Related Behaviours among Malaysian Adolescents: A Cross Sectional Survey among Secondary School Students in Negeri Sembilan. *Annals Academy Medicine*, 36(3), 169-174.
- Lipsey, M. W., & Derzon, J. H. (1998). Predictors of violent or serious delinquency in adolescence and early adulthood. Në R. Loeber, & D. P. Farrington (Red.), *Serious and violent juvenile offenders: Risk factors and successful intervention* (fv. 86-105). Thousand Oaks, CA: Sage.
- Loeber, R., Farrington, D. P., Stouthamer-Loeber, M., & Raskin White, H. (2008). *Violence and serious theft: Development and prediction from childhood to adulthood*. New York: Taylor & Francis Group.
- Lopez, V., & Emmer, E. (2002). Influences of beliefs and values on male adolescents' decision to commit violent offenses. *Psychology of Men & Masculinity*, 31(1), 28-40. doi:<https://doi.org/10.1037/1524-9220.3.1.28>
- Maguin, E., & Loeber, R. (1996). Academic performance and delinquency. *Crime and Justice*, 20, 145-264.
- Mahmood, K., & Iqbal, M. M. (2015). Psychological Adjustment and Academic Achievement among Adolescents. *Journal of Education and Practice*, 6(1), 39-42. <http://www.iiste.org/Journals/index.php/JEP/article/viewFile/18938/19484>
- McCord, J. (1997). On discipline. *Psychological Inquiry*, 8(3), 215-217. Gjetur në <http://www.unc.edu/~gsmunc/JoanMcCord/OnDisc1997.pdf>
- Miller, E., Culyba, A., Paglisotti, T., Massof, M., Gao, Q., Ports, K., . . . Jones, K. (2020). Male Adolescents' Gender Attitudes and Violence: Implications for Youth Violence Prevention. *American Journal of Preventive Medicine*, 58(3), 396-406. doi:<https://doi.org/10.1016/j.amepre.2019.10.009>
- Ministria e Arsimit dhe Sportit. (2014). *Standartet e shkollës si qendër komunitare*. Tiranë.
- Ministria e Drejtësisë. (2021). *Vjetari statistikor 2021*. Ministria e Drejtësisë, Sektori i Teknologjisë së Informacionit dhe Statistikave, Tiranë. <https://www.drejtesia.gov.al/statistika/>
- Monahan, K. C., VanDerhei, S., Bechtold, J., & Cauffman, E. (2014). From the School Yard to the Squad Car: School Discipline, Truancy, and Arrest. *Journal of Youth and Adolescence*, 43, 1110-1122. doi:<https://doi.org/10.1007/s10964-014-0103-1>
- Mrazek, P. J., & Haggerty, R. J. (1994). *Reducing risks for mental disorders: Frontiers for preventive intervention research*. Washington DC: National Academy Press.
- Olweus, D. (1997). Bully/victim problems in school: Facts and intervention. *European Journal of Psychology of Education*, 12(4), 495-510.
- Patterson, G. R., DeBaryshe, B. D., & Ramsey, E. (1989, February). A developmental perspective on antisocial behavior. *American Psychologist*, 44(2), 329-335. <http://rirvan.wikispaces.com/file/view/Developmental+Perspective+on+Anti-Social+Behavior.pdf>
- Pengpid, S., & Peltzer, K. (2019). Prevalence of truancy in a national sample of school going adolescents in Laos is associated with potential risk and protective factors. *Children and Youth*

*Services Review*, 107. doi:10.1016/j.chilyouth.2019.104521

Qirjako, G., Burazeri, G., Mihali, E., Bukli, M., & Agolli, E. (2014). *Sjelljet e shëndetshme tek fëmijët e moshës shkollore 11, 13 dhe 15 vjeç*. Tiranë: Instituti i Shëndetit Publik. <http://www.unicef.org/albania/Libri-HBSC.pdf>

Rocque, M., Jennings, W., Piquero, A., Ozkan, T., & Farrington, D. (2017). Truancy, The Importance of School Attendance: Findings From the Cambridge Study in Delinquent Development on the Life-Course Effects of. *Crime & Delinquency*, 63(5), 592–612. <https://doi.org/10.1177/0011128716660520>

Shaikh, M. A., Abio, A., Celedonia, K. L., & Wilson, M. L. (2019). Physical Fighting among School-Attending Adolescents in Pakistan: Associated Factors and Contextual Influences. *International Journal of Environmental Research and Public Health*, 16(24).

Simons, R. L., Whitbeck, L. B., Conger, R. D., & Conger, K. J. (1991). Parenting Factors, Social Skills, and Value Commitments as Precursors to School Failure, Involvement with Deviant Peers, and Delinquent Behavior. *Journal of Youth and Adolescence*, 20(6), 645-664. <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1092&context=sociologyfacpub>

Singh, K. (2007). *Quantitative social research methods*. New Delhi, India: Sage Publications India.

Snyder, H. N. (2001). Epidemiology of official offending. Në R. Loeber, & D. P. Farrington (Red.), *Child delinquents: Development, intervention, and service needs*. Thousand Oaks, CA: SAGE Publications, Inc. doi:<http://dx.doi.org/10.4135/9781452229089>

Soomro, N. H., & Clarbour, J. (2012). Emotional Behaviour and Academic Achievement in Middle School Children. *Pakistan Journal of Social and Clinical Psychology*, 10(1), 10-16. <http://www.gcu.edu.pk/FullTextJour/PJSCS/2012/2.pdf>

Sweeten, G., Piquero, A. R., & Steinberg, L. (2013). Age and the explanation of crime, Revisited. *Journal of Youth and Adolescence*, 42(6), 921-938. doi:10.1007/s10964-013-9926-4

Tahirovic, S. (2015). Teachers' Perception of Aggressive Behaviour in Children: Case of Bosnia and Herzegovina. *Epiphany: Journal of Transdisciplinary Studies*, 8(1), 149-165.

Tolan, P. H., & Thomas, P. (1995). The implications of age of onset for delinquency risk II: Longitudinal data. *Journal of Abnormal Child Psychology*, 23(2), 157-181. <http://gen.lib.rus.ec/scimag/get.php?doi=10.1007%2Fbf01447087>

Zeqaj, F. (2017). *Studim krahasimor mbi sjelljen agresive te adoleshentët e grupmoshës 12-15 vjeç, në zona industriale dhe joindustriale në qytetin e Elbasanit*. Universiteti European i Tiranës, Tiranë. [https://uet.edu.al/wp-content/uploads/2021/11/Flora\\_Zeqaj.pdf](https://uet.edu.al/wp-content/uploads/2021/11/Flora_Zeqaj.pdf)

# Navigating Albania's Labor Market: A Comprehensive Review of In-Demand Study Programs

**Erinda Papa**

*Fan S. Noli University, Korçë, Albania*

## **Abstract**

The purpose of the study is to provide a comprehensive review of in-demand study programs in Albania's labor market. The study seeks to explore the role of education in the labor market, the impact of study programs on employment, and the alignment of study programs with market needs. The study also discusses the factors that influence study program selection, such as market demand and job prospects, salary potential and return on investment, and personal interests and aptitudes. Furthermore, the research addresses the challenges and opportunities for study program graduates, including skills gap and mismatch, internship and work experience opportunities, and the importance of continuous learning and professional development. Finally, the paper concludes with a summary of findings and provides recommendations for future research.

Different statistical methods will be employed to identify current employment trends, key industries, and sectors. Moreover, the researchers will examine the challenges faced by the labor market in Albania, including skills gap and mismatch. Additionally, the alignment of study programs with market needs will be assessed, focusing on STEM programs, business and economics programs, and healthcare and medical programs. Ultimately, the research will highlight the importance of market demand, salary potential, and personal interests and aptitudes as factors influencing study program selection.

**Keywords:** Albania, Labor Market, Review, In-Demand Study Programs.

## **1. Introduction**

The process of economic transition, accompanied by the privatization of state-owned enterprises and economic restructuring of Western Balkan countries, has been accompanied by a surplus of labor and, in particular, a lack of skills to meet the demands of a new technological workplace and new organizational and operational concepts of enterprises (Andarenko & Bartlett, 2012). The newly created circumstances usually required new and different skills from the previous ones, and the demand for new competences developed faster than the educational system, which was not able to adapt to the dynamics of changes and the level of demand, creating situations when new graduates entered the labor market with many lacks of the necessary competencies. Therefore, due to structural changes, the mismatch of competences is a more pronounced phenomenon in countries in transition than in developed ones. Evidently, the problem is not only characteristic of the Western Balkan countries. Studies on the mismatch of competencies obtained after graduation with those required by employers in all countries in transition have highlighted that "even when people have the appropriate qualification for a profession, they may not necessarily



have the necessary competencies to perform the job effectively and to satisfy the employer's expectations. Rapid technological and economic change makes it difficult to predict what types of skills will be needed in the near and more distant future and what types of new jobs will emerge" (ETF, 2020). The issue of inconsistency of competences is seen on two levels: the demand for certain competences in the labor market and their provision by the education and training system. Studies focused on the education system have recently argued that education systems in transition countries should undergo deep structural reforms to become more responsive to the needs of the labor market (Sondergaard and Murthi, 2011).

Stakeholders complain about graduates' lack of readiness (preparation) to be employed in Western Balkan countries, expressing the lack of interactive skills, digital competences, organizational skills, and the ability to work in a team. HEIs focus on theoretical knowledge to the detriment of providing degrees with practical knowledge and experience, which is a major concern of employers. In addition, the curriculum of many study programs does not reflect the combination of competencies that employers are looking for.

European Commission study "From University to Employment: Higher Education Provisions and Labor Market Needs in the Western Balkans" (2016) highlights these concerns. The survey conducted in this study finds important data on the level of achievement of competencies of HEI graduates in Albania. These results come from the survey in which employers were asked about the importance of each skill for the business activity (current competence needs) and the importance of the same skill within three years (future competence needs). According to this research, the difference between the importance of the desired competencies and the actual competencies of graduates explains the gap in the level of results achieved by graduate employees, where a gap in results refers to a situation where a graduate's level or the type of competencies obtained is unsuited to the particular requirements of the job.

Cooperation between HEIs and employers in the development of study program curricula is a very current topic in the European Union and is being elaborated with great intensity in the context of the development of employment policies. This type of cooperation is often known as "university-business cooperation".

In the EU, many higher education institutions work in collaboration with local businesses to adapt existing study programs or to design entirely new programs (Healy et al., 2012). Therefore, in the territorial space of the EU, industry – HEI cooperation supported by local or regional organizations can promote economic growth in these territories.

Curriculum collaboration and contacts between employers and students can lead to the provision of internships, improve graduate employability, and facilitate HEI graduates' transition to the labor market. Cooperation between HEIs and employers in the form of curriculum development and gradual recruitment around the sectors of special and study programs can also be continued in a wider cooperation in research and development activities, HEI spin-offs, and technology transfer, further pushing local economic development, which will create more jobs for HEI graduates (European Commission, 2016). In the EU, cooperation between employers and HEIs is quite common, and employers participate in decision-making or consultative



bodies within HEIs in 22 EU countries, while they are actively involved in curriculum development in 19 countries and in the teaching process in 15 countries (Eurydice, 2014: 67).

In the Western Balkans, the trends of cooperation between HEIs and employers are quite low. Sometimes, government boosts these collaborations through various university collaboration projects.

The study by the European Commission “From University to Employment: Higher Education Provisions and Labor Market Needs in the Western Balkans” (2016) provides some data on the level of this cooperation. This study shows that only 21% of employers cooperate “often”, while 34% never cooperate with HEIs. Similarly, only 16% of employers cooperate “a lot” with HEIs for the recruitment of graduates and 29% do not cooperate “at all”. In relation to the effect that cooperation has in relation to study programs, to “extremely much” or “somewhat”, while in relation to cooperation on recruitment, 78% of respondents in this study answered in the same way.

These data show that while employers believe that such collaboration would improve the outcome of the recruitment process, barriers to collaborative action exist on both sides, HEIs and employers.

## **2. Purpose and Methodology of the Study**

### **2.1 Purpose of the Study**

The purpose of the study is to provide a comprehensive review of in-demand study programs in Albania’s labor market. This study aims to identify the study programs that are currently in high demand and have future growth potential. It also explores the education and training institutions that offer these programs, including universities, colleges, vocational training centers, and foreign study programs. Additionally, the study examines the skills and qualifications that are in demand, including technical skills, soft skills, and language proficiency. Furthermore, it investigates various job market entry strategies such as internships, apprenticeships, networking, and job search techniques. Finally, the study concludes by providing recommendations to improve the alignment between study programs and labor market needs, enhance career guidance and counseling services, and strengthen industry-academia collaboration.

### **2.2 Methodology**

The research methodology highlights the utilization of both qualitative and quantitative research methods to ensure a comprehensive examination of the subject matter. Primary research methods, such as surveys, interviews, and focus groups, were employed to collect qualitative data from employers and industry experts. Additionally, secondary research was conducted, which consisted of an extensive literature review to gather quantitative data on current employment trends and key industries. To identify the study programs in high demand and those with potential for future growth, the data collected underwent analysis using statistical software and thematic analysis.

### 2.3 Research Questions

This study aims to provide a deeper understanding of the labor market in Albania and the demand for specific study programs. The focus of the research will be on:

- an exploration of the key industries and sectors in Albania,
- the high demand study programs, and the study programs with future growth potential,
- the required skills and qualifications in the job market.

### 2.4 The Focus Groups

The focus groups in this study will consist of representatives from various entities in the labor market in Albania, including businesses operating in various regions of Albania. This will include employers, employees, industry associations, and labor unions. The survey conducted provides in-depth information on the characteristics of businesses included in the analysis in Albania. This includes their legal status, region of operation, size, and sector of operation. In terms of legal status, the majority of businesses surveyed are Joint-Stock Companies (JSC), followed by individual businesses and Limited Liability Companies (LLC). Public institutions and NGOs make up a smaller percentage of the businesses included in the survey. The survey includes businesses from major cities such as Tirana, Korça, Vloa, and Durrës, as well as other areas where public and private institutions of higher education operate.

### 3. Data Analysis

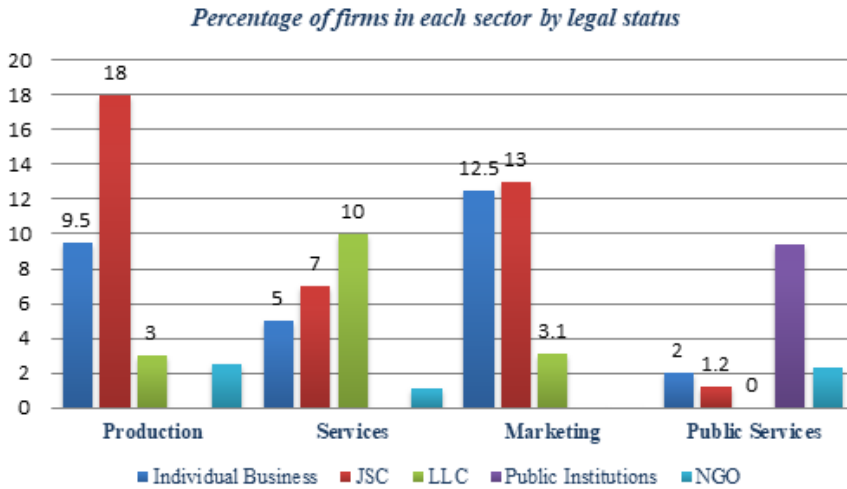
*Number of employees according to the size of the institution*



*Fig. 1: Number of the employees of the businesses included in the focus group*

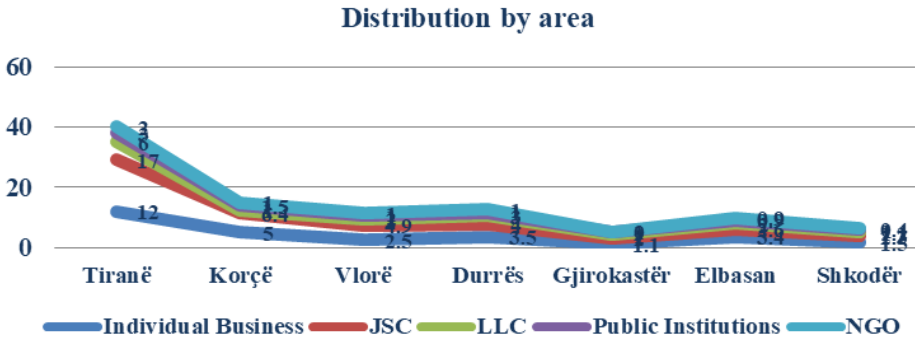
From the intersection of the data from the sector and the legal status, the manufacturing businesses are mostly individual businesses or LLCs (over 23%), the service businesses are mostly LLCs (about 10%), and the businesses that deal with trade are mostly individual businesses and LLCs (about 25%).

*Percentage of firms in each sector by legal status*



*Fig. 2: Operating Sector*

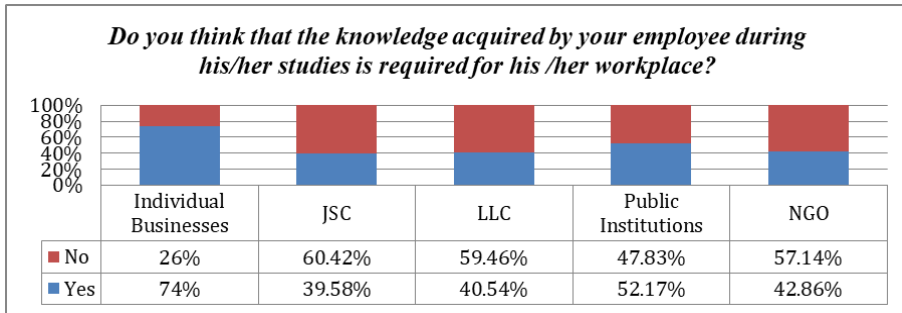
*Distribution by area*



*Fig 3: Distribution by areas*

The figure shows the intersection of the variables “business size and region”. From the intersection of the data, it is evident that in Tirana, which is also the capital city of the country, we have a greater concentration of medium and small businesses compared to other regions. Thus, these two types of businesses comprise almost 28% of the surveyed businesses. Even in other regions, as can be seen, there are more medium-sized businesses, but the difference is not the same as in the case of capital. However, the fact that a good percentage of businesses in these regions are small businesses and micro businesses, that is, those with 5-9 employees and 1-4 employees, should not be overlooked.

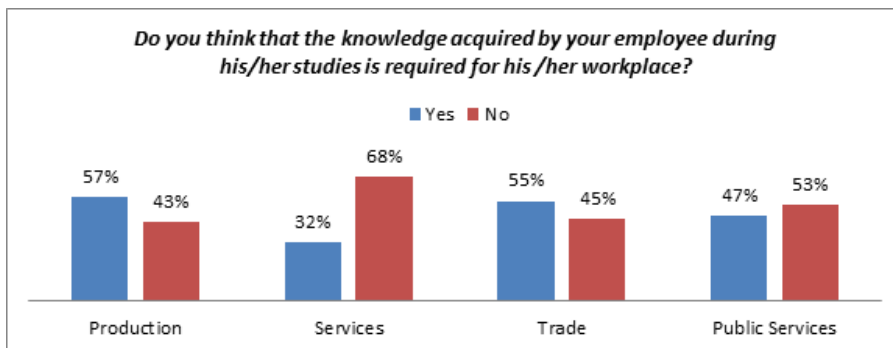
*The compatibility of the knowledge gained in studies with the requirements of the workplace according to the legal status of the business*



*Fig 4: Compatibility of knowledge gained in studies with the requirements of the workplace according to the legal status of the business*

We have broken down the results by the type of business on the grounds of the reasoning that different types of businesses have different knowledge requirements,. The findings are quite interesting, as the respondents from public institutions and individual businesses have the perception that the knowledge that their employees have acquired during studies is what is required in their workplace, whereas individual businesses clearly lead with 74% of positive responses. Other types of businesses and NGOs with approximately 60% of responses gave a negative opinion.

*The compatibility of the knowledge gained in the studies with the requirements of the workplace according to the sector in which the business operates*



*Fig 5: Compatibility of the knowledge gained in the studies with the requirements of the workplace according to the sector where the business operates*

The results of the direct question about the perception of businesses regarding the compatibility of the knowledge that employees have acquired in studies with what is required in their place of work show that respondents from businesses operating in the production and trade sectors gave a more positive assessment regarding the level of knowledge their employees have achieved during their studies. The service sector

is eventually the most dissatisfied with the level of knowledge that their employees have achieved during their studies, with 68% of respondents responding negatively.

*The compatibility of the competencies acquired in the studies with the requirements of the workplace according to the sector in which the business operates*

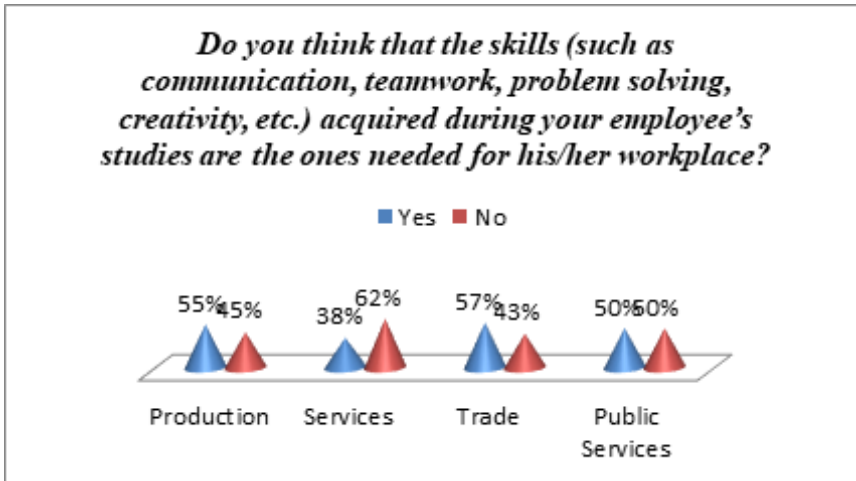
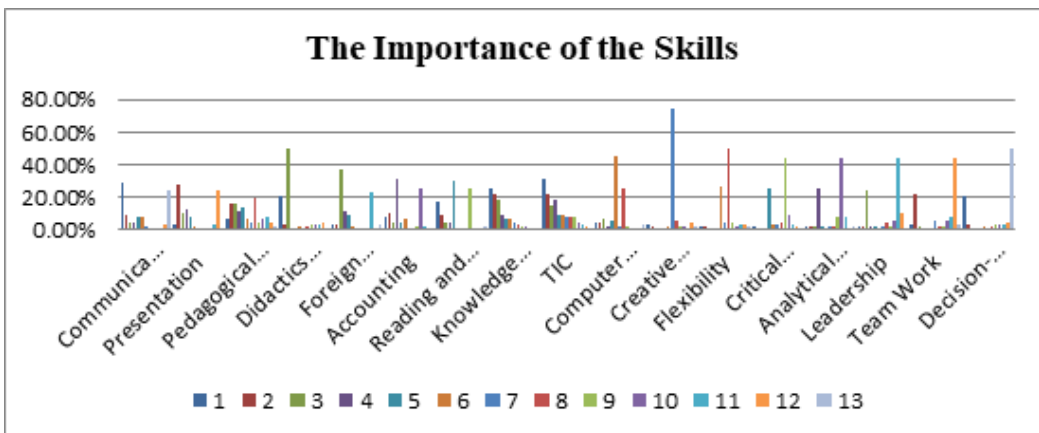


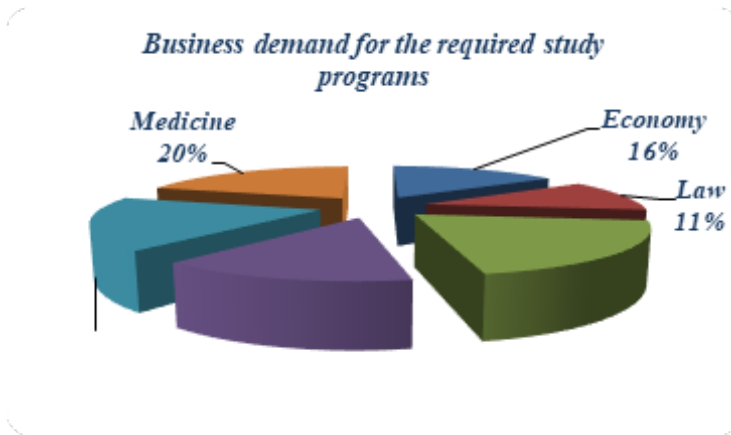
Fig 6: *Compatibility of the competencies acquired in the studies with the requirements of the workplace according to the sector where the business operates*

The service sector was the most dissatisfied with the competences acquired by their employees during their studies, with 62% of respondents giving a negative assessment. Respondents from the trade sector were more satisfied with the competencies acquired by their employees during their studies; however, 43.33% of them gave a negative opinion about these acquired skills.

*Percentage of businesses evaluating the importance of competencies on a scale from 1 to 13 (1 being the most important; 13 being the least important)*

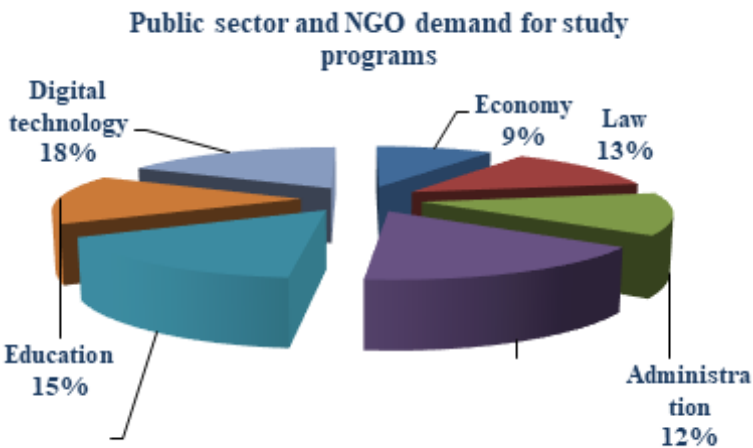


*Programs requested by businesses according to the areas selected for study*



*Fig. 8: Programs requested by businesses according to the areas selected for study*  
Of the programs highlighted in this study, those in technology, medicine, and tourism are the most sought after in the labor market by private sector employers.

*Programs requested by the public sector and NGOs according to the areas selected for study*



*Fig 9: Programs requested by the public sector and NGOs according to the areas selected for study*

In the public sector and NGOs, there is a lower demand for administrative profile programs, education, and economics, whereas a higher interest is expressed for law, education, medicine, and diplomacy programs. Programs in medicine, technology, and especially digital technology remain the most sought after for the job market in the public sector.

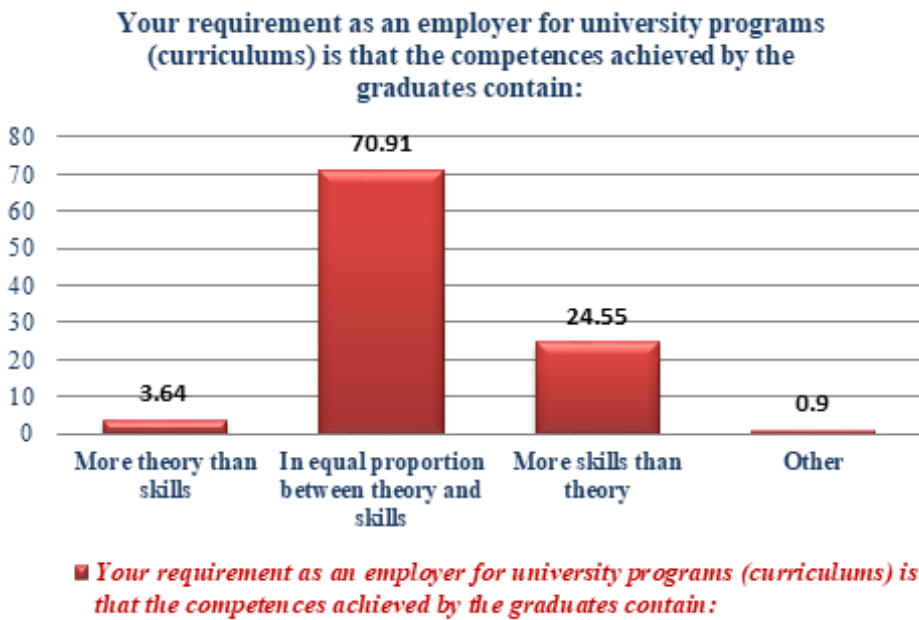
The survey showed that businesses evaluate the matching of competencies (of both



types – general and specific) graduates achieve at the end of their studies with those required of them in their workplace at a relatively low level. The same opinion is shared about the level of knowledge and skills for their performance at work. In all cases, the maximum degree of evaluation is the mastery of new technology.

From the graph, it can be seen that public institutions and NGOs, however, have a more positive opinion regarding the matching of competences and level of knowledge, and skills with the requirements of the labor market for these components to have a good performance in the workplace. These two types of institutions evaluate the matching of generic and specific competencies with the requirements of the labor market with over 3.0. They give a rather low rating for these issues for individual businesses, a rating that falls below the scale’s average.

***Demand of businesses for level of knowledge, abilities, and skills***



*Fig 10: Demand of businesses for level of knowledge, abilities, and skills*

Over 70% of businesses, public institutions, and NGOs surveyed think that universities with their study programs, for certain competencies, offer students more theoretical issues than skills. On the other hand, approximately 71% of them think that in university programs there should be an equal distribution in the load of teaching hours between knowledge and skills/abilities.

***Perception of businesses regarding the compatibility of programs with the needs of the labor market and assessment of the impact of competencies on the possibility of employment.***

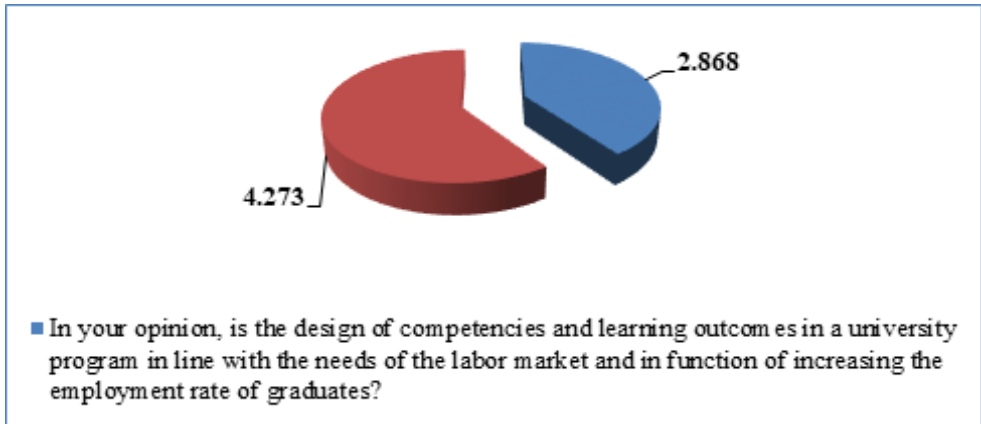


Fig 11: Perception of businesses regarding the compatibility of programs with the needs of the labor market and assessment of the impact of competencies on the possibility of employment. In the average perceptions of the two variables, the indicator on the left marks the impact of the drafting of competencies in accordance with the needs of the market as a function of the increase in the employment rate of graduates in university programs, while on the right is the opinion of the respondents that currently the drafting of competencies and learning outcomes is in accordance with the requirements of the labor market as a function of the increase in the employment rate. As for the first variable, the average assessment of businesses is 4.27 on a scale from 1 to 5, so they are convinced that an appropriate design of competencies and of learning outcomes in a study program highly impacts an increasing in the employment rate of HEI graduates. As for the second variable on the same evaluation scale, the average evaluation is only 2.86, so the opinion of the businesses is that currently the design of competencies and learning outcomes is almost in line with the requirements of the labor market and with the increase of the employment rate.

### Recognition of curricula by businesses in Albania

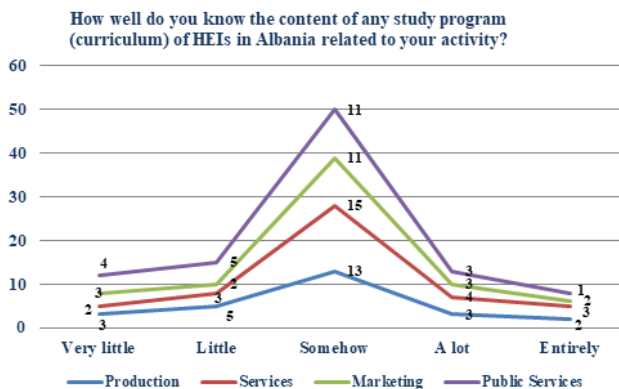


Fig 12: Recognition of curricula by businesses in Albania

Based on the answers of the respondents regarding the knowledge of HEI curricula, all businesses and public organizations know somehow the content of university programs in Albania. The graph shows that organizations with public services have greater knowledge about the content of curricula of the study programs, whereas a greater number of them have affirmed that they know them a lot or completely.

**Participation in curriculum design discussions according to the legal status of the firm**

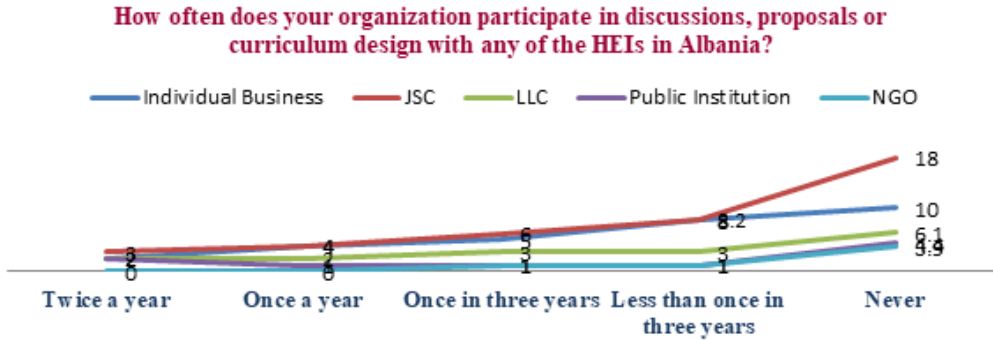


Fig 13: Participation in curriculum design discussions according to the legal status of the firm  
 As it can be seen from the chart above, most businesses/public institutions or NGOs (nearly 50%) surveyed have affirmed that they never participate in any form of cooperation with HEIs in the joint design of university curricula. The rest of the respondents stated that they cooperate less than once in three years, and in particular individual businesses (nearly 80% of them gave such an answer).

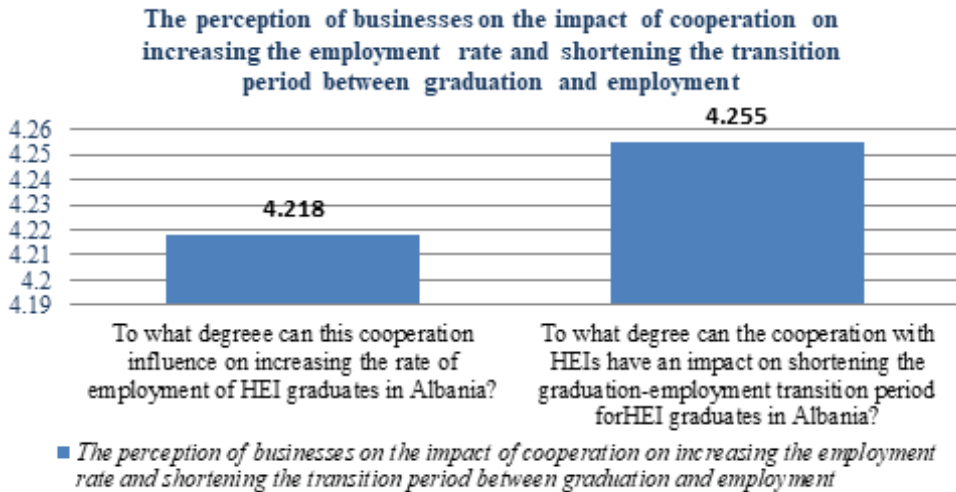


Fig 14:  
 On a rating scale of 1-5, where 1 is “not at all”, while 5 is “a lot”, the perception of

businesses that the cooperation between HEIs and businesses affects somehow the increase in the employment rate and the shortening of the transitional period between graduation –employment is over 4. The assessment of the impact of cooperation in reducing the employment rate is 4.21, while the assessment of shortening the transitional period is 4.25.

## **4. Recommendations**

### **4.1 Improving Alignment between Study Programs and Labor Market Needs**

The survey results show that improving alignment between study programs and labor market needs is crucial in addressing the numerous challenges faced by Albania's labor market. In order to effectively tackle this issue, policymakers must have a deep understanding of the demand for specific study programs, allowing them to ensure that educational institutions are offering programs that align with the skills needed in the ever-evolving job market. Consequently, this calls for a comprehensive review of the currently offered in-demand study programs. Not only should the existing programs be analyzed, but it is also necessary to identify those study programs that possess future growth potential. The examination of both high-demand programs and those with growth potential will undoubtedly provide valuable insights into the areas where a skills gap may exist. Moreover, it is of utmost importance to evaluate the education and training institutions themselves to identify any areas of improvement. This evaluation would involve a meticulous assessment of the curriculum, teaching methods, and resources available to ensure that they adequately equip students with the requisite skills. By unveiling the strengths and weaknesses of these institutions, policymakers can better direct their efforts towards enhancing the alignment between study programs and labor market needs. By focusing on the aforementioned strategies and enhancing the alignment between study programs and labor market needs, Albania can effectively equip its workforce with the essential skills necessary for success in the highly competitive job market. This proactive approach will not only alleviate the challenges faced by the labor market but will also contribute to the overall economic growth and development of the country.

### **4.2 Enhancing Career Guidance and Counseling Services**

Enhancing Career Guidance and Counseling Services is the other aspect outlined by the survey. It involves providing students and job seekers with the necessary support and guidance to make informed decisions about their career paths. Career guidance services should be comprehensive and tailored to the individual needs of each student, taking into account their skills, interests, and aspirations. Additionally, counseling services should be available to help individuals overcome any barriers they may face in their professional development. Effective career guidance and counseling services can help align study programs with the actual needs of the labor market and ensure that graduates are equipped with the right skills and qualifications.

### **4.3 Strengthening Industry-Academia Collaboration**

The inclusion of practical and industry-relevant training in study programs can lead

to graduates possessing the necessary skills demanded by employers. The focus group survey shows that industry-academia collaboration can also result in the establishment of internship and apprenticeship programs for students, enhancing their job market prospects. To achieve effective collaboration, partnerships, advisory boards, and joint projects between industry representatives and academia need to be established. This collaboration can help bridge the gap between education and employment in Albania and enhance the competitiveness of its labor market.

## References

- Arandarenko, M., & Bartlet, W. (2012). Labour Market and Skills in the Western Balkans. FREN-Foundation for the Advancement of Economics Belgrade. Retrieved from <http://www.lse.ac.uk/europeanInstitute/research/LSEE/PDFs/Skills&thelabourmarket.pdf>
- ETF, (European Training Foundation). (2014). FRAME report vision 2020. Retrieved from [https://www.etf.europa.eu/sites/default/files/m/C9BFFC028B1E6AC0C1257DA2004B31CA\\_FRAME\\_Monitoring%20tool.pdf](https://www.etf.europa.eu/sites/default/files/m/C9BFFC028B1E6AC0C1257DA2004B31CA_FRAME_Monitoring%20tool.pdf)
- Sondergaard, L., Murthi, M., Abu-Ghaida, D., Bodewig, C., and Rutkowski, J. (2011). Skills, Not Just Diplomas, Retrieved from <https://doi.org/10.1596/978-0-8213-8096-3>
- European Commission. (2016). From University to Employment: Higher Education Provision and Labour Market Needs in the Western Balkans Synthesis Report. Retrieved from [https://www.unsa.ba/sites/default/files/dodatak/2017-12/2016-higher-education-labour-market-balkans\\_en.pdf](https://www.unsa.ba/sites/default/files/dodatak/2017-12/2016-higher-education-labour-market-balkans_en.pdf)
- Healy et al., (2012). Measuring the Impact of University-Business Cooperation: Final Report. Retrieved from [https://www.researchgate.net/publication/279529823\\_Measuring\\_the\\_Impact\\_of\\_University-Business\\_Cooperation\\_Final\\_Report](https://www.researchgate.net/publication/279529823_Measuring_the_Impact_of_University-Business_Cooperation_Final_Report)
- European Education and Culture Executive Agency, Eurydice, (2014). Crosier, D., Riiheläinen, J., Horvath, A. et al., *Modernisation of higher education in Europe 2014 – Access, retention and employability*, Publications Office, 2015. Retrieved from <https://data.europa.eu/doi/10.2797/61276>

# Migration of Albanian citizens during the years of the dictatorial system

Assoc. Prof. Dr. Çlirim Duro

*University of Tirana, Faculty of History and Philology, Tirana*

## Abstract

The biggest demographic movements in Europe started with the end of the Second World War. This caused a high percentage of German citizens to leave their homes and lands in the Central European region, thousands of Jewish citizens on the other hand moved to places that would be safer and more peaceful for them. Meanwhile, hundreds of thousands of citizens with non-communist beliefs left their homes to escape the totalitarian regimes that were established in their countries of origin. As a result, this wave also included Albania, which was affected by the mass flight of many individuals and families to democratic countries to escape persecution by the party that took political power. Although based on the Geneva Convention for Refugees as well as the Universal Declaration of Human Rights, protection was guaranteed for citizens who enjoyed refugee status, the fear of repatriation to their countries of origin, already captured by communism, existed, making many of these migrants trying to reach the United States of America. The latter defined its migration policies based on the conflicts that existed at that time in Europe as a result of the Cold War. On the other hand, the United Nations declared 1959 the World Year of Refugees with the aim of the final closure of refugee camps in Europe<sup>1</sup>, and based on this, it is thought that migrants from Albania mostly belonged to this category. This paper will refer precisely to the reasons, factors and historical analysis of the displacement of Albanian citizens abroad during the period when the communist system was installed in our country.

**Keywords:** Communist system, refugees, migration factors, migration policies, persecution, etc.

## 1. Introduction and methodology

Albanian law in the communist period, sanctioned that fleeing the country was considered a serious act of treason.<sup>2</sup>

In an attempt to cross the border, about 998 people are thought to have been killed and about 14 thousand others escaped from the totalitarian system, according to official documents published for the period from 1944 to 1990.<sup>3</sup> Half of them had left within the first 15 years of the dictatorship, and 200 of them were classified as war criminals. The document also shows about 800 individuals who, after having gone out of Albania regularly with official documentation, never returned to their

<sup>1</sup> Conference on “Albanian Political Emigration in the years 1944-1990”, organized by AAIDSSH, in cooperation with IH, ISKK, IIPP, 2020.

<sup>2</sup> The article was included in the law on escapes, and then it was repealed by the decision of the Parliament of Albania on May 8, 1990. The report on immigration in Albania, compiled by the Ministry of Internal Affairs in 1990.

<sup>3</sup> Secret document of the State Security, dated November 20, 1990, recently published in Tirana. The document bears the signature of the Minister of the Interior at that time, Hekuran Isai, and is addressed to the communist leader Ramiz Alia, in the position of the First Secretary of the Central Committee of the Labor Party of Albania. In fact, this report is said to have been kept a secret even from him. Enver Hoxha



homeland.

The document also mentions a pardon (amnesty) of 1959, from which some of the refugees benefited, as well as the repatriation of only 60 Albanians during the 46 years of communism.<sup>4</sup>

However, despite this repeal, which qualified the escape from the country not as treason against the homeland, but as illegal border crossing, many Albanians continued to lose their lives in attempts to cross the border with other countries. The amnesty decree of 1959 seems to have had a lot of credibility since only 60 people were repatriated during the entire period 44-91. The fugitives seem to have been right, because the epithet as a fugitive was removed only about 200 years ago. For the rest, and their families, the communist system executed by the hand of the State Security established a strict regime of surveillance and repression. More than 13,600 people were arrested from 1944 to 1990 according to state security reports, not counting those individuals who fled the country through embassies, where the largest number were captured between 1945 and 1948. Also somewhere in the other 999 are lost or killed by the regime trying to leave. Those who left are more from the districts of Gjirokastra 1398, Shkodra 925, Sarande 858, Korces 728, Kukesit 776, Vlores 437, Dibres 521, Tropojes 403, and then Tirana with 332, Ersekës 215, Pogradecit 179, Pukes 185, Durres 162, while some 4786 left the embassies, with the first wave of July 1990.

After 1990, the Albanian state began to produce passports and allow the exit from Albania, allowing the mass flight of citizens, whose images are the most powerful in denouncing a more than repressive system. This context is directly related to people's stories, such as the story of Ms. It has been established for years in New York and the files of the Security for the characters of this saga are being revealed.<sup>5</sup> Her rare story begins when she was 5 years old, she leaves the ancient lands in the mountains where her father was the leader of one of the clans, leaving her tower on fire and her father burning inside with the motivation that the family's beliefs do not they corresponded with the way they thought about life and progress, the communist leadership of the time facing them with the only alternative: leaving the country without returning, for what they could.

Mrija today tells about "And the Walls Have Ears" a rare story due to isolation and distance, although her home is a piece of Albania in the USA, in the cultural concept, even today.<sup>6</sup> Like this story, from the USA, Belgium, Egypt, Italy, etc., we have encountered traces of the suffering of the denial of the homeland, the anxiety of the persecution of the family left behind, who were interned in forced labor camps or in the fields of Myzeqese, suffering always the stigma of "enemy of the people" or "agent of a foreign state" since the family belongs to a "refugee".<sup>7</sup> Often times, and nowadays, these individuals face the lack of access to the registry of civil status, citizenship, housing, property or personal belongings. The need to understand their own destiny as well as to be well-understood in a nation to which they belong,

---

<sup>4</sup> Idem.

<sup>5</sup> Tepelene Camp, Survivors' Testimony. Tirana: AIDSSH. (2018). The report on immigration in Albania, compiled by the Ministry of Internal Affairs in 1990.

<sup>6</sup> Tepelene Camp, Survivors' Testimony. Tirana: AIDSSH, (2018).

<sup>7</sup> Idem.

with more commitment and desire. Using the data of the State Security reports on political emigration, we are presented with this dimension and dynamics of political emigration over the years.

## 2. Albanian political diaspora and their efforts to overthrow the dictatorial system

Before 1945, Albanian migration was represented by flows of population movement within and across borders, being characterized by economic factors that included people who migrated as seasonal workers, traders, religious missionaries, as well as political factors that included recruited people and those who joined volunteered with the armed forces in various wars in the Balkan region. Some of the factors that led to massive population movements are related to the Ottoman rule and the resistance to its occupation, resistance which has led to the Albanians leaving their country and settling in the north along the Dalmatian coast and further south in the Greek state.<sup>8</sup> On the other hand, low living standards mainly in rural areas, poverty, exploitation of farmers, heavy tax system, weak health and education system, constant wars as well as hundred years of Ottoman occupation, all together explain the waves of mass migration during these years.<sup>9</sup> During the years 1468-1506, it is estimated that 200,000 Albanians left the country, which is a quarter of the entire population at that time.<sup>10</sup> Opponents of the Ottoman regime and political activists fearing persecution and oppression, during the second half of the 19th century and the beginning of the 20th century, caused a significant number of migrants to seek refuge in neighboring countries as well as in other parts of Western Europe. America, Australia, Argentina, etc. The signed treaties that brought about the change of borders as a result after the Balkan Wars in 1912, was another reason for the forced migration that affected Albanian citizens, also causing internal movement of people from the south to the coastal regions<sup>11</sup> and also crossing borders and settling in Turkey and the United States of America. These internal movements that took place within the coastal regions and cities also drew people from the surrounding areas. Internal migration had two directions: rural-rural and rural-urban movement<sup>12</sup>. A well-known researcher, Tirta, emphasized that the south-eastern and southern parts of Albania were most affected by migration, even though from a statistical point of view, the data for the northern areas were rarer and difficult to obtain.<sup>13</sup> It is estimated that over 100,000 Albanians between 1923-1925 emigrated abroad, which corresponds to 13% of the total population in 1945<sup>14</sup> According to INSTAT,<sup>15</sup> 111,000 Albanians

---

<sup>8</sup> Vullnetari, J (Albanian Migration and Development: State of the Art Review). IMISCOE document, (2007).

<sup>9</sup> Idem.

<sup>10</sup> Barjaba, K, Albania: Looking Beyond Borders (Albania: Looking Beyond Borders), Retrieved from Migration (2004).

<sup>11</sup> Bërxfholi, A. Censuses in Albania: A Historical Perspective. Tirana: Academy of Sciences, Center of Geographical Studies (2000).

<sup>12</sup> Carletto, G., Davis, B., Stampini, M., & Zezza, A. (2004). Internal Mobility and International Migration in Albania. Rome: FAO, ESA, 04-13.

<sup>13</sup> Tirta, M. (1999). Migrations of Albanians, internal and external (the 1940s - the 40s of the century XX). Albanian Ethnography, 19.

<sup>14</sup> United Nations Development Program (UNDP) Albania (2000). Human development report for Albania 2000 (Albanian Human Development Report 2000).

<sup>15</sup> INSTAT (2004a). Migration in Albania in 2001. Tirana: Institute of Statistics.

left the country during the years 1923-1939, mainly due to economic and political problems. About 20,000 Albanians left the country during the period 1940-1945 due to opposing ideologies with the communist party that came to power at that time. In conclusion, the migration of Albanians before 1945 was complex and influenced by the interaction of political and economic factors. The massive waves of migration led to a significant decrease in the number of the population and created some of the elements that are still found today in the migration situation in Albania, both in terms of migration and internal population movements. Understanding the mobility and origins of early Albanian migration can be indicators in understanding the origins of recent migration and explain and predict the current direction of Albanian migration today.

The historical period that includes the years from 1944 to 1990 is only a small part of the ancient and many-year history of our people, but in terms of the dynamics of development and the events it includes, it constitutes one of its most important periods. Upon coming to power, the communist party followed a policy that was not at all democratic, on the contrary, it was a dictatorship and open repression against all groups and individuals that were not support for the dictatorial regime. Within a short period, the communist party eliminated physically and through imprisonment the Albanian opposition of that time, the high leaders of the Catholic, Orthodox and Muslim clergy, forcibly expropriated the owners, set up forced labor camps, creating a situation of fear and terror in place. The deplorable state of our country had become known around the world even though we were under hermetic isolation from the western world as even the free press did not exist at that time.

The senior leaders of the American state, from time to time, called on the Albanian people to fight the communist system, trying to sensitize the governments to come to the aid of the Albanian people from the communist rule. "We here in America," said Charles Jackson, chairman of the "Free Europe" Committee on the Albanian radio show "Free Europe" in 1951, "we are aware of your suffering; even we say with sadness that we are fully aware of the terror that struck your country. The acts of terrorism committed by Enver Hoxha's regime, Stalin's puppet, we know very well. The United States is no longer indifferent, and the American people are aware of their responsibility and burden".<sup>16</sup>

The American senator, Charles Kersten, addressing the Senate in a resolution in 1953, on the Albanian issue, writes: "As soon as Enver Hoxha's government took power, first by force and then with falsified elections, it suppressed every opposition with arrests, imprisonments and shootings. It is using brutal methods to eradicate all human and national feelings, it has looted private property, it has enslaved farmers and workers in state farms and factories, it has interned men, women, children, old people and young people in concentration camps in order to completely eradicate it. the Albanian race and its culture".<sup>17</sup>

This policy followed by the American state encouraged the creation of the plan for the overthrow of the communist regime in Albania by the secret services, which found support in the Albanian political diaspora. This diaspora was formed for the most part by the political opponents of the communist system, with the end of the

<sup>16</sup> Dosti, H. - A life for the National issue, Tirana 2008, pg. 256.

<sup>17</sup> Idem pg 275.

War among them also the politicians who had served in the administration of the occupation period or who had served at the head of the right-wing political forces, to escape persecution and physical eliminations, moved abroad facing many risks and numerous ambushes by armed groups. Although there are no exact data on the number of political emigrants who left after the end of the war, it is still estimated that more than 1,600 people left, of which 798 left via Montenegro for Italy, 499 followed the German troops on the way Shkodër-Podgorica-Sarajevo-Zagreb-Vienna and 200 others who were in the southern mountains, distributed in small groups, crossed into Greece.<sup>18</sup>

The Foreign Ministry of Albania in 1975 calculated Albanian political emigration at 10-12 thousand people.<sup>19</sup> These political immigrants did not leave their homeland only to escape from death, but at the same time to make an organized resistance to the dictatorial regime and to ensure the support of the allies in the overthrow of this system. "The invasion of Albania by the communists and the departure of the Allies from our land," said Mid'hat Frashëri, president of the "Free Albania" committee, on September 6, 1949, "forced many Albanians to take the path of exile, not to moved away from the communist danger, than to continue their activity and not to cut relations with the liberal powers of the West, with which they had been in contact in Albania as well".<sup>20</sup> What brought together all the different groups and currents of Albanian political immigrants was the common anti-communist attitude. Regardless of the differences in viewpoints that existed between groups and individuals, when the need arose to contribute to the issue of overthrowing the communist system, regardless of the risks, the political emigrants cooperated by giving their contribution. Efforts to reorganize anti-communist parties such as the National Front or the Legality Party or even the organization of new groups began immediately in 1945. On December 31, 1945, the Second Congress of the National Front took place in Rexho Emilia, Italy,<sup>21</sup> which adapted its program and charter based on the new situation created after the Second World War. A year later, in 1946, the Independent National Front party was created in Italy and then several other groups according to clans and provinces, and the Legality party was also created, divided into two currents, one represented by Ahmet Zogu who had the support of the old clan and the other stream represented by Abaz Kupi who had broad support from the youth. In 1948, with the creation of some favorable circumstances that convinced the secret services of the United States, Great Britain and neighboring countries to intervene in Albania. In this situation, it was necessary to overcome the divisions that the political emigrants had among themselves in the name of a more important objective. "At this time, America, Great Britain, as well as Italy and Greece, intervened to unite the political emigration into a single organization."<sup>22</sup> At that time, the organization of the National Front accepted in principle the union with other organizations, but had reservations about the Independent National Front, as a result of the inclusion in it of some characters who had been collaborators with the Italian fascists and the monarchists and had contradictions related to the form of the regime. During

---

<sup>19</sup> History of the Albanian People, volume IV, 1939-1990. Bot. of the Academy of Sciences, Tirana 2008, pg. 271.

<sup>20</sup> Dosti, H. work cited, pg. 255.

<sup>21</sup> History of the Albanian People, volume IV, 1939-1990. Bot. of the Academy of Sciences, Tirana 2008, pg. 270.

<sup>22</sup> Idem.

a meeting of Mr. Stavri Skëndo and Mr. Hasan Dosti with Mr. Campbell and Mr. McKison on April 27, 1949, they asked the American officials to come out in support of the National Front as they thought it was “the only one that is sincerely democratic and deserves American aid,..... but Mr. Campbell said that the Department, of course, is interested in the well-being of the Albanian people and considers the current regime unrepresentative, however, it cannot officially support the activities of a particular group of immigrants”.<sup>23</sup>

The initiative for the unification of the Albanian political emigration through the creation of the “Free Europe” committee came from the Americans and the British and the main reason for this support was to cover the conspiratorial activity of the secret services by giving the authorship of the subversive actions to this organization. On November 11, 1950, 4 groups of subversives, who were trained in the “Albanie Labor Army Service 4000” company and in the military camps of West Germany, left for Albania. The first group, which was composed of Gjetan Daci, Adem Gjurra, Selim Allamani and Selim Daci, would land in Dibër. The second group, consisting of Ali Begrama, Llesh Nikolla, Qazim Hoxha and Iliaz Toptani, would land in Krujë. The third group consisting of Halil Nerguti, Ramadan Veliu, Myftar Maloku, and Rexhep Berisha, would go down to Kukës and the fourth group consisting of Harrun Traga, Qamil Mara, Sadik Rama, Daver Agajn and others would operate in Vlora. In these conditions, the Albanian state was in a state of alertness after being informed by the Soviet secret service and had announced the mobilization of all security structures as well as the entire Albanian people, so jumping into Albanian soil was a futile adventure, for anti-state missions. For this reason, within a short time, these efforts also failed as a result of the traps set up by the state security, where a part of the people who were thought to be involved in these scenarios were killed, caught and tried, while a part of them could to leave with great difficulty, being discovered by the Yugoslav and Greek services, who imprisoned them for several years until they gained their freedom due to the intervention of the allies, thus making all the deserting groups composed of Albanian political immigrants, kept and trained in various bases of Western countries failed in their missions.

### 3. Conclusions

In order to stimulate the public debate, we will certainly need other studies based on documents and facts, with the filter of a strong scientific field, with a European approach, taking into consideration questions such as: What was the reaction of the Albanian communist state to immigration Albanian politician. What are the features of the creation of Albanian political emigration during the years 1944-1990; What was the genuine activity of Albanian political emigration for the protection of Albanian national interests and their activity to fight the communist regime in Albania. Who were the organizations created by the Albanian political emigration and their approach towards communist Albania; How the State Security acted with the Albanian emigration and with the members of their family remaining in Albania. What were the ways they used to cross the border and who tried to cross them. How many of them were killed and injured and what was the legal context for the tragic

<sup>23</sup> Dosti, H. work cited, pg.141.



killings at the borders. In order to answer these questions, archival sources and evidence collected from specialized institutions according to certain scientific-based methodologies are needed. These documents consist of statistics, information and reports on the activity of Albanian emigration in different countries, relations and reports on anti-communist groups that operated mainly in the Yugoslav state, etc. and all the above documents are calculated to be approximately ninety thousand files and bundles for the 50-year period of the existence of communism in Albania. Based on the historical analysis extended in time and space, fully integrated in the host society, Albanian immigrants represent a strong bridge of communication with the most developed western countries where they are settled and develop their activities. This percentage of displaced Albanians did not stop being active, in various forms, in the defense of human rights during the communist regime, raising their voice for national rights. In this context, society and the Albanian state owe these people the recognition of their contributions and clarification of the facts.

### References

- Barjaba, K, Albania: Looking Beyond Borders (Albania: Looking Beyond Borders). Retrieved from Migration Information Resource at: <http://www.migrationinformation.org>. (2004).
- Berxholi, A. Censuses in Albania: A Historical Perspective. Tirana: Academy of Sciences, Center of Geographical Studies (2000).
- Carletto, G., Davis, B., Stampini, M., & Zezza, A. (2004). Internal Mobility and International Migration in Albania. Rome: FAO, ESA.
- Conference on "Albanian Political Emigration in the years 1944-1990", organized by AAIDSSH, in cooperation with IH, ISKK, IIPP, 2020.
- Dosti, H. - A life for the National issue, Tirana 2008.
- <https://observerkult.com/tronditese-si-i-vrane-komunistet-988-shqiptare-qe-tentuan-te/>
- Migration in Albania in 2001. Tirana: Institute of Statistics.INSTAT 2004.
- Secret document of the State Security, dated November 20, 1990, recently published in Tirana.
- Tepelene Camp, Survivors' Testimony. Tirana: AIDSSH. (2018).
- The report on immigration in Albania, compiled by the Ministry of Internal Affairs in 1990.
- Tirta, M. (1999). Migrations of Albanians, internal and external (the 1940s -the 40s of the century XX). Albanian Ethnography.
- United Nations Development Program (UNDP) Albania (2000). Human development report for Albania 2000 (Albanian Human Development Report 2000).
- Vullnetari, J (Albanian Migration and Development: State of the Art Review). IMISCOE document. (2007).



# Issues of Albanians' perceptions of the costs and benefits of joining the EU

Dr. Mirjam Reçi

*"Aleksander Moisiu", Durres University, Albania*

## Abstract

The focus of this study is related to issues of Albanians' perceptions regarding the costs and benefits of the country's integration into the European Union. In particular, we have tried to pay attention to the differences between cost-benefit according to what Albanians think or expect. In June 2018, the Council of Ministers of the EU assessed the progress made by Albania on the reforms undertaken and determined the path towards the opening of accession negotiations with Albania. In 2020, the European Council approved the decision of the EU General Affairs Council to open negotiations with Albania.

After each stage of the negotiations between Albania and the EU, there is a growing trend of trust among the people in favor of integration into this organization. This integration process, on the one hand, is today a powerful object of discussion in the policy-making circles of the country, on the other hand, a deep gap of information can be seen between policy-makers and ordinary citizens.

Following an identification-comparison-exploration approach, the objectives of the study aim to: Summarize the economic and social benefits and costs expected after Albania's entry into the EU; Identify the degree of recognition of these costs - benefits by the citizens of the target groups; Explore how close/far the citizens' knowledge is to real costs and benefits

Overall, a country's benefits from European integration consist of: economic, social, cultural and information (education) benefits. On the other hand, the costs are economic, social and identity.

With a difficult and challenging transition, the possibility increases that the country is not yet ready for final membership (Understanding the political, economic and social systems). If Albanians have gone through several decades of centralized system and several more transitions, the possibility increases that they will have uncertainty about the benefits and costs of joining the EU. (Civic education and information).

The main challenges are related to: 1. going through a difficult and problematic transition; 2. the political crisis in the country and the challenges associated with information issues. Membership without being able to face the obligations and commitments that membership implies is backwardness.

The results of the study emphasize the need to build a state of law, democratic institutions and public administration reform, as necessary as increasing information about the EU to the public.

**Keywords:** EU integration, costs and benefits, education, information.

## 1. Introduction

The European Union is very active in helping the Western Balkan countries strengthen democracy and close cooperation while promoting sustainable economic development in the region. This is accomplished in view of the reality of successful European, political and regional cooperation for more than fifty years. Albania, Bosnia and Herzegovina, Croatia, the Republic of Macedonia of Nord, Serbia and Montenegro are committed to the concept of a stable economic, social and political

stability, which is guaranteed through close ties and relations with Europe. From this reality, the European Commission launched in May 1999, the Stabilization and Association process, which sets out the principles through which countries and peoples of the region progress towards EU integration and membership. Among the priorities set out were establishing a democracy based on the rule of law, developing market economy and fighting organized crime.

The Stabilization and Association Agreement process aims to provide the Western Balkan countries, in a regional perspective, with the necessary means for ensuring democratic institutions are established, implementing the rule of law, ensuring open economies based on European practices and standards. Strong ties have already been established between each country in the region and the European Union and this has been made possible through three mechanisms: trade, financial assistance and contractual relations. Further cooperation between the countries of the region has also been fostered, especially through the signing of free trade agreements and strengthening cooperation in customs. An important pillar of this process is the signing of individual Stabilization and Association Agreements. Through them, they define the common values and principles that govern the relationship between the EU and each country in the region. The main elements of the agreements are: promoting the free movement of goods, establishing efficient institutions, developing market economy, reducing crime and corruption levels, promoting higher education reform, developing democracy, human rights, and independent press, improving transport infrastructure in the region.

In January 2003, negotiations were opened for the signing of the Agreement with Albania. Meanwhile, negotiations with Bosnia and Herzegovina, Serbia-Montenegro opened. Since 1991, the EU is the largest donor to the region, with several billion euros allocated for assistance. In May 2000, the European Commission made a proposal that simplified and accelerated the assistance provided to the five countries of the region, replacing all previous EU assistance mechanisms (such as the OBNOVA and Phare) with a single, new instrument: the Community Assistance for Reconstruction and Stabilization (CARDS), which aimed to support the EU's political objectives and support stability and development in the region.

According to the Council Regulation on cards (Community Assistance for Reconstruction, Development and Stabilization) for the period 2000-2006, more than 5 billion euros have been allocated to the region for assistance, which focused on reconstruction and infrastructure, promoting democracy, economic and social development and regional cooperation in five priority sectors:

- Justice and Domestic Issues
- Building management capacity
- Economic and social development.
- Democratic stabilization
- Environment and natural resources.

Throughout each phase of negotiations with the EU, the Albanian economy has benefited from EU funds in some key areas, such as budget transfers through grant

programmers, which have benefited other countries in the region such as PHARE, Community Assistance for Reconstruction, Development and Stabilization (CARDS), SAPARD, ISPA, Instrument for Pre-Accession (IPA), TEMPUS, etc. These funds have gradually contributed to the increase of public investments, farmers' income, quality of education, etc., and have synthesized contributed to the growth of the country's GDP.

The recently implemented IPA (Instrument for Pre-Accession) is focused on the IPA Adriatic Cross-Border Cooperation Programme 2007- 2013 under the II component of IPA. The IPA Adriatic Programme comprises 8 participating countries: Italy, Greece, Slovenia, Croatia, Montenegro, Albania, Bosnia and Herzegovina and Serbia.

The Albanian Technical Assistance aims to ensure the management, implementation, monitoring, control and evaluation of the IPA Adriatic Programme through: providing the necessary support and tools for an efficient and effective implementation of the Program; ensuring proper communication, information and publicity of the Programme and facilitating its implementation in the areas involved; Guarantee effective support to participating Countries and to all potential beneficiaries of the Programme.

The participating countries in the IPA CBC Adriatic Programme have established info point offices in their territories. The information points are intended to promote the Program and to make it easiest to implement it in all the corresponding geographic areas. They shall serve as territorial liaison points, points of communication and information, as auxiliary offices for potential beneficiaries. Info Point activity in the beneficiary territory of Albania provides, among other things: assisting applicants to generate ideas and turning them into good quality projects for fulfilling the objectives of the Program; providing information to potential beneficiaries (by email, telephone, meetings) on the requirements of the Program and criteria, in particular for the legality of applicants and priorities of the Program; organization of information activities for beneficiaries/potential applicants in the beneficiary territories of the program; contacts with organizations, institutions and related networks for the objectives of the program, latest technical, administrative and financial data, manuals, regulations etc. providing advice and assistance to final Albanian beneficiaries regarding the implementation of projects and their financial administration; Organize seminars and information trainings with the main beneficiaries facilitating contacts and information.

Albania's idea of joining Europe has been alive since the early 1990s, immediately after the collapse of the communist regime. It is quite significant that for Albanians, the idea of change was similar to joining the big European family. The only way to part with social isolation and deep economic backwardness was met with European integration, through building principles of democracy and implementing market economy. The long period of the communist regime further increased the energy for the idea to be put into action.

Albania's first diplomatic relations with the EU were first set when the two sides signed the Trade and Cooperation Agreement in 1992, which concerned for the first time Albanian efforts for EU rapprochement and assistance. Following this agreement, Albania was able to benefit from preferential trade regimes that the EU offered to third countries. To begin with, our country became the beneficiary of an

eco-aid from the EU. This assistance was offered in the form of an investment loan and in the form of a grant for the most urgent issues, not to forget the food-based aid, which came to our country immediately after the fall of the regime. After that the EU concluded with our country an economic-trade agreement, the Non-Preferential Trade and Economic Cooperation Agreement, which came into force in December 1992. This agreement provided that our country could conduct relations trade with the union countries, but there would be no advantage. This is because our market is not of potential importance, which comes from the fact that our country has a small population and a small purchasing power, as well as the fact that our goods were not competitive in the EU. With the intervention of the EU in aid of our country, the indicators of the EU institutions began to approach the parameters of our country according to the model offered by this institution. Since then, Albania has had a model where it had to apply to be part of this institution in the future.

The political crisis of 1997, further compounded by the general chaos in the country as a result of the overthrow of pyramid financial schemes, caused the freezing of our country's relations with the EU until an indefinite deadline, when the political situation and the general situation were more favorable. Despite the renewal of these relations, as well as the EU's contribution to accelerating reforms, the situation continued to remain unstable. The severe blows that the state and the economy in the country had taken, for which the recovery of which would take years, fueled the EU's concern, suspicion and retinues to raise contractual relations with Albania to a higher level.

The shocking developments of the late 1990s in the region, the Kosovo crisis and further ethnic conflict in Macedonia prompted the EU to pay more intensive attention to the Balkan peninsula. Other countries in the region, like Albania, had had a difficult path towards strengthening democracy and developing the economy. To avoid the possibility of cultivating a hotbed of tensions on the southeastern edge of Europe, the EU decided to offer a regional approach to the Balkan countries, which evolved further into the so-called "Stabilization and Association Process". The Stabilization and Association Process, by the very term, aimed first at stabilizing relations in the region and then reforms for their accession.

Our country tried in 1995, by means of an official request, after the emergence of the emergency state of transition of systems, to open negotiations for an association agreement with the EU. But at this time the results could not yet be positive, as even our country's progress was not at the right level, this assessment made after this request. On this occasion, the EU Commission also noted the priorities that our country should pursue within its path to EU integration. Thus, in assessing the possibilities of free trade in goods and services, our country was still far from the parameters and requirements of the Union in this regard, and as such our country's request was called as "premature step".

Another important step was taken in October 1999, when the EU offered Albania some trade concessions, removing part of the taxes and tariff barriers on a part of the goods exported from Albania to eu countries. With this act, it became possible to get a better understanding of the European market with what our country was offering. But the primary requirement for the EU was to transform our country into a stable democracy, wherein the foundation was to establish strong institutions, supported by a developed and sustainable economy, referring to competition and free trade

in goods. At this time, Albania was on the path of the Stabilization and Association process. In political terms, Albania formally requested the opening of negotiations on an association agreement with the EU in early 1995. The EU Commissioner undertook an assessment of the economic side in Albania. After this assessment on the possibility of trade in goods, capital and services in Albania, it was concluded that this step officially requested by the Albanian state was premature. This was in a way also an assessment of the way the indicators and the assistance that the European Union had provided to our country were perceived. In an estimate made for the decade 1991-2001, the Albanian state has benefited from EU aid of about 1 billion and 50m euros. Some of them were given as loans to the Albanian government, while most of them were given in the form of grants. A great help in the implementation and development of economic reforms in Albania has also been given by the PHARE program, where the figure invested in Albania within this program for 1994-1996 amounts to 190 million euros. The turning point occurred at the Zagreb Summit in November 2000 where it was decided that a large step forward would be made even in Albania's relations with the EU. Here it was decided to establish a high-level Commission Albania – EU, which would evaluate the process of reforms made by our country. It was this commission that gave the green light for the opening of negotiations with Albania to reach the signing of the Stabilization and Association Agreement in June 2002. The Stabilization and Association Agreement is the first major step of the long road Albania must take to become a full member of the EU. It is also the most difficult phase for all countries aspiring to be members. Under the terms of this Agreement, the Parties undertake to implement in practice a whole set of principles that include from respect for human rights to the establishment of a democratic system based on the application and adherence to the law, the full establishment of a free market economy, and to the fight against organized crime and illegal trafficking. The SAA (to which Albania was also subjected) is a contractual relationship between an advanced model such as the EU and a country in transition. It offers a special dynamic in relations with the EU for the assistance that the latter will provide to improve the level and system of governance. It aims to increase the state's capacities to provide citizens with stability and guarantees, development of a free market-based economy in order to generate increased employment and population well-being. This agreement with EU assistance aims at creating an attractive economic zone for foreign investment, promoting trade relations with the EU and establishing sustainable structures in the police, civil service, banking system, free media system and border management services and immigration.

The theoretical and practical objective of the European strategy is the gradual integration of Balkan countries into the European area. The principles on which this integration is made are other and binding. For their completion there is a reconciliation of stakeholders for integration and the EU itself undertakes to support and support this process by encouraging the political, social and economic reform that these countries are obliged to carry out within this process.

The Stabilization and Association Agreement (SAA) for Albania came into force on 1 April 2009, following its ratification by the 25 EU member states, which were part of the community at the time of the SAA's signing, as well as its approval by the Albanian Parliament. The ratification process was carried out in less than three years, paving the way for Albania to apply to the EU for the EU candidate status, a step that was finalized

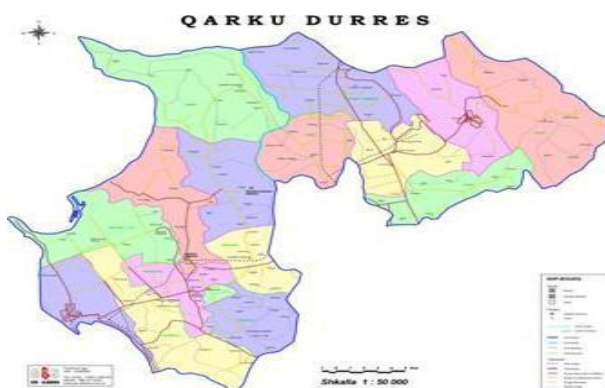


in 2014. In April 2018, the Commission issued an unconditional recommendation to open accession negotiations. In its June 2018 Conclusions, the Council set out the path towards opening accession negotiations in June 2019, depending on progress made in key areas such as the judiciary, fight against corruption and organized crime, intelligence services and public administration. The Commission reiterated the recommendation to open accession talks in the Enlargement Package adopted in May 2019. In its June 2019 Conclusions, the Council took good note of the Commission's recommendation. In March 2020 the members of the European Council endorsed the General Affairs Council's decision to open accession negotiations with Albania and in July 2020 the draft negotiating framework were presented to the Member States. In July 2022, the Intergovernmental Conference on accession negotiations was held with Albania. The Commission started the screening process.

## 2. Methodology

The work for the preparation of this research paper has consisted in collecting materials and data through studies, scientific journals, newspaper articles and periodicals, reports of the Albanian government and various international institutions and materials obtained from the websites of the specialized associations for the issues concerned. The literature used has been in Albanian and English. In this respect, we think that the study is a reliable and detailed data source for individuals trying to understand the perception of different social categories about Albania's EU accession perspective in terms of costs and benefits.

The methodology is described to concrete the analysis regarding citizens' perceptions of Albania's EU stage and their expectations for the country's costs and benefits from integration. First, it shows how the sacing process, the overall description of the data and the scope/implementation of the study has been carried out to give way to the next chapter of the findings from the field study.



### 2.1. The Championing.

The population taken into account for this study consists of 242,801 inhabitants of



Durres County (statistics of 2009) resident in 4 municipalities and 6 municipalities.

**The district of Durres** has 242,801 inhabitants, with an area of 433 km<sup>2</sup>. It stretches from the Cape of Rodon in the north to the Agai River, behind the Rock of The Quay, with an area of 430 km<sup>2</sup> and average height 2-6 m above sea level. The area where the population is considered consists of:

**18 municipalities** organized in 5 municipalities;

**Shijak Municipality;**

**The city** of Manza (City of Manza and the villages Armadh, Borç, Hamallaj village, Kameronas, Kuçoku, Radë, Staircase);

**The city** of Sukth (Sukthit and hamallaj villages, Tower, Pearls, Vadardhë, Grapes);

**Municipality of Gjepalaj** (Hardhishtë Center of Gjepalë villages, Hardhishtë, Çizmeli, Eminas small, Likesh, Këneta, Shtraza, Shahinaj, Shetel);

**Municipality of Iza** (Center Likmetaj and villages Likmetaj, Curtushaj, Kapidanaj, Djurcej, Lalëz, Kuarata, Biza, Drac, Shetaj);

**Municipality of Katund i Ri** (The New Katundi Center of the villages Of Katundi, Juba, Chariot, Brellaka, Bisht Kamëz, Youth, Sukth, Adriatik);

**Municipality of Maminas** (Maminas Center of Maminas villages, Karreç, Vlashaj, Karpen, Bodinak, Metallë, Bilalas, Rubjek);

**Rrashbull Municipality** (St. Zoot Center)

**Xhafzotaj Municipality** (Xhafzotaj Centre of villages: Xhafzotaj , Pjezë, Rreth, Sallmone, Koxhas, Borakë, Guzaj).

A grouped sample (*class*) was thus enabled to conduct the survey. This study aims to generalize the findings benefited from the chosen sample in a given population, since expectations and perceptions could be the same.

## 2.2. General description of the data.

This study relied on the use of several research methods. Weave methods were used so that the findings were more complete. Methods used include: secondary data analysis; quantitative method of data collection through surveying and qualitative method of collecting data through two focus groups.

In this study, *quantitative methods with the qualitative method* of study have been combined. For both methods there were different approaches to championing. For focus groups, intentional (convenient) samples are used.

In terms of quantitative analysis, the survey consists of four sections:

- Demographic data.
- General information on the EU.
- Integration of Albania into the EU.
- Sources of information on the EU.

The survey was administered in 224 responders, conducted with members of the Municipal Council and employees of the Municipality of Durres (53); 78% of the population of the city; Shijak Municipality 21, Sukth Municipality 10, Manëz Municipality 10 and with residents of rural areas spread in 6 municipalities of Durrës (52 in total) respectively Gjepalaj Municipality (14), Ishëm (12), Maminas (9),

Rrashbull (8) and Xhafzotaj (9).

The composition of respondents by gender and educational level is presented in table 1 and 2. Thus, 51.8% of respondents are female, versus 47.8% male and 50% of the total are highly educated. This relatively high percentage compared to the population's traits is explained by the administration of the questionnaire in a large part of the cases near Durres Municipality.

## Gender

	Frequency	%	% valuable	Total %
Male	107	47.8	47.8	47.8
Female	117	51.8	51.8	99.6
				100.0
Total	224	100.0	100.0	

## Education

	Frequency	%t	% valuable	Total %
8 year old education	35	15.6	15.6	15.6
Middle Education	57	25.4	25.4	41.1
Higher Education	91	50.0	50.0	81.7
After studies	42	17.9	17.9	99.6
University(MA & PhD)				100.0
Total	224	100.0	100.0	

## Table 1 of 2. Description of the questionnaire champion\

The qualitative and quantitative empirical research is developed in two phases: During the first phase, direct interviews with policy makers and local officials (members of the Municipal Council; employees of the Municipality of Durres) were conducted; Residents in urban and rural areas of Durres County.

During the second phase, the results collected were compared and interpreted with the real economic and social effects of EU integration.

Regarding the qualitative analysis of data collection, it was realized through two focus groups with members of the Local Civic Advisory Committee Durres and

Durrës Youth Movement ( Durrës Youth Movement).

In this study, the qualitative method of collecting data was used for several reasons: Focus groups structure thought/perception that can be generalized to that layer/ category of individuals.

The selected groups represent active volunteers who are in touch with information on the country's political and social agenda.

This composition of groups is selected because of their characteristic of their role in the community. These groups are voluntary and maintain links with the Local Government (Municipality of Durres) playing advisory and monitoring functions of local decision-making.

In parallel with the use of two methods, the analysis of secondary data in this study was done, which consisted in reviewing existing literature on European integration processes including reports, studies, assessments on integration processes with a particular focus on civic perception on the consequences of integration. The literature review phase helped create a database of existing reports on the topic. This analysis helped to formulate the hypotheses (research questions) of the study, which was put into operation by the study as a possibility of comparison and comparison.

### 2.3 Strategy of survey realism.

#### **Building survey for quantitative method**

The construction of the survey is intended to help the researcher raise research questions in order to approve or reject them. The questionnaire consists of 4 sections (demographic data; general information on the EU; integration of Albania into the EU; (1) the sources of information on the EU) where questions are alternated with alternatives and open ones.

#### **Building a survey for quality method**

The qualitative method used, the realization of two focus groups was based on 5 open questions, which are:

- If there was a referendum on Albania joining the European Union, how would you vote?
- What are the criteria for a country's accession to the EU?
- What are the countries in the region that have more advanced status than Albania towards the EU?
- What are the economic and social benefits of Albania from EU integration?
- What are the economic and social costs of Albania from EU integration?

#### **Study Scope / Realization.**

In parallel with the collection of information from literature, the drafting and administration of surveys has been done. The survey was conducted in local government units (municipalities and municipalities). They are also administered in the urban and rural part of Durres county. The interview process was conducted in

the period October 2022 – February 2023

During the research, as mentioned above, 2 “focus groups” consisting of 6 members of the CCCC and 15 members of the Durres Youth Movement (Durres Youth Movement) were realized, where the groups were composed of male and female. Focus groups are based on knowing the perceptions, ideas and expectations of group members.

#### 2.4. Study Scope / Realization.

In parallel with the collection of information from literature, the drafting and administration of surveys has been done. The survey was conducted in local government units (municipalities and municipalities). They are also administered in the urban and rural part of Durres county. The interview process was conducted in the period October 2022 – February 2024.

During the research, as mentioned above, 2 “focus groups” consisting of 6 members of the CCCC and 15 members of the Durres Youth Movement (Durres Youth Movement) were realized, where the groups were composed of male and female. Focus groups are based on knowing the perceptions, ideas and expectations of group members.

#### 2.5. Tolerance of error.

The error tolerance for the sample of the general public is +/- 3%, with a credibility interval of 95%. Technically, a +/- 3% error tolerance means that if repeated samples of this size were taken, 95% of them would reflect the opinions of the population with inaccuracies not greater than +/-3%.

### 3. Results

#### 3.1. Survey results – quantitative analysis.

First, the questionnaire conducted informs about the degree of recognition that the different categories of individuals interviewed have for the existence of EU organizational structures.

Generally, 96 percent of them are actually informed, so they claim to have heard about international structures/organizations. This is a satisfactory answer, given that there are individuals with different levels of education, regardless of the urban or rural area where they live. Meanwhile, 100% of responders belonging to the local government category are aware of these structures.

The most recognized international structure/organization by the responders is NATO (97.8%), followed by the EU, so close in terms of difference, that it cannot make any difference to consider. After this pair, the EC follows, with little difference with the OSCE. The least known structure is the United Nations with 86.2 percent.

If we were to try to understand the reasons for these obvious differences, three options come to mind: 1 – continuous information from all media citizens on NATO membership and discussions and debates conducted by politicians. Meanwhile, the public doesn't have enough knowledge of what this membership brings. 2 – In the

same logic goes the EU recognition. But now not only from the constant information to citizens from Albanian media, but we believe that it is also found in foreign media, which Albanians manage to understand (Italian and Greek mostly). 3 – A wider recognition of the OSCE than the EC was expected, as the first institution is the one that is constantly mentioned for interference in the domestic political process, especially in the problematic elections that Albania has, accompanied by many debates.

Local Government responses are confused about the EU's presentation. Four of them deny that the European Commission is a structure of the EU. Eleven are even more confused because they do not know or refuse the answer. 22% of them do not know. Interestingly, the urban area has the highest number of responders who refuse to answer for this structure, while not being convinced/clearly.

Comments on these answers leave endless space for discussion. Try to focus on the main ones, avoiding individual subjectivism as much as possible. In the case of administrative workers, the answers "No" and "I don't know/Rejection", combined amount to less than half of the answers "Yes". This is a high and truly frightening result, as it highlights the pronounced lack of recognition precisely that part of the population, which has the duty to influence or inform the public.

The most bizarre difference is between urban and rural residents. The simplified logic expects that the best informed will be those in the civic area. But the answers give the opposite. This makes us think in two aspects: 1) The traditional "overvaluation" of citizens compared to the knowledge they possess; 2) Less diverse life in the village makes more attention to television, resulting in a greater increase in information sourced from the media. As is known, the Council of Europe (where Albania has been adhered since 1995) is not an EU constituent institution. According to the reference table and graph, we note that the responders in each category have the wrong knowledge about the affiliation of this institution. It is likely that the link is made by the name that this institution has – the presence of the word "European", which automatically makes it think of as part of the EU superstructure or other alternative similar to the term European Council. This is one of those points where the lack of constant information is clearly understood. Among the residents in rural areas, nine of them deny that the EC is part of the EU. Whether it should be taken as a conscious response or simply coincidence, we cannot say. This point should be taken further, asking about the function of this institution, so we would understand the 9 correct answers more clearly. Among residents of urban and rural areas, there is again a difference, in the prevalence of wrong answers in the city and the correct answers in the village. In total, 45% of the answerers do not know if the OSCE is a eu structure. Only 69 of them give the correct answer that the EU and OSCE are different structures from each other. This question deepens the lack of knowledge of all the groups questioned – local government and civil society. Unfortunately, even rural residents, who had the best average of positive responses, are wrong here. In this case, a strong reason must be seen in the use of the term "European" in the designation of the structure. 85 of the responders give the maximum assessment of the EU's consideration as a democratic body. Among these, residents in urban and rural areas have more of this belief. This assessment comes as a fact of democratic expectations. The medium trend of responses is noted, with 49 of them giving the maximum assessment on the

EU's stance towards new memberships, while 41 of them give the medium rating scale by taking a dual stance. It is enough to mention the case of Turkey against Serbia's. Turkey is economically, administratively and democratically more developed than Serbia. And yet, despite the problems that the latter has created in the last twenty years in the region, it was seen with a positive eye. Overall, the same positivity is also seen in the attitude of whether the EU is a peace factor in the EU, where 87 questioned (rating 10) have the maximum confidence for this EU role. But if we are to group the answer very well (9 and 10) against the average responses (5 to 8), compared to the two questions above, the trend is growing very large. So it clearly dominates the maximum claim. The question that arises is whether this is seen by interviewees as a factor of peace within members of the EU or beyond its political border. In general, it is noted that there are high levels of confidence that eu accession will bring economic development not only to member states, but also abroad. Responders positively assess the EU in correlation with economic development as an important development factor. There are trends of increasing confidence from the average to the highest. The highest trust in attitudes is presented by responders who are from local government. The results show that 33 of the participants have given the correct answer. The application for EU candidacy was made in 2009. The correct answer was given by local government employees (16) and residents in rural areas (17). 76 of them (33.9%) of all responders do not know what year the application was made. It is hard to tell whether this wrong or lacking answer has come as a result of lack of knowledge or dislike. The vast majority of the answerers are optimistic about the integration process, because they would have voted for the EU in the event of a referendum (202 answerers or 90% of them). This shows the high degree of credibility in attitudes towards the EU, which is also evidenced by surveys of Think Tank organizations conducted periodically in recent years. In the answers given to the question "At what stage towards the EU is Albania currently?" it was expected that the answerers would be more informed. All target groups asked define as the priority criteria of a country's eu membership, the acceptance of implementation of the entire EU legal framework (acquis communautaire). In addition, a number of responders have defined the criteria for democratic order and rule of law. Most of the answerers are very clear and believe that Albania will not be accepted if it does not meet the membership criteria. This answer is a fair correlation with the fact that the answerers believe in the implementation of democratic principles in the EU. Civil society representatives appear more consistent in fulfilling the criteria for membership. Most of the answerers are correct when they argue that North Macedonia, Montenegro and Serbia are in more advanced status towards membership. Twenty of them believe that Kosovo is ahead of the process compared to Albania, information that is not accurate. But taken as individual countries, it is mostly believed to be the most advanced Serbia in the process, ahead of other countries. Over half of the responders (126 or 56%) believe that Albania and the pace of integration process in Albania is slow or too slow. Among these categories, responders from civil society and rural areas (about 68% of them) think that Albania is moving at a slow pace. In the grouping of responses, negative ones prevail, which are also a clear indicator of disappointment about the work done by Albanian governments in this process. The benefits after EU integration have been analyzed. If



we used a popular phrase we would say “language goes, where the tooth hurts. 54 answered for economic benefits, 47 for free movement (most of them rural residents). The number of these responses is very high compared to other responses. There are 58 responses not aware about the benefits of Albania’s EU integration. They have not been expressed about concrete benefits from integration. The perceptions of the responders for certain benefits expected after EU integration are considered. Respectively, at the maximum scales (9 and 10), citizens responded to democratization and institutional reform (87 people), economic development (103 people), rising living standards (101 people). Interestingly, the two most important aspects with 131 affirmative responses have been the strengthening of rules and laws and free and democratic elections. Most responders have no information about the cost Albania is expected to have after EU membership. 62.8% of urban responses do not provide any comment on what these costs might be. Even when the costs are articulated, the answerers in most cases do not specify the type. 23.2% of the responders have rated the financial and economic reform towards economic and monetary union with a 10 degree as a more priority cost for integration. 26.7% of the responders estimated with a scale of 10 that one of the costs of integration is also the chaotic and economic situation due to the replacement of the local currency with the euro. This is also a result of citizens’ knowledge of the experiences they had when they have been members of the EU. Most of them have faced economic challenges from replacing local currencies with the euro. For Albanians, this is also more sensitive considering that migration has occurred in EU member states such as Greece, Italy or Germany. We have 18.6% of responders who estimate cost over production (falling domestic production and rising unitedness due to competition coming from abroad). This is one of the challenges that the questionnaires anticipate given the degree of competition from abroad and the inflow of foreign capital (goods and services) as a more developed economy and increases competition. 14.2% of responders assess the non-knowledge of the diploma, consequently lack of qualification as one of the costs of Albania’s integration. Most responders rate these criteria on the scale of 7-9. This cost becomes even more sensitive considering that there is an increasing tendency to pursue higher education. Since citizens see education as an investment, they have the hesitation that their investment will be devalued when faced with EU criteria and will therefore not be efficient for finding a job. 20.5% of the responders respond to the 10-cost scale “transport and energy infrastructure in Albania at poor levels compared to European standards”. 38.3% estimate this cost on a scale of 7-8. This high percentage comes as a perception that it takes very large investments in these strategic sectors for Albania to be competitive.

15.1% of responders determine the cost of restructuring institutions in tier 10. 37% of them estimate this cost on a scale of 7-8. More than half of the responders understand that the establishment and functioning of democratic institutions is a significant criterion for development as an EU country. 25% of responders define the maximum extent “cost in the environmental, agriculture, consumer protection sectors”. This means that a concern as serious as replacing the local currency with the euro could be reform in the environmental, agricultural and consumer protection sectors. Most responders, exactly 42.8% respond that they get information about the EU from TV.

The information received from TV has more impact on rural residents because they use TV as a means of information.

It is interesting to see the function of radio as a means of communication for dissemination of information. A significant proportion of responders receive no information from the radio about the EU. Radio is seen as a rarer source of information in rural areas.

Newspapers are seen as a source of more information by residents of urban areas and less by civil society. 55 of the responders are stated in the 9-10 assessment, so that information on the EU is obtained precisely from reading newspapers. It is important to understand the internet as a source of information for the EU. 32.5% of responders view the Internet as a source of important information. This statistic is understandable if we take into account the high rate of internet use by residents in urban areas.

The survey is intended to illustrate the role of the EU delegation in Albania as a source of information about everything related to the integration process. It is assessed by responders with very low degrees as a source of information, especially by representatives of local government. These answers give a truth discussed in recent years, that EU representatives in Albania have focused their activity within Tirana. A large part of the responders does not know the institution of the EU delegation in Albania; therefore they do not know that there is also a role of citizen information on integration processes.

### 3.2. Survey results – qualitative analysis

**KKQV (CAP – Citizens Advocacy Panel)** Durres is a civic group with broad representation of interest groups that have vision and want to enable positive change in their city. The CCCC serves as an advisory body for local government (Municipality). About 10 CCCSCs are established and institutionalized throughout the country with the support of USAID. The CCCC functions as a comprehensive and independent commission from the control of local government units. The overall objective of the CCCC is to promote the contribution from bottom-up citizens to local government officials. This initiative aims to create a mechanism that will enable citizens to learn more about the local government unit, decide on important issues for their city and make recommendations on these issues. It is a comprehensive and independent commission from the control of local government units. The CCCC is composed of leaders and representatives of local NGOs, businesses, youth groups and marginalized groups, who give their contribution voluntarily.

Focus group is composed of 6 people, members of KKQV Durres.

The slow pace of the country's EU accession is linked to the instability characterizing the political, economic and social climate in periods near the election. Furthermore, since there is a frequency of local and central elections once/two years in civic perception the weakness of the functioning of local and central government is obvious. The pompous political platforms in pledges against corruption in key sectors makes citizens judge that we are still far from merited in obtaining EU member status. The reasons that justify the population's sense of low living standards are related

to rising prices, low wages and rapid inflation. Generally, the economic indicators are not clearly explained to the citizens. They are simply informed that Albania is going through an economic crisis as part of the global crisis. Asked what are the criteria for joining a country in the EU, the group's representatives identify *human and minority rights, property rights, law enforcement, fight against corruption, independence of institutions; social service and social welfare, education system in need of reform*. As it is seen, the responders are informed of a part of the accession criteria, mainly those related to their daily interests such as property, corruption, service and social welfare. According to the answerers, "*Kosovo, Serbia, Macedonia, Montenegro are the countries of the region that have more advanced status than Albania towards the EU*". Often the members asked do not draw a line between economic and social benefits. In their responses, they mix economic and social elements. The economic benefits are the most desired and expected of the answerers, which makes them say, for e.g., for increased funding when in fact the question was about social benefits. Responders are aware of rising costs of prices and fines, economic elements they are in daily contact with. We have a mix of economic costs with social costs, where it seems that the elements of the social change mentioned are, as you say, the consequence of economic change. Fore: Albanians move to other countries for economic purposes and consequently horizontal social mobility occurs.

**The Durrës Youth Movement (Durrës Youth Movement)** is a group of volunteers dedicated to promoting civic participation by reflecting common values to build a better future for the city and community. THEAD is led by a core group of volunteers who motivate and encourage others. They are prepared for mobilization and leadership of initiatives through trainings, meetings with local stakeholders and the implementation of social initiatives. They serve as a model for their peers and expect change through activities such as IEC (Information, Education and Communication) campaigns. DYM enhances its public visibility, spreading mission awareness through an active presence in the press and social media.

Youth involvement in the Community Assessment Methodology for Governance is a tool to further improve youth representation in public and political life. Youth leaders are prepared for the next step, of influencing politics through cooperation with local government. The VQC process uses "community" as an analysis unit and focuses on local level. Consequently, this process enables the evaluation and monitoring of the offered services, projects and administrative units of governance by the community itself. So it is understandable that the VQC methodology is used more in cases where we want to monitor the quality and adequacy of services provided to the local community and gains real value when this monitoring is periodic. The beneficiaries of the VQ process are not only members of the "community" but also service providers or local authorities. Through the use of the NCSC, youth groups are prepared for the impact on politics through cooperation with local and central government for increasing the welfare of young people and improving employment and exploitation of leisure for them. The importance of youth movements for integration process is also foresaw by institutional reforms, supporting and engaging the energy and potential that younger generations have towards change. The focus group for the purposes of this study was conducted with 15 members of DYM in

Durres. It is noticeable from the comparison with the focus group of THECC, that the young people of DYM are more informed about the criteria of joining and this comes from the information they receive in school (the programs of the Faculties of Business and Faculties of Education) and from different media channels. DYM has recently been active in activities promoting diversity p.sh: Family values or cross-generational cooperation, which has significantly changed attitudes towards groups with different status such as: young, old, LGBT, Roma minority etc. Through the activities carried out they derive a change of attitudes and values by understanding a new dimension of integration such as acceptance of diversity and inclusion.

#### 4. Conclusions

In this work we have attempted to combine elements of the theory on European integration with practical findings of quantitative and qualitative methods, implemented in Durres County. The sample has been generalized with representation of employees of the Durres Municipality administration, members of civil society and representatives of urban and rural areas (covering all municipalities). On the other hand, quality research is done through 2 focused groups in the form of institutionalized groups such as: Local Civic Advisory Commission (CCC) and Durres Youth Movement (DYM), since they are in contact with information on integration process.

What is noticed is a *gap between the real aspects and criteria that the EU requires to be met by an aspiring country for membership, and the knowledge and opinions citizens have on them.* Civic perception is simplistic, starting from practical goals such as jobs or moving freely across Europe. They differ here a higher level and organized information from the Durres Youth Movement, who articulate more accurately a series of costs and benefits from integration.

Another problem is the *lack of information between the citizens in urban and rural areas.* In areas where questionnaires are administered there is a lukewarm information and lack of knowledge about the debates on the EU, Albania's stages towards the EU, the criteria to be met and the ratio of the cost - benefits of a country after integration. The perception of these residents is no more profound than the benefit of visa liberalization or the necessity of finding a job as a way out of the individual or family economic crisis. They do not have clear economic costs associated with replacing local currency, increasing competition due to imports or in specific areas such as environment, agriculture, etc. Among the most frequently-attended information channels about the most integrated processes is *television and newspapers.* The service that provides radio for information is used less. *Even less is known about the EU Delegation to Albania and its role.*

*The level of support for integration is high again.* Although there have been fluctuations in civic perceptions about integration process in recent years, we have a safe return to normality in the way citizens experience and evaluate the integration process, assorting this perception with the premise that good local and central governance is vital to the process.

The development of free and fair elections is not only a precondition for opening

accession negotiations, but what is more important, it is judged by Albanian citizens themselves as an important factor influencing integration and political actors must take maximum responsibility to ensure a normal and reliable electoral process.

## References

- Biberaj, Elez. 2011. "Albania in transition, The Hard Road to Democracy 1990- 2010". AIIS. Tirane.
- Borchard, Dieter-Klaus. 2010. "ABC – The European Union Law". Union European.
- Bogdani Mirela, Loughlin John. 2004. "Albania and the EU, European Integration and "The Presumption of Acceptance." Dajti, Tirane.
- Braudel, Fernand. 2005. "Grammar of Civilizations". SHL & K. Tirane.
- Bravo, Gian Mario & Malandrino, Corrado. 1994. "Il pensiero politico del novecento". PIEMME.
- Brzezinski, Zbigniew. 1995. "Out of Control, the Turmoil That Swept the World on the Eve of the 21st Century". Elena Gjika. Tirane
- Milo, Pascal. 2002. "European Union: Idea, Integration, Identity Future".
- Cabbage, Wollter. 1996: Europe in Our Time 1945-1992. The Knowledge Publishing House. Tirana.
- Sartori, Giovanni. 1998. "What is Democracy". Knowledge. Tirane
- Sartori, Giovanni. 1998. "Once again for the theory of democracy." Knowledge. Tirane.
- Sokoli, Money. 2009. "Methods of Research in social sciences". Institute of Sociology. Tirane
- Steger, M. B. 2003. "EU. Short introduction", Oxford –University Press, Tirane
- Zajmi, Iva. 2010. "European law." Tirane

## Studies and Reports

- AIIS. 2007. "Strengthening the Internal Democracy of Parties in Albania", Tirane
- AIIS. 2010 "Twenty Years After the Fall of Communism: Reflections on the State and Democracy", Tirane.
- AIIS. 2010 "European Perspective of Albania, Perceptions and Realities", Tirane.
- AIIS. 2011 Albania twenty years after the fall of communism: Reflections on the State and

# Financial management in the public sector in the Republic of Albania

Dr. Ejona Bardhi

*University of Tirana, Albania*

## Abstract

Historically, financial management and control have been mainly interested in providing assurance that budget funds have been used only for the purposes provided for by law and in accordance with the legal and sub-legal framework in force. This requirement will continue to remain in the modern system of financial management and control, but the managers of this sector will have to show that public funds are used efficiently and effectively. In public entities there is always pressure to provide more services with the same or fewer resources, so efficiency and effectiveness must be considered. From here, according to the researchers of the New Public Management theory, the transition to good governance (“Good Governance”) is necessary, which reflects new essential effects, such as the accountability relationships between the main actors of the internal control system. financial public, within which they function: the board of directors, internal auditors, executive managers, external auditors (MF, 2011-2012). The best practices and accepted international standards, especially the “Standards for Internal Control” drawn up by GAO2, INTOSAI3, the COSO4 model and the European Union model, present “Internal Control” nowadays as a system that must to provide reasonable security, regarding the achievement of objectives, with economy, effectiveness and efficiency, orienting the development, implementation and strengthening of this system towards a new and modern role and mission. The modern system of financial management and control requires fundamental changes in the organization of management structures, in the necessity of additional information systems, in the introduction of managerial responsibility. As a result, additional requirements arise regarding the strengthening of accounting and internal control, the implementation of international standards on accounting during the period of the budget cycle. Weaknesses in the accounting and internal control system are directly related to the performance of public expenditures. The increase in transparency for the good management of public expenditures will also be achieved through the development and implementation of advanced accounting principles and standards, which are an important step in the direction of accounting reforms in the public sector in the world. In this paper, through the literature study regarding the adoption and implementation of these standards in the public sector in Europe, we will highlight their advantages in terms of financial management.

**Keywords:** financial management, public sector, control, transparency.

## 1. Introduction

In the last two decades, radical transformations took place in the public sector, especially in countries such as New Zealand, Great Britain and Australia. The reform of the public sector was accompanied by decentralized planning, with increased efficiency and effectiveness in the use of resources, with changes in the role of the state in the economy (state/private sector relations). Such important reforms were also carried out in regions such as Malaysia, Singapore, Thailand and the Philippines. Even countries in transition began to recognize the importance of a government that manages effectively and undertook reforms in the public sector, but the process in these countries was slow. The implementation of the financial management and control



system as part of the most important public sector reforms in these countries aims to use new information, processes and rules to change the behavior of politicians and public servants, to face the ongoing challenges of management of government funds. The fulfillment of these responsibilities in an efficient and effective manner could not be realized without the practices of budgeting, accounting, standards and reporting systems in the public sector. IFAC recognizes that, to improve public sector financial management, governments must make institutional arrangements, implement necessary institutional arrangements to support transparency and financial reporting including: (i) preparation and dissemination of high quality financial reporting and in time; (ii) publication within six months of the end of the period of independently audited financial statements; (iii) preparation and publication of public sector budgets on an incremental and timely basis; (iv) full preparation, transparency, publication of all financial reports, and drafting of budgets in a sufficient, appropriate amount of time before elections; (v) Established, well-defined, and publicly available principles for fiscal management and control, with full transparency (timely publication) to show that the principles are being followed. (IFAC, 2012)

## **2. The role of public budgeting in function of the financial management and control system**

One of the main instruments through which governments collect resources from the economy in an appropriate way and allocate them responsibly, effectively and efficiently, is the state budget. It should never be forgotten that the budget holds public money, which should be used for public interests. The quality of the budget document and the budgeting process is seen as an assessment of the stability and reliability of a country. (OECD) Since the budget cycle is at the center of any public financial management system, the content, principles and functions must be understood. his. To evaluate his performance in<sup>1</sup>the operation of the financial management and control system must be audited from the formulation stage and continuing in its approval and implementation.

## **3. Meaning and definitions of the budget**

The historical origin of the public budget begins when the people give their prior consent to the collection of revenues and the carrying out of state expenditures, through their representatives, that is, where no tax is set without the prior consent of the people through their representatives. Also, these funds are spent only after discussion by the people's representatives. Britain was the cradle of these requirements, where this concept was further refined as a specified forecast of expenditure expected to be incurred over a specified period of time. Its further improvements were achieved during the revolution of 1789 in France, where the legislative power was not content only with the discussion of public revenue and expenditure, but also worked to realize its right of control over the executive power through the use of public funds. There are many definitions related to the budget by theorists at different times. As classic theorists of public budgeting we mention Henry Adams, William F. Willoughby, VO Key Jr., and, Aaron Wildavsky. Recent theorists are Baumgartner and Jones - Frank

---

<sup>1</sup> SBO Financial Management Network supports the mandate of the OECD Senior Budget Officials working group.

R., Baumgartner and Bryan D. Jones, Richard Ferno, Allen Schick, Dennis Ippolito, Naomi Caiden Authors Robert W. Smith and Thomas D. Lynch (Rubin, 1990) describe budgeting public through four perspectives. 1. From the politician's perspective as "a political event carried out in the political arena for political advantage". 2. From the economist's perspective as 'a matter of resource allocation in terms of opportunity cost, where one consumer's allocation of resources takes resources from another consumer'. The role of the economist, then, is to provide decision makers with the best possible information. 3. The accountant's perspective focuses on the value of financial reporting in budgeting, which analyzes the budgeted amount with the expenses incurred. 4. From the perspective of the public manager, as a policy tool to describe the implementation of public policies. Further, they develop an operational definition: A budget is not just a statement of finances, but is the link between the mobilization of funds and the achievement of government goals and objectives. "Budget" is a plan for carrying out programs in relation to objectives and goals within a given period of time, including an estimate of the resources needed, together with an estimate of the available resources, usually compared to one or more time periods. past and indicating future requirements "Frederick Cleveland: Built a practical definition of budgeting (Rubin, 1990) "A plan for financing an enterprise or government, during a certain period, which is prepared and presented by a responsible representative executive body (or other establishment agent), authorization and approval of which are necessary before the plan can be executed William F. Willoughby(1918): described the purpose of a budget document. VO Key, Jr. raised the question of how scarce resources would be allocated to meet unlimited demands. Key question: "On what basis will it be possible to decide to allocate x dollars to activity A instead of activity B?" (Key, 1940). Verne B. Lewis: Argued the theory of budgeting based on economic values, contributing strongly to the study of public finance. (Lewis, 1952) Richard A. Musgrave: *The Art of Public Finance*; identified the three roles of the government in the economic allocation of resources, the distribution of goods and services, as well as the stabilization of the economy (Walsh, Williams, 2007) Aaron Wildavsky (1961, 1964, 1992): suggested that budget decision-making is primarily political, and not based of economic conditions. Indeed, the budget is an important instrument of public political organization and a critical arena for political negotiations between the executive and the legislature. This is, in essence, a political process (Santiso,C.& Belgrano,A.(2004). Allen Schick described the three functions of budgeting: strategic planning; control over management; the process of directing to ensure the effective and efficient realization of goals and objectives presented through strategic planning; operational control, focused on the proper execution of specific tasks that provide the most efficient and effective means of accomplishing the goals and objectives required by management control (Schick, 1996) Irene S. Rubin: Facilitated the discussion of the division into two parts between the theory and practice of the public budget. (Rubin, 1990)<sup>2</sup>

#### 4. Budget principles

The principles of traditional budgeting, such as the principle of the general budget, of plurality, of the annual principle, of publication, of accuracy, of completeness,

<sup>2</sup>SBO Financial Management Network supports the mandate of the OECD Senior Budget Officials working group.

of spending units, of specialization, ensure greater clarity of the budget, complete control, success and completion of needs according to priority. These principles enable the verification of all state revenues, influencing the more rational spending of budget funds. Through the publication of the budget, taxpayers are informed for what purpose their income will be spent, which they have paid in the form of various taxes, which affects them in a positive way. The best practices of Western European countries have evolved even further and apply, among others, the principle of care, teamwork and consultation. Today, in all countries, the principle of budget balance has been replaced by the policy of budget deficit or surplus. These very important principles aim at budgeting being prone to underestimating income and overestimating expenses. According to the principles of contemporary budgeting, a good, accurate and reliable budget can only be achieved when it is based on research and consultation. This is even when budgeting tasks are divided among those individuals who have the best chance of knowing what expenditures are likely to be necessary, and what income is reasonable to expect. It is very important that budget authors agree on the final budget and strive to produce documents that can be read and understood by anyone. People who have an important role in the budgeting process should reasonably know the principles of budgeting, their connection with strategic and operational plans and know and analyze the consequences of the budget that is finalized in the next year. Ignorance, lack of engagement in budget processes, non-implementation of budget principles, negatively affect the performance of the financial management and control system in public units and organizations. They are listed as reasons<sup>3</sup>the main reason why companies and organizations fail. Budgetary systems, procedures and principles are important, so they must be coordinated, coherent and implemented in accordance with each other at all levels of government. The recommendation of the Financial Management Network of the OECD countries for “budgetary governance”, establishes ten principles which provide a concise overview of good practices in the entire process of budget activity. They have a purpose<sup>4</sup>to provide practical guidelines for the design, implementation and improvement of budget systems, to achieve a positive impact on the public expenditure management system. The recommendation also supports the importance of budgetary principles for other aspects of good public governance, including integrity, transparency, achieving strategic goals, and promoting trust between citizens and government<sup>17</sup> In the public budgeting literature, transparent financial reporting, efficiency and effectiveness are three important values.

## 5. Functions and role of the budget

There are two theories about the role of the budget, the classical one and the modern theory. In the classical (traditional) theory, which is based on the neutral function of the budget, public expenditures must be covered by public revenues. Thus, no importance is given to the economic impact of the budget. According to this theory, in the political aspect the budget shows the main objectives of the government during the budget year, approved by the special body of the state (parliament). Whereas

<sup>3</sup> PwC Global survey on accounting and financial reporting by central governments, “Towards a new era in government accounting and reporting” April 2013.

<sup>4</sup> Welsh F - Chief Financial Officer and Head of Treasury Accounting, New Zealand participating in the organized conference.

the legal function of the budget serves as a system that controls the collection and distribution of budgetary resources, so it has to do with the budgetary law of the state. Traditionally, the functions of the budget have been control, management and planning. In the modern theory of the state, the budget is an important instrument for intervention in the economy. The budget affects the direction of economic flows, the balance of production, distribution, consumption, savings, investments and the balance of payments. Therefore, the budget, first of all, is an instrument for economic development and social policy. The state, through its budget, determines the sources and priorities of financing, as well as makes decisions that result in the provision of goods and services to each individual. "The budget is the main financial plan of the government. It should enable the government to achieve the key international goal of poverty reduction by ensuring that basic services (including health, education, water, housing, electricity) are available to all citizens and that progressive taxation is used to finance these services and to reduce the prevailing levels of inequality." (Aborisade, 2008). In the USA, at the beginning of the twentieth century, there was great concern about corruption in government and a great fear that people were stealing public funds. To protect public funds, the financial authority was concentrated in the position of the mayor. The position of controller was placed under the chairman, to control expenses and income. The city of New York led this reform in 1907, and the US government followed in 1912. (Euro Partners Development Team, 2012) In the Modern model, the control function is replaced by the monitoring function (cost consequences are analyzed) and the budget has evolved from a simple control mechanism to a political and management mechanism. It serves as a guide for management, replacing the function of management with that of direction and the function of planning with the function of strategic planning.

Governments, in addition to other instruments in their politics, (laws, regulations and joint actions with other actors in society) consider the budget as a main instrument for turning plans and aspirations into reality. Many government organizations that prepare financial statements make their budget documents available to the public. According to the OECD, budgeting is not simply the preserve of central power, it is a process that involves all levels of government, national and subnational, where mandates and levels of autonomy are applied differently in different countries. The budget issue<sup>5</sup>it is not just a technical issue, it is fundamentally a political issue. The budget is one of the management instruments. Thus it affects the increase in the responsibility of management and financial reporting. Creating an effective budget system, based on methodical behavior, helps to achieve administrative and economic efficiency. "Budgetary governance" refers to the processes, laws, structures and institutions in place to ensure that the budgeting system meets its objectives in a sustainable manner. The law requires governments to prepare an annual budget for the fiscal year. The budget, as the central document of government policies, shows how priorities will be determined and annual and multi-year objectives will be achieved. The budget formation process is generally led by the Ministry of Finance, as the central budget authority, drawing on the opinion and input of ministries, public servants and trusted advisors, civil society organizations, interest groups and increasingly the citizens themselves. During the drafting of the budget, the contributions and concerns

---

<sup>5</sup> Kadri Jõgiste and Juta Maar, respectively Head of the Budgeting Methodology Department and Head of the State Accounting Department at the Ministry of Finance of Estonia.

of citizens are taken into account, analyzed, considered and transformed into a series of proposals for action to achieve valuable objectives, through the use of available resources in an effective, efficient and sustainable manner. Such a budget process is considered effective and in function of the management and control systems of public funds. The budget is also very important as a financial instrument, through which a large part of the national income is redistributed. It is not only aimed at fulfilling the requirements of the law, but is also a policy document in the public sector, aiming at the allocation of limited resources between different areas of municipal services. In this process, governments must define criteria and keep them in mind when making budget allocations. Budgets of specific government organizations reflect government policies, so they can also be considered policy documents.

The budget is the single most important government policy document, where the policy objectives are accepted and implemented in concrete terms (OECD, 2002) To succeed in creating an effective budget system or to positively influence the process requires competences not only technical on the part of the staff, it also requires the development of a pro-poor philosophy, mastery of process governance, having a sense of vision, mission, commitment to positive values and ideals, and determination to create great leadership from side of the political bearers” (Aborisade, (2008). Budget transparency and financial reporting are considered as full, systematic and timely identification and identification of all information in this regard. Budget transparency is also in the main attention of the practices of OECD member countries. In these countries the budget is considered not only as a contract between policy makers and municipal departments, but also as a contract between citizens and the local government unit. It is considered an essential cornerstone in the architecture of trust between states and their citizens. (OECD 2002) In addition to financing programs<sup>6</sup>new and existing, the budget is the main instrument for the implementation of fiscal policy and thus affects the economy as a whole. Budgeting is not an independent process.

Budgeting practices can vary widely across countries, in light of traditional, institutional and cultural factors. Good practices can be presented as high-level principles to guide and inform budget processes and reforms. Countries that organize their budget work based on these principles of governance, complementing their successful national and international approaches and experiences, have the opportunity to fulfill citizens’ expectations for sustainable and effective public governance. These principles take into account the different stages of the budget process, the attributes of the budget document as well as the broad content of budgets.

## **6. Drafting stages and types of budgets**

There are many types of budget forms and formats, each highlighting a particular informational need of management (the principle of the plurality of budgets). However, the most typical form of the budget cycle goes through four stages. (Smith et al. 2004) In accordance with the main objectives of public expenditure management, the budget preparation process must take into account macroeconomic policies and resource constraints, the allocation of resources in accordance with government policies and provide assurance that there are suitable conditions for good operational

---

<sup>6</sup> SNA 1993, or SNA for short, are guidelines, the basis of all economic and financial statistics standards, drawn up under the responsibility of the United Nations, the International Monetary Fund.



management. Budget with expenditure items, as one of the types of budgets, keeps track of how much has been spent and for what (salaries, materials and supplies for goods and services), is control-oriented, simple to understand, giving made expenses transparent as well as subject to rigorous scrutiny. Although simpler to prepare, it does not provide any information about the activities and functions of a program, department, or municipality, revealing little about the provision of services to citizens. Jess Burkhead (1956) states: "The 'means' of budgeting affect the 'ends' of budgeting - people think in terms of what is put before them." Budgeting on the basis of programs. Expenditures should be reorganized into programs or activities to assess their performance in relation to the services provided. During the so-called "taxpayer" revolts, from the mid-1970s, citizens demanded to know how their taxes were being used at the local government level, and thus, there was a movement towards more informed and transparent budgeting. to the public. In budgeting on the basis of programs, the process of drawing up budgets starts after the programs have been drawn up. The purpose of a program is to make strategy action-oriented. Planning budgets is a real check of the value of the chosen strategy. A strategy considered ideal may turn out to be completely impractical only after a number of programs have been evaluated in detail. Performance based budgeting. Performance-based budgeting was recommended in 1949 by the first Hoover Commission in the United States of America. Performance budgeting and performance management have been used to describe a number of quite diverse approaches and interpretations (Curristine, 2005) It allocates money to activities<sup>7</sup>different programs or programs of an organization and, at the same time, describes the result of the work that the organization will produce with this money. It is defined as a form of budget that links certain funds with measurable results. From the mid-1960s there was a move towards program performance budgets that were focused at the central government level, where performance information is presented as part of the budget documentation or in the budget classification, inputs are broken down by activity and expected results. Budgeting based on priorities is a response to difficult economic conditions. Once government resources and priorities are specified, programs receive their allocation based on their priority. The results of the programs are evaluated and then their efficiency is deduced. The Budgeting System Planning Program (PPBS Budgeting) is the complex link between expenditure-based budgeting, program-based budgeting and performance-based budgeting and is intended to serve as a long-term planning tool so that decision makers become aware of the future consequences of their actions. These are usually most useful in capital projects and help in the way the program is financed.

## **7. The importance and role of budgeting formats in the public sector**

During the last decades, important reforms have been carried out in the field of public budgeting, as the way governments manage their budgets today will have ripple effects on the economy in the coming years. In most countries, governance performance is assessed by criteria such as efficiency, effectiveness, transparency and financial reporting. Reflecting the financial elements of the government's plans for the next period is a key tool for financial management and control, and is a central

---

<sup>7</sup>These are in accordance with the standards of the integrated income statement of international organizations.



component of process, which provides the government and the legislative supervisory council for the financial dimensions of operations. (IPSASB, 2011) Therefore, the main reforms undertaken are based on the application of budgeting forms such as “results-based budgeting”. The main forms are program-based budgeting and performance-based budgeting, given that program-based budgeting provides a clearer connection between program activities and budget allocations. This form of budgeting focuses on how the government spends its resources efficiently. So, the essence is in the effectiveness and efficiency of the programs, for the purpose of which the performance measures are designed. International studies conducted in relation to budgeting in the public sector, explain that within the framework of the new public management reforms, a recent development for many countries that implement it is the incremental budget. According to researchers in countries where it is implemented, it provides a better insight into the long-term impact of government policies on decision-making. This is seen as too complex by politicians, as it does not allow for frequent changes and the tendency of some of the drafters to focus on short-term interests and plans. Comparing budgets with actual results is very important for financial reporting purposes. Such comparisons are difficult, however, when accounting and budget documents are prepared on the same basis and moreover on an incremental basis, not only is the comparison facilitated, but phenomena such as ignoring the future costs of new policies are eliminated, bypassing fiscal risk and the true state of public finances. The conversion to incremental budgeting means that the budget has been transformed from an expenditure authorization aspect<sup>8</sup> public and financial control in a tool for planning and management (Sterck, Scheers, and Bouckaert, 2004) (Monteiro et.al, (2013). In this case, decision-making is effective and efficient. According to Cortes, at the macroeconomic level, budgeting based incremental means a new framework for planning, managing and controlling public expenditure. Incremental budgeting also means new aggregates to be taken into account as a reference. These will be calculated on an incremental basis rather than on a means basis monetary. (Cortes, 2006).

The cash budget includes only the expected cash receipts and payments for the current period. There is generally wide acceptance of the application of incremental basis systems for the production of accounting statements, but there is no consensus regarding the production of budget statements. A comparative trend regarding incremental budgeting is presented in the April 2013 publication by PWC. the growing trend is presented in 2012 and for the next five years for the 100 countries surveyed around the globe<sup>19</sup>. It is noted that only 11% of countries in 2013 have started using budgeting on an incremental basis and 89%, budgeting on a monetary basis. While a better trend towards the use of accrual accounting is observed. It is applied by 26% of the surveyed countries. The trend towards incremental accounting and budgeting for the next five years is noted. Although the graphic illustration shows that incremental budgeting, compared to the implementation of incremental accounting, is far behind, it is still observed that it has begun to be seen by many countries as essential and important for obtaining information and decisions. “Incremental budgeting facilitates decision-making, much better, because it brings more discipline to the process and ensures that the impact of policy decisions on the economy is fully considered.”

---

<sup>8</sup> The System of National Accounts has been revised, based mainly on changes in the world economy, new products, new technologies and the globalization process. The result of the last version is SNA 2008.

(Welsh, 2012).<sup>20</sup> New Zealand was the first to introduce incremental reporting and budgeting at the same time. Australia introduced incremental annual reporting, and a few years later adopted incremental budgeting. (Khan and Mayes, 2009) The United States produces financial reports according to the accrual accounting principle, but has not announced any plans to adopt accrual budgeting. The United Kingdom has implemented<sup>9</sup> incremental accounting in executive agencies and then adopted incremental accounting and budgeting for central government, calling it resource budgeting. France has adopted accrual accounting, but has not yet made a decision to adopt accrual budgeting. "The crisis has been the trigger for budgeting reforms. We are prepared to use an incremental budget starting from 2014-2015. The incremental budget is essential to get better information for decision-making." (Jögiste & Maar, 2013) However, IFRS do not assume that the incremental basis will be used in budgeting since the principle of accounting with an incremental basis has been adopted. IAS 24 "Presentation of Budget Information in Financial Statements" provides an option to use either the monetary basis or the incremental basis for budgeting. The ongoing process of convergence with international standards does not mean that the incremental basis should be adopted for the budget. The academic discussion on incremental budgeting remains embryonic. Researchers from countries that have recently adopted flow budgeting have focused their work on case studies dealing with the outcomes generated by the change (Guthrie, 1998, Warren and Barnes, 2003, Carlin, 2003, 2005, Van Der Hoek, 2005; Scheers, Sterck, and Bouckaert, 2005; Marti, 2006; Wynne 2008, Robinson, 2009). (Monterio et al., 2013) (Monteiro & Gomes, 2013)

## 8. Conclusions

Regarding the acceptance and implementation of the financial management and control system and the role of internal audit in the public sector, we note that this system is considered one of its most important reforms, both in developed countries and those in transition. It is considered a system that aims to use new information, processes and rules to change the behavior of politicians and public servants to meet the ongoing challenges of managing government funds. The introduction of financial management and control is considered more than a technical reform, as it implies assignment of authority and responsibility, empowerment and accountability, as well as appropriate reporting lines. Internal audit, since it offers an impartial assessment of public resources, if they are managed effectively, giving opinions on the quality of services provided by public sector organizations, is seen as a cornerstone for good governance in this sector. CU/MFK, supported by the Ministry of Finance, has a key responsibility in promoting and explaining the analysis of the KBFP to managers of all levels in the line Ministries Evidence of best practices and accepted international standards for the KBFP, have been seen as processes whose responsibilities cannot be fulfilled effectively and efficiently without the practices of budgeting, accounting, standards and reporting systems in the public sector.

Policies related to financial administration, the function of the budget, treasury, public accounting according to world literature and in support of assessments made

---

<sup>9</sup> The new ESA was put into use by the EU statistical system in 2014, and all member countries will be obliged to maintain National Accounts data (as well as all-time series) based on the ESA 2010.

by international organizations, etc. are considered the main instruments of any financial management and control system in the public sector. In order for these to be used properly, in function and in support of this system, in the world literature, the necessity of the meaning, content and functions that they perform is evident. For this reason, the chapter deals with the meaning, content and role of the budget, treasury, accounting and financial information systems. The best international experiences and practices in these fields and their continuous reformation based on international standards widely accepted in the public sector have been addressed. They are seen not only as documents in fulfillment of the requirements of the law, but also as documents that reflect the policies of governments. The quality of budget documents and transparency in financial reporting are seen as an assessment of the stability and credibility of a state.

## References

- Aborisade, F. (2008). Fiscal and Budget Management System: Principles, Issues and Debates. *International Journal on Governmental Financial Management*, 3(2).
- Allen, R., & Tommasi, D. (2001). *Managing public expenditure: A reference book for transition countries*. Organization for Economic Co-operation and Development. (p. 242).
- Allen, T. (2001). Models of Public Budgeting and Accounting Reform. *Public Accountability And Government Financial Reporting*, 2(1), 11-31.
- Heald, D., & Dowdall, A. (1999). Capital Changing as a VFM Tool in Public Services. *Financial Accountability and Management*, 15(3), 229-248.
- Hyna, B., Kamberi, D., & Sulaj, E. (2012). IPSAS: Challenges of Their Implementation in European Countries. Summary of a Study Carried Out by the European Commission Regarding the Assessment of the Adequacy of IPSAS in the Public Sector by Member States Council of ministers. (2009). Decision No. 640: For the Approval of Policy Papers and the Action Plan for Internal Public Financial Control.
- KLSH. (2013). Annual Performance Report 2012. The IMF's Approach to Promoting Good Governance and Fighting Corruption. (pp. 6-18).
- Konda, Gj. (2001). Albania between Internal Reforms and European Integration. *Institutional Reform in Albania IFAC: II Conference of the Bank of Albania*, (p. 280).
- Leskaj, B. (2015). For an Accountability and Transparency of Finances.
- Minister of Finance. (2010). Law No. 10296. On Financial Management and Control.
- Minister of Finance. (2012). Report on Internal Public Financial Control.

# Corporate governance, advisory and consultancy services, an important part of management and audit activity

**Dr. Pjetër Ndreca**

*Faculty of Economics, "Metropolitan University", Tirana, Albania*

**Assoc. Prof. Dr. Rezart Dibra**

*University College of Business, Tirana, Albania*

## Abstract

Corporate governance is the system by which companies are directed and controlled. Boards of directors are responsible for the governance of their companies. The shareholders' role in governance is to appoint the directors and the auditors and to satisfy themselves that an appropriate governance structure is in place. The governance is the responsibility of the board of directors. And, the responsibility of the shareholders in governance is to appoint the directors and auditors ensuring that a suitable governance framework is in place. Therefore, corporate governance thus refers to what a business's board of directors performs and how it determines the organization's values.

The purpose of this article is:

to address the Principles Guiding the Performance of Consulting Activities of Internal Auditors,  
to explain the considerations for Formal Consulting Engagements,  
to explain the Independence and Objectivity in Consulting Engagements,  
to address Due Professional Care in Consulting Engagements,  
to explain the Scope of Work in Consulting Engagements,  
to explain the role of corporate governance and audit in the same time.

Strong corporate governance is the foundation for safe-and-sound operations. Effective governance frameworks help maintain profitability, competitiveness, and resiliency through changing economic and market conditions by incorporating objectives, policies, and risk limits that are appropriate to the size, complexity, and risk profile of the institution. Directors are responsible for providing a clear governance framework and for monitoring the extent to which officers and employees comply with this framework, and with applicable laws and regulations.

**Keywords:** Audit, auditing, Performance, Consulting Activities, Independence, Communicating the Results, corporate governance etc.

## 1. Introduction

A corporate governance audit is a comprehensive review and evaluation of an organisation's governance framework, processes, and practices. The main purpose of this audit is to assess the extent to which an organisation adheres to its established governance principles, guidelines, and regulations. It involves a systematic examination of various elements, including the composition and effectiveness of the board of directors, risk management strategies, ethical practices, internal control mechanisms, and financial reporting processes. You must know that a corporate governance audit is neither a tax audit nor a corporate audit. The standards require

that internal auditors be able to perform advisory services only if the nature of the services to be performed is specifically defined in the statute of the internal audit activity. Consulting services are defined in the Glossary of Standards as “Consulting services and services related to clients, the nature and scope of which are agreed with the client and are intended to add value and improve the operations of the organization. Examples include advice, facilitation, design process and training.

*The discussion of Consulting and Consulting Services is included to address a comprehensive framework of services that the Internal Audit activity can provide in service of the activity of a public institution or a public or private organization.*

Consulting engagements that may be undertaken by internal auditors may be formal or informal, and they may or may not be linked to an assurance engagement. Indeed, consulting engagements can be a wide variety of activities and activities of public and private organizations as they themselves are numerous and with diverse activities. It is the role of the Chief Audit Officer (SHEA), who in collaboration with the head who requests this service to define the specific form and function of an advisory and consulting engagement. However, in any case, when a security services engagement is better suited to the needs of the company, the internal auditor should make a security services engagement rather than a similar consulting engagement. The Internal Audit Practices Advice published by the standards has listed twelve principles that are intended to guide internal auditors in the performance of their consulting engagements. The principles are summarized and condensed below and they aim to meet these requirements as well:

- Value added from internal audit when this activity also performs security services and consulting services. In fact, internal audit is in a strong position to provide consulting services due to its professional standards and the knowledge gained by its employees due to their position in the company, as well as due to of operations that auditors perform during their activity.
- Included in the internal audit charter is the presumption that internal audit is able to provide advisory services (and other appropriate services). In addition, the rules or standards applicable to advisory services should also be mentioned in the statute of the audit unit.
- Internal audit can also provide services other than security and advisory services, such as fraud investigation and due diligence.
- Consulting services do not undermine the objectivity, individual of the internal auditor or of the audit structure (IAU). Objectivity is addressed in detail in the standards and when they are applied there is no room for discussion. However, the auditor should remember that his or her first task is as an auditor, and so all his or her actions should be guided by applicable internal audit guidelines and standards, as appropriate. Objectivity is not impaired as long as the internal auditor provides advice and does not take ownership of a particular process, or of an activity involved in the operational and day-to-day work to be performed by other employees outside the organization’s audit structure.

If an internal audit activity is the performance of advisory engagements, then it is

imperative that the company's internal auditors take additional steps to ensure that senior management and the board understand and agree with the concept, operating instructions and communications necessary for performing advisory engagements. Consulting services or activities or similar services related to client services, the nature and scope of which are agreed with the client, are intended to add value and improve the organization's governance, risk management, and control processes, by not entrusting the internal auditor with the responsibility of administration. International Internal Auditing Standards, published by the IIA, define consulting and advisory services as:

Customer service advisory and related activities, the nature and scope of which have been agreed with the client and which are intended to add value and improve the governance, risk management and control process of an organization without an auditor internal assumed management responsibility. Examples include counseling, advice, facilitation and training.

**Management studies or consultancy projects** are being increasingly undertaken by internal auditors. Some of these projects also involve outside experts in addition to the internal auditors. In the performance of these consulting-type engagements, internal auditors have the advantage of knowing the organization and staff, as well as skills that are specific to the business. By either leading the project or by being a team member, the internal auditor can accelerate progress on such a project. Based on the IIA syllabus, the types of consulting engagements that the IAA may be engaged in are:

- Providing internal control testing
- Providing support and assistance to the business process reviews
- Benchmarking (previously discussed in the quality engagement section, above)
- Providing information technology support and assistance in the systems analysis and development (discussed under the IT audit engagement)
- Designing performance measurement systems

The crucial importance of corporate governance is confirmed by increasing concern of authoritative bodies, which provide organizations with guidelines and regulations about corporate governance to which companies must adhere. The Organization for Economic Cooperation and Development (OECD) proposed in 2004 six principles concerning corporate governance. The first principle states that corporate governance must be built upon a framework of laws and regulations imposed by the authorities. It emphasizes the need for protection of shareholders' rights as well as the equitable treatment of shareholders. Another issue that is highlighted is the role and the rights of stakeholders within the governance structure. Also, well-timed and legitimate disclosure of financial information and transparency in financial reporting are also a matter of concern, regarding corporate governance structure. Finally the role and the responsibilities of the board of directors and the control mechanisms for management and shareholders are considered of outmost importance (Robertson et al., 2013).



## 2. Principles Guiding the Performance of Consulting Activities of Internal Auditors

The IIA's previously published Practice Advisories (2006) list twelve principles (formerly PA 1000.C1-1) that were intended to guide internal auditors during the performance of consulting engagements. Even though these Practice Advisories have since been eliminated, we believe that the principles can still serve as a useful guide for internal auditors. The twelve principles are:

1.1. **Value Proposition:** The value proposition of the internal audit activity is realized within every organization that employs internal auditors in a manner that suits its culture and resources. The value proposition is captured in the definition of internal auditing and includes assurance and consulting activities designed to **add value to the organization** by bringing a systematic, disciplined approach to the areas of governance, risk, and control.

1.2. **Consistency with Internal Audit Definition:** A disciplined, systematic evaluation methodology is incorporated in each internal audit activity. The list of services can generally be incorporated into the broad categories of assurance and consulting. However, the services may also include evolving forms of value-adding services that are consistent with the broad definition of internal auditing.

1.3. **Audit Activities beyond Assurance and Consulting:** There are multiple internal auditing services. Assurance and consulting are not mutually exclusive and do not preclude other auditing services (such as investigations and non-auditing roles). Many audit services will have both an assurance and consultative or advising role.

1.4. **Interrelationship between Assurance and Consulting:** Internal audit consulting enriches value-adding internal auditing. While consulting is often the direct result of assurance services, it should also be recognized that assurance could also be generated from consulting engagements.

1.5. **Empower Consulting through the Internal Audit Charter:** Internal auditors have traditionally performed many types of consulting services, ranging from the analysis of controls built into developing systems, analysis of security products, serving on task forces to analyze operations and make recommendations, and so forth. The board (or Audit Committee) should empower the internal audit activity to perform additional services where they do not represent a conflict of interest or detract from its obligations to the committee. That empowerment should be reflected in the internal audit charter.

1.6. **Objectivity:** Consulting services may enhance the auditor's understanding of business processes or issues related to an assurance engagement and do not necessarily impair the auditor's or the internal audit activity's objectivity. Internal auditing is not a management decision-making function. Decisions to adopt or implement recommendations made as a result of an internal auditing advisory service should be made by management. Therefore, internal auditing objectivity should not be impaired by the decisions made by management.

1.7. **Internal Audit Foundation for Consulting Services:** Much of consulting is a natural extension of assurance and investigative services and may represent informal or formal advice, analysis or assessments. The internal audit activity is uniquely positioned to perform this type of consulting work based on its adherence to the

highest standards of objectivity and its breadth of knowledge about organizational processes, risk, and strategies.

1.8. **Communication of Fundamental Information:** A primary internal auditing value is to provide assurance to senior management and audit committee directors. Consulting engagements cannot be rendered in a manner that masks information that in the CAE's judgment should be presented to senior executives and board members. All consulting is to be understood in that context.

1.9. **Principles of Consulting Understood by the Organization:** Organizations must have ground rules for the performance of consulting services that are understood by all members of an organization, and these rules should be codified in the audit charter approved by the audit committee and promoted in the organization.

1.10. **Formal Consulting Engagements:** Management often engages outside consultants for formal consulting engagements that last a significant period of time. However, an organization may find that the internal audit activity is uniquely qualified for some formal consulting tasks. If an internal audit activity undertakes a formal consulting engagement, the internal audit group should bring a systematic, disciplined approach to the conduct of the engagement.

1.11. **CAE Responsibilities:** Consulting services permit the CAE to enter into dialog with management to address specific managerial issues. In this dialog, the breadth of the engagement and timeframes are made responsive to management needs. However, the CAE retains the prerogative of setting the audit techniques and the right of reporting to senior executives and audit committee members when the nature and materiality of results pose significant risks to the organization.

1.12. **Criteria for Resolving Conflicts or Evolving Issues:** An internal auditor is first and foremost an internal auditor. Thus, in the performance of all services the internal auditor is guided by the Code of Ethics and the Attribute and Performance Standards of the *Standards*. Any unforeseen conflicts or activities should be resolved consistent with the Code of Ethics and *Standards*

The function of consulting services is to add value and improve the overall performance of an organization. In the performance of consulting type engagements, internal auditors have the advantage because:

- a) They can give an assurance on the fairness of the financial statements.
- b) They will be able to accelerate the progress of the engagement.
- c) They are able to perform the engagements in all circumstances at the request of management.
- d) They will not be under any time constraint and therefore can spend as much time as needed on the engagement.

## 2. Considerations for Formal Consulting Engagements

It is the responsibility of the CAE to make sure of the methodology used for classifying the consulting engagements. There may be some cases in which a "blended" engagement is necessary, one that incorporates the elements of **consulting** and **assurance activities** into a consolidated approach. In other cases, the CAE may find it more appropriate to distinguish between the assurance and consulting activities of

the engagement. The important issue is that the CAE determines the methodology for classifying the engagements.

Consulting services may be conducted as either part of the internal auditor's **normal** or **routine** activity or as a **special** request made by management. Each organization must consider the type of consulting activities to conduct and determine the specific procedures to develop for each type of activity. The possible categories include:

- **Formal consulting engagements:** planned and subject to written agreement
- **Informal consulting engagements:** routine activities, such as participation on steering committees, limited-life projects, ad-hoc meetings and routine information exchange
- **Special consulting engagements:** participation in a merger and acquisition team or system conversion team
- **Emergency consulting engagements:** participation with a team established for recovery or maintenance of operations after a disaster or other extraordinary business event, or a team assembled to supply temporary help to meet a special request or unusual deadline

In addition, auditors generally should not agree to a consulting engagement simply to circumvent or to allow others to circumvent requirements that would normally apply to an assurance engagement if the service in question is more appropriately conducted as an assurance engagement. The auditor may, however, adjust methodologies where services once conducted as assurance engagements are deemed more suitable to being performed as a consulting engagement.

### **3.1 What is the Role of Auditing in Corporate Governance?**

**Internal Auditing:** It is an independent, objective assurance and consulting activity adding value and advancing the operations of a company. It assists a company in achieving its goals by implementing a systematic, disciplined approach for evaluating and improving the efficacy of risk management, control, and governance systems.

**Governing Body:** The entity in charge of the organization's general direction and control. In most cases, auditing serves two purposes. First, auditors provide objective, unbiased assessments of the organization's governance structure and the operational efficacy of specific governance operations.

Second, they serve as agents for modifying, advising, or advocating for changes to improve the organization's governance structure and procedures. Management and the board of directors of a company build and supervise entire processes for effective governance. Internal auditors can help to support and enhance these efforts. Furthermore, auditors should remain independent, they may help in the development of governance mechanisms.

By delivering assurance on the organization's risk management, control, and governance processes, auditing becomes a fundamental tool for effective organizational governance.

Factors such as the maturity level of the organization's governance processes and structure, the organizational role and qualification of auditors determine which

capacity is most significant for auditing.

For companies with limited governance structures and processes, the internal audit function attempts to provide advice on the best structure and practices, compare existing governance structures and practices against regulations and relevant compliance needs.

With structured governance practices, auditors could focus on examining whether or not the company's governance components work collectively, analyzing the reporting transparency between the governance structure and its parts, and comparing governance best practices.

Instead of performing isolated audits of specific processes, internal auditing deals with governance activities. With an organization's specific position, internal auditors monitor governance structure and design. They can often assist firms by advising the board of directors and executive management on essential upgrades and changes in structure and design rather than just ensuring that established processes are working. This is distinct from conducting separate audits to provide objective assessments of certain governance actions.

Using internal audits, assessments of governance depend on data gathered in a particular duration from different audit assignments. Ideally, internal auditors should give assessments on accountability of major organizational governance elements integrated with assessments on risk management and critical controls.

These governance activity assessments can consider- outcomes of certain board-level governance review work, governance issues coming from distinct audit assignments, and other information available, known by the internal auditor.

Being board's catalysts, internal auditors can serve best by providing objective, independent information, and evaluation. They can educate the board about culture, tone, ethics, transparency, and internal interactions.

Furthermore, modern internal auditing is built on the organization's structure for detecting, responding to, and managing the many strategic, operational, financial, and compliance risks.

### **3. Independence and Objectivity in Consulting Engagements**

It is becoming more common for internal auditors to provide consulting services relating to operations for which they had previous responsibilities. While it is not forbidden for internal auditors to provide consulting services to areas over which they had previous responsibility, the auditor should still act in an independent and objective manner.

To assess the impact that a previous position may have on objectivity, the auditor should consider:

- The appropriate requirements and standards of the profession.
- Expectations of stakeholders, directors, the audit committee, and legislative bodies.
- Any allowances or restrictions that are in the charter. If the charter prohibits this type of work, but management insists, this discrepancy needs to be brought to the attention of the audit committee for a final resolution of the matter.

- Disclosures that may be required by standards.
- Subsequent audit work, its scope and coverage.

If necessary, outside thirdparty auditors may need to be used for an audit engagement when the objectivity of the auditors has been impaired for one reason or another. Using third party auditors may not always be possible, and in such circumstances disclosure of the responsibility that the auditor had in the area should be made. This relationship should also be disclosed in the communications related to the engagement.

#### **4. Due Professional Care in Consulting Engagements**

As with every engagement, the internal auditor should exercise due professional care when providing consulting services. The internal auditor should consider the following:

- The needs and expectations of clients, including the nature, timing, and communications of engagement results.
- The relative complexity and extent of work needed to achieve the engagement's objectives (professional skills and resources).
- Cost/benefit analysis of the engagement.

#### **5. Scope of Work in Consulting Engagements**

If consulting opportunities arise during an assurance engagement, a specific written understanding as to the objectives, scope, respective responsibilities, and other expectations should be reached and the results of the consulting engagement communicated in accordance with consulting standards.

In performing consulting engagements, the internal auditors should ensure that the scope of the engagement and the methodology used is sufficient to address the objectives. In establishing the scope of the engagement, internal auditors may expand or limit the scope based on management's request. The internal auditor will still need to be satisfied that the scope of work will be adequate to meet the objectives of the engagement. It is not uncommon for the objectives, scope, and engagement terms to be periodically reviewed and possibly adjusted during the course of the work.

If internal auditors develop reservations about the scope during the engagement, these reservations should be discussed with the client to determine whether to continue with the engagement. In these situations, it will be the internal auditors' responsibility to use their professional judgment for the following:

- To determine the significance of exposures or weaknesses and the actions taken or contemplated to mitigate or correct these exposures or weaknesses
- To ascertain the expectations of senior management, the audit committee and board in having these matters reported

## 6. Communicating the Results of Consulting Engagements

In a consulting engagement, there are no specific standards for the communication's form, content, or structure. The important item to remember when communicating the results of the consulting engagement is that it should clearly describe the nature of the engagement and any limitations, restrictions, or other factors about which users of the information should be made aware.

For whatever reason, it may be necessary for the internal auditor to expand the reporting to include other parties. If so, the internal auditor should conduct the following steps until he or she is satisfied with the resolution of the matter:

- Determine what direction is provided in the agreement concerning the consulting engagement and related communications.
- Attempt to convince those receiving or requesting the service to **voluntarily expand** the communication to the appropriate parties.
- Determine what guidance is provided in the internal audit charter or internal audit's policies and procedures concerning consulting communications.
- Determine what guidance is provided in the organization's code of conduct, code of ethics, and other relative policies, administrative directives, or procedures.
- Determine what guidance is provided by the IIA's *Standards* and Code of Ethics, other standards or codes applicable to the auditor, and any legal or regulatory requirements that relate to the matter under consideration.

## 7. Documentation Requirements for Consulting Engagements

It is the responsibility of the CAE to develop policies governing the custody and retention of engagement records, as well as their release to internal and external parties. These policies should be consistent with the organization's guidelines and any pertinent regulatory or other requirements.

The documentation requirements of assurance engagements do not necessarily apply to consulting engagements. A primary function of the internal auditor is to avoid potential misunderstandings involving requests for the records. The more sensitive situations will require special handling of the records, such as legal proceedings, regulatory requirements, tax issues, accounting matters, and so forth.

## 8. Monitoring of Consulting Engagements

In order to decide the appropriate follow-up for a consulting engagement, the issue will need to be agreed to with the client. Varying types of monitoring efforts might depend on various factors, such as management's explicit interest in the engagement or the internal auditor's assessment of the project's risks or value to the organization.

**Who is responsible to make sure of the methodology used for classifying the consulting engagement?**

- a. Chief Executive Officer
- b. Chairman of the Audit Committee
- c. Chairman of the Board



d. Chief Audit Executive

**Which of the following statements is true in regards to consulting services?**

- a. Assurance and consulting services are mutually exclusive and do preclude other auditing services such as investigations and non-auditing roles.
- b. The CAE does not retain the prerogative of setting the audit techniques and the right of reporting to senior executives and audit committee members when the nature and materiality of results pose significant risks to the organization.
- c. A disciplined, systematic evaluation methodology is incorporated in each internal audit activity. The list of services can generally be incorporated into the broad categories of assurance and consulting.
- d. Audit services cannot have both an assurance and consulting role.

## 9. Internal Control Testing Consulting Engagements

Section 404 of Sarbanes-Oxley directed the Securities and Exchange Commission (SEC) to adopt rules requiring reporting companies to include in their annual reports a statement of management's responsibility for establishing and maintaining adequate internal controls over financial reporting and an **assessment of the effectiveness of those internal controls**. Section 404 also specifies that the company's independent auditor must attest to and report on management's assessment of internal control. If material weaknesses that are likely to lead to a material misstatement in the financial statements are discovered, this fact must be included in the report.

In order for management to make this assessment, a formal, internal control-testing program is required and a company's independent auditors may not be involved in this process. In order to maintain independence, the company's independent auditor cannot establish procedures for testing internal control, prepare the required documentation, and then attest to the work. Although independent auditors may supply input to the process, the majority of the work required in order to satisfy the requirements of Section 404 cannot be performed by the auditing firm that subsequently will attest to the effectiveness of the company's internal controls.

In *Staff Statement on Management's Report on Internal Control Over Financial Reporting*, dated 16 May 2005, the SEC expressed the opinion that "efficient and effective assessments depend on internal audit and other company personnel and external auditors who are 'on the ground' closest to the assessment."

In June 2007, the SEC published Release No. 33-8810, which contained interpretive guidance for management on conducting an evaluation of internal control over financial reporting. The guidance was intended to enable companies to implement the requirements more effectively and efficiently.

The interpretive guidance clarified for management where the focus of the internal control evaluation should be, namely **on whether it has put into place controls that adequately address the risk that a material misstatement of the financial statements would not be prevented or detected in a timely manner**. Management is not required to identify every control in every process or document all of the business processes impacting its internal control over financial reporting.

The guidance also clarified that management's evaluation of evidence about its controls should be based on its assessment of risk. In low-risk areas, management can use more efficient approaches to gathering evidence while performing more extensive testing in high-risk areas. Management is thus able to concentrate its resources on those areas of financial reporting that pose the highest risks to reliable financial reporting.

In addition, in July 2007, the Public Company Accounting Oversight Board (also formed by SOX) approved Auditing Standard No.5, superseding Auditing Standard No.2, and provided guidance for the external auditor in complying with the Act's requirements.

Initially, the management assessment of internal controls provision of Sarbanes-Oxley (SOX 404) was required only of large, publicly held companies. However, after the SEC's interpretive guidance was released, smaller public companies that were not accelerated filers were required to document their management assessment of internal controls over financial reporting for fiscal years ending after 15 December 2007.

Because of all of these items, internal control testing can be an important consulting activity for an internal auditor. Internal auditors may be asked to assist in the design of the testing as well as carrying out the testing. Tests of controls usually include inquiries of management, supervisory and staff personnel, observation of specific activities in the control process, and inspection of documents and records. Their purpose is to obtain evidence about whether the design and operation of activities in the internal control process is sufficient to prevent, or detect and correct, significant misstatements.

The SEC staff statement recommends that the scope and process of the assessment be reasonable and the assessment, including the testing, be supported by a reasonable level of evidential matter. It recommends that management devote resources to the areas of greatest risk and avoid giving equal attention to all the controls without regard to risk. It states, "The assessment of internal control over financial reporting will be more effective if it focuses on controls related to those processes and classes of transactions for financial statement accounts and disclosures that are most likely to have a material impact on the company's financial statements."

## **10. Business Process Review/Reengineering Consulting Engagements**

Business Process Review (BPR) is an important means of improving processes or completely reengineering them. Business Process Review promotes rapid change, which in the current business environment can provide a competitive advantage. Key characteristics of Business Process Review include the use of IT, empowering employees, using cross-functional teams (often including the customer), and boundary-spanning coordination. Business Process Review involves rethinking all aspects of a process, including the outputs, structure, tasks, and technology. Internal auditors may be able to assist during the decision-making and implementation phases by evaluating implications of organizational change and considering how the change should be managed.

## **11. Basic principles of corporate governance – a reminder**

Corporate governance is the system by which organisations are directed and controlled. It encompasses the relationship between the board of directors, shareholders and other stakeholders, and the effects on corporate strategy and performance. Corporate governance is important because it looks at how these decision makers act, how they can or should be monitored, and how they can be held to account for their decisions and actions.

The published audited financial statements and related information are therefore of key importance. They will usually be the main information set to which shareholders and other stakeholders have access and this is why having credible financial statements supported by the auditor's opinion is crucial.

Many regulatory authorities, including the UK, use a code of best practice, often termed a 'comply or explain' approach to corporate governance. Under this approach the regulatory authority issues a set of principles with which company directors of listed companies are expected to comply. In many jurisdictions disclosures are required in the financial statements to demonstrate compliance. Non-compliance is not expected, but in its event, the facts of the non-compliance must be clearly disclosed and explained.

In some jurisdictions, such as the US, a more prescriptive approach is used, whereby corporate governance requirements are set by legislation. Both the principles and the legislative approaches are broadly similar in the matters they address. They both deal with the importance of the board of directors having a balanced structure, emphasising the need for non-executive directors, and for robust procedures in relation to the appointment of board members, and their remuneration. They both describe the merits of audit committees and the need to monitor the effectiveness of internal controls. They both demand disclosure about these and other matters in the annual report.

### **12.1 The main principles of the UK Corporate Governance Code**

The content of the UK and Singapore Corporate Governance Codes are very similar and for the purpose of this article the principles and provisions of the UK Code will be used to highlight some of the key areas that the board should consider when assessing their system of corporate governance.

The Code comprises five sections, each containing main principles:

#### **12.2 Leadership**

Every company should be headed by an effective board which is collectively responsible for the long-term success of the company, and should lead and control the company's operations.

There should be a clear division of responsibilities at the head of the company, which will ensure a balance of power and authority, such that no one individual has unfettered powers of decision.

Non-executive directors should constructively challenge and help develop proposals on strategy. The board should include a balance of executive and non-executive

directors such that no individual or small group of individuals can dominate the board's decision taking.

### **12.3 Effectiveness**

The board and its committees should have the appropriate balance of skills, experience, independence and knowledge of the company to enable them to discharge their respective duties and responsibilities effectively.

There should be a formal, rigorous and transparent procedure for the appointment of new directors to the board. All directors should receive induction on joining the board and should regularly update and refresh their skills and knowledge.

All directors should be submitted for re-election at regular intervals, subject to continued satisfactory performance.

### **12.4 Accountability**

The board should present a balanced and understandable assessment of the company's position and prospects. For UK companies, this is also required by the Companies Act 2006, which requires that the directors disclose a business review as part of the directors' report to be included in the financial statements.

The board should maintain sound risk management and internal control systems. The board should establish formal and transparent arrangements for considering how they should apply the corporate reporting and risk management and internal control principles and for maintaining an appropriate relationship with the company's auditor.

### **12.5 Remuneration**

Levels of remuneration should be sufficient to attract, retain and motivate directors of the quality required to run the company successfully, but a company should avoid paying more than is necessary for this purpose. A significant proportion of executive directors' remuneration should be structured so as to link rewards to corporate and individual performance.

### **12.6 Relations with shareholders**

There should be a dialogue with shareholders based on the mutual understanding of objectives. The board as a whole has responsibility for ensuring that a satisfactory dialogue with shareholders takes place. The board should use the Annual General Meeting to communicate with investors and to encourage their participation.

### **12.7 The role of audit committees**

The audit committee is such an important part of corporate governance that it is the subject of its own guidance document in the UK, the Financial Reporting Council's *Guidance on Audit Committees*. The audit committee should be made up of at least three independent non-executive directors, one of whom should have recent and relevant financial experience. The committee has many roles, including several that are specifically related to the external auditor, which are discussed below.

## **12.8 Review of published financial information**

The audit committee should monitor the integrity of the company's financial statements and any formal announcements relating to the company's performance. Significant financial reporting judgements should be specifically reviewed. This means that committee members should scrutinise all published financial information, and question and be ready to challenge the finance director and external auditors on any contentious matters arising.

## **12.9 Systems and controls**

The audit committee members have responsibility to review the company's internal financial controls and systems, and the risk management systems, unless there is a separate risk committee.

Most large companies have an internal audit function, in which case the audit committee should extend its monitoring role to include that function, including the evaluation of the effectiveness of that function.

Where there is no internal audit function, the audit committee should consider annually whether there is a need for internal audit and make a recommendation to the board, and the reasons for the absence of such a function should be explained in the relevant section of the annual report.

## **12.10 Fraud prevention and detection**

Finally, the audit committee plays a part in fraud prevention and detection in that whistleblowing arrangements should be made so that staff of the company may raise concerns about possible improprieties in respect of financial reporting matters.

## **12.11 External auditors – general principles**

The audit committee has specific responsibilities in respect of the external auditors, including recommending the appointment, reappointment and removal of the external auditor, approving fees paid for audit and non-audit services, and agreeing on the terms of engagement with the external auditor. A point specific to the UK adapted paper is that following a revision to the UK Corporate Governance Code in 2012, there is now a requirement for FTSE 350 companies to put the external audit out to tender every 10 years.

One of the key issues is that the audit committee should annually assess the independence, objectivity and effectiveness of the external audit process, considering of the ethical framework applicable in the jurisdiction in which the organisation is operating. The audit committee should report annually to the board on their assessment with a recommendation on whether to propose to the shareholders that the external auditor be reappointed. The audit committee section of the annual report should also discuss the annual assessment of the external audit process by the audit committee and also include information on the length of tenure of the current audit firm, when a tender was last conducted, and any contractual obligations that acted to restrict the audit committee's choice of external auditors.

In relation to potential threats to objectivity, the audit committee should seek reassurance that the auditors and their staff have no financial, business, employment

or family and other personal relationship with the company which could adversely affect the auditor's independence and objectivity. The audit committee should seek from the audit firm, on an annual basis, information about policies and processes for maintaining independence and monitoring compliance with relevant requirements, including current requirements regarding the rotation of audit partners and staff.

### **12.12 External auditors – the annual audit cycle**

The audit committee should be involved at all stages of the audit, to obtain comfort that a quality audit will be performed. The *Guidance on Audit Committee* specifically requires the following to take place:

At the start of each annual audit cycle, the audit committee should ensure that appropriate plans are in place for the audit. This includes consideration of planned levels of materiality, and the proposed resources to execute the plan, having regard also to the seniority, expertise and experience of the audit team. In practice this means that before any audit fieldwork takes place, the audit firm should meet with the audit committee to discuss the audit strategy and audit plan, demonstrating that auditing standards and quality control principles have been adhered to in their development. The audit committee should review, with the external auditors, the findings of their work. In the course of its review, the audit committee should discuss with the external auditor major issues that arose during the course of the audit and have subsequently been resolved and those issues that have been left unresolved; review key accounting and audit judgements; and review levels of errors identified during the audit, obtaining explanations from management and, where necessary, the external auditors as to why certain errors might remain unadjusted. The audit committee should review and monitor management's responsiveness to the external auditor's findings and recommendations. Thus, all key audit findings should be shared with the audit committee and discussed with them as the audit progresses.

At the end of the annual audit cycle, the audit committee should assess the effectiveness of the audit process, by:

- reviewing whether the auditor has met the agreed audit plan and understand the reasons for any changes, including changes in perceived audit risks and the work undertaken by the external auditors to address those risks;
- considering the robustness and perceptiveness of the auditors in their handling of the key accounting and audit judgements identified and in responding to questions from the audit committee;
- obtaining feedback about the conduct of the audit from key people involved, for example the finance director and the head of internal audit;
- reviewing and monitoring the content of the external auditor's management letter (report to those charged with governance), in order to assess whether it is based on a good understanding of the company's business and establish whether recommendations have been acted upon and, if not, the reasons why they have not been acted upon, and
- reporting to the board on the effectiveness of the external audit process.

In summary, the audit committee carefully monitors the conduct of the audit, and plays an important part in ensuring the quality and rigour of the external audit of the financial statements.



### 12.13 External auditors – provision of non-audit services

Specifically, the audit committee should develop and implement a policy on the engagement of the external auditor to supply non-audit services, taking into account the relevant ethical principles and requirements. The audit committee's objective should be to ensure that the provision of such services does not impair the external auditor's independence or objectivity. The audit committee should consider:

- whether the skills and experience of the audit firm make it the most suitable supplier of the non-audit service;
  - whether there are safeguards in place to eliminate or reduce to an acceptable level any threat to objectivity and independence in the conduct of the audit resulting from the provision of such services by the external auditor;
  - the nature of the non-audit services;
  - the fees incurred, or to be incurred, for non-audit services both for individual services and in aggregate, relative to the audit fee, and
  - the criteria which govern the compensation of the individuals performing the audit.
- The audit committee should set and apply a formal policy specifying the types of non-audit service:
- for which the use of the external auditor is pre-approved (i.e. approval has been given in advance as a matter of policy, rather than the specific approval of an engagement being sought before it is contracted)
  - from which specific approval from the audit committee is required before they are contracted, and
  - from which the external auditor is excluded.

One of the non-audit services specifically referred to in the *Guidance on Audit Committees* is the provision of internal audit by the external auditor. If the external auditor is being considered to undertake aspects of the internal audit function, the audit committee should consider the effect this may have on the effectiveness of the company's overall arrangements for internal control and investor perceptions in this regard.

### Conclusion

Auditor selection continuity makes the auditor get more special knowledge gradually which leads to the enhancement of auditor professional competence and audit quality. However, it found that audit quality enhancement due to the auditor tenure has no effect on the quality of information disclosure of financial statements. Perhaps this is due to the factors mentioned by Sajadi et al. (2012). They state that auditor selection continuity destroys his independence. However, according to the studies conducted by Mashayekhi et al. (2013), Myers et al. (2003), Badavar Nahandi and Taghizadeh Khaneghah (2013) auditor tenure with regard to its effect on audit quality will lead to better auditing of financial statements. Accordingly, our assumption was about the effect of auditor tenure on the quality of information disclosure of financial statements Auditor selection continuity makes the auditor get more special knowledge

gradually which leads to the enhancement of auditor professional competence and audit quality. However, it found that audit quality enhancement due to the auditor tenure has no effect on the quality of information disclosure of financial statements. Perhaps this is due to the factors mentioned by Sajadi et al. (2012). They state that auditor selection continuity destroys his independence. However, according to the studies conducted by Mashayekhi et al. (2013), Myers et al. (2003), Badavar Nahandi and Taghizadeh Khaneghah (2013) auditor tenure with regard to its effect on audit quality will lead to better auditing of financial statements. Accordingly, our assumption was about the effect of auditor tenure on the quality of information disclosure of financial statements. Internal audit is one of the most important functions of an organization because it is considered as a valuable tool for increasing the financial information quality and ensuring the validity of financial reporting. At the same time, in developing a strong corporate governance structure, according to the agency theory, it is important to alleviate the possible conflicts of interests between management and company's shareholders which is caused by the asymmetry of financial information between these two parties. This asymmetry of information can be handled with the contribution of an effective and independent internal audit department which provides the necessary financial information to both managers and shareholders in order to improve the level of confidence between each other. The consulting role of internal audit, its new management-oriented scope and the fact that it adds value to the organization, as it is stated in the Sarbanes-Oxley Act (2002), enhance the role of internal audit in corporate governance matters and makes it an important factor in developing a strong Corporate governance structure. Corporate Governance has been a central issue in developing countries long before the recent spate of corporate scandals in advanced countries. Corporate Governance gained tremendous importance due to economic liberalization and deregulation of industry and business, as well as the demand for a new corporate ethos and stricter compliance with the law of the land.

## References

- Internal standards for professional Practice of internal auditing. Second Edition 2004, International Institute of Internal Auditors America IIA, Second Edition 2004.
- PIFC Public Internal Financial Control, "Robert de Koning", January, 2007
- Mc "McGladrey & Pullen" L.L.P- "Audit committee guide for public sector entities", USA, March 2002.
- Michael P. Cangemi: "Managing the audit function: a corporate audit department procedures procedures guide", Third Edition, April 2003.
- Package of materials on specialization and partnership programs in the framework of the twinning of the Ministry of Finance and the National Audit Office (NAO) London, 2005-2006.
- K.H. Spencer Pickett, Jeniffer M. Pickett: "The internal auditing handbook".
- "Audit committees" year 2005, magazine of the auditing company "Ernst & Young".
- P.J. Barrett: "Better practice guide-public sector audit comitte", Australia, 2005.
- <https://www.google.com/search?q=12.+Basic+principles+of+corporate+governance>
- <https://bcubeanalytics.com/blog/post/role-of-auditing-in-corporate-governance>
- [http://www.virtusinterpress.org/IMG/pdf/10-22495\\_cocv141c4art3.pdf](http://www.virtusinterpress.org/IMG/pdf/10-22495_cocv141c4art3.pdf)

# **The judicial and prosecutorial system, work, up-to-dateness, trust and corruption, the perceptions of the public opinion of Kosovo**

**PhD (C.) Andi Morina**  
*University of Sarajevo*

## **Abstract**

This research with the title “Judicial and prosecutorial system , work, up-to-dateness, trust and corruption, perceptions of the public opinion of Kosovo”, in which research the main focus will be, performance at work, commitment and corruption in the judicial system of Kosovo, perceptions of the citizens of the public opinion of Kosovo, the research is divided into two parts, in the theoretical part in which the theoretical concept on the functioning of the judicial system of Kosovo will be treated, as well as in the empirical part that consists of the elaboration and analysis of the perceptions of the public opinion of Kosovo, in the functioning of the judicial system of Kosovo. In the empirical part, they will be discussed and analyzed findings from the study developed from a survey conducted with the citizens of the Republic of Kosovo regarding their perceptions on work, responsibilities at work, performance, corruption in the judicial system of Kosovo. The methodology of empirical research is based on primary data such as citizens ‘ perceptions and secondarily on official reports from the responsible and managing bodies of the justice system in Kosovo. The primary data include the survey of citizens of the Republic of Kosovo, during March-April 2021, carried out in collaboration with collaborators. The sample selected for this survey consists of 501, respondents were people over the age of 18 in the entire territory of Kosovo. The survey was conducted face to face with the citizens, the respondents. The study is of a descriptive -descriptive, inductive -deductive character, carried out as a case study to measure, test, evaluate the perceptions of the country’s citizens. The sample was selected through a selective method, taking a random sample. The purpose of the research is to identify valid scientific data for an analytical analysis, on the perceptions of citizens in the justice system of Kosovo, for data processing a combined, quantitative-qualitative methodology was used, which aimed to provide answers to these fundamental issues raised in this research. The sample is representative of the demographic composition of Kosovo. Using probability sampling, the margin of sampling error is 2.45%. After collecting the data of the work, the findings are tabulated and processed in a statistical way, tabular and inter- tabular data form the basis of the research.

**Keywords:** perceptions, prejudices, judgments, courts, prosecutors, justice system.

## **1. Introduction**

Perception is a psychic process, which reflects the impressions of the citizens of a country for certain institutions, in the case of the study, research, it is about the justice system in Kosovo, for the institutions that are responsible for the implementation of law and justice in the country. The court acts based on Law no. 06/L-054 which defines this system, consisting of the Supreme Court with its Special Chamber, as the highest judicial institution and with jurisdiction over the entire territory of the Republic of Kosovo, with the Court of Appeal as the court of first instance second, with jurisdiction over the entire territory, as well as Basic Courts, as courts of first instance distributed in seven regions, divided into divisions and departments. The

new prosecutorial system , the State Prosecutor's Office is organized by the Office of the Chief State Prosecutor as the highest instance and with jurisdiction over the entire territory of the Republic of Kosovo, by the Appeals Prosecutor's Office as the second level, also with competence over the entire territory, The Special Prosecutor's Office as a specialized prosecutorial body , with jurisdiction over the entire territory of the Republic of Kosovo, as well as the Basic Prosecutor's Offices in the seven regions of Kosovo, divided into departments.

After a thorough review of the pre-charter standards process, in October 2005, the UN Security Council began a political process designed to determine the future status of Kosovo. In November 2005, the Security Council appointed Martti Ahtisaari, the special envoy of the Secretary General for leading the process of choosing the future status, who moderated several rounds of talks between the representatives of Kosovo and Serbia. After the comprehensive agreement failed to be approved by the UN Security Council, on February 17, 2008, the Assembly of Kosovo declared the independence of the Republic of Kosovo in full compliance with this agreement. In April 2008, the Assembly approved the Constitution of the Republic of Kosovo, which entered into force on June 15, 2008. The Constitution of Kosovo provides for the functioning of the Constitutional Court, the Supreme Court, other courts, State Prosecutors, the Judicial Council and the Prosecutorial Council for the smooth running of an impartial and apolitical justice system. The Supreme Court is the highest judicial authority in defense of the law and examines appeals against the decisions of subordinate courts or in certain cases accepts cases referred directly to it. The Constitutional Court, consisting of nine members, is the protector of the Constitution and its final interpreter. It can be put to work by the higher state institutions in certain cases by the Constitution; individuals have limited opportunities to refer to the Constitutional Court.

## **2. The Judicial Council of Kosovo**

The Kosovo Judicial Council (KJC) is the highest supervisory body of the Kosovo Judicial System and an independent institution whose main responsibility is the administration of the entire judicial system. The general purpose of the Judicial Council of Kosovo, mandated by the applicable legal framework, is to ensure an independent, fair, apolitical, professional and impartial judicial system, which reflects the multi-ethnic nature of Kosovo, as well as internationally recognized principles , human rights and gender equality. Judicial Council of Kosovo 1.1. is a completely independent institution in the exercise of its functions and enjoys organizational, administrative and financial independence for the realization of the tasks defined by the Constitution and by law; 1.2. ensures the independence, non-discrimination , proportionality , professionalism and impartiality of the judicial system; 1.3. ensures that the courts in Kosovo are fair, apolitical, accessible and professional; 1.4. ensures that the courts respect the principles of non-discrimination , proportionality , as well as human rights and gender equality, guaranteed by the Constitution and international agreements and instruments that apply in the Republic of Kosovo; 1.5. ensures that the courts reflect the multi-ethnic nature of the Republic of Kosovo and takes necessary measures to increase the number of judges from non-majority communities

in Kosovo.<sup>1</sup> To fulfill this goal, the Judicial Council of Kosovo is responsible for the selection and proposal of judges for appointment, for the elaboration of policies for general management as well as for the reform of the judicial system. The Judicial Council of Kosovo is the institution that evaluates disciplines and promotes judges and lay judges. In addition, the Kosovo Judicial Council is responsible for the general management and administration of all courts, for the processing and implementation of the judiciary budget and for the establishment of new courts and court branches. As for the election of judges and council members, the Constitution sanctions ethnic quotas, where at least 15% of members must belong to non-majority communities . According to the Constitution, the Judicial Council of Kosovo is responsible for the undertaking of judicial inspections, the administration of the judiciary, the development of judicial rules in accordance with the law, the employment and supervision of court administrators, the development and supervision of the judiciary budget, the determination of the number of judges in each jurisdiction and giving recommendations for the establishment of new courts. The Constitution also provides for the establishment of the Prosecutorial Council of Kosovo, whose functions are to guarantee that the State Prosecutor's Office is independent, professional and impartial, as well as to reflect the multi -ethnic nature of Kosovo and the principles of gender equality. The Prosecutorial Council of Kosovo must recruit, propose, promote, transfer, re-appoint and discipline prosecutors as provided by law. With the establishment of the Council, the duties and responsibilities related to public prosecution that were previously exercised by the Judicial Council of Kosovo were transferred to the Prosecutorial Council of Kosovo. The President of the Republic of Kosovo appoints and dismisses prosecutors based on the recommendation of the Council. The Special Department was established in July 2019, through the Law on Courts, no. 06/L – 054. This department functions within the Basic Court of Pristina and the Court of Appeal, as necessary to increase efficiency in the fight against corruption and organized crime. <sup>2</sup>The Special Department of the Basic Court of Pristina and the Court of Appeal has the right to judge cases that are within the competence of the Special Prosecution Office. Meanwhile, Article 4 of Law no. 03/L-052 on the Special Prosecution Office of the Republic of Kosovo (PSRK) defines the exclusive competence of the PSRK for the investigation and prosecution of organized crime. This provision extends the jurisdiction of this Prosecutor's Office to the entire territory of the Republic of Kosovo. In other words, the Special Department of the Basic Court of Pristina and the Court of Appeal will have the exclusive competence to judge cases of organized crime throughout the territory of Kosovo.

## **2.2. The judicial system of Kosovo**

The judicial system is the main foundation of a democratic society. The transparent, accountable and efficient judiciary promotes the protection of human rights and offers citizens a fair and effective access to justice. Nepotism, the impartiality of the judiciary, violations of the law by judges and prosecutors, long procedures in solving corruption and organized crime cases, not imposing sentences or light sentences for cases of serious corruption, are just some of the characteristics that continue to

---

<sup>1</sup> Law No. 06/L-055 article 1. - 1.5.

<sup>2</sup> Assembly of Kosovo, Law No. 06/ L-054.



weaken the judicial system of Kosovo. Moreover, the Kosovo Judicial Council (KJC) and the Kosovo Prosecutorial Council (KPK), as the main institutions responsible for overseeing the independence, impartiality and efficiency of the judicial and prosecutorial system, have not always shown success in fulfilling their duties as required by the Constitution and laws in force. The monitoring and analysis of the work of the judicial system presents the analysis of the handling of some of the high-profile cases by the courts and prosecutors in Kosovo. At the same time, it presents the actions which KJK and KPK, as constitutional institutions in ensuring and supervising the independence, impartiality and efficiency of the judicial and prosecutorial system, have failed to undertake. When we talk about the judicial system, we think about all the courts in Kosovo and their organization through the Judicial Council of Kosovo, as a constitutional body for the general administration of the courts as well as for the recruitment, transfer, advancement, discipline and dismissal of judges. While the Justice System is a broader term and includes the Prosecutor's Office, as a body that exercises criminal prosecution, the Chamber of Advocates as another party that represents the defense. In the midst of all this, there are other supporting and decisive systems, without which the functioning of the judicial system is impossible, and they are: Correctional Service (Prisons and detention centers), Probation System, Legal Aid System, System of Notaries, Mediation and Arbitration Centers. All of these are intended to make the work of the Judiciary much easier and more functional in resolving court disputes or finding solutions in a more creative and efficient manner within the legal framework. The Constitution of the Republic of Kosovo and the Law on Courts provide that judicial power is given to the courts, while the Constitution mandates the Supreme Court to be the highest judicial authority in the entire territory of the Republic of Kosovo<sup>5</sup>. The President of the Supreme Court is appointed and dismissed by the President of the Republic of Kosovo for a non-repeatable term of 7 years<sup>6</sup>. The Constitution defines the Kosovo Judicial Council (KJC) as the body responsible for ensuring the independence and impartiality of the judicial system<sup>7</sup>, as a completely independent institution in the performance of its functions. It ensures that Kosovo's courts reflect the multi-ethnic nature of Kosovo and follow the principles of gender equality. With the proposal of the Judicial Council of Kosovo, the President has the right to appoint, re-appoint and dismiss judges. On the other hand, the prosecutorial system is sanctioned by the Constitution (articles 109 and 110), articulating that the Chief State Prosecutors are appointed for a non-repeatable seven-year term; whereas, the Kosovo Prosecutorial Council (KPK) was established as a self-regulatory and completely independent body for the prosecution system of Kosovo, with a mandate to recruit, propose, advance, transfer, re-appoint and discipline prosecutors.

### **2.3. Court in the Republic of Kosovo**

The court is a government institution, with the authority to adjudicate legal disputes between the parties and to administer justice in civil, criminal and administrative matters in accordance with the principles of the rule of law. In both of the world's main legal systems, the Anglo-Saxon and civil systems, the courts are the main instruments for resolving disputes and it is generally understood that every person has the right to bring his claims before the court. Also, the right of those accused of committing a criminal offense to defend themselves before a jury in court is one of the main human



rights in all democratic states . The system of Courts that interpret and apply the law is collectively known as the Judiciary. The authority of the Court to consider a case and give a decision on it is known as jurisdiction (Latin *you dicer*). According to the work *Commentary on the Laws of England* by William the jurist Blackstone , the Court consists of three elements: the plaintiff ( Latin *actor* ), who complains about an alleged injury, the defender ( Latin *reus* ), who is summoned to defend himself from the alleged charges, and the jury ( Latin *judex* ), which evaluates the evidence and the legislation to decide on the merits of the case, and in case it finds that the plaintiff has suffered damage, to issue a decision on the application of a legal reward. It is also common for the parties in the Court to be represented by lawyers , who are educated in Law and licensed for legal representation. The term “judge” is used to refer to the Judge presiding over the court hearings or a group of three or five Judges headed by the Case Relator. The judiciary of Kosovo is the central body of institutions of the Republic of Kosovo that exercise judicial authority in Kosovo. According to the 2008 Constitution of Kosovo , the judicial system is composed of the Supreme Court and subordinate courts, the Constitutional Court and an independent prosecutorial institution . Courts are administered by the Judicial Council of Kosovo .

### **2.3.1. Supreme Court**

The Supreme Court of Kosovo is the highest judicial body (authority) in Kosovo and has territorial jurisdiction over the entire Republic of Kosovo . The seat of the Supreme Court of the Republic of Kosovo is located in Pristina . The Supreme Court is competent to judge: requests for extraordinary rights against the final decisions of the courts of the Republic of Kosovo, as provided by law; reviewing the decisions of the second instance of the courts for contested cases , as provided by law; determines the principled positions and legal remedies for issues that are important for the unique application of laws by the courts in the territory of Kosovo; Cases of the Kosovo Property Agency defined by law; in the Special Chamber of the Kosovo Privatization Agency or in the cases of the Kosovo Trust Agency according to the Law; and other issues provided by the Law. The Supreme Court includes the Board of Appeals of the Kosovo Property Agency and the Special Chamber of the Supreme Court.

### **2.3.2. Court of appeals**

This court is competent to review: all appeals filed against the decisions of the Basic Courts; to decide in the second instance, according to the appeal that is allowed by the Law and for the conflict of jurisdiction between the basic courts; conflict of jurisdiction between Basic Courts; and other cases as determined by the Law. The seat of the Court of Appeal is in Pristina.

## **2.4. Office of the Chief State Prosecutor**

Acts for the Supreme Court of the Republic of Kosovo, under the direct supervision of the Chief State Prosecutor, and has exclusive jurisdiction in the third instance in cases with extraordinary legal remedies. Its territorial powers cover the entire territory of Kosovo.

### **2.4.1. Special Prosecutor**

Acts for the Serious Crimes Department of the Basic Court in Pristina and deals with cases of committing terrorism, facilitating the commission of terrorism, war crimes, the use of prohibited means of war methods and other matters as provided by the law on Special Prosecution of the Republic of Kosovo. The cases are handled by the

prosecutors of the Republic of Kosovo.

#### **2.4.2. Basic prosecutions in Kosovo**

These are located in the 7 largest municipalities of Kosovo: Pristina , Gjilan, Prizren, Gjakovë, Pejë, Ferizaj and Mitrovica. Basic prosecutions operate in each relevant basic court in Kosovo and handle all criminal cases in the first instance through the following departments: 1. Department of Crime; 2. Department for serious crimes; 3. Department for minor crimes.

#### **2.5. Prosecution Council of Kosovo**

The Constitution of Kosovo foresees the responsibilities of the Prosecution Council of Kosovo, based on Article 110. The Prosecution Council of Kosovo (KPK) is an independent institution and serves as a supervisory body of the Prosecution System in the Republic of Kosovo. According to the Law on the Prosecutorial Council of Kosovo, the general purpose is to ensure an independent, professional and impartial operation of the prosecutorial system , which reflects the multi-ethnic nature of Kosovo as well as the internationally accepted principles of gender equality. In order to fulfill this goal, the Prosecutorial Council of Kosovo is responsible for the recruitment and proposal for appointment, training, evaluation, disciplining, transfer, removal and promotion of prosecutors and for the administration of prosecutions throughout the territory of the Republic of Kosovo. In addition, the Kosovo Prosecutorial Council develops policies effectively to fight crime, compile statistics and report to the Assembly on the work of the Prosecutor's Office. However, the Council has no competence and cannot interfere in specific prosecutorial affairs . This is the sole responsibility of the Chief State Prosecutor, who represents the highest level of prosecution in Kosovo. The Prosecutorial Council of the Kosovo Prosecutorial Council as an independent institution leads and supervises the fulfillment of the goals of the reform. Furthermore, the Kosovo Prosecutorial Council ensures that its system of by-laws and regulations provides for every important aspect of its activity, in order to provide correct instructions to the institution and its employees in the performance of their responsibilities.

### **3. Empirical part of the research**

Perceptions are human psychic processes, in the context of the research conducted on the perceptions of the citizens of Kosovo about the justice system in Kosovo, they represent the process of recognizing citizens about the work, commitment, duties, competencies and the performance of the justice system in Kosovo. Perceptions, as we emphasized above, are psychic processes of the individual about social phenomena, natural phenomena, individuals, institutions, etc. which are formed under the influence of various factors ; family , media , education, society that can turn into general perceptions, which can be prejudicial , exclusionary, stigmatizing. The perceptions of public opinion are influenced by many factors, such as individual (internal) and social-societal (external) factors, the most important of which is social cognition. Social cognition is the understanding of oneself and others (Fiske and Taylor, 1984). Most people have a remarkable ability to recognize and react to social phenomena, individuals and social institutions or the personality of someone else. When we meet a person for the first time, when we find ourselves in various social situations, we rush to determine through the process of forming impressions whether we like them or not. We receive different

information about different things. Solomon Asch (1955) supported the idea that we perceive people, phenomena as wholes.<sup>3</sup> So when we have partial information, we tend to fill in the gaps of our impressions with traits of people similar to those we perceive. The process of person perception is about using the information we gather to form impressions about people and to evaluate them/those institutions, individuals, things, etc. Asch, THAT perception is also a process of interpreting sensations.<sup>4</sup> However, in the process of perceiving the person, phenomena, institutions, feelings and information, we get the source of the behaviors and characteristics of the people around us. Osgood , Suci , and Tannenbaum (1975) developed a semantic differentiation procedure in which subjects were asked to rate persons and objects by choosing which pair of features was more descriptive. They found that three dimensions were very important in classifying people: esteem (good– bad), power (strong–weak), and activity (active–passive). They are supported the idea of appreciation was the most important dimension for forming an impression on other people.<sup>5</sup>

### **3.1. Analysis of research results**

The issue of Perceptions, of citizens of Kosovo, of dedication to work, performance and corruption in the judicial system of Kosovo is the focus of the empirical part of the research, perception is a psychological process that develops gradually with the intellectual and mental development of the individual, conditioned by preoccupations and the interest of the individual on different issues, topics. Most people have an amazing ability to recognize and react to social phenomena, individuals, institutions, uniforms or important characteristics of someone else’s personality. Our perceptions in the initial stage, on social phenomena or different social situations, we rush to determine through the process of forming initial impressions whether we like them or not. Then we get different information, even hearing a piece of information about different things about a phenomenon or someone or just seeing it, allows us to judge about it. As it seems, the first words we hear, from individuals about various institutions, phenomena or individuals, whether they are pleasant (good or bad) or unpleasant, are the ones that are remembered and that influence our perceptions and behaviors. Our perceptions, trust and convictions about Kosovo’s security institutions are influenced by many factors, starting from knowledge, experience, information, mass media, public opinion, they are formed gradually but do not change quickly. People are influenced by our perceptions, beliefs and personal beliefs. In the following, we will reflect the opinions of citizens on the judicial and prosecutorial system of Kosovo, performance, up-to-dateness and corruption, the perceptions of public opinion.

### **3.2. Research findings**

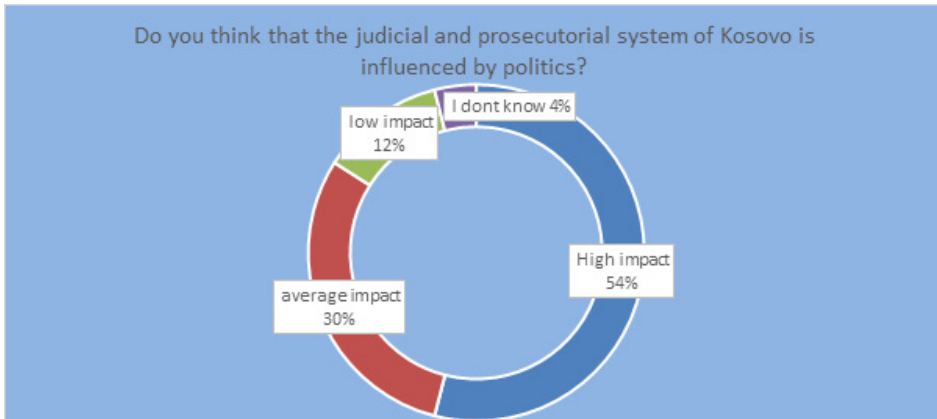
#### **3.2.1. Do you think that the judicial and prosecutorial system of Kosovo is influenced by politics?**

---

3 . Asch , SE (1955). “ Opinions and social pressure “. *Scientific American* . 193 (5): 31 35. [doi : 10.1038/scientifi\\_camerican1155-31](https://doi.org/10.1038/scientifi_camerican1155-31) .

4 . Asch , SE (1955). “ Opinions and social pressure “. *Scientific American* . 193 (5): 31–35. [doi : 10.1038/scientifi\\_camerican1155-31](https://doi.org/10.1038/scientifi_camerican1155-31) .

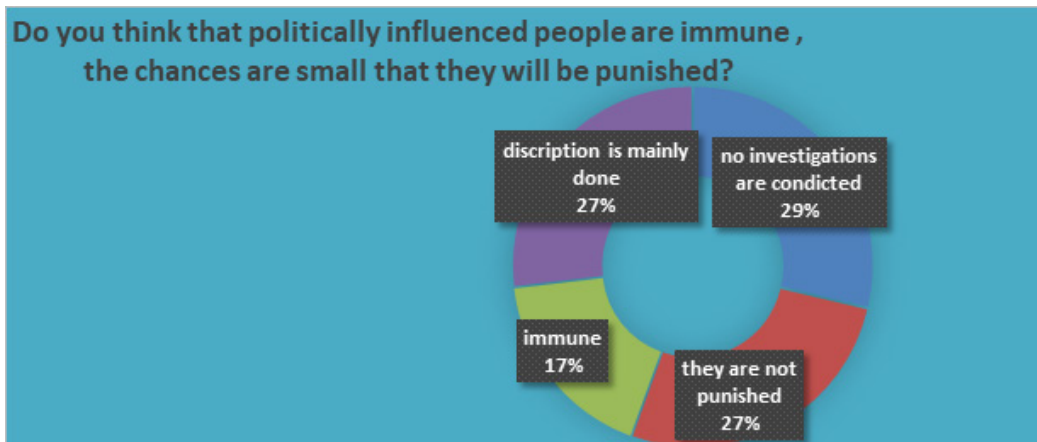
5 . Kelley, HH (1959) *The social psychology of groups*. New York: Wiley.



**Graph no. 1. Do you think that the judicial and prosecutorial system of Kosovo is influenced by politics?**

In graph no. 1. were the data presented by the respondents, on the judicial and prosecutorial system of Kosovo, the political influence? The respondents answered as follows; 54% of the respondents affirmed that the courts and prosecutors in Kosovo are politically influential at a high level, 30% of the respondents think that judges and prosecutors are moderately politically influenced, 12% of the respondents affirm that the judicial and prosecutorial system of Kosovo are affected at a low level and 4% of the respondents answered they don't know.

**3.2.2. Do you think that politically influenced persons are immune, the chances are small that they will be convicted**

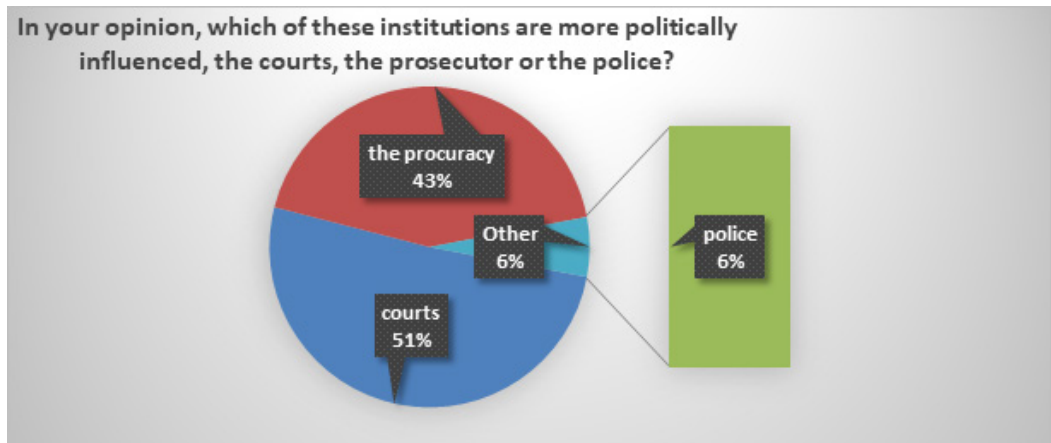


**Graph no. 2. Do you think that politically influenced persons are immune, the chances are small that they will be punished?**

In graph no. 2. the perceptions, thoughts, opinions of the respondents regarding the question are presented. Do you think that politically influenced persons in Kosovo are less likely to be convicted? The perceptions of public opinion and respondents are as follows; 29% of the respondents think that the high political class (high-calibre politicians) are not prosecuted by the investigative bodies, the police nor by the prosecutors , 27% of the respondents think that politically influenced people are not

punished by the courts, 27% of respondents think that high-profile female politicians ' acts of corruption are in most cases described, while 17% of respondents think that high-profile female politicians are untouchable .

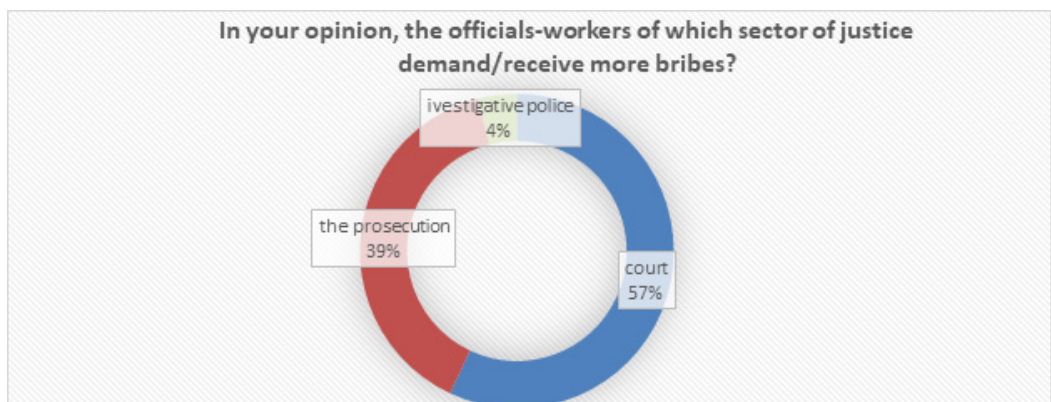
**3.2.3. In your opinion, which of these institutions are more politically influenced; the courts, the prosecutor or the police?**



**Graph no. 3. In your opinion, which of these institutions are more politically influenced; the courts, the prosecutor or the police?**

In graph no. 3. the perceptions of the public opinion of Kosovo regarding the political influence of the institutions of justice, the prosecution and the police are presented as follows ; 51% of the respondents think that the courts in Kosovo have a higher level of political influence, 43% of the respondents think that the prosecutors in Kosovo are politically influenced, while only 6% of the respondents think that the Kosovo police are politically influenced .

**3.2.4. Your perception (officials/workers) of which sector of justice most demand/ receive, accept bribes ?**



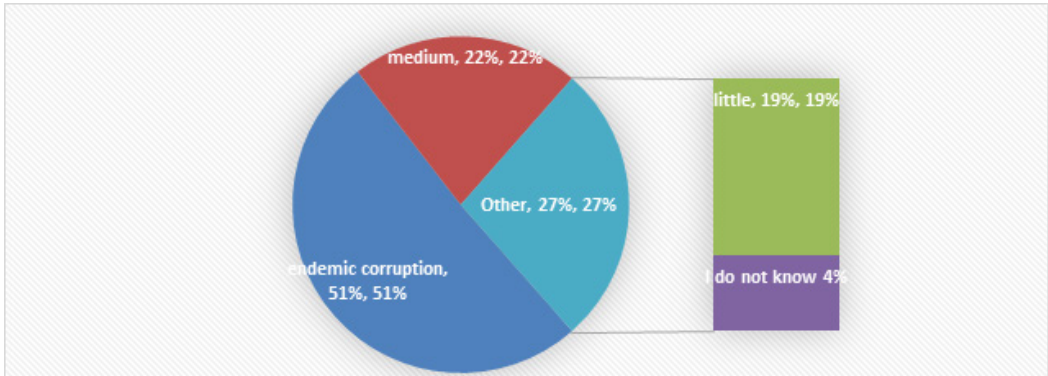
**Graph no. 4. Your perception (officials/workers) of which justice system they most seek, accept and receive bribes ?**

In graph no. 4. the perceptions of the public opinion on the corruption, the acceptance of bribery by the officials/employees of the justice system are reflected, the perceptions



of the opinion are as follows; the perceptions of 57% of respondents think that judges ask for, accept and take bribes, 39% of respondents think that prosecutors ask for, accept and take bribes, and 4% of respondents think that investigating police officers ask for, accept and take bribes.

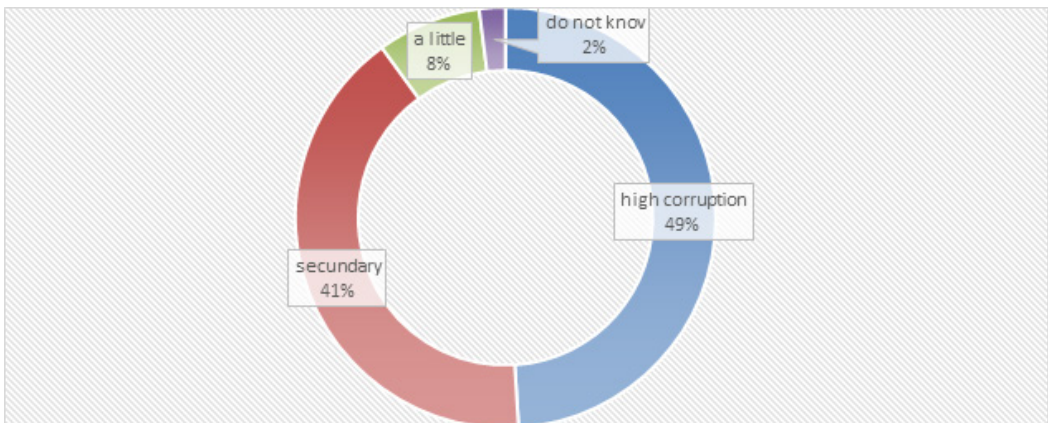
**3.2. 5. Your perception, how widespread is corruption in the judicial system of Kosovo**



**Graph no. 5. In your opinion, how widespread is corruption in the judicial system of Kosovo?**

In graph no. 5, the perceptions of public opinion on the spread of corruption in the judicial system are presented. In the following, the perceptions will be reflected according to the assessment of public opinion, 51% of the respondents think that corruption in the justice system in Kosovo is pandemic, 22% of the public opinion in Kosovo think the spread of corruption is average, 19% of the respondents think that the spread of corruption is low and 8% of the respondents declare they do not know.

**3.2. 6. Your perception, how widespread is corruption in the prosecutorial system of Kosovo**



**Graph no. 6. In your opinion, how widespread is corruption in the prosecutorial system of Kosovo?**

In graph no. 6. the perceptions of the public opinion of Kosovo on corruption in



the prosecutorial system are reflected, the perceptions of the public are as follows; 49% of Kosoca public opinion respondents think that corruption in the prosecutorial system of Kosovo is high, 41% of the respondents think that the corruption in the prosecutorial system of Kosovo has a medium level, 8% of the respondents think that the level of corruption in the prosecutorial system of Kosovo is low, while 2% of respondents declare they do not know.

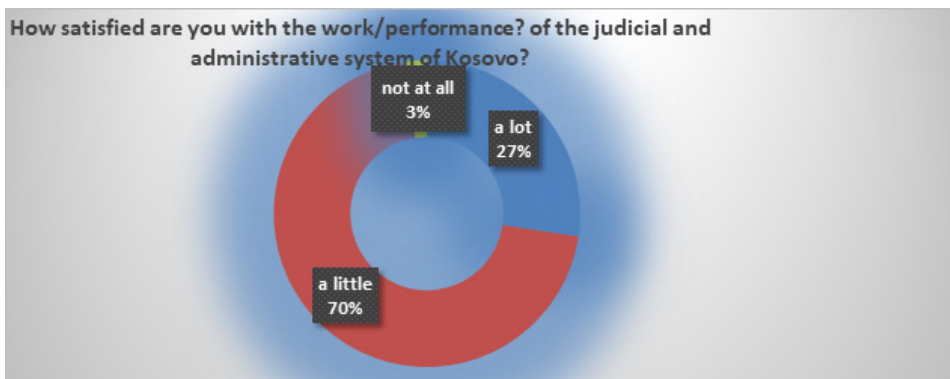
**3.2.7. If you were a witness to any corrupt or criminal case, where would you report the case?**



**Graph no. 7. If you were a witness to any corrupt or criminal case, where would you report the case?**

In graph no. 7. the actions of public opinion are reflected in the reporting of corruption and crime in the bodies of the justice system. The respondents expressed themselves as follows; 41% of the respondents stated that if they noticed any corrupt or criminal case, they would report it to the police, 19% of the respondents stated that they would report it to the prosecutor’s office, 30% of the respondents stated that they would not report it anywhere (because trust you), 10% of respondents declare that I would report the corrupt or criminal case to the court.

**3.2.8. How satisfied are you with the work/ performance of the judicial and prosecutorial system of Kosovo?**



**Graph no. 8. How satisfied are you with the work/ performance of the judicial and procurial system of Kosovo?**

In graph no. 8. public opinions on the satisfactory work/ performance of the judicial and prosecutorial system of Kosovo have been reflected, the perceptions of public opinion are as follows; 70% of respondents declare that they are not a little satisfied with the work/ performance of the judicial and prosecutorial system of Kosovo, 27% of the respondents declare that they are very satisfied with the work/ performance of the judicial and prosecutorial system of Kosovo, while 3% of the respondents declare that they are not at all satisfied with the work/ performance of the judicial system and the prosecution of Kosovo.

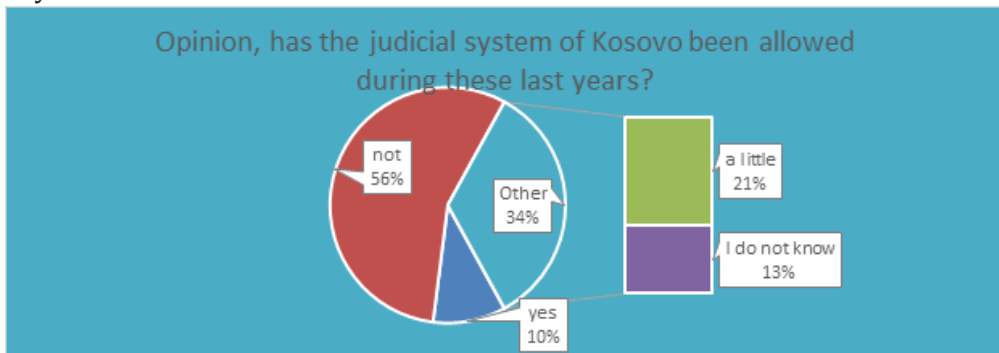
**3.2.9. In your opinion, judges in the courts of Kosovo when making decisions are based on?**



**Graph no. 9. In your opinion, the judges and the court in Kosovo when making the decision are based on?**

In graph no. 9. the perceptions, opinions of the public opinion on what the judges and the court are based on when making the judicial decision are reflected. The opinions of public opinion are as follows; 21% of the respondents think that the court and the judges when making the judicial decision are based on the law, 39% of the respondents think that the judges make a decision based on private interest (corruption), 34% of the respondents think that the judges and the courts make a decision from political pressure, 6% of respondents think that they are influenced by public-citizen pressure when making a judicial decision.

**3.2.10. In your opinion, has the judicial system of Kosovo improved during these last years?**

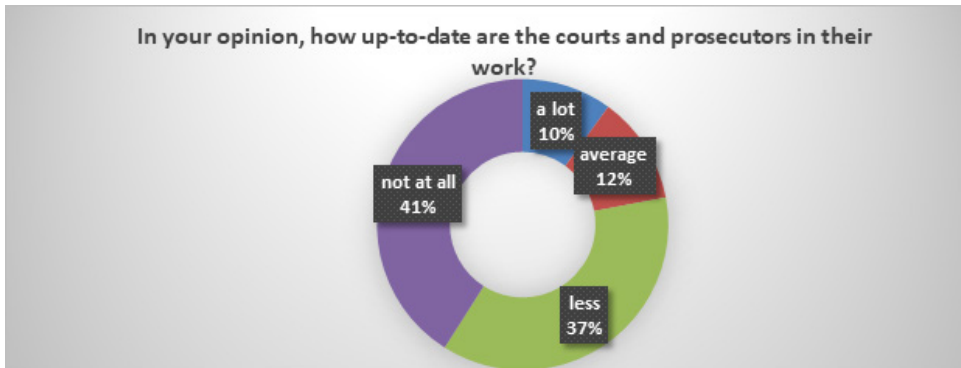


**Graph no. 10. In your opinion, has the judicial system improved during these last**

years

In graph no. 10. public opinion perceptions regarding the size of the judicial system during the last years are reflected. The perceptions of the opinion are as follows; 56% of respondents think that the judicial system, during the last years, has not been improved; 21% of the respondents think that the judicial system has improved a little during these last years; 10% of respondents think that the judicial system has been improved in recent years, and 13% of respondents say they don't know.

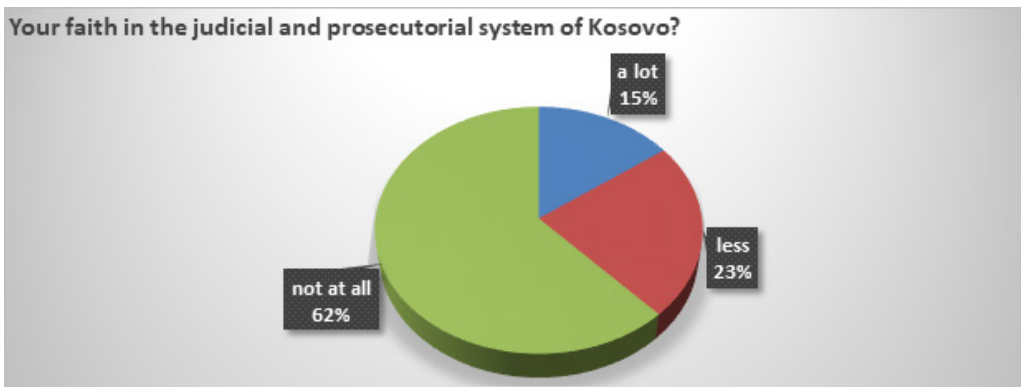
**3.2.11. In your opinion, how up-to-date are Kosovo's courts and prosecutors in their work**



**Chart no. 11. In your opinion, how up-to-date are Kosovo's courts and prosecutors in their work?**

In graph no. 11. are presented the perceptions of Kosovo's public opinion on the up-to-dateness of cases from Kosovo's courts and prosecutors. Public opinion perceptions are as follows; 10% of the respondents express their opinion that the court and prosecutors are very up-to-date; 12% of respondents express the opinion that Kosovo's courts and prosecutors are moderately up-to-date; 41% of respondents think that Kosovo's courts and prosecutors are not at all up-to-date, while 37% of respondents consider that courts and prosecutors are a little up-to-date.

**3.2.12. Your faith in the judicial and prosecutorial system of Kosovo?**



**Graph no. 12. Your faith in the judicial system and prosecutions of Kosovo?**

In graph no. 12. the perceptions of Kosovo's public opinion on the trust of Kosovo's citizens in the work of Kosovo's courts and prosecutors' offices are reflected. Public opinion perceptions are as follows; 11% of respondents think that they have high confidence in the work of Kosovo's courts and prosecutors; 23% of the respondents expressed average confidence in the work of Kosovo's courts and tribunals; 57% of respondents have low confidence in the work of the courts and courts of Kosovo; while 9% of the respondents express the opinion, we have no confidence at all in the work of Kosovo's courts and prosecutor's offices.

## Conclusion

The perceptions of the citizens of Kosovo about the work, commitment, up-to-dateness and corruption in the judicial and prosecutorial system are variable, depending on the behavior, work, performance and up-to-dateness of the justice system in the fight against crime and corruption. The results of the surveys show that the majority of public opinion, citizens believe that the court and prosecutors of Kosovo are influenced by politics, at the same time the perceptions of the majority of the public opinion of Kosovo think that people with influence, political influence are less likely to be punished for violation of the law, they are inviolable, the vast majority of public opinion think that political position or influence creates inequality in the implementation of the law. Most of the respondents think that the high segments of politics are involved in many criminal offenses (organized crime) and invulnerable to the law and justice. According to the perception of public opinion, Kosovo's courts and prosecutor's office appear to be more corrupt, (corruption is rampant) and myth receivers. The image and trust in the justice system in Kosovo is low. Despite the reforms in the justice system in recent years, the justice system, instead of growth, has marked degradation in terms of functioning, work, up-to-dateness, and fighting crime.

- The system remains influenced by politics.
- Nepotism during the personnel recruitment process continues to damage the sector, which results in low performance, without even the weak perception it generates.
- The work and up-to-dateness of the work of the courts and prosecutors' offices is clumsy.
- There are no quick fixes for improving the situation.
- Increasing the responsibilities of administration personnel, judges and prosecutors should be a top priority.
- opinion demands transparency and accountability; therefore, they must be realized by all judicial institutions.
- Verting in the justice system is an imperative of the time, if we want to restore confidence in the justice system in Kosovo.
- Increasing the up-to-dateness of the justice system, as well as the fight against organized crime, should be a priority in the further work of courts and prosecutors.
- Responsibility and increased accountability is a must.

## References

- Constitution of the Republic of Kosovo, Prishtina, 2008.
- Law no. 03/l-052 for the special prosecutor of the republic of Kosovo
- Law no. 03/l-121 on the constitutional court of the republic of Kosovo
- Law no. 06/l-054 for the courts
- Law no. 03/l-224 for the prosecution council of Kosovo
- Law no. 03/l-225 for the state prosecutor
- Law no. 06/l-055 for the judicial council of Kosovo
- Asch, SE (1955). " Opinions and social pressure ". *Scientific American*. 193 (5): 31–35. [doi:10.1038/scientificamerican1155-31](https://doi.org/10.1038/scientificamerican1155-31).
- Kelley, HH (1959) *The social psychology of groups* . New York: Wiley.