



Instytut Historii  
i Nauk Politycznych



INTERNATIONAL INSTITUTE FOR PRIVATE  
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# Book of proceedings

FORTY-THIRD INTERNATIONAL CONFERENCE ON: “SOCIAL  
AND NATURAL SCIENCES – GLOBAL CHALLENGE 2025”  
(ICSNS XXXXIII-2025)

Madrid, 11 November 2025

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

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**Madrid, 11 November 2025**

**Ejels Sp. Iss.**

**ISSN-L: 2519-1284**

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## Aspects of socialist industrialization in Albania (1945-1990)

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### Abstract

This study examines the socialist industrialization of Albania, focusing on its historical development, objectives, and socio-economic implications. Initiated in the late 1940s and intensively pursued during the 1960s and 1970s, the industrialization process sought to transform Albania from a predominantly agrarian society into a modern, industrialized socialist state. The research explores the strategies employed by the Albanian Communist Party, including the construction of large-scale industrial complexes, mining operations, hydroelectric power facilities, and associated urban settlements, as well as the implementation of planned economic policies and Five-Year Plans aimed at achieving rapid industrial growth. The study also addresses the ideological and propagandistic dimensions of industrialization, emphasizing the role of education, media, and cultural policies in shaping the working class as a key pillar of the socialist state. It investigates the creation of industrial towns and worker neighborhoods, illustrating how urban planning, housing, and social infrastructure were integrated with the political objectives of collectivization, workforce mobilization, and the promotion of socialist values. Furthermore, the research analyzes the interaction between industrialization and other sectors, particularly agriculture, and examines how the state-directed approach influenced economic organization, labor practices, and social relations. Special attention is given to the establishment of a disciplined and ideologically aligned working class, the introduction of Stakhanovite-inspired labor incentives, and the development of urban-industrial landscapes as instruments of social transformation. By studying both the strategies and structures of Albania's socialist industrialization, this work aims to provide a comprehensive understanding of the political, economic, and social mechanisms underlying this transformative period. It situates the Albanian experience within the broader context of Eastern European socialist development, offering insights into the interplay between ideology, industrial policy, and societal modernization.

**Keywords:** Socialist industrialization, Albania, history.

### Introduction

Industrialization is the process of shifting the primary factor of production from agriculture and craftsmanship to larger and more sophisticated units of mass production, such as factories, plants, and industrial complexes. It represents the fundamental process that enabled the social transformations of the modern era. Unlike earlier agrarian and semi-agrarian societies, where the productive base was sustained by small-scale peasant holdings and by artisans organized in guilds and corporations, in industrial society production is carried out on a large scale within factories and plants. This transformation is made possible by the productive capacity of machinery and technological developments, as well as by the overall expansion of the productive forces. Mass production, characterized by lower prices, higher output, and greater efficiency, allows industrial production to dominate markets over artisanal goods and to subordinate agricultural production to its needs. This

dynamic leads to the expansion of industry and the growth of the working class employed in industrial sectors, to the enrichment of the bourgeoisie, and to the broadening of the middle classes. Connected to this process is the decline of the small peasantry, which becomes unable to meet the industrial economy's demands for higher agricultural productivity. Large capitalist farms make this transition possible, as small peasant plots are gradually driven to bankruptcy and, consequently, their owners are absorbed into the industrial working class. The working class also recruits members from the ranks of artisans who, following the dissolution of guild structures, can no longer withstand competition from industrial mass production. Such socioeconomic processes first emerged in Western Europe and the United States during the eighteenth and nineteenth centuries<sup>1</sup>. They were accompanied by major social and political consequences, both national and international in scope, which laid the foundations of contemporary democratic society.

Industrialization, in its social dimension, brought about the growth of urbanization, the expansion of the working class and the middle classes, and the increasing importance of educational institutions. In the political sphere, it contributed to the strengthening of the nation-state and the broadening of social representation, through the gradual inclusion of various social strata in public decision-making (for instance, the extension of voting rights to the middle and working classes, and the growing influence of public opinion). At the same time, industrialization intensified social inequality between factory owners and the working class, as well as among other urban and rural groups who could not benefit from the early stages of industrial development. This was largely due to the complete absence of regulations concerning labor conditions, which subjected workers to widespread exploitation. The increasing role of the working class in expanding industrial production facilitated the subsequent success of the labor movement, through the establishment of trade unions and workers' parties. These organizations promoted a fairer distribution of production within society, improved working conditions, defined rules regarding working hours and holidays, and advanced the democratic elements of Western European and North American states<sup>2</sup>. Such processes also enabled and compelled the emergence of powerful democratic movements aimed at the social and political emancipation of women (whose growing role as a labor and intellectual force was a precondition for emancipation), the abolition of racial segregation and slavery, and the strengthening of public opinion as a force in political life. Industrialization—and the contradictions it produced—became one of the main factors leading to the rise of the modern nation-state, the expansion of markets, and the intensification of competition and rivalries among the industrial interests of different countries. The resulting need to secure raw materials for domestic industries and to find new markets for industrial goods gave rise to imperialism, colonialism, nationalism, and ultimately to the outbreak of the world wars among the European Great Powers<sup>3</sup>.

Due to factors rooted in the rigid socio-economic structure and the preceding political order, the process of industrialization in Eastern Europe—and, to an even greater extent, in Asian societies—began later and developed at a slower pace. This delay

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<sup>1</sup> Rondo Cameron-Larry Neal, *Histori e ekonomisë botërore*, Dituria, Tiranë, 2010, 206-223.

<sup>2</sup> Comerón, 253-257.

<sup>3</sup> E.J. Hobsbawm, *Kombet dhe Nacionalizmi që nga 1780*, Toena & Fondacioni Soros, Tiranë, 1996, 132.

was largely imposed by the resistance of pre-industrial political and social structures, which sought to preserve their positions within the emerging new system<sup>4</sup>. Such resistance hindered social and political emancipation, leading to the radicalization of the middle class and to growing popular discontent, which in Tsarist Russia ultimately erupted in the revolutions of February and October 1917. What occurred in Russia after the First World War came to be viewed as the failure of the capitalist path toward modernization and industrialization, and as the pursuit of these goals instead through the socialist model.

The Soviet Union's efforts after the First World War—and later those of other socialist states following the Second World War—to rapidly reach the development standards of the advanced industrial capitalist world through methods of state socialism led to the emergence of the socialist model of industrialization. Socialist industrialization first appeared in the Soviet Union as a distinct and specific model, beginning in the late 1920s (prior to which the USSR had followed the model of state capitalism imposed under the New Economic Policy – NEP)<sup>5</sup>. Its primary goal was the rapid development of heavy industry through the exclusive use of the state's bureaucratic machinery, combined with the total mobilization of the party apparatus, while completely excluding private investment. The overarching objective was to transform the Soviet Union from a backward agrarian-industrial country into a major industrial power within a short period of time. This accelerated development was to be achieved through the formulation of Five-Year Plans, which precisely defined production targets and quotas for each enterprise and for each year. To meet these goals, all party organizations, state institutions, and enterprises were mobilized<sup>6</sup>. The state assumed a central role in the transformation of society by promoting internal migration toward factories and industrial cities, as well as by creating and expanding the working class. In order to sustain high levels of agricultural productivity—the primary precondition for industrialization—the Stalinist leadership undertook the decisive step of liquidating small, unprofitable peasant property and establishing collective and state farms as large-scale units of production and distribution. This policy led to the formation of a new social stratum: the collectivized peasantry<sup>7</sup>.

On the other hand, in order to maintain the entire bureaucratic apparatus necessary for the control and management of these processes, new social strata were created—composed of clerks, bureaucrats, engineers, technicians, and scientists—forming what came to be known as the “people's intelligentsia.” To support increasing urbanization and industrial development, as well as to serve as an instrument for transmitting the official ideology, the state invested heavily in the mass expansion of education, always within the ideological boundaries defined by the regime.

The regime's official ideology gradually solidified and became the primary vehicle for disseminating the phenomena of “real socialism,” understood as the new industrial modernity brought forth by the Party. The figures of the industrial worker, archetype of this new world; the collectivized peasant, who participated in the creation of the new socialist countryside; the intellectual devoted to the cause; the emancipated working

<sup>4</sup> Karl A. Wittfogel, *Oriental Despotism: a comparative study of total power*, Vintage Books Edition, 1981, 427-433.

<sup>5</sup> Paul R. Gregory, *The Political Economy of Stalinism*, Cambridge University Press, 2004, 28-29.

<sup>6</sup> *Ibid.* 129-133.

<sup>7</sup> Peter Kenez, *A History of the Soviet Union from the Beginning to the End*, Cambridge University Press, 2006, 84-89.

and intellectual woman; and the great industrial works themselves, as symbols of the system's success, were all exalted as models of the new socialist civilization. In broad terms, and at different paces, this system was replicated across Eastern Europe after the Second World War, throughout the countries of the Soviet bloc. In Mao Zedong's China, socialist industrialization took on an ultra-leftist character, culminating in the disastrous experiment of the Great Leap Forward.

In the postwar reconstruction of socialist countries that emerged from a semi-feudal past, industrialization brought about rapid modernization, contributed to poverty reduction, stimulated urbanization, and encouraged social emancipation. However, beginning in the mid-1970s, it became increasingly clear that this model of state socialist industrialization had failed to achieve the expected results. The underperformance of planned targets—due to the inherent difficulties in coordinating the state bureaucracy and managing production distribution—along with shortages of consumer goods, the economic stagnation of the 1970s<sup>8</sup>, and the growing contradictions among the industrial systems of the various socialist states, placed the entire model into question, leading ultimately to its crisis and complete collapse by the late 1980s.

### **The Political Line of Industrialization in Socialist Albania**

Albania was among the countries where industrial development remained in its initial stages until the early 1950s, due to various economic, social, historical, and geopolitical factors. Although the first capitalist-type manufactories had begun to appear in the second half of the nineteenth century, introducing some new production technologies, the country remained dominated by artisanal production and agrarian output from large estates. By the mid-twentieth century, there were only a few firms, mainly investing in light industries such as tobacco, soap, and other consumer goods. As in other Eastern countries, in Albania the advancement of industrialization and modernization was hindered by various social and political factors, particularly the country's pronounced backwardness and the attempts of the old ruling classes to preserve their social positions. The landlord class that dominated the country became an obstacle to the strengthening of private entrepreneurship and led to the failure of any agrarian reform projects, seeking to slow down the process in order to transform themselves into large capitalist farmers capable of exporting to industrialized countries. The Zogist monarchy, in the process of building the national state, had to consider the interests of this social stratum, since opposing it could have weakened or destabilized the regime. The Albanian commercial class, as a consequence, directed its investments more toward acquiring new lands than toward industrial entrepreneurship<sup>9</sup>. This situation was further reinforced by foreign influence, especially from Fascist Italy, which had no interest in developing Albania's industry but sought to use the country as a supplier of cheap agricultural and livestock products. The only sector in which Italian companies, with the support of the Fascist state, invested was the extractive industry, including the establishment of several construction sites and mines for the extraction of natural resources such

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<sup>8</sup> Katherine Verdery, *What was Socialism and what comes next*, Princeton University Press, New Jersey, 1996, 20-23.

<sup>9</sup> Akademia e Shkencave, *Historia e Popullit Shqiptar III*, Toena, Tiranë, 2007, 119-120.

as oil, chromium, and iron, which were intended to serve Fascist Italy<sup>10</sup>. Politically, this situation resulted in an almost non-existent working class, a impoverished and destitute peasantry, and a radicalized middle and intellectual class inclined to seek alternative models for the country's modernization<sup>11</sup>.

After the end of the war, the Party of Labour of Albania (PLA) began implementing measures aimed at the economic, social, and political transformation of the country according to the model of state socialism. From the early years of the regime's establishment (1944–1947), the nationalization of the few existing industries, printing presses, workshops, and all enterprises that held industrial capital was initiated<sup>12</sup>. However, until the breakdown of relations with Yugoslavia, there were no significant initiatives for large-scale industrial investment, due to the imposition of Yugoslav influence on the country's economic life<sup>13</sup>.

Contrary to what the PLA had claimed as a party of the working class, this social stratum was virtually non-existent in the country. This was also the primary reason for the party's renaming in 1948 to the Party of Labour of Albania, in order to encompass all "working masses" in general, including the peasantry and urban artisans<sup>14</sup>. Consequently, the expansion of the working class—purportedly the foundation of the new socialist society—was a central objective. Industrialization and modernization under complete state control were also intended to serve as a crucial instrument for consolidating the PLA's leadership.

With the establishment of close relations with the Soviet Union and the receipt of Soviet assistance not only in financial but also in technical, human, and professional resources, the conditions were created for investment in major industrial projects. The PLA leadership aimed to achieve rapid industrialization guided by the Soviet model. At the First Congress, clear directives were issued regarding industrialization and collectivization through the formulation of the Two-Year Plan 1949–1950, in which industry accounted for approximately 47% of total national investment, focused on the mining industry, including the extraction of oil and bitumen, and the commencement of coal production at the Memaliaj mine. Additionally, the sugar factory in Maliq, the Textile Combine in Tirana, and the Selita hydroelectric plant were established. Nevertheless, this two-year plan was not considered successful. The Second National Party Conference, held in April 1950, emphasized the failure to meet the plan's targets, particularly in oil extraction, as well as other problems in agriculture, where production had increased at only 2–2.2% according to official statistics. The conference attributed these difficulties to the intervention and sabotage of foreign Yugoslav agents and "internal enemies," the predominance of small peasant economies, the excessive fragmentation of land, the lack of sufficient labor for industry, and issues within the party's grassroots organizations, local institutions,

<sup>10</sup> Ibid. 349-350.

<sup>11</sup> Kristo Frashëri, *Historia e Lëvizjes së Majtë në Shqipëri dhe e themelimit të PKSH (1878-1941)*, Tiranë, 2006, 142-143.

<sup>12</sup> Akademia e Shkencave, *Historia e Popullit Shqiptar IV*, Toena, Tiranë, 2009, 179.

<sup>13</sup> Ornela Shameti, Kocci Xoxe ne kontekstin e marrëdhënieve shqiptaro-jugosllave, Disertacion për gradën "Doktor i Shkencave", 57. [https://unitir.edu.al/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://unitir.edu.al/wp-content/uploads/2022/07/ORNELA-SHAMETI-PhD.pdf&attachment\\_id=&dButton=false&pButton=false&oButton=false&sButton=true#zoom=auto&pagemode=none&\\_wpnonce=478d5ae120](https://unitir.edu.al/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://unitir.edu.al/wp-content/uploads/2022/07/ORNELA-SHAMETI-PhD.pdf&attachment_id=&dButton=false&pButton=false&oButton=false&sButton=true#zoom=auto&pagemode=none&_wpnonce=478d5ae120).

<sup>14</sup> Instituti i Studimeve Marksiste-Leniniste, "Historia e Patisë së Punës së Shqiperisë", 8 Nëntori, Tiranë, 1981, 245-246.

nepotism, and bureaucratization<sup>15</sup>.

A further impetus for industrialization came with the Second Congress of the Party of Labour of Albania (PLA) (March 31–April 7, 1952), which approved the First Five-Year Plan (1951–1955). The objective of this plan was to accelerate the construction of the economic foundation of socialism, with the aim of transforming the country from a backward agrarian state into an agrarian-industrial one. The development and expansion of socialist industry were identified as the primary means for achieving these objectives. The plan envisaged a threefold increase in industrial investment. The Second Congress also emphasized the expansion of the educational system, not only to enhance the cultural formation of the masses but also to train new cadres, technicians, specialists, and agronomists for managing the emerging sectors of industry and agriculture<sup>16</sup>. A significant portion of these specialists were either provided by the Soviet Union or were Albanian students sent to Moscow for professional training. The advancement of industrialization and the construction of new industrial facilities made it possible to reduce imports of essential goods and partially meet the Albanian economy's needs for fuel and electricity. During the Second Five-Year Plan (1956–1960), industrial production increased even further. In this period, significant industrial facilities were built and put into operation, including the oil refinery in Cërrik, the tobacco fermentation plant in Elbasan, the hydroelectric plant on the Mat River, the iron-nickel mines in Pishkash, the copper mines in Kurbnesh, and the chromium mines in Kam of Tropojë, among others<sup>17</sup>.

With the onset of the industrialization process, it was also necessary to achieve the growth and modernization of agricultural production and to align it with the needs of industrial development. The communist leadership pursued this objective according to the Stalinist model, despite the latter having been officially denounced in Moscow in February 1956. Small peasant plots worked with archaic tools could not meet the growing industrial demand for labor. The new collection system of 1949 had partially revitalized agriculture but proved insufficient to adapt to the new developments and the production standards required by the Five-Year Plans. Therefore, beginning in December 1955<sup>18</sup> and continuing at the Third Congress, the accelerated implementation

<sup>15</sup> Instituti i Studimeve Marksiste Leniniste, “*Dokumenta kryesore të Partisë së Punës së Shqipërisë II, 1949-1956*”, Tiranë, 1972, 153.

<sup>16</sup> *Ibid*, 283-311.

<sup>17</sup> Otojela Lubonja (2015), “Urbanizimi dhe ndikimi i tij në ekonomi. Qyteti i Tiranës”, Disertacion për mbrojtjen e titullit “Doktor i Shkencave, Universiteti Evropian i Tiranës, 51-52 [https://uet.edu.al/wp-content/uploads/2021/11/Otojela\\_Lubonja.pdf](https://uet.edu.al/wp-content/uploads/2021/11/Otojela_Lubonja.pdf).

<sup>18</sup> Arkivi Qendror i Shtetit, Fondi 14/Arkivi i Partisë, Struktura: OU, Viti: 1955, Dosja 4, fleta 24-27. The 16th Plenum of the Central Committee of the Albanian Party of Labour convened on 27–28 December 1955 to examine the implementation of the State Plan for 1955 and to set the objectives for 1956. The Plenum identified both achievements and shortcomings in the fulfillment of the plan, highlighting in particular the slow and unsatisfactory development of agriculture. Unlike the steady pace of industrial growth, recorded at 27% annually, agricultural output increased by only 7% and in a highly inconsistent manner. It was emphasized that the domestic economy was unable to meet the population's own needs for agricultural products, forcing the country to import large quantities from the Soviet Union, including 225,000 tons of bread grains, 12,000 quintals of beans, cotton, and other essentials. The Plenum concluded that “*the backwardness of our agriculture remains the most serious obstacle to the development of the national economy.*” To resolve this issue, temporary measures such as tax reductions or land reclamation were deemed insufficient. Consequently, in late December 1955, the Central Committee continued to draw inspiration from Stalin's directives, quoting him as follows: “*The correct path,*” stated *J. V. Stalin*, “*is for the small and very small peasant economies to unite gradually, yet persistently—not through coercion, but through example and persuasion—into large-scale economies based on the collective and social cultivation of the land, using agricultural*

of land collectivization was decided<sup>19</sup>. Within three years, full collectivization of arable and hilly lands in Albania was achieved, encompassing 83% of cultivable land. In response to the new challenges posed by industrial expansion during the 1960s and 1970s, combined with economic stagnation resulting from systemic failures and the country's isolation, the communist leadership further centralized control and undertook the collectivization of remote mountainous areas, a process completed between 1966 and 1967, followed by the herding of livestock into collective units in 1981–1982. The early stages of collectivization led to an increase and modernization of agricultural production. However, the complete absence of mechanisms for production distribution and the lack of initiative inherent in the state-socialist model and extreme centralization created progressively greater difficulties, ultimately contributing to the system's failure. The social consequences of collectivization were linked, on one hand, to the release of labor toward industry, the limited growth of urbanization, and the expansion of state control over individual lives, and, on the other hand, to the creation of hardships for the peasantry, which was compelled to relinquish the plots acquired through the Agrarian Reform and consolidate land into cooperatives, while the size of cooperative holdings increasingly contracted.

The most powerful impetus for industrialization was undertaken following the Fourth Congress of the Party of Labour of Albania (PLA), held a few months after the Moscow meeting that marked the rupture of Albanian-Soviet relations. One of the reasons for this rupture was precisely the issue of industrialization: during his visit in May 1959, Nikita Khrushchev had requested that the Albanian communist leadership slow down the pace of industrialization, criticized excessive investments in extractive industries, and called for greater investment in agriculture and light industry<sup>20</sup>. At the Fourth Congress (February 1961), having secured Chinese support<sup>21</sup>, the PLA leadership presented projects for the "construction of the material-technical basis of socialism," the continuation of industrialization, and the building of major industrial facilities, albeit under a strict austerity regime due to the cessation of Soviet credits. During the Third Five-Year Plan (1961–1965), significant industrial facilities were constructed, including the copper enrichment plant in Kurbnesh, the iron smelting plant in Gjegjan, the "Tractor" plant in Tirana, the Textile Combine in Berat, and mines for the extraction of chromium and copper in Bulqizë, Memaliaj, Kurbnesh, among others. The volume of investment during this five-year period was 43% greater than in the Second Five-Year Plan. In the Fourth Five-Year Plan, the superphosphate plant in Laç, the caustic soda plant in Vlorë, the oil-processing plant in Fier, the copper metallurgy and electrolysis plant in Rubik, as well as coal enrichment machinery and tractors, and applying scientific methods for the intensification of agriculture. There is no other way out." In accordance with this principle, the Central Committee issued the directive that, during the Second Five-Year Plan, "we should advance toward the expansion and collectivization of the countryside, particularly in areas where agricultural machinery and tractors can be utilized (i.e., in lowland regions), while cautiously extending collectivization to non-lowland areas according to local conditions and possibilities".

<sup>19</sup> Dokumente te PPSH, 627-629.

<sup>20</sup> AQSH, F. 14/AP,MP, V.1959, D. 24, fl. 49-50. "Protokoll i bisedimeve të zhvilluara mes delegacionit të Partisë Komuniste dhe Qeverisë së BRSS dhe delegacionit të Partisë së Punës së Shqipërisë në Tiranë"

<sup>21</sup> AQSH, F.14/APOU, F. 14 /APOU, V.1960, D. 6. "Raport mbi veprimtarinë e delegacionit shqiptar në Moskë në mbledhjen e 81 partive punëtoresh të komunisteve". At the 21st Plenum of the Central Committee (19–20 December 1960), Enver Hoxha conveyed the assurances provided by the Communist Party of China: "They immediately emphasized to us that, as far as economic matters are concerned, you should have no worries at all, for the Central Committee of the Communist Party of China will assist you without any reservation."

facilities in Memaliaj and chromium processing plants in Bulqizë, were constructed. Industrialization and its future were closely linked to electricity production, without which development could not proceed. Consequently, construction efforts for a comprehensive energy system were intensified. In addition to the Mat and Bistrica hydroelectric plants, which had begun in the 1950s, substantial financial and human resources were invested in the construction of the Vau i Dejës, Koman, and Fierzë hydroelectric plants, as well as the second Mat hydroelectric plant, enabling the full electrification of the country by October 1970. These investments were made possible by loans from China during 1968–1970<sup>22</sup>. They also included the construction of the largest industrial enterprise of the socialist period in Albania, the Elbasan Metallurgical Combine, which encompassed an industrial conglomerate of around 500 facilities and 12 plants employing 12,000 workers<sup>23</sup>.

### **Working-class neighborhoods and industrial cities**

The construction of factories, plants, and industrial combines was accompanied by two interrelated processes: the increase in internal migration and the development of industrial centers. Internal migration was directed and controlled by the party-state and the agencies responsible for drafting the State Plan. Populations from certain villages and surrounding districts of cities—which included mechanics, professionals, engineers, often marginalized or politically penalized individuals, as well as teachers and bureaucrats—were relocated around major industrial facilities to provide labor for industry, continuing the process of further proletarianization of society. However, internal migration was encouraged only in urban areas aligned with the needs of the planned economy. Only individuals or families issued a “relocation permit” or “passportization” could move. In this regard, state-controlled migration took on the character of a “mechanical movement.”<sup>24</sup>

To enable the permanent settlement of the working class near major industrial facilities, an urban landscape was constructed featuring the typical functionalist characteristics of “socialist realism” architecture. Across all cities in the country, the process of building the image of the “socialist city” began, which in Albania and other Eastern European countries involved the rationalization of public spaces, the construction of large boulevards connecting public squares where major city buildings were erected (Palace of Culture, Library, Executive Committee, Congress Hall in capitals, or Party and District Committees in provincial towns), monuments (national and revolutionary monuments related to the intertwining process in Eastern Europe of forming and consolidating the “nation-state” with “socialist construction”), and the staging of Party demonstrations and rallies<sup>25</sup>. In the main

<sup>22</sup> Art. Gjon Boriçi, *Përpjekjet e Qeverisë Shqiptare, për të arritur industrializimin e vendit me anë të veprave të fundit madhore nga Kina në Shqipëri 1966-1973*, in Studimet Historike 1-2, Instituti i Historisë, Tiranë, 2021, 291-293

<sup>23</sup> Art. F. Pashako, B. Vrusho (2015), “*The history and actual condition of Industrial Heritage in Albania: The problems and opportunities of the Metallurgical Complex of Elbasan*”, 5-6. [https://www.academia.edu/37209049/The\\_History\\_and\\_Actual\\_Condition\\_of\\_Industrial\\_Heritage\\_in\\_Albania\\_The\\_Problems\\_and\\_Opportunity\\_of\\_the\\_Metallurgical\\_Complex\\_of\\_Elbasan](https://www.academia.edu/37209049/The_History_and_Actual_Condition_of_Industrial_Heritage_in_Albania_The_Problems_and_Opportunity_of_the_Metallurgical_Complex_of_Elbasan).

<sup>24</sup> Art. Vullnetari, Julie. (2014). *Internal migration in Albania: A critical overview*, in: InPichler, R. (ed.) *Legacy and Change: Albanian Transformation from Multidisciplinary Perspectives*. Vienna: LIT Verlag, vol. 15 of series *Studies on South East Europe*, Kaser, K. (ed.), 52-54

<sup>25</sup> It should be noted that such processes had their origins in Western Europe as early as the second half of the

cities, these construction processes took place alongside the existing private buildings or the adaptation of structures built by previous regimes to the new urban landscape. Additionally, industrial zones were developed in these cities, where prefabricated buildings and residential blocks were constructed near factories to house workers' families. These areas also included workers' clubs and spaces for organizing leisure activities, encompassing various sports, recreational, and cultural activities, as well as meetings organized by grassroots organizations, trade unions, schools, libraries, and healthcare centers<sup>26</sup>.

A typical example of the creation of an industrial zone located on the outskirts of traditional cities is the establishment of the industrial area of Tirana following the construction of the "Stalin" Textile Combine. Construction of the Combine began in July 1949 and was completed in November 1951. It was built with financial support provided by the Soviet Union and under the guidance of Soviet instructors and engineers. The Combine was deliberately located in the Yzberisht area on the outskirts of Tirana, a typically rural periphery with scattered houses and small plots of land, approximately five kilometers from the capital<sup>27</sup>. This area consisted of marshlands covering about 350 hectares, which were gradually reclaimed from surrounding lands from late autumn to early spring. Within a few months, channels were opened to drain the marshes. Hundreds, and later thousands, of workers were brought from various parts of the country to participate in the construction of the Combine. Simultaneously, two-story buildings were erected to house the Soviet engineers, followed by barracks for workers. Initially, some workers were engaged seasonally from nearby villages; however, after the consolidation of the Combine's operations in 1952, particularly following the completion of collectivization in the lowland and hilly areas, work was carried out by permanently stationed laborers. As the workforce grew, the residential area expanded. Around the Combine, a workers' neighborhood was established, which by the late 1950s accommodated approximately 14,000 people. During this period, the construction of prefabricated apartment blocks, similar to the Soviet Khrushchev-style, began to house workers' families<sup>28</sup>. Beyond its economic function, the Combine was also regarded as a symbol of socialist transformation, a site where the working class—the foundation of the new society—would be produced, and a base for social emancipation driven by modernization and industrialization, making it a central pillar of the regime's propaganda. The Combine, notable for the grandeur of its Soviet-style façade and the central square featuring a statue of Stalin with his hand raised signaling the "line", was surrounded by a workers' club, cultural center, library, schools, kindergartens, and the industrial complex<sup>29</sup>. Workers' neighborhoods of similar character to that of the Combine were

nineteenth century, when they were associated with the functionalization and rationalization of public space in the service of strengthening the presence of the modern centralized state within mass culture. A classical example of this phenomenon is Haussmann's urban transformation of Paris. However, political pluralism and the democratization of society prevented the nation-state from fully absorbing public space, as occurred in the Soviet Union.

<sup>26</sup> Art. Islami, G., Veizaj, D., & Verdiani, G. (2019). *The morphosis of the Albanian socialist cityscape. A reaction to buildings with high-energy consumption*. Ri-Vista. Research for Landscape Architecture, 16(2), 56-57

<sup>27</sup> Eled Fagu (2021), "*Qyteti socialist në Shqipëri. Kombinati i Tekstileve Stalin*", Disertacion për mbrojtjen e titullit "Doktor i Shkencave", Universiteti Politeknik i Tiranës, 96-97 [https://upt.edu.al/wp-content/uploads/2022/02/Disertacion\\_Eled-FAGU.pdf](https://upt.edu.al/wp-content/uploads/2022/02/Disertacion_Eled-FAGU.pdf)

<sup>28</sup> Elidor Mëhilli, "Nga Stalini te Mao. Shqipëria dhe bota socialiste", AIIS, Tiranë, 2023, 115-120.

<sup>29</sup> Art. Bushati, Etleva. (2023). *Meaning and Symbolism of Industrial Architecture in Albania. Rocznik Filozoficzny*

constructed in Tirana around the Tractor Plant and Glass Factory (the Laprakë area extending toward Shkoza), in Durrës around the Wood Combine and Chemical Fertilizer Plant in the northern sector of the city, in Shkodër surrounding the Wire Factory, in Korçë around the Textile Combine, in Fier for neighborhoods linked to oil extraction industries and mechanical plants, and in Elbasan around the Metallurgical Combine, among others.

In addition to the establishment of industrial zones within or around traditional urban centers, fully-fledged industrial towns were also created. These towns were developed in proximity to large-scale industrial enterprises, on territories that had previously consisted of small villages or uninhabited areas. Unlike major cities, which hosted a diverse array of activities such as light industry, administrative services, educational and cultural institutions, and encompassed social strata including the “popular intelligentsia” and the “urban pedagogical class,” these newly established towns were exclusively oriented around specific industrial activities directly linked to the corresponding factory or industrial complex. Their population primarily comprised the working-class labor force employed in the factories, alongside a limited number of local administrative officials or personnel involved in pedagogical and cultural services. Within a confined urban space, the regime ensured the inclusion of official institutions, the offices of the District Party Committee, and cultural, artistic, and educational facilities. These institutions facilitated the cultural formation of the working class, adhering strictly to the principles and norms of the official Marxist-Leninist ideology, intertwined with a sense of patriotism rooted in the defense of the “socialist homeland” and loyalty to the leadership of the Party of Labor of Albania (Partia e Punës e Shqipërisë). In total, approximately thirty-four new industrial towns were established. The city of Laç emerged around the Nitrogen Fertilizer Plant beginning in the early 1960s. Rubik was constructed in conjunction with the Copper Processing Plant. The new town of Kukës was established as a consequence of the inundation of the old town for the construction of the Fierza Hydroelectric Plant<sup>30</sup>. Several other industrial towns were developed in connection with extractive industries designed for the exploitation of the country’s natural resources. The industrial towns of Patos, Ballsh, and Kuçovë (the latter initiated in the 1930s) developed and expanded adjacent to oil extraction and refining facilities. Bulqiza and Memaliaj emerged as mining towns, respectively associated with chromium and lignite extraction. All of these towns, along with smaller settlements, were equipped with the necessary infrastructure designed according to functionalist and culturally-ideologically informed principles, as described above.

A typical example of this model is the establishment of the town of Bulqizë. Chromium extraction, together with the work on the construction and expansion of the mine, began in Bulqizë in 1948, relying on volunteer labor and a workforce recruited from the populations of nearby villages. Under the supervision of Soviet engineers, a geological service was established to assess the long-term potential for mining exploitation. Surrounding the mine, prefabricated wooden barracks

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*Ignatianum*. 29, 214.

<sup>30</sup> Art. Federica Pompejano, “*The Planning of Socialist Urbanity: The New City of Kukës in Albania*” In Proceedings of the Society of Architectural Historians, Australia and New Zealand: 39, Ngā Pūtahitanga / Crossings, ed. Julia Gatley and Elizabeth Aitken Rose, 380. Auckland SAHANZ, 2023.

were constructed to house qualified personnel, including engineers, members of the geological service, and military staff. Miners commuted on foot or via animal-drawn carts from surrounding areas such as Zerqani, Shupenza, Fushë-Bulqiza, and Gjorica. A canteen was also provided for the workers. In subsequent years, as part of the increase in production and the development of the extractive industry to fulfill the objectives of the Five-Year Plan, the state committed to expanding the workforce through the mass mobilization of internal, state-controlled migration. This policy was articulated by Enver Hoxha during his visit to Peshkopi in 1952: *“From now on, Bulqizë has acquired the appearance of a small industrial town... Take pride in it, comrades; villagers, send your best sons there to work so that your mine may achieve and exceed its plans. The Bulqizë mine will never lack a workforce”*<sup>31</sup>. Beginning in 1955, when Bulqizë emerged as an industrial center with a population of 1,971 residents, the construction of urban infrastructure commenced. Initially, brick buildings were erected for workers and three-story apartment blocks for qualified staff. Over a fifteen-year period, with the growing importance of the mine and the expansion of the labor force, approximately 300 apartments were constructed for mine workers and administrative personnel. The town also included a primary school, a secondary school providing vocational training for miners, a hospital, a pharmacy, a clinic, a post office (PTT), a military unit, and a police station. In 1974, the town’s cinema club was inaugurated, serving as a space for cultural activities by amateur and professional groups, film screenings, recreational facilities, and organized games<sup>32</sup>.

In addition to the impetus provided by state policies or top-down directives, it is important to note that, particularly from the mid-1950s to the mid-1970s, rural populations often viewed industrial development as a new opportunity to improve income and living conditions following collectivization and the creation of agricultural cooperatives. Work in the mines was perceived as an escape from the oppressive conditions imposed by the cooperative system. Furthermore, monetary income was higher, and wages were fixed. Frequently, peasants attempted to leverage family or regional connections to secure permission from party and state structures for transfer from the cooperatives to the mines and factories.

## **The Superstructures of Socialist Industrialization in Albania**

The campaign for industrialization and the state policies supporting it was accompanied by a strong propagandistic drive, operating on multiple levels. Once the Politburo defined the directions of the Five-Year Plans and transmitted them to the Planning Commission for detailed drafting, it also determined and reviewed the work to be undertaken for promoting the designated sectors. The orientation and supervision of propaganda activities were managed by structures of the Central Committee, specifically the Directorate of Propaganda and Agitation (Agjit-Propi), officially established after the First Congress of the Party of Labour of Albania (1948)<sup>33</sup>. Commonly known as Agjit-Propi, this Central Committee structure had sections

<sup>31</sup> Enver Hoxha, *Vëpra 10*, Instituti i Studimeve Marksiste-Leniniste, 8 Nentori, Tiranë, 1977, 54.

<sup>32</sup> Olsi Lelaj, *Nën shënjën e modernitetit*, Pika Pa Sipërfaqe, Tiranë, 2015, 171-173.

<sup>33</sup> Instituti i Studimeve Marksiste Leniniste, *Dokumenta kryesore të Partisë së Punës së Shqipërisë I, 1941-1948*, Shtëpia Botuese “Naim Frashëri” Tiranë, 1971, 528.

corresponding to the main instruments of propaganda, which were:

- The Press and Publications Sector oversaw newspapers, magazines, state publishing houses, and similar outlets. The main newspapers with a theoretical and ideological character were *Zëri i Popullit* (the primary organ of the Central Committee of the Party), which provided general information on the mobilization of the masses and the workforce, the establishment of new cities, and so forth; *Ruga e Partisë* (theoretical organ of the Central Committee), which focused primarily on cadres of basic organizations, activists, and even ordinary party members, for further theoretical formation, emphasizing the necessity of national industrialization as a material condition for building a socialist society; and *Bashkimi*, which served as the principal press organ for the Democratic Front, functioning as the umbrella organization for mass mobilization.
- The Education and Science Sector ensured the dissemination of Marxist-Leninist propaganda and ideology within educational and scientific institutions. *Agjit-Propi* also ensured that education included elements promoting the formation of the workforce and cadres for industry, including supervision of textbooks to convey the cult of labor, idealization of the worker, and inclusion of practical subjects such as “Labor Education,” “Metalwork,” “Technical Drawing,” and “Woodworking.” It oversaw theoretical education in Marxism-Leninism and the participation of students in voluntary labor campaigns. According to the 1970 Education Law, high school students were required to complete two weeks of physical education (ideologically aimed at “strengthening youth for the construction of socialism”), two months of productive labor in state enterprises, farms, or cooperatives, and one month of military training (ideologically intended to prepare youth militarily within the framework of a “fortress of socialism,” reflecting socialist Albania’s preservation of “pure Marxism-Leninism”)<sup>34</sup>. *Agjit-Propi* also promoted the publication of youth political education magazines such as *Zëri i Rinisë*, as well as scientific journals highlighting the latest achievements in science in Albania and other socialist countries.
- The Culture and Arts Sector encompassed the supervision of literature, cinema, music, and other visual arts (painting, sculpture, etc.), ensuring their alignment with the principles of socialist realism and the political line the Party aimed to transmit to both the masses and intellectuals through these disciplines.
- The Mass Propaganda Sector included mass communication tools such as radio, television, and forms of political education for the general population. Based on the political line determined by the Politburo and The “*Agjit-Propi*” set the main editorial direction for the media and ensured that various informational, cultural, and recreational programs contained elements that conveyed the official ideology and the Party line.

The theme of the working class as the foundation of the new socialist society occupied a central place in official ideology and propaganda. This was grounded not only in the Marxist-Leninist ideology emphasizing the primary role of labor in society<sup>35</sup>, but

<sup>34</sup> Olsi Lelaj, 195.

<sup>35</sup> Note (auth.) It should be emphasized that the cult of labor is not a phenomenon confined solely to the forms of state socialism, but rather a feature intrinsically linked to modernity itself. It first emerges in early modernity within the ethical framework of Protestantism and Calvinism, later in John Locke’s conception of labor as the source of property, in Adam Smith’s notion of labor as the foundation of all wealth, and ultimately in Karl Marx, for whom labor becomes the source of all productivity and the very expression of human essence. (Olsi Lelaj, 201).

also in the direct political interest of the party-state in utilizing the working class to legitimize the regime's absolute authority. The newly established social order created by the Party was presented as being in service of the working class, as "the power of the working class," with the Party governing and ruling on its behalf, functioning as the advanced vanguard of the proletariat. By portraying the socialist state in educational texts, books, newspapers, and art as the authority of the "sons of peasants and workers," the system established a conceptual framework in which workers and peasants were encouraged not only to identify with one another but also to perceive themselves as members of the ruling class and as primary beneficiaries of the societal transformations<sup>36</sup>. However, with the advancement of industrialization, persistent difficulties in the drafting of five-year plans, and challenges related to increasing production efficiency and its distribution, the question of stimulating production and meeting output norms arose. Major campaigns for mobilizing the workforce included initiatives based on "socialist emulation," aimed at fostering competition among workers and socialist enterprises to achieve and surpass production targets. Those exceeding norms were awarded prizes and featured on "emulation boards," whereas workers failing to meet expectations faced public criticism in workers' council meetings. From the 1950s onward, the Stakhanovite movement also spread to Albania, a campaign highlighting workers who surpassed production norms and increased labor productivity. Albanian Stakhanovites were awarded the title "assailant" for exceeding quotas, while workers introducing innovative methods to accelerate work pace or adapt Soviet and Chinese labor practices in Albanian factories were recognized as "innovators"<sup>37</sup>. Within official rhetoric and propaganda, the concept of "proletarian discipline" gained increasing importance. This was explicitly defined in 1970 in the book *Expanding Our Knowledge of the Socialist Organization of Labor* with several key elements: "...to perform one's duties toward the homeland with the highest conscientiousness, to produce as much as possible, better, more freely, and to meet and surpass the norms and targets set for labor productivity..."<sup>38</sup>

## Conclusions: Crisis, Decline, Legacy

Socialist industrialization radically transformed the economic and social landscape of Albania. It significantly influenced urbanization, expanded the working class, and facilitated the provision of industrial goods to the population. Industrialization enabled the modernization and social emancipation of Albanian society. The socialization of labor in factories—implemented under the conditions of socialist industrialization, and driven not only by objective economic realities but also by Party instruments for mass control—detached individuals from interpersonal labor relations and integrated them into collectives of thousands of workers, with whom they shared similar lifestyles and common interests. The individual's way of life was decisively severed from kinship and neighborhood networks, along with the culture they embodied, and was instead linked to the nuclear family's life, which coexisted

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<sup>36</sup> Ibid. 193.

<sup>37</sup> Elidor Mëhilli, 126-130.

<sup>38</sup> Art. "Të zgjerohet njohuritë tona për organizimin socialist të punës", in *Biblioteka e Rinisë*, Naim Frashëri, Tiranë, 1970, 20.

with other workers' and professionals' families ("popular intelligentsia") in the city's shared public spaces, including the palace, schools, youth organizations, Pioneer Houses, and the network of dependency on Party and state institutions.

However, this industrialization was pursued without adequate consideration of the country's economic and social capacities. Most industrial facilities and industries were constructed by Soviet and Chinese specialists and maintained operational primarily through Chinese financial aid. Following the breakdown of relations with China in the mid-1970s, these enterprises proved largely unprofitable. Continued state investment in heavy industries lacking economic viability further accelerated the country's economic collapse<sup>39</sup>. A second contributing factor to the crisis was systemic, arising from the broader shortcomings of state socialism. The elimination of market mechanisms, the absence of production incentives, difficulties in achieving and distributing production in line with central plans, bureaucratic and party overreach in managing and controlling all processes, as well as problems in agriculture and food production, collectively drove the system toward crisis and stagnation, ultimately culminating in its collapse.

The Albanian working class, formed during the years of bureaucratic-state socialism, played a crucial role in the early democratic transformations in Albania. Following the student protests of December 1990, it was the workers' strikes of the spring of 1991, organized by the Independent Unions, that precipitated the final crisis of the Party of Labour of Albania's (PPSH) rule<sup>40</sup>.

The period following the regime's collapse was marked by efforts to transform the economy toward capitalism, accompanied by profound social changes. This shift entailed policies that minimized the role of the state in the economy, leaving market forces to drive national recovery. The "shock therapy" model led to the mass closure of factories and industrial complexes, including the Textile Combine in Tirana and Berat, the Metallurgical Combine in Elbasan, the Mechanical Combine in Poliçan, the copper and superphosphate plants in Rubik and Laç, and portions of the extractive industry in Bulqizë, Ballsh, and elsewhere. From a social perspective, the years of economic transition produced both contraction and precarization of the working class in Albania. Over a ten-year period, the workforce in industrial sectors fell from 339,000 to 79,000 employees, while real unemployment reached 35–40%<sup>41</sup>. Massive privatizations disregarded the long-term value of industry, the need to preserve jobs, and the strategic importance of key sectors. The outcome was the destruction of the industrial base and the transition of the economy toward a model largely dependent on remittances, trade, and services, with unclear consequences for long-term development.

Today, only a small portion of the material legacy of socialist industrialization in Albania remains in active use. This includes, in addition to the major hydroelectric plants (Vau i Dejës, Koman, Fierzë, Ulëz, Shkopet, etc.), a limited number of factories and industrial plants that continue to operate under private management, as well as certain mines and refineries in the extractive sector, now largely controlled by

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<sup>39</sup> Gjon Boriçi, 310-311.

<sup>40</sup> Llukman Halili, *Lëvizja Studentore Shqiptare*, Botimet Princi, Tiranë, 2016, 245.

<sup>41</sup> Ilija Telo, Lulzim Hana, *Tranzicioni në Shqipëri: Arritje dhe sfida*, Akademia e Shkencave të Shqipërisë, Instituti i Ekonomisë, Tiranë, 2005, 202.

domestic and foreign private owners. Meanwhile, the majority of the material heritage of socialist industrialization—including defunct combines, plants, and factories—remains unused, yet holds considerable potential for both functional redevelopment and scholarly study as an integral part of the country’s historical and cultural patrimony.

## References

### Archives

Instituti i Studimeve Marksiste Leniniste, “*Dokumenta kryesore të Partisë së Punës së Shqipërisë I, 1941-1948*”, Shtëpia Botuese “Naim Frashëri” Tiranë, 1971

Instituti i Studimeve Marksiste Leniniste, “*Dokumenta kryesore të Partisë së Punës së Shqipërisë II, 1949-1956*”, Tiranë, 1972

Arkivi Qendror i Shtetit, Fondi 14/Arkivi i Partisë, Struktura: OU, Viti: 1955, Dosja 4

AQSH, F. 14/AP,MP, V.1959, D. 24. “Protokoll i bisedimeve të zhvilluara mes delegacionit të Partisë Komuniste dhe Qeverisë së BRSS dhe delegacionit të Partisë së Punës së Shqipërisë në Tiranë”

AQSH, F.14/APOU, F. 14 /AP,OU, V.1960, D. 6. “Raport mbi veprimtarinë e delegacionit shqiptar ne Moskë në mbledhjen e 81 partive punëtore e komuniste”

### Bibliography

Akademia e Shkencave, *Historia e Popullit Shqiptar III*, Toena, Tiranë, 2007

Akademia e Shkencave, *Historia e Popullit Shqiptar IV*, Toena, Tiranë, 2009

E.J. Hobsbawm, *Kombet dhe Nacionalizmi që nga 1780*, Toena & Fondacioni Soros, Tiranë, 1996

Elidor Mëhilli, “*Nga Stalini te Mao. Shqipëria dhe bota socialiste*”, AHS, Tiranë, 2023

Ilia Telo, Lulzim Hana, *Tranzicioni në Shqipëri: Arritje dhe sfida*, Akademia e Shkencave të Shqipërisë, Instituti i Ekonomisë, Tiranë, 2005

Instituti i Studimeve Marksiste-Leniniste, “*Historia e Partisë së Punës së Shqipërisë*”, 8 Nëntori, Tiranë, 1981

Karl A. Wittfogel, *Oriental Despotism: a comparative study of total power*, Vintege Boobs Edition, 1981

Katherine Verdery, *What was Socialism and what comes next*, Princeton University Press, New Jersey, 1996

Kristo Frashëri, *Historia e Lëvizjes së Majtë në Shqipëri dhe e themelimit të PKSH (1878-1941)*, Tiranë, 2006

Llukman Halili, “*Lëvizja Studentore Shqiptare*”, Botimet Princi, Tiranë, 2016

Olsi Lelaj, “*Nën shënjestër e modernitetit*”, Pika Pa Sipërfaqe, Tiranë, 2015

Paul R. Gregory, *The Political Economy of Stalinism*, Cambridge University Press, 2004.

Peter Kenez, *A History of the Soviet Union from the Beginning to the End*, Cambridge University Press, 2006.

Rondo Cameron-Larry Neal, *Histori e ekonomisë botërore*, Dituria, Tiranë, 2010.

Ornela Shameti, *Kocci Xoxe ne kontekstin e marrëdhënieve shqiptaro-jugosllave*, Disertacion për gradën “Doktor i Shkencave”,

[https://unitir.edu.al/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://unitir.edu.al/wp-content/uploads/2022/07/ORNELA-SHAMETI-PhD.pdf&attachment\\_id=&dBUTTON=false&pButton=false&oButton=false&sButton=true#zoom=auto&pagemode=none&\\_wpnonce=478d5ae120](https://unitir.edu.al/wp-content/plugins/pdfjs-viewer-shortcode/pdfjs/web/viewer.php?file=https://unitir.edu.al/wp-content/uploads/2022/07/ORNELA-SHAMETI-PhD.pdf&attachment_id=&dBUTTON=false&pButton=false&oButton=false&sButton=true#zoom=auto&pagemode=none&_wpnonce=478d5ae120)

Eled Fagu (2021), “*Qyteti socialist në Shqipëri. Kombinati i Tekstileve Stalin*”, Disertacion për mbrojtjen e titullit “Doktor i Shkencave”, Universiteti Politeknik i Tiranës, 96-97 [https://upt.edu.al/wp-content/uploads/2022/02/Disertacion\\_Eled-FAGU.pdf](https://upt.edu.al/wp-content/uploads/2022/02/Disertacion_Eled-FAGU.pdf)

Otjela Lubonja (2015), “*Urbanizimi dhe ndikimi i tij në ekonomi. Qyteti i Tiranës*”, Disertacion për mbrojtjen e titullit “Doktor i Shkencave, Universiteti Evropian i Tiranës, 51-52 [https://uet.edu.al/wp-content/uploads/2021/11/Otjela\\_Lubonja.pdf](https://uet.edu.al/wp-content/uploads/2021/11/Otjela_Lubonja.pdf)

## Articles

Art. Gjon Boriçi, *Përprojekjet e Qeverisë Shqiptare, për të arritur industrializimin e vendit me anë të veprave të fundit madhore nga Kina në Shqipëri 1966-1973*, në "Studime Historike 1-2", Instituti i Historisë, Tiranë, 2021

Art. F. Pashako, B. Vrusho (2015), *"The history and actual condition of Industrial Heritage in Albania: The problems and opportunities of the Metallurgical Complex of Elbasan"*, [https://www.academia.edu/37209049/The\\_History\\_and\\_Actual\\_Condition\\_of\\_Industrial\\_Heritage\\_in\\_Albania\\_The\\_Problems\\_and\\_Opportunity\\_of\\_the\\_Metallurgical\\_Complex\\_of\\_Elbasan](https://www.academia.edu/37209049/The_History_and_Actual_Condition_of_Industrial_Heritage_in_Albania_The_Problems_and_Opportunity_of_the_Metallurgical_Complex_of_Elbasan)

Art. Islami, G., Veizaj, D., & Verdiani, G. (2019). *The morphosis of the Albanian socialist cityscape. A reaction to buildings with high-energy consumption*. Ri-Vista. Research for Landscape Architecture, 16(2)

Art. Bushati, Etleva. (2023). *Meaning and Symbolism of Industrial Architecture in Albania*. Rocznik Filozoficzny Ignatianum

Art. Federica Pompejano, *"The Planning of Socialist Urbanity: The New City of Kukws in Albania"* In Proceedings of the Society of Architectural Historians, Australia and New Zealand: 39, Ngā Pūtahitanga / Crossings, ed. Julia Gatley and Elizabeth Aitken Rose, 380. Auckland SAHANZ, 2023

# Hospital Telemedicine in Public Health Economy: Transfer Efficiency Evidence from Albania and Cost Insights from a Literature Review

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## Abstract

**Background:** Hospital-based telemedicine is increasingly applied to improve access, efficiency, and cost-effectiveness in healthcare systems. In Albania, where distance from tertiary centers limits timely care, telemedicine offers a promising approach from a public health economy perspective. Evidence from low- and middle-income countries highlights that hospital telemedicine is particularly relevant for regions with geographic and resource constraints.

**Methods:** A retrospective cohort study was conducted including 373 patients who utilized telemedicine services at Korça Regional Hospital between March 2022 and December 2023. Demographic, clinical, and transfer data were analyzed using descriptive statistics and chi-square tests. A complementary literature review was performed to synthesize evidence on cost implications of hospital telemedicine.

**Results:** Most patients were male (59.1%), with a mean age of 58.4 years. Consultations peaked during autumn afternoons. Of all patients, 64.2% (n=240) required transfer to tertiary care, while 35.8% (n=133) were managed locally without transfer. The non-transfer group reflects efficiency gains, as international evidence demonstrates that avoiding unnecessary referrals significantly reduces costs—ranging from transport and hospitalization expenses to indirect costs such as lost productivity and caregiver burden. Multiple reviews report consistent cost savings when hospital telemedicine substitutes in-person referral, reinforcing its value in resource-limited contexts.

**Conclusions:** Hospital telemedicine in Korça improved access to specialist care and allowed more than one-third of patients to be treated locally, preventing avoidable transfers. Combined with literature evidence on cost savings, these findings highlight telemedicine's potential to enhance efficiency and sustainability in Albania's health system. Future studies should quantify direct and indirect cost benefits nationally. Policymakers should consider integrating hospital telemedicine into national health strategies to maximize both economic and clinical benefits.

**Keywords:** telemedicine, hospital-based care, transfer efficiency, cost-effectiveness, public health economy, Albania.

## Introduction

Hospital-based telemedicine has emerged as a critical component of modern healthcare, designed to improve access, efficiency, and cost-effectiveness while maintaining high standards of clinical care (1,2). By connecting regional hospitals to tertiary centers through real-time digital consultation, it allows physicians to manage complex cases locally and avoid unnecessary patient transfers—an approach that optimizes both clinical workflows and economic resources (3). In low- and middle-income countries (LMICs), telemedicine has demonstrated measurable reductions in travel, hospitalization, and productivity-related costs, confirming its relevance in resource-limited health systems (2,4). From a public health economy perspective,

telemedicine interventions also mitigate inequities by extending specialist expertise beyond urban centers and enabling data-driven coordination between care levels (5). In Albania, where tertiary hospitals are concentrated in Tirana and regional facilities face persistent human resource and infrastructure challenges, hospital-based telemedicine offers a promising strategy to improve efficiency and sustainability. This study examines transfer efficiency outcomes from the Korça Regional Hospital telemedicine experience and complements these findings with a literature-based synthesis of cost implications, contributing to a growing evidence base on hospital telemedicine's role in optimizing national health system performance.

## Methods

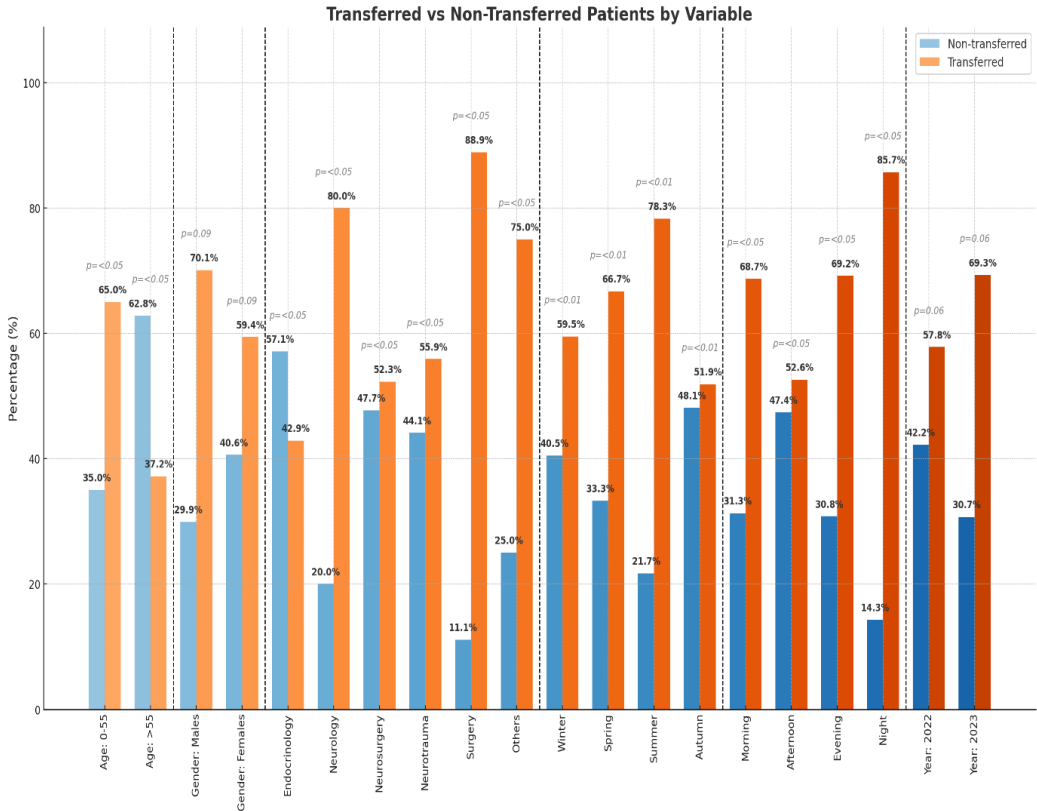
A retrospective cohort study was conducted at Korça Regional Hospital, Albania, including all patients who utilized hospital-based telemedicine services between March 2022 and December 2023. The telemedicine system connects regional physicians with tertiary specialists at the University Trauma Hospital in Tirana, enabling real-time consultation for diagnostic and management decisions. A total of 373 consecutive patients who underwent teleconsultation during the study period were included. Data were extracted from the hospital's telemedicine registry and medical records. Variables collected comprised demographic characteristics (age, sex, residence), clinical information (reason for consultation, diagnosis, specialty involved), and transfer outcomes (whether the patient was transferred to tertiary care or managed locally). Descriptive statistics were used to summarize demographic and clinical data. Categorical variables were presented as frequencies and percentages, while continuous variables were expressed as means and standard deviations. The chi-square test was applied to examine associations between patient characteristics and transfer status (transfer vs. non-transfer). Statistical significance was set at  $p < 0.05$ . Data analysis was performed using IBM SPSS Statistics, version 26.0 (IBM Corp., Armonk, NY, USA). A complementary literature review was also performed to summarize existing evidence on cost implications and efficiency outcomes of hospital-based telemedicine, focusing on studies published in PubMed and Google Scholar databases.

## Results

Figure 1 compares transferred and non-transferred patients across demographic, clinical, temporal, and annual variables. Patients aged over 55 years were more frequently transferred (62.8%) compared with younger patients (35.0%) ( $p < 0.05$ ). Male patients also had higher transfer rates (70.1%) than females (59.4%) ( $p = 0.09$ ). Among clinical categories, transfer proportions were notably high in neurosurgery (80.0%), neurotrauma (88.9%), and surgery (75.0%) ( $p < 0.05$ ), while endocrinology (20.0%) and neurology (42.9%) showed the lowest transfer frequencies ( $p < 0.05$ ). Seasonal and temporal patterns were also observed: the highest transfer proportions occurred in spring (66.7%) and autumn (78.3%), whereas summer and winter consultations were less likely to result in transfers ( $p < 0.05$ ). Transfers were most

common during afternoon hours (69.2%) compared with mornings (52.6%) and evenings (47.4%) ( $p < 0.05$ ). Yearly comparison showed a slight increase from 57.8% in 2022 to 69.3% in 2023 ( $p = 0.06$ ). (Figure 1).

Figure 1. Distribution of transferred vs. non-transferred patients by variable ( $\chi^2$  test for group comparison; percentages within category).



The reviewed literature consistently demonstrated that hospital telemedicine contributes to improved resource utilization and cost savings by reducing avoidable transfers and optimizing hospital workflows. These findings provided an economic context for interpreting the Albanian transfer efficiency data within the broader framework of public health economy.

## Discussion

The fact that 35.8% of patients in our cohort were managed locally without transfer underscores the potential of hospital-based telemedicine to enhance transfer efficiency in regional settings. This finding is consistent with international evidence showing that telemedicine interventions reduce unnecessary referrals and lower both direct and indirect healthcare costs (6). At the same time, systematic reviews caution that

while telemedicine may offer efficiency gains, evidence on broad cost-effectiveness remains modest and context-specific—especially when initial setup and operational costs are high (7).

In the Albanian context, our results suggest that teleconsultation at the regional hospital level can reduce dependency on tertiary transfers, thereby aligning with public health economy goals of reducing transport, hospitalization and indirect productivity costs. However, the higher overall transfer rate (64.2%) indicates that telemedicine is not yet sufficing for all cases; effective implementation may thus require targeted case-selection, local clinician training, and optimized referral pathways to maximize efficiency and economic return.

## Conclusion

This study provides evidence that hospital-based telemedicine can substantially improve the efficiency of regional healthcare delivery in Albania. By enabling real-time specialist consultations between Korça Regional Hospital and tertiary centers in Tirana, telemedicine allowed more than one-third of patients to be managed locally, thus preventing avoidable transfers. These findings reflect both clinical and operational benefits, demonstrating that telemedicine strengthens the capacity of regional hospitals to deliver timely and effective care.

The complementary literature review supports these results, indicating that hospital telemedicine consistently reduces transport, hospitalization, and indirect costs such as work absenteeism and caregiver burden. When interpreted within the framework of public health economy, these results emphasize that telemedicine represents not only a technological innovation but also an economically sustainable solution for resource-limited healthcare systems.

Future research should quantify the national-level cost savings associated with reduced referrals and explore the integration of telemedicine metrics into Albania's hospital performance indicators. Policymakers are encouraged to incorporate hospital telemedicine into the national health strategy as a core mechanism for improving both efficiency and equity in healthcare delivery.

## References

- Snoswell CL, Taylor ML, Comans TA, Smith AC, Gray LC, Caffery LJ. Determining if telehealth can reduce health system costs: Scoping review. *J Med Internet Res.* 2020;22(10):e17298. doi:10.2196/17298
- Mahmoud K, Srivastava A, Johnson M, et al. Telemedicine in Low- and Middle-Income Countries During COVID-19: A Scoping Review. *Front Public Health.* 2022; 10:914423. doi:10.3389/fpubh.2022.914423
- Kruse CS, Karem P, Shifflett K, Vegi L, Ravi K, Brooks M. Evaluating barriers to adopting telemedicine worldwide: A systematic review. *J Telemed Telecare.* 2018;24(1):4-12. doi:10.1177/1357633X16674087
- Eze ND, Mateus C, Cravo Oliveira Hashiguchi T. Telemedicine in the OECD: An umbrella review of clinical and cost-effectiveness, patient experience and implementation. *PLoS One.* 2020;15(8): e0237585. doi: 10.1371/journal.pone.0237585
- Almathami HKY, Win KT, Vlahu-Gjorgievska E. Barriers and facilitators influencing the

implementation of eHealth and telemedicine systems in developing countries: A systematic review. *Int J Med Inform.* 2020; 141:104239. doi: 10.1016/j.ijmedinf.2020.104239

Snoswell CL, Taylor ML, Comans TA, Smith AC, Gray LC, Caffery LJ. *Determining if telehealth can reduce health system costs: Scoping review.* *J Med Internet Res.* 2020;22(10):e17298. doi:10.2196/17298

de la Torre-Díez I, López-Coronado M, Vaca C, Saez Aguado J, de Castro C. Cost-Utility and Cost-Effectiveness Studies of Telemedicine, Electronic, and Mobile Health Systems in the Literature: A Systematic Review. *Telemed J E Health.* 2015;21(2):81–95. doi:10.1089/tmj.2014.0030.

# Women's inclusion in stem fields in Albania - From obstacles to potential

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## Abstract

In an era of technological transformation and rapid scientific development, the inclusion of women in STEM (Science, Technology, Engineering and Mathematics) fields is a key factor in achieving gender equality and social progress. However, in Albania, the representation of girls and women in these fields remains low, despite the overall increase in their access to higher education.

In this paper, we will analyze the structural, social, and cultural barriers that affect girls' educational and professional orientation towards STEM, and we will assess the potential that their inclusion in these fields has for sustainable development and gender equality in the country. The paper sheds light on the challenges that girls face, including the lack of positive role models, gender stereotypes, and lack of institutional support. It also examines educational policies and state initiatives to promote gender inclusion in STEM, assessing their effectiveness.

The findings aim to contribute to the academic and political debate on gender equality in Albania, and to provide clear recommendations for educational institutions and political decision-makers towards promoting the active participation of women in STEM fields. In this paper, we aim to contribute to identifying the obvious legal and institutional gaps that hinder the inclusion of women in STEM in Albania, as well as to provide policy recommendations to strengthen legal implementation and create conditions that facilitate equal gender participation.

**Keywords:** gender equality, STEM, women in science, higher education, etc.

## Introduction

Gender equality in education, and in particular in STEM fields (Science, Technology, Engineering and Mathematics), represents a fundamental issue of human rights and sustainable development, which has received continuous attention in international and national instruments. However, statistics and institutional reports — such as those from INSTAT (2023) and the Ministry of Education (MAS, 2022), show an insufficient representation of women in technical and scientific branches. This situation reflects a gender gap, which is fueled by cultural barriers, gender stereotypes and structural constraints. The UNDP Albania report (2021) highlights that, in addition to legal norms, practical obstacles identify the lack of female role models, prejudiced perceptions of gender abilities and lack of institutional support as key factors hindering participation.

Recent legal analyses and studies (e.g. Gender Budgeting: A Contextual Analysis of the Higher Education Sector in Albania, Llafiu & Shuli, 2024) show that there is a legal

framework covering gender equality, but its implementation is often insufficient. This is due to the lack of implementation mechanisms, financial resources, training for institutional actors and the lack of specific policies for STEM. (Llaftiu & Shuli, 2024) This data shows that although the legal framework exists, practical reality often lags behind.

## **1. The concept of gender equality in STEM education**

Gender equality in STEM (Science, Technology, Engineering and Mathematics) education represents the equal right and opportunity of all genders to access, benefit from and advance in these key areas of scientific and technological development. This concept is institutionalized through legal standards and public policies, which aim to eliminate systemic discrimination and structural barriers that contribute to the low representation of women in STEM.

At the international level, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) obliges States Parties to take clear measures to guarantee gender equality in the fields of education and employment, including in science and technology (United Nations, 1979). Similarly, organizations such as UN Women and UNESCO emphasize the importance of inclusive and sustainable policies to promote the active participation of women in STEM, considering this as an essential component for global development and social equality (UNESCO, 2017; UN Women, 2020).

Within the European Union, the European Commission's Gender Equality Strategy 2020–2025 identifies STEM education and employment as areas with high potential to reduce the gender gap and strengthen women's participation in the labor market in the digital and innovation era (European Commission, 2020).

In the national context, Law No. 9970, dated 24.7.2008, "On Gender Equality in Society", stipulates that public and educational institutions have the obligation to guarantee equality of opportunities and to prevent any form of gender discrimination, including in technical and scientific fields (Assembly of Albania, 2008). However, challenges in implementing the law in the STEM sector remain evident and are related to gender stereotypes, the lack of positive female role models, as well as structural inequalities in the education system and the labor market (UN Women Albania, 2021).

In this context, gender equality in STEM education constitutes not only a social imperative, but also a legal and political obligation that requires conscious, sustainable and coordinated actions by all relevant institutions.

## **2. Some legal aspects of the international and national legal framework**

### **2.1 *International legal framework***

Gender equality in STEM education is a global priority, strongly supported by international legal instruments that seek to eliminate discrimination and promote equal opportunities for women and girls. One of the most important international instruments is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This convention requires state parties to take active

measures to eliminate gender discrimination at all levels, including education and employment in scientific and technological fields (United Nations, 1979). CEDAW has a key role in defining legal obligations for member states, including Albania, in building an equal educational and professional environment for both sexes.

At the European level, the European Union's Gender Equality Strategy 2020–2025 focuses on reducing the gender gap in sectors with high economic and social impact, including STEM. The strategy highlights the importance of comprehensive policies that address access to STEM education and the promotion of the role of women (European Commission, 2020). This document calls on EU Member States and their partners to strengthen the legal and policy framework to increase the participation of women in technical and scientific fields.

Likewise, the United Nations Charter on Gender Equality and the Empowerment of Women (UN Women) provides guidance and recommendations for countries aiming to improve gender participation in STEM, emphasizing the importance of integrated policies that include education, vocational training, and improving working conditions (UN Women, 2020).

These international instruments create a strong legal and policy basis for countries wishing to address gender disparities in STEM education. However, their effective implementation requires translation into concrete measures and monitoring mechanisms at the national level, to ensure that legal aspirations translate into real results on the ground.

## ***2.2 The legal and policy framework in Albania for gender equality in STEM***

In Albania, gender equality in education and STEM fields is supported by a series of legal acts and strategic documents, which aim to eliminate discrimination and promote equal opportunities for women and girls. Law No. 9970, dated 24 July 2008, "On Gender Equality in Society" constitutes the fundamental legal basis in this regard. This law guarantees equality of opportunities between the sexes in all areas of public and private life, including education and employment, and requires state and private institutions to take concrete measures to prevent and eliminate any form of gender discrimination (Parliament of Albania, 2008).

In addition to the legal basis, the national strategic framework has been enriched with policies aimed at increasing the inclusion of women in technical and scientific fields. The National Strategy for Gender Equality 2016–2020 contains clear objectives for promoting women's participation in vocational education and new sectors of the economy, including STEM, emphasizing the need to address institutional and cultural barriers (Ministry of Health and Social Protection, 2016). Similarly, the Strategy for the Development of Education 2014–2020 has included goals for encouraging girls towards technical branches and improving access to quality and equal education for all groups (Ministry of Education and Sports, 2014).

However, the effective implementation of these laws and policies faces significant challenges. Reports by INSTAT and international organizations such as UN Women Albania point to a lack of sustainable monitoring and evaluation mechanisms, as well as a large gap between written policies and concrete practice in institutions (INSTAT, 2023; UN Women Albania, 2020). Furthermore, widespread gender stereotypes,

the lack of inspiring female role models in STEM fields, and the lack of supportive infrastructure in schools and universities constitute real obstacles to advancing gender equality in these fields.

Consequently, while the legal and policy framework in Albania provides the formal basis for gender equality in STEM, it requires further reinforcement and adaptation to the concrete reality. This includes the development of mentoring programs, specialized training for girls and women in STEM, as well as incentive measures for employment and professional advancement in technological and scientific sectors.

### **3. An analysis of cultural barriers and gender stereotypes in the inclusion of women in STEM**

Cultural barriers and gender stereotypes constitute one of the most profound and persistent obstacles to the inclusion of women and girls in STEM fields (Science, Technology, Engineering and Mathematics), both in Albania and globally. These barriers appear from an early age and affect girls' academic choices, self-esteem and professional opportunities, contributing to the maintenance of the gender gap in education and employment in the technological and scientific sectors (UNESCO, 2017; European Institute for Gender Equality [EIGE], 2019).

#### ***3.1 Cultural Barriers and Gender Stereotypes in Practice***

In many cases, girls in Albania face cultural expectations that steer them towards traditional caregiving and family roles, considering STEM as a field "not suitable" for them (Kamberi, 2017).

The low participation of women in high academic and professional positions in these fields creates a lack of inspiring role models for younger generations of girls (UN Women Albania, 2021).

Teachers and parents often encourage boys to pursue technical subjects, while girls are directed towards more "traditional" fields, reinforcing the gender division of roles already at school (EIGE, 2019).

Feelings of self-doubt, fear of failure, and lack of support in a male-dominated environment negatively impact girls' confidence to enter and remain in STEM (Miller, Eagly, & Linn, 2015).

#### ***3.2 The Importance of Intervention***

To overcome these obstacles, an integrated approach is needed that includes:

- Education and awareness about gender stereotypes in schools, media and institutions;
- Training for teachers and parents to promote active support for girls in STEM fields;
- Promoting positive female role models, through campaigns and mentoring;
- Review of curricula and educational practices, to ensure equal inclusion and to eliminate discriminatory language and examples in textbooks.

Combating these barriers is not only a matter of social justice, but a necessity for sustainable development and a more inclusive and innovative labor market.

The analysis of the legal and institutional framework for the inclusion of women in STEM fields in Albania shows a relatively developed formal basis in terms of gender equality, but with serious shortcomings at the level of practical implementation and change of institutional culture. The main findings of the analysis conducted are presented below:

### ***3.3 Institutional Framework***

Educational institutions and the Ministry of Education have undertaken several initiatives to promote gender equality in the education system, including training for teachers, incorporating a gender perspective into curricula, and awareness-raising campaigns for girls in STEM (Ministry of Education and Sports, 2023).

Non-governmental and international organizations, such as UN Women Albania, have played an active role in empowering girls and women in STEM through mentoring programs, financial support, and training in technology and entrepreneurship (UN Women Albania, 2021).

However, the lack of strong monitoring and evaluation mechanisms by state institutions significantly limits the effectiveness of the implementation of existing laws and strategies.

### ***3.4 Challenges identified***

Despite the existence of a clear legal and strategic framework, implementation in practice remains fragmented, with shortcomings in translating objectives into concrete and measurable actions.

One of the main challenges is the lack of gender-disaggregated data on participation in education and the labor market in STEM. This hinders the design of effective and evidence-based policies (INSTAT, 2023).

Gender stereotypes embedded in society and institutional structures, as well as the lack of a supportive institutional culture, continue to hinder women's advancement in STEM careers and decision-making positions.

## **4. A statistical analysis on gender inclusion in STEM in Albania**

The inclusion of women and girls in STEM (Science, Technology, Engineering and Mathematics) fields in Albania faces the challenge of a lack of detailed and up-to-date data. Existing figures provide only a general overview of gender participation in higher and pre-university education, without a clear breakdown by field of study.

### ***4.1 Enrollment in Higher Education (2023–2024)***

According to data published by INSTAT, a total of 120,063 students were enrolled in higher education in Albania in the academic year 2023–2024. However, these data do not include the gender distribution of students enrolled in specific STEM programs (INSTAT, 2024). During the same academic year, the total number of students graduating from higher education was 82,712. Although graduation data is detailed by level of study and general fields, specific gender breakdown for STEM branches is missing, making it difficult to assess the progress of gender equality in these fields (INSTAT, 2024).

#### ***4.2 Gender equality index in pre-university education***

INSTAT publishes the Gender Equality Index in Pre-University Education, which measures the gross ratio of female to male enrollments at pre-university levels. Although this index suggests a balanced gender representation in the education system in general, it does not reflect the real situation in STEM subjects, where gender stereotypes and choices directly affect inclusion (INSTAT, 2024).

The lack of gender-disaggregated statistics in STEM fields constitutes a serious obstacle to assessing progress towards gender equality and to designing evidence-based policies. This lack is also evidenced in reports by international institutions, which emphasize the importance of disaggregated data for improving educational planning and employment in STEM sectors (UNESCO, 2017; UN Women Albania, 2021).

### **5. Women's experience in STEM**

From interviews and focus groups conducted with students, teachers, and experts in Albania, several common experiences emerge that influence the journey of women in STEM fields:

- Obstacles in the academic environment; They often report a lack of support from teachers and peers, as well as a competitive climate dominated by the presence and perception of men. This can create feelings of isolation and insecurity.
- Lack of positive role models; many of them highlight the lack of female figures in academic and professional positions as a factor that reduces motivation and self-confidence.
- Balance between professional and personal life; STEM majors often face social expectations to fulfill traditional roles in the family, making it more difficult for them to combine career with personal life.
- Feeling of covert discrimination: Some women say they do not face overt discrimination, but unconscious prejudices that affect their opportunities for advancement.
- Gender stereotypes; Traditional perceptions that STEM is a "male" field are still present in the mindset of many students and professionals, making it difficult to accept women as active and equal participants.
- The influence of family and society; Family and social circle often play a supportive or obstructive role, depending on cultural perceptions of gender roles.

### **6. Identifying gaps in existing policies and practices for gender equality in STEM in Albania**

The analysis of the legal, institutional and existing practices in Albania shows that despite progress in the design of gender equality policies, some notable gaps remain that hinder the effective inclusion of women and girls in STEM fields. These gaps are related to the lack of horizontal integration of gender equality at all levels of decision-making, weak implementation of laws and the lack of detailed data.

Public institutions such as INSTAT and MAS do not systematically report gender-

disaggregated data on participation in specific STEM fields. This lack of data hinders evidence-based policymaking and impacts the inability to measure real progress (INSTAT (2023). Higher Education and Graduation Statistics 2022–2023).

Educational policies and programs do not have a specific focus on encouraging girls towards STEM studies, through special scholarships, mentoring, or successful role models.

There is a lack of sustained awareness campaigns aimed at deconstructing gender stereotypes that prevent girls from pursuing these fields (UN Women Albania. (2021). Women in STEM in Albania: Challenges and Opportunities.

Low Institutional Capacities for Gender Mainstreaming; zEfforts for gender equality in public institutions (e.g., in universities) are often symbolic, with insufficient human and financial resources.

There is no mandatory training on integrating a gender perspective into teaching and scientific research.

Low Participation of Women in STEM Decision-Making; gWomen are underrepresented in leadership positions in faculties and technical research institutions, which reduces their influence in shaping academic and professional culture (European Institute for Gender Equality. (2019). Gender Equality in Academia and Research (GEAR) tool.

Educational policies are not synchronized with labor market developments, leaving women who graduate in STEM without employment and career support (European Identification of Gaps in Existing Policies and Practices for Gender Equality in STEM in Albania)

The involvement of women in STEM fields in Albania is influenced not only by cultural and social factors, but also by obvious limitations in the policies and institutional mechanisms that should guarantee gender equality in the education system and the labor market. Although Albania has taken important steps towards compliance with international standards on gender equality, analyses show that there are deep gaps between legislation and practice, as well as between declared objectives and real impact on the ground.

Law No. 9970/2008 “On Gender Equality in the Republic of Albania” clearly stipulates the obligation of public and educational institutions to integrate gender equality in all aspects of their functioning, including vocational and higher education. Likewise, the National Strategy for Gender Equality 2016–2020 (followed by the 2021–2030 version) has explicitly aimed at promoting girls and women in technical education and the labor market. However, the lack of mandatory mechanisms for monitoring, reporting and punishment in case of non-compliance with gender objectives shows that the legislation works more on paper than in practice (Government of Albania, 2016; Republic of Albania, 2008).

According to UN Women Albania (2021), most public institutions do not regularly meet the requirements for gender analysis and reporting on the gender impact of educational programs, leaving the need for targeted interventions in STEM fields unaddressed. This is also reflected in the European Union’s progress report on Albania (2023), which states that “despite the existence of a strategic framework for gender equality, implementation remains limited and not systematized in key sectors such as education and employment.”

One of the most evident gaps is the lack of gender-disaggregated statistics by field of study, especially in STEM sciences. INSTAT data report the total number of students enrolled and graduated in higher education, disaggregated by gender, but do not provide a detailed distribution by branches such as engineering, information technology or natural sciences (INSTAT, 2023). This lack of information makes it difficult to understand the real level of gender representation in STEM and to build targeted policies.

The European Institute for Gender Equality (EIGE) emphasizes that “gender data is the foundation of effective equality policies,” and without it, accurate assessment of progress or design of interventions to address the gender gap cannot be made (EIGE, 2020).

Despite the objectives announced in national strategies, Albania does not have a specific national policy aimed at encouraging girls towards STEM fields through concrete measures, such as scholarships, mentoring, promotion of female role models or career support after graduation. Women and girls often pursue these branches individually, without any structured institutional support.

In many European countries, such as Finland or the Netherlands, affirmative action policies and school-level campaigns have been successful in improving gender representation in STEM (European Commission, 2020). The lack of such initiatives in Albania is an indicator of a strategic and institutional gap.

Another important gap is the lack of institutional capacity to implement gender equality, especially in educational and employment institutions. Gender equality units in universities are usually formal, without trained staff or decision-making authority. There is also a lack of effective cooperation between the Ministry of Education, the Ministry of Health and Social Protection, and the Ministry of Finance and Economy on gender mainstreaming in national human capital development policies.

The lack of real implementation of legislation, detailed data, targeted policies and institutional capacities shows that gender equality in STEM in Albania suffers not from a lack of documents, but from a lack of functionalization of existing instruments. This is reinforced by the cultural reality and deep-rooted gender stereotypes that continue to influence girls and women’s decisions about education and careers.

## **7. Conclusion**

The study undertaken on the inclusion of women in STEM fields in Albania, in the context of gender equality, highlighted a number of structural, cultural and institutional barriers that limit women’s participation in these disciplines. Although Albania has a relatively adequate legal framework for gender equality (Law No. 9970/2008; National Strategy for Gender Equality 2021–2030), the lack of effective implementation, monitoring mechanisms and affirmative policies has created a significant gap between legislation and reality on the ground.

From interviews and focus groups with students, teachers, and professionals in STEM, it was observed that girls still face weak incentives to pursue STEM majors, a lack of inspiring female role models, and an educational environment that often does not support real equality. Gender stereotypes, social expectations, and a lack of

support networks play a crucial role in shaping girls' academic decisions. On the other hand, statistical analyses show that although the participation of girls in higher education is increasing, their representation in STEM fields remains significantly lower, especially in engineering and technology. Furthermore, the involvement of women in academic and research leadership positions in these fields is minimal.

## 8. Recommendations

Based on an analysis of cultural barriers, legal gaps and successful international practices, this study presents some concrete recommendations for improving women's inclusion in STEM fields in Albania. The recommendations aim at interventions at the legal, educational, institutional and societal levels, based on the principles of gender equality, inclusion and sustainable development.

Review and strengthening of the legal framework to include specific provisions for gender equality in STEM fields, as part of the reform in higher education and employment policies.

Implementation of gender impact assessment in the drafting of education and technology laws and policies, to ensure that every decision-making takes into account the potential impact on gender equality (European Commission, 2020).

Setting gender quotas or targets for the representation of women in leadership positions in technical universities and on the boards of public research institutions.

Adoption of a decision of the Council of Ministers which requires public institutions to report annually on gender participation in STEM programmes, as well as on measures taken to improve it. European Commission. (2020). Gender Equality Strategy 2020–2025 <https://ec.europa.eu>

Incorporating themes of gender equality and deconstructing stereotypes in the national curriculum from basic education onwards, to promote a new approach to gender roles (UNESCO, 2017).

Development of national awareness campaigns to promote women in STEM, including the use of media, social networks and success stories of Albanian women in these fields.

Offering dedicated scholarships for girls in the fields of engineering, technology and natural sciences, supported by the state budget or public-private partnerships.

Creating national mentoring networks for girls in STEM, in collaboration with universities, technology businesses and the academic diaspora.

Stimulating partnerships with the private sector, to provide professional internships, employment and career models for girls studying STEM. (UNESCO. (2017). Cracking the Code: Girls' and Women's Education in STEM <https://unesdoc.unesco.org>

For a successful inclusion of women in STEM in Albania, it is essential that gender equality policy does not remain just a strategic document, but is transformed into a cross-sectoral action, supported by binding laws, effective implementation mechanisms and a new institutional culture. International experiences show that inclusive approaches are more successful in producing sustainable results over time.

## References

### Academic Resources and Reports

- UNESCO. (2017). *Cracking the code: Girls' and women's education in STEM*. UNESCO Publishing. <https://unesdoc.unesco.org/ark:/48223/pf0000253479>
- World Bank. (2020). *Breaking barriers: Female labor force participation in Albania*. <https://www.worldbank.org/en/country/albania/publication/breaking-barriers>
- UN Women Albania. (2021). *Women in STEM – Albania Country Profile*. <https://albania.unwomen.org>
- (INSTAT). (2022). *Women and men in Albania 2022*. Institute of Statistics. <https://www.instat.gov.al/media/10852/grate-dhe-burrat-2022.pdf>
- INSTAT. (2023). *Women and men in Albania – Statistics 2023*. Institute of Statistics. <https://www.instat.gov.al>
- INSTAT.(2023). *Statistical data on education and employment by gender (2015–2023)*. Institute of Statistics. <https://www.instat.gov.al>
- INSTAT. (2024). *Data on education in Albania 2023–2024*. Institute of Statistics. <https://www.instat.gov.al>
- European Institute for Gender Equality (EIGE). (2022). *Gender Equality Index – Albania*. <https://eige.europa.eu>
- Dervishi, Z. (2019). *Gender dynamics in higher education in Albania*. University of Tirana, Faculty of Social Sciences.
- Hoxha, E., & Leka, A. (2021). *Challenges and opportunities for women in STEM in Albania*. *Albanian Journal of Educational Studies*, 5(2), 45–59.
- Llaftiu, B., & Shuli, I.(2024). *Gender budgeting: A contextual analysis of the higher education sector in Albania*. *Administrative Sciences*, 14(8), 180. <https://doi.org/10.3390/admsci14080180>
- Xhindi, T., & Gjika, I.(2022). *The gender inequality and participation of women in STEM fields. Nordic and Western European Studies*, (2), 133–144. [https://econpapers.repec.org/article/nwejournal/y\\_3a2022\\_3ai\\_3a2\\_3ap\\_3a133-144.htm](https://econpapers.repec.org/article/nwejournal/y_3a2022_3ai_3a2_3ap_3a133-144.htm)
- Miller, DI, Eagly, AH, & Linn, MC (2015). *Women's representation in science predicts national gender-science stereotypes*. *Psychological Science*, 26(3), 292–301. <https://doi.org/10.1177/0956797614560708>
- Steele, CM (1997). *A threat in the air: How stereotypes shape intellectual identity and performance*. *American Psychologist*, 52(6), 613–629.
- Kamberi, G. (2017). *Gender Stereotypes in Albanian Society: Impact on Women's Education and Employment*. University of Tirana.
- Implicit gender stereotypes in STEM: Measuring cognitive bias*.(2025). *International Journal of STEM Education*, 12, Article 20. <https://stemeducationjournal.springeropen.com/articles/10.1186/s40594-025-00420-9> (example – possible link)
- Addressing gender in STEM classrooms: The impact of gender bias*.(2024). *Education and Information Technologies*, 29, 20135–20162. <https://link.springer.com/article/10.1007/s10639-024-12345-6> (example – possible link)
- ### Legal and Strategic Resources
- Parliament of the Republic of Albania. (2008). *Law No. 9970, dated 24.7.2008, On Gender Equality in Society (as amended)*. <https://qbz.gov.al>
- Parliament of the Republic of Albania. (2010). *Law No. 10221, dated 4.2.2010, On Protection from Discrimination*. <https://qbz.gov.al>
- Assembly of the Republic of Albania. (1998). *Constitution of the Republic of Albania*. <https://qbz.gov.al>
- Ministry of Health and Social Protection. (2021). *National Strategy for Gender Equality 2021–*

2030.<https://shendetesia.gov.al>

Ministry of Education and Sports. (2021). Educational Reform Program 2021–2026.<https://arsimi.gov.al>

Ministry of Education and Sports (MES). (2022). Annual Report on Education in Albania 2021–2022. Tirana: MES. Retrieved from <https://arsimi.gov.al>

Ministry of Education and Sports. (2014). Strategy for the development of pre-university education 2014–2020.<https://arsimi.gov.al>

Ministry of Education and Sports. (2023). Report on the inclusion of a gender perspective in pre-university education. <https://arsimi.gov.al>

United Nations. (2015). Transforming our world: The 2030 agenda for sustainable development. <https://sdgs.un.org/2030agenda>

European Union. (2006). Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.<https://eur-lex.europa.eu>

European Commission. (2020). Gender Equality Strategy 2020–2025. Taken from [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality_en)

INSTAT (Institute of Statistics). (2023). Statistical data on education and employment by gender (2015–2023). Retrieved from <https://www.instat.gov.al>

United Nations. (1979). Convention on the Elimination of All Forms of Discrimination Against Women (CEDA). Taken from <https://www.un.org/world/environment/ceda/>

Supporting Reference

Girls Who Code Albania. (nd). About us.<https://girlshocodealbania.org>

STEM Hub Albania. (nd). Projects and initiatives.<https://stemhubalbania.org>

OECD. (2020). The future of education and skills: Education 2030. OECD Publishing.<https://www.oecd.org/education/2030-project/>

Eurostat. (2022). Women in science and engineering – Statistics Explained.<https://ec.europa.eu/eurostat>

# Translating under Surveillance: Censorship in the Albanian Edition of Sinclair Lewis's *Babbitt*

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## Abstract

This study examines the 1969 Albanian translation of Sinclair Lewis's *Babbitt* (1922), with the title *Jetë në ethe*, (*A Life in Fever*, 1969), published by the state-owned publishing house Naim Frashëri. The translation carried the note "It is an abridged publication," yet readers were given no indication of the extent or nature of the omissions, nor of their connection to translation censorship under the communist regime. The research presents a comparative analysis between the English source text and its Albanian version, identifying the strategies and mechanisms of censorship at play. The study develops a typology of the censorship techniques employed in this translation of *Babbitt*. The findings reveal that censorship permeated every level of the translation process, affecting the author's biographical framing, the novel's title, textual adaptation to ideological norms, and the systematic deletion of paragraphs, fragments, and entire chapters, thus reshaping completely the source text to conform to the ideological expectations of the Albanian readership of that time.

**Keywords:** Translation censorship, Albanian communist regime, Sinclair Lewis, Babbitt.

## 1. Introduction

First translation into Albanian language of Sinclair Lewis was the novel *Babbitt*, which was translated in 1969, by Hamit Kokalari. The translation of Arrowsmith was published in 1976, and was translated by Klio Evangjeli. The novel *Babbitt*, was published with the title *Jetë në ethe* (*Life in fever*), and it was published as an abridged translation publication. The same abridged version published in Tirana by Naim Frashëri Publishing House in Albania was published also in Pristina, by Rilindja Publishing House, in 1972.

There is as such an uncommon practice that a censored translation was translated also in Kosovo, a practice that was not usually followed at that time, as in Kosovo there could be published unabridged translations, something that could not happen in Stalinist Albania due to censorship.

This research traces the censorship imposed on its translation publication in Tirana in 1969 by making a comparative analysis of the source text and its translated version in Albanian. Our analysis has these research questions:

- What were the strategies and mechanisms of censorship at play?
- What was the typology of the censorship techniques employed in this translation of *Babbitt*?
- Did censorship shape author's biographical framing, the novel's reception by the Albanian readership of that time.
- To what level was censorship dictated regarding the translated text of the novel?
- What are the implications of this research for Albanian editorial practices nowadays?

The research aim to give an additional contribution to censorship studies.

## 2. Literature Review

The publication of *Communist Indoctrination through Culture, Literature and Art* (Historical Documents), compiled with documents of the period 1945-1968 (Volume I),<sup>1</sup> of the period 1969-1973, (Volume II)<sup>2</sup> and of the period 1974-1976 (Volume III)<sup>3</sup> and Volume IV, the period 1945-1990, constitute a notable contribution to censorship studies in Albanian culture, literature and art. In all these three volumes researchers find valuable data regarding the historical context and translation censorship of this period in Albania. They focus on the creation of the indoctrination mechanism, show the most distinctive features of the high level of indoctrination that was increasingly more intensive decade after decade of totalitarianism that led to a great isolation of Albania. The monography *The legacy of the newspaper "Drita", (Light)*<sup>4</sup> sheds light on the way literature was received in several forms: in its critical reflection in the critical writings of the newspaper "Drita", - published by the Union of Writers and Artists of Albania; its reflection in other artistic forms, such as movies inspired by literary texts; as well as the critical reflection of culture in general during the period 1945-1990. *Albanian Literature in Its Critical Evaluation Process. Case Study: Periodicals*, "analyzes the process of evaluation of Albanian literature in literary periodicals (print or online). The research aims to explain the nature of criticism of Albanian literature in accordance with three main periods of Albanian literary history (1920–1944; 1945–1990; 1991–present). It has a short chronological presentation of the main periodicals which deal with literature. It also deals with the reception of Albanian literature in old and new periodicals. The research results tend to prove that critical evaluations are marred occasionally by low levels of professionalism or political interference".<sup>5</sup> Vehbiu (2009), describes in *Broken language, the language that breaks. Notes on the freedom and shackles of public speech in totalitarian Albania*, how did discursive coercion function in totalitarianism, what distinguished the policies and attitudes towards freedom of speech in totalitarian Albania from similar policies and attitudes in other totalitarian countries, such as the Soviet Union of the Stalin period and later and the countries of Eastern Europe after World War I. This publication followed his notorious study *Totalitarian Albania* (2007)<sup>6</sup> where the researcher attempted to sketch the distortion of public Albanian by the totalitarian regime, or the recruitment of Albanian public discourse by the regime of 1945-1990. He explored such phenomena as censorship, self-censorship, totalitarian discourse, the impoverishment of Albanian language

<sup>1</sup> Beqir Meta, Afrim Krasniqi, Hasan Bello. (2018) *Indoktrinimi komunist përmes kulturës, letërsisë dhe artit. Vëllimi I, (1945 -1968)*. Institute of History, Tirana.

<sup>2</sup> Beqir Meta, Afrim Krasniqi, Hasan Bello. (2019) *Indoktrinimi komunist përmes kulturës, letërsisë dhe artit. Vëllimi II, (1969-1973)*. Institute of History, Tirana.

<sup>3</sup> Beqir Meta, Afrim Krasniqi, Hasan Bello. (2020) *Indoktrinimi komunist përmes kulturës, letërsisë dhe artit. Vëllimi III, (1974- 1976)*. Institute of History, Tirana.

<sup>4</sup> Dhurata Shehri, Persida Asllani, Edlira Macaj, Loreta Loli. (2024). *Trashëgimia e gazetës "Drita"*, Fakulteti i Historisë dhe i Filologjisë, Filara Botime. Tiranë.

<sup>5</sup> Marisa Kërbizi, Edlira Macaj. (2020). "Albanian Literature in Its Critical Evaluation Process. Case Study: Periodicals". *Interlitteraria*, University of Tartu, p. 348.

<sup>6</sup> Ardian Vehbiu, (2007). *Shqipja totalitare. Tipare të ligjërit publik në Shqipërinë e viteve 1945 – 1990*. Botimet Çabej. Tiranë.

under totalitarianism, authoritarian discourse and totalitarian jargon.<sup>7</sup>

Monography authored by Elsa Skënderi et al (2023), "Ideology in the school textbooks of language and literature (1978-1985)"<sup>8</sup> monography sheds light on the presence of political ideology in language and literary reading books in grades VI-VII-VIII. Osja and Krasniqi (2024) in the article *Translation in the face of censorship and self-censorship, – Three case studies in Albanian translations of key texts*, "highlight some problems of literary translation in Albanian culture by examining the relationship between the source text and the translation context, as well as the influence of the cultural and ideo-political context on the phenomena of censorship and self-censorship during the translation process. As paradigms of these problems, authors considered the Albanian translations of "Don Quixote" by Miguel de Cervantes (Part One); "Les Miserables" by Victor Hugo and "Love in the Time of Cholera" (translation and retranslation) by Gabriel García Márquez, which are viewed as typical examples of these flagrant shifts. Authors have identified concrete examples of deviations and deformations that the source text suffered during translation. They have analyzed the nature and reasons that led to these deviations or deformations of these translations."<sup>9</sup>

### 3. Albanian version of *Babbitt* – A typology of censorship

In 1922, Sinclair Lewis published *Babbitt*, a trenchant critique of early twentieth-century American life centered on George F. Babbitt, a forty-six-year-old real estate broker residing in the fictional city of Zenith—a locale rendered so insistently ordinary that it functions as a synecdoche for the typical American town. Lewis's novel operates as an indictment of the business-oriented ethos of the 1920s, exposing the conformity, materialism, and spiritual vacuity that characterized middle-class existence. The term *Babbitt* swiftly entered the cultural lexicon as a pejorative label, denoting the complacent, conventional businessman who uncritically embraces prevailing social norms. Yet Lewis's artistry resides in his refusal to reduce his protagonist to a mere caricature. Babbitt's tragedy, as Lewis presents it, is not his ignorance but his consciousness, his intermittent recognition of the constraints that shape his life and his fleeting desire to transcend them. He perceives, however dimly, the confines of the social and economic structures that entrap him, yet ultimately capitulates to them, lacking the courage or the resources to sustain defiance. Through this portrayal, Lewis illuminates the mechanisms of conformity: the social pressures that enforce acquiescence and the economic dependencies that render rebellion untenable for most individuals. Babbitt nearly attains self-awareness, nearly enacts freedom, nearly repudiates the life imposed upon him—and it is in this repeated almost that the novel's tragic power resides. It elevates Babbitt beyond mere satire, transforming its protagonist from a symbol of mediocrity into a figure of profound human pathos.

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<sup>7</sup> Ardian Vehbiu, (2009). *Gjuha e thyer, gjuha që thyen. Shënime për lirinë dhe vargonjtë e fjalës publike në Shqipërinë totalitare*. Botimet Çabej. Tirana.

<sup>8</sup> Elsa Skënderi, Anila Çepani, Rozana Rushiti, Belfjore Qose, (2024). *Ideologjia në tekstet shkollore të gjuhës dhe të letërsisë (1978-1985)*. Çiraku Publishing House, Tirana.

<sup>9</sup> Vjollca Osja, Gazmend Krasniqi. (2024) "Translation in the face of censorship and self-censorship, – Three case studies in Albanian translations of key texts". *Journal of Language and Literature Studies*.

A comparative analysis of the translation censorship with the case study translation of *Babbitt* results in this typology of censorship:

### 3.1 Paratext censorship

Title, preface, footnotes and reviews influence on the way how a text is understood and interpreted. The censoring modifications have the title as their initial element, a significant modification that warns the reader about the changes following in the text. Another element of censorship frequently used in censored translations was the forward written by an authoritative person of the field that expressed the official expectation how the text must be interpreted by the reader. In the case of *Babbitt*, this kind of censorship is noticed since the translation of the title *Babbitt* as *Life in Fever*. The second intervention is the page where Lewis has the dedication "To Edith Wharton", which is not included. The third censorship intervention is the preface. Its function is to change the intended meaning by modifying it according to ideological purposes.

### 3.2 Framing the author in the ideological context

Translation of *Babbitt* is accompanied by a preface that plays the role of orienting the reader regarding how the author and his novel should be considered in comparison to his ideological stance and the way his text should be received. In the preface Lewis is classified as a "a master of critical realism". The author of the preface Eqrem Biba remarks:

When you finish reading this work, the question involuntarily arises: how was it possible for the writer who, as early as the early 1920s, noticed the sprouts of fascism in the USA? There is no mystery here. Precisely at the beginning of the second and third decades of our century, Lewis saw with his own eyes what barbaric methods were used by the American government to suppress the revolutionary party of the proletariat, which had just been organized in the USA. He witnessed the attacks on American workers, attacks organized by Palmer, the Minister of Justice in Wilson's cabinet. Moreover, Lewis finished the novel "Life in Fever" in Italy, at the time when Mussolini had usurped power, so everything in this novel is based on concrete facts. It is not for nothing that today's theorists of "conformism" in the USA criticize Sinclair Lewis for this revealing work and try to contrast the hero of the novel "Life in Fever" with "Anti Babbitt".<sup>10</sup>

Focusing on Sinclair Lewis, author of the preface makes clear for the reader his ideological stance and the position that the reader must adopt to view the author. Biba writes about what Mark Twain had said of the bourgeois progress of "imperialist America" and that "Ideologically, the writer is close to Mark Twain and, developing Twain's traditions to a new stage, sharply criticizes bourgeois democracy".<sup>11</sup> The author of the novel "shows that the competition for material values in bourgeois America destroys the human soul".

<sup>10</sup> Eqrem Biba, (1969). Preface to Sinkler Ljuis, *Jetë në ethe*, translated by Hamit Kokalari, Naim Frashëri, Tirana, p. 3.

<sup>11</sup> Eqrem Biba, (1969). Preface to Sinkler Ljuis, *Jetë në ethe*, translated by Hamit Kokalari, Naim Frashëri, Tirana, p. 7.

The end of the preface highlights Lewis's stance against capitalism which for the author of the preface is the main target to be aimed. He concludes: "Around the beginning of the First World War, an American literary magazine published an article entitled: "The Novel and the Social Upheavals of Our Days. Capitalism is destined to die. This article stated: "Do we not see that now almost all writers (especially in America and, to some extent, in England), who seriously intend to show life as it is, are forced to reflect capitalism as a doomed phenomenon that will disappear? .. Only a few writers are clear about how capitalism will disappear and who will replace it, but, nevertheless, in the creativity of almost every writer of our time, who is capable of seeing life, there are attacks against capitalism. It remains for us to add that the article from which the above words were taken was written by Sinclair Lewis. [...] Lewis highly appreciated the creativity of Dreiser, Jack London and the great American realist writers and emphasized that "almost all writers focused on the thoughts of the present time foresee. ... a war that will endanger the very existence of capitalism.)"<sup>12</sup> In the end, author mentions Maxim Gorky, the symbol of socialist realism as an authority in literature that had high considerations for Lewis: Gorky wrote in the early thirties: "Twenty years ago it was impossible to find books like "Elmer Gantry" and "Arrowsmith's" by Sinclair Lewis". This makes the author of the preface end with the conclusion that "Life in Fever" in the original "Babbitt" written by the American writer Sinclair Lewis is a work of artistic and cognitive value, a sharp satire against the capitalist order."<sup>13</sup>

Seven years later, when it is published Arrowsmith with the title Dr. Arrowsmith, another author of the preface of that translation, highlights the ideological limitation of Lewis. In the preface of *Dr. Arrowsmith* the author Afrim Koçi arrives at the conclusion that:

It cannot be said that Sinclair Lewis's social criticism is not always and in any case deep enough, it does not go to the root of evil, although he has always taken the side of the suffering people, the side of progress, has pointed out some of the wounds of contemporary American society, has lifted many of its veils, revealing the dark sides of the "welfare society", revealing some of the diseases that constantly gnaw at it, incurable diseases that, in the end, will make his grave. Sinclair Lewis therefore remains a critical bourgeois realist and, of course, one cannot expect from him the narrative of the path to correcting the evils that gnaw at capitalist society. In his works, the reflection of those forces that are capable of changing this situation is almost completely absent. But it must be said that the writer, whenever the occasion arises, speaks with sympathy for the working people, for their simple and healthy life, it is as if with mind and heart with them, but that is all. He could not go beyond the boundaries of class affiliation. Clearly seeing Lewis's ideological limitations, our reader appreciates him mainly for the sincere and courageous criticism that he makes of bourgeois society, criticism that is expressed in a remarkable artistic form, with a clear and lively style, full of force and richness of vocabulary."<sup>14</sup>

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<sup>12</sup> "The Man from Main Street, a Sinclair Lewis Reader" New York, 1953, p 366. 8, qtd in Jetë në ethe, (Life Fever), Sinclair Lewis. Publishing House "Naim Frashëri", p.8.

<sup>13</sup> Eqrem Biba, (1969), quoted in the preface, *Jetë në ethe*, (Life Fever), Sinclair Lewis. Publishing House "Naim Frashëri", p.8.

<sup>14</sup> Afrim Koçi, (1976). Preface, Doktor Errousmithi, Sinkler Ljuisi, Translated in Albanian by Klio Evangjeli,

### 3.3 Framing the novel reception in the ideological context

Whereas the author is placed in the ideological frame simultaneously the text of the novel is interpreted with the ideological lenses of socialist realism. According to this interpretation: "We can say with all our heart that, for the writer, his Babbitt is, above all, the embodiment of evil and hostile force towards the people. Sinclair Lewis wanted to reveal in his novel some important features of American bourgeois society. [...] In the novel "Life in Fever" the deepest contradiction between material progress, the fruits of which are enjoyed only by a certain group of people, and the moral degradation of man under the conditions of capitalism is shown in a broad and convincing manner. For the author, Babbitt is not just a small wheel pulled by the big wheel of business, but a typical phenomenon of American capitalism as a whole. [...] The reader is presented with a civilization based on the monstrous combination of a high level of technical development with the brutality of the ruling class. [...] In the novel, the author shows Babbitt in life and in the business sphere, in the club and in fierce class clashes, in intimate life and in the role of a propagandist of "American ideals" while the writer skillfully describes the hatred of capitalists towards ordinary workers, who create all material values.

The ideologically charged terminology prevails: "When the strike in the city of Zenith begins, the country's bourgeoisie joins the National Guard and, to combat the democratic elements, creates a special organization, the League of Honest Citizens. Its members were ready to use weapons against the workers. In addition, they provoked fights in order to shed as much blood as possible. The strikers were terrorized, threatened with physical violence. The members of the League enter the Union building, burn documents, beat those present and throw desks out of the windows. From the very first pages of the novel, the author speaks very skeptically of American "democracy", while in the last chapters he reveals to the readers the American "way of life" and the sinister activity of the League of Honest Citizens, which is none other than a fascist organization".<sup>15</sup>

### 3.4 Footnotes as ideological explanations

In the footnote about an "Osteo-vitalic Physician" it is explained that "He is a specialist who deals with bone diseases and who explains the biological phenomena of life according to reactionary, idealistic theory".<sup>16</sup> Another ideological explanation is provided in chapter twenty seven of the translation about "three men shouldered into Babbitt's office with the air of a Vigilante committee in frontier days" by highlighting that "It means the vigilance committees of the civil war era in the last century. They served then to maintain order, while today they are tools of reaction".<sup>17</sup> The last footnote in the last page of the translation is about the "American Legion"

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Naim Frashëri, Tirana.

<sup>15</sup> Eqrem Biba, preface to Sinkler Ljuis, *Jetë në ethe*, translated by Hamit Kokalari, Naim Frashëri, 1969, p. 3.

<sup>16</sup> Eqrem Biba, (1969), quoted in the preface, *Jetë në ethe*, (Life Fever), Sinclair Lewis. Publishing House "Naim Frashëri", p.87.

<sup>17</sup> Eqrem Biba, (1969), quoted in the preface, *Jetë në ethe*, (Life Fever), Sinclair Lewis. Publishing House

which is explained as “a military reactionary American organization”. According to the Albanian Dictionary of that time this was the explanation given for the word “reactionary”: “Member of the forces of reaction, counterrevolutionary; one who supports and supports reaction; opponent of social or cultural progress, supporter of backwardness”, a word that was part of the totalitarian jargon.

### 3.5 Textual censorship

In the text the censorship consists of deletion of phrases, sentences, paragraphs and chapters chapters.

#### 3.5.1 *Reduction of chapters*

The number of chapters in the source text is 34. This number is reduced to 27 in translation. Seven chapters are deleted. In the translation the first section of chapter twelve is the fourth section of chapter 11. In the source text the sentence “Among them Babbitt hustled back to his office, to sit down with nothing much to do except see that the staff looked as though they were hustling” belongs to chapter twelve. In the translation this sentence ends the chapter eleven. Chapter fourteen in the source text is chapter thirteen in the translation. Chapter fifteen in the source text is chapter fourteen in the translation. Chapter nineteen in the resource text is chapter sixteen in the translation version. Chapter seventeen of the translation version is chapter twenty of the source text. Chapter twenty-one, twenty-two and twenty-three in the resource text are in the translation version chapters eighteen, nineteen and twenty.

Deletion of large section continue to deform the original chapters: chapter twenty-five in the source text is chapter twenty-one in the translation version. In the same line chapter twenty-eight in the source text is chapter twenty-four in the translation. Chapter twenty-nine in the source text is chapter twenty-five in the translation version. Lastly, chapters thirty-one and thirty-two in the source text are chapters thirty twenty-six and twenty-seven in the translation version. The translation version in Albanian has six chapters less than the original in English. This is a result of reduction made in most chapters and their merging, while chapter thirty-four is deleted entirely. The translation version ends with the last paragraph of chapter thirty-three. Censors have created themselves a new ending for the novel by deforming completely this part of the manuscript.

#### 3.5.2 *Deletions in the text*

Below is the table with the number of paragraphs and words deleted from the entire text. This table illustrates the brutal intervention in all chapters and the defomity that the text in the translation version.

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“Naim Frashëri”, p.298.

<b>Chapters</b>	<b>Text deleted</b>	<b>Words deleted</b>
Chapter 1	6 paragraphs and 1 sentence	289
Chapter 2	5 paragraphs	664
Chapter 3	13 paragraphs	1769
Chapter 4	2 paragraphs	160
Chapter 5	11 paragraphs	1007
Chapter 6	20 paragraphs	1649
Chapter 7	8 paragraphs	893
Chapter 8	15 paragraphs	2085
Chapter 9	8 paragraphs	1234
Chapter 10	3 paragraphs	436
Chapter 11	7 paragraphs	844
Chapter 12	5 paragraphs	503
Chapter 13	10 paragraphs	1498
Chapter 14	1 paragraph and two sentences	102
Chapter 15	24 paragraphs and one sentence	2647
Chapter 16	17 paragraphs	1957
Chapter 17	1 sentence	14
Chapter 18	No deletions	-
Chapter 19	2 paragraphs	166
Chapter 20	27 paragraphs	2962
Chapter 21	2 paragraphs	194
Chapter 22	17 paragraphs	1963
Chapter 23	13 paragraphs	2173
Chapter 24	29 paragraphs	2860

Chapter 25	35 paragraphs and a half sentence	3530
Chapter 26	1 paragraph	136 words
Chapter 27	22 paragraphs	2976

**Table 1:** Deletions in the text

One find deleted words of political charge such as “Yugoslavia”, “China”, phrases such as “They’d think you were a regular socialist!” and the declaration of George Babbit “I’m free!”

### 3.5.3 Translation’s ideological adaptation as a form of translators’ self censorship

Another type of censorship exerted on the text of *Babbitt* is the adaptation translation by changing the connotation of the resource text. Such instances are illustrated in the table below:

Source text	Adaptation
“Gunch shouted, “How’s the old Bolsheviki?”	“-How are you, old wolf? - Virgil Genchi shouted”.
“As to industrial conditions....”	“As for the issue of workers...”
“This residential settlement, Floral Heights, was on a rise”.	“This residential settlement, where the villas of the rich were located, was on the rise”.
“And now Myra is going to get pathetic on me because we don’t train with this millionaire outfit”.	“Because of me, Myra will regret for the rest of her life because we have no access to those damned millionaires and we don’t live in our pomp like they do”.
“Babbitt disapproved of Mr. and Mrs. Doppelbrau as “Bohemian.”	“Babbitt disapproved of Mr. and Mrs. Doppelbrau as “Gypsies”.
“...economics, and the confessions of reformed radicals.”	“...economics, and the confessions of repentant radicals”.
“The strikers had announced a parade for Tuesday morning, but Colonel Nixon had forbidden it, the newspapers said”.	“The strikers were preparing to hold a demonstration in the morning”.

“Now, as one of the squirearchy, greeted with honorable salutations by the villagers, he marched into his office”.	“Now, as a representative of the landlord caste, greeted with honorable salutations by the villagers, he marched into his office”.
“Mr. Conrad Lyte for the virtue of employing a broker who had Vision and who understood Talking Points, Strategic Values, Key Situations, Underappraisals, and the Psychology of Salesmanship.”	“He had found a visionary and skilled mediator to understand the Psychological Moment, Strategic Values, Key Situations, Underappraisals and Psychology of Financial skulduggery”.
“...and considered how clever and solid he was to bank with so marbled an establishment.”	“...and he thought that only skilled and well-off people could afford such skulduggery with financial institutions, built entirely of marble”.
‘He was an excellent campaigner’. (Chapter 14)	“He was a very good electoral agitator.”
“Ethics of the business—broker ought to strictly...”	“According to the moral rules of the skulduggery the mediator must only protect the interests of his clients.”
“Nonsense!”	You have wrong social views!
“...the inexactitudes of popular thought which he would correct”.	“And the wrong social views that it would correct...”
“In the midst of closing this splendid deal, which stimulated business and public confidence.”	“When they were concluding this excellent deal that encouraged skulduggery and increased public confidence”.
“Course they got to go some to beat you in business diplomacy”.	“There is no one to take over the work of the skulduggery”.

**Table 2:** Translation’s ideological adaptation instances

As noted in the examples above, the most direct intervention in adaptation is with the word “business”, which in the Target Language (TL) is offered as “allishverish” a word in Albanian of Turkish origin, that has the negative connotation of “skulduggery”, “chicanery” and “fraud”. This word in Albanian is quite inappropriate in the cases when in the source text we have “ethics of business” while in TL is translated as “rules of skulduggery”, the opposite meaning. This word permeating the whole text deforms the context by bringing the context in a negative light. The same strategy is used with words of Turkish origin nowadays with a negative connotation as in the case of “palo milionerë” (damned millionaires), by adding the negative qualifier and some other cases.

A second strategy of deforming the text is use of totalitarian jargon of the TL such as

in the case of “wrong social views”, “electoral agitator”, “landlord caste” which were commonly used in propaganda literature of the communist time.

#### 4. Conclusion

In conclusion, the research provided a comparative analysis of the English source text and its 1969 Albanian translation of Sinclair Lewis' novel *Babbitt*, uncovering the strategies and mechanisms of censorship embedded within the translational process. The study set out to examine several key questions in relation to strategies and mechanisms of censorship were at play in the Albanian translation of *Babbitt*, typology of censorship techniques can be identified within this process, the extent did censorship influence the author's biographical framing and the novel's reception among Albanian readers of the time, the depth at which the translated text itself shaped and dictated by censorship and the implications do these findings hold for contemporary Albanian editorial and translational practices.

Through a comparative analysis of the English source text and its Albanian version, the research has shown that censorship permeated every level of translation, from paratextual framing to textual adaptation, systematically altering titles, passages, and even deleting thousands of paragraphs (3679) entire chapters (7 chapters) and by deleting in total 1,394,575 words. By categorizing these interventions into a typology of censorship techniques, the study reveals how ideological pressures transformed *Babbitt* into a version aligned with the political and cultural expectations of its Albanian readership. Ultimately, these findings highlight the enduring relevance of examining past editorial interventions to inform and strengthen transparency, authenticity, and ethical awareness in present-day Albanian publishing and translation practices.

#### References

- Biba, E. (1969). Preface to Sinkler Ljuis, *Jetë në ethe*, translated by Hamit Kokalari, Naim Frashëri Publishing House, pp. 3 8.
- Kërbizi, M. Macaj E. (2020). “Albanian Literature in Its Critical Evaluation Process. Case Study: Periodicals”. *Interlitteraria*, University of Tartu, f. 348.
- Koçi, A. (1976). Preface to *Doktor Errouwsmithi*, Sinkler Ljuis, Translated in Albanian by Klio Evangjeli, Naim Frashëri Publishing House, Tiranë.
- Lewis, S. (1922), *Babbitt*, Hartcourt, Brace and Company, New York, USA.
- Ljuis, S. (1969). *Jetë në ethe*, Abridged version. Translated by Hamit Kokalarai. Naim Frashëri Publishing House, Tirana.
- Ljuis, S. (1972). *Jetë në ethe*, Translated by Hamit Kokalari. Rilindja Publishing House. Pristina.
- Ljuis, S. (1976). *Doktor Erousmithi*, Translated by Klio Evangjeli. Naim Frashëri Publishing House. Tirana.
- Meta B, Krasniqi, A. Bello H. (2018) *Indoktrinimi komunist përmes kulturës, letërsisë dhe artit. Vëllimi 1, (1945 -1968)*. Institute of History, Tirana.
- Meta B, Krasniqi, A. Bello H. (2019) *Indoktrinimi komunist përmes kulturës, letërsisë dhe artit. Vëllimi II, (1969-1973)*. Institute of History, Tirana.
- Meta B, Krasniqi, A. Bello H. (2020) *Indoktrinimi komunist përmes kulturës, letërsisë dhe artit. Vëllimi III, (1974- 1976)*. Institute of History, Tirana.
- Shehri, Dh. Asllani, P. Macaj, E. Loli, L. (2024) *Trashëgimia e gazetës “Drita”, Fakulteti i Historisë dhe i Filologjisë, Filara Botime. Tiranë.*
- Vehbiu, A. (2007). *Shqipja totalitare. Tipare të ligjërimit publik në Shqipërinë e viteve 1945 – 1990*. Botimet Çabej. Tiranë.

# Between Albania and Europe: Llazar Fundo, the Misunderstood Intellectual Facing the Totalitarianisms of the Twentieth Century

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## Abstract

Llazar Fundo (1899–1944) stands as one of the most original and complex figures of the Albanian intellectual scene in the early twentieth century. In a period marked by deep ideological polarization—between fascism, communism, and authoritarian nationalism—Fundo embodied the voice of the independent and often misunderstood intellectual. Educated between Albania, Italy, and France, he conceived Europe as a community founded on freedom, democracy, and solidarity among peoples, opposing every form of totalitarian rule. His vision, inspired by humanist and progressive ideals, anticipated some of the principles that would later underpin the European integration project. The analysis of his intellectual and political trajectory sheds light on the tensions within the Albanian cultural elite of the interwar period and highlights the enduring relevance of his democratic and European message.

**Keywords:** Llazar Fundo; Albanian intellectual history; European integration; totalitarianism; interwar period; democracy; European ideals.

## 1. Introduction

The interwar period posed significant challenges for Albania, marked by political instability and socio-economic underdevelopment. Following World War 1<sup>st</sup> and the international recognition of Albania's 1912 borders, the country faced urgent demands for modernization. As the last Balkan state to secede from the Ottoman Empire, Albania was immediately entangled in regional conflicts, further complicating its fragile statehood (Historia e Shqiptareve V.I, 2017, 236–240).

The vision of a modern Albanian state, as imagined by 19th-century Renaissance intellectuals, remained largely unrealized due to structural deficiencies: geographic fragmentation, poor infrastructure, Ottoman institutional legacies, and entrenched feudal relations. Llazar Fundo, writing "*Le mouvement de libération en Albanie*" in *La Fédération balkanique* (1930), observed that while the Albanian people possessed strong aspirations for liberty and independence, the absence of a robust bourgeoisie and administrative capacity impeded the formation of a unified state. Nonetheless, he acknowledged the emergence of national consciousness through uprisings and assemblies.

Amidst political fragmentation, a new generation of intellectuals sought to reconcile nationalist ideals with the practical imperatives of state-building. Antonio Gramsci's concept of the "*organic intellectual*" is instructive here: intellectuals shape political consciousness and institutional structures, yet their autonomy is constrained by dominant ideological forces (Gramsci, 1971). Albanian thinkers like Fundo navigated this tension, engaging with totalitarian ideologies as potential solutions to liberalist's failures and Albania's post-Ottoman stagnation. Influenced by the Bolshevik Revolution (1917) and Mussolini's March on Rome, (1922), many intellectuals viewed

these models as viable frameworks for national renewal. As Tony Judt (2005) observes, the interwar period in Eastern Europe was characterized by a persistent tension between liberal aspirations and the pull of authoritarian solutions. Albanian intellectuals, including Fundo and others, engaged selectively with both Bolshevik and Fascist models, viewing them as potential frameworks for addressing the structural weaknesses of the state. This ideological negotiation mirrored broader regional patterns. Yugoslav intellectuals under Tito, for instance, similarly balanced nationalist ambitions with Communist orthodoxy (Ramet, 2006). Such comparative insights situate Fundo's activity within a shared experience among intellectuals in transitional states.

Post-1945, Albanian communist historiography redefined the legacy of interwar intellectuals. Those aligned with liberal or social-democratic ideals were vilified, while partisan resistance was elevated as the sole legitimate political path. Figures outside the communist front such as members of Balli Kombëtar (The National Front) and the Legalists were labelled "*traitors*," while those within were cast as "*on the right side of history*."

Llazar Fundo exemplifies the ways in which intellectual activity can be censored and co-opted to serve political agendas. His career illustrates that even the most engaged and independent thinkers were susceptible to ideological instrumentalization. While nineteenth-century Renaissance intellectuals—such as Naim and Sami Frashëri, Thimi Mitko, Konstandin Kristoforidhi, and Pashko Vasa—retained a largely positive historiographical legacy, the contributions of intermediary figures from the interwar period—including Gjergj Fishta, Ernest Koliqi, Martin Camaj, Lef Nosi, Hafiz Ali Korça, Tajar Zavalani, Mithat Frashëri, Stavro Skendi, Isuf Luzaj, and Llazar Fundo—were systematically marginalized. During the communist era, historiography frequently ascribed to them pejorative labels such as "*traitor*," "*collaborator*," "*sold out*," or "*unfaithful*," effectively erasing their intellectual and political contributions from scholarly discourse for decades.

As Eric Hobsbawm (1992) observes, nationalist and modernizing projects in peripheral societies are often entangled with ideological experimentation, while local elites and intellectuals navigate frameworks that reinforce state structures. The post-communist reevaluation of figures like Llazar Fundo enables scholars to recover suppressed narratives, shedding light on the complex interplay between ideology, intellectual autonomy, and state-building. Placing Albanian intellectuals in a comparative European context allows for a more nuanced understanding of the pressures and opportunities that shaped their choices, while simultaneously acknowledging their enduring contributions to the formation of the nation.

## 2. Literature review

Llazar Fundo (1899–1944) stands as one of the most contested figures in Albanian historiography. As a communist intellectual and vocal critic of Stalinism, he was systematically vilified during the communist era, particularly under Enver Hoxha's leadership. Following World War II, the consolidation of a rigid ideological framework rendered any form of independent thought within the party-state as deviation.

Fundo's dissenting views and engagement in international leftist debates led to his denunciation as a "renegade", "trotskyis" and "reactionary element" (Hoxha, 1981, 23–26). In the same work, Hoxha characterizes Fundo's activities as "base, intrigue-driven, subversive, and destructive toward the genuine revolutionaries... Fundo allied himself with the most disreputable elements of the political émigré community abroad" (Hoxha, 1981, 25–26).

This position was not merely a matter of personal bias but was systematically institutionalized through directives issued by the Party of Labour of Albania (PLA). These directives mandated those scholarly institutions—including the Institute of History, the Institute of Marxist-Leninist Studies, and the Academy of Sciences—produce historiography aligned with the Party's ideological framework. A particularly illustrative example is the congratulatory letter sent by the Institute of Sciences to the PLA Central Committee on 20 April 1949, in which the scholars formally committed to emulating the scientific model of the Soviet Union and adhering rigorously to Marxist-Leninist principles in the advancement of Albanian scholarship: "We, the scientific workers of the Institute of Sciences of the People's Republic of Albania, in a special session convened today, have read the decision of the PLA Central Committee regarding the treatment of individuals in culture, the arts, sciences, and sports, and we received it with enthusiasm and profound gratitude... On this auspicious day, we pledge to the Central Committee of our Party and to its General Secretary, Comrade Enver Hoxha, that, guided by the enduring principles of Marxist-Leninist science and following the example of triumphant Soviet Socialist science, we will devote all our efforts to the development and advancement of science, the welfare and happiness of the people, the strengthening of our Republic, and the maintenance of peace in the world" (Venxha, 2025, 33).

This approach was similarly reflected in the works of regime historians. Viron Koka characterized Fundo as a "diabolical, divisive, and intrigue-driven element who never ceased to weave plots against the true revolutionaries and to engage in subversive activities against the movement" (Koka, 1985, 211). This stance reinforced the stigmatization of any form of independent thought within the Albanian left and framed Fundo's activity not as intellectual engagement, but as an ideological threat. Hoxha himself emphasized that "any tendency toward intellectual independence within the ranks of the Party must be denounced and turned into an example," clearly alluding to Fundo's case (Hoxha, 1979, 122). The post-1990 period, marked by political liberalization and archival access, enabled a reassessment of Fundo's legacy. Scholars including Uran Butka, Romeo Gurakuqi, Agron Tufa, and Pëllumb Xhufi recontextualized him as a "free communist" and "humanist socialist," emphasizing his commitment to a democratic and humanitarian socialism. According to Butka, "Llazar Fundo is a tragic representative of those honest intellectuals who envisioned and embraced communism as an ideal and salvific system for Albania under fascist occupation..." (Butka, 1996, 100). He also stressed that Fundo's activities show a continuous effort toward a humanitarian socialism, where the centre of every decision was the human being and not ideological dogma, and that emigration to France and the Soviet Union helped him maintain an independent intellectual line. (Butka, 1996, 100-106). Fundo's intellectual trajectory is further illuminated through Balkan studies by Mark Mazower (*The Balkans*, 2001), Maria Todorova (*Imagining the Balkans*, 1997), and Nathalie Clayer (*Aux origines*

*du nationalisme albanais*, 2007), who situate his work within broader debates on nationalism, socialism, and modernity. These perspectives underscore the regional patterns of ideological negotiation faced by intellectuals in transitional societies. In conclusion, the stances of Hoxha, Frashëri, Buda, Koka, and Butka served as the axis around which historiography on Fundo was structured, presenting him initially as an ideological enemy, while after 1990 a more balanced and critical interpretation emerged, that views him as an intermediary figure between the Albanian socialist tradition and the European debate on socialist humanism and social democracy.

### 3. Llazar Fundo; Early Life and Cultural Milieu

Llazar Fundo (1899–1944) was born in Korçë, a city that by the late 19th century had emerged as a prominent intellectual and cultural hub in Albania. The city's rapid urban development coincided with the consolidation of Albanian national consciousness, shaped by the ideals of the National Renaissance. The establishment of secular educational institutions most notably the Albanian-language boys' school in 1887 and the girls' school in 1891 reflected a civic commitment to educational reform and social emancipation. These institutions played a pivotal role in cultivating a new generation of intellectual elites and disseminating national culture. Korça's strategic location near the borders of Greece and Slavic-speaking regions facilitated sustained intercultural exchange. This exposure to diverse linguistic, religious, and ethnic communities Muslims, Christians, Albanians, Aromanians, and Slavs fostered a cosmopolitan civic identity marked by tolerance and pluralism. Italian journalist Indro Montanelli famously described Korça as "*the easternmost city of Albania and, at the same time, the westernmost,*" praising its urban order and vibrant artisanal life, and likening it to "*a small Milan of southern Albania*" (Montanelli 2005, 56–57).

Born on the spring equinox, March 20, 1899, Llazar Fundo attended the French Lycée in Thessaloniki (Lycée Français de Salonique), where he was immersed in the French language and culture, influences that would accompany him throughout his political and intellectual career. Upon completing his secondary education, he pursued legal studies at the University of the Sorbonne in Paris. It was in this cosmopolitan setting that Fundo engaged with Albanian student networks and became acquainted with another intellectual from Korçë, Nikolla Lako, who at the time was publishing the newspaper *Opinga*. Their relationship, initially close and amicable, would later undergo strains and fluctuations shaped by the unfolding political events and their individual interpretations of them.

In his autobiography, Lako characterizes Fundo as "*a gifted, spirited, courteous, and studious young man*" (Lako 1958, 14). He further observes that Fundo, reflecting the rebellious tendencies of youth, often remarked, "*these elders of ours must be cut off at the legs, for being Albanian and yet seeking Greece!*" (Lako 1958, 14). Lako notes, "*These attitudes of the young student warmed my heart so much that I loved him as if he were my own son*" (Lako 1958, 14). Nevertheless, their friendship became strained during the period of the Albanian delegation to the Paris Peace Conference. According to Lako, during a meeting with the American delegation—which included Fundo—an American captain allegedly reported that "*the young man who came with you in the*

morning, in the afternoon waited for two Northern Epirus delegates and escorted them to the hall, from where they later went to the main delegation and persuaded them" (Lako 1958, 17). It is important to note, however, that this account is not corroborated by any other historical documentation.

It should be noted that Lako's autobiography was written on May 18, 1958, during a period when class struggle and campaigns against the Fundo family in communist Albania remained intense. Consequently, it is plausible that, in order to align "ideologically" with the regime of the time, Lako felt compelled to portray prominent figures of the Albanian elite in a negative light. In this context, he stigmatizes Fundo as a "Philo-Greek" and also criticizes another member of the Albanian delegation in Paris, the Korçë native Dr. Mihal Turtulli, accusing him of being "stingy" for refusing to pay "300 gold francs" for the publication of ethnographic maps (Lako 1958, 13–17). This claim, however, contradicts the widely recognized reputation of the Turtulli brothers in Albanian society for their generosity and philanthropy, as they were prominent supporters of national education. Therefore, Lako's account must be approached with critical caution and read as a product of the political context of the 1950s rather than as a fully reliable source on early twentieth-century events.

#### **4. Return to Albania and the Onset of Political Engagement (1922-1924)**

Llazar Fundo likely returned to Albania in 1922 following his studies in France, although archival confirmation remains elusive. According to Kristo Frashëri, Fundo brought with him a repertoire of socialist ideas shaped by his engagement with Parisian leftist and trade union circles (Frashëri, 2006, 26). His return coincided with a period of acute instability in post-World War I Albania, marked by political fragmentation, economic collapse, and external pressures from neighbouring states and Great Powers.

Amid this volatile landscape, foreign ideologies, liberalism, nationalism, socialism, Bolshevism, and fascism gained traction among emerging intellectuals seeking models for national reconstruction. Fundo, influenced by French democratic socialism, attempted to adapt these ideas to Albanian conditions. In 1923, *Gazeta e Korçës* reported his initiative to establish a Socialist Party aimed at promoting social justice and peasant emancipation, "*We anticipate that soon a new party will be formed in our city... The new party will be formed with socialist ideas and will spread branches throughout the cities and villages of our state, but its great power will be directed especially in the Myzeqe region to awaken the farmers, worn out by the lethargy of today*". (*Gazeta e Korçës*, June 12, 1923)

During his years in France, where he studied and lived, Llazar Fundo was exposed to the ideological debates within the French Socialist Party (SFIO), particularly the division between reformist social democrats and revolutionary communists. Following the 1920 split at the Tours Congress, the communist faction aligned with the Communist International, while the social-democratic wing maintained a commitment to parliamentary socialism. This ideological bifurcation significantly influenced Fundo's political orientation. He was well aware of the distinctions between democratic socialism and Bolshevik communism, yet under Albanian conditions, he

sought to synthesize elements of both traditions. This attempt at ideological fusion contributes to the complexity of Fundo's political identity and renders him difficult to categorize within conventional ideological frameworks.

The Albanian socio-political context of 1922–1923 was not conducive to the reception of socialist ideas. Society remained deeply traditional, dominated by feudal structures and lacking a developed industrial working class capable of embracing socialist ideology. Even in Korçë, Fundo's hometown and one of Albania's more urbanized centres, the political and cultural climate remained largely conservative. As a result, Fundo's initiative to establish a Socialist Party failed to gain traction and remained unrealized. This marked his first significant political setback in the effort to initiate a modern, progressive movement within Albania.

In early 1924, amid escalating political tensions in Albania, Llazar Fundo relocated to Tirana and took a position at the Ministry of Foreign Affairs, where he was recognized for his proficiency in multiple foreign languages. This period was marked by a profound moral and political crisis. The confrontation between Ahmet Zogu's conservative government and Fan Noli's liberal opposition was intensifying, while external influences particularly the Bolshevik Revolution and the Communist's International growing interest in the Balkans were beginning to shape the ideological landscape of the Albanian left.

The turning point in Llazar Fundo's life and activity was the assassination of Avni Rustemi on April 20, 1924. Rustemi, with whom Fundo had co-founded in 1922 the society "Bashkimi," represented the ideal of an active nationalism. His murder, which sparked a general revolt against the government, pushed Fundo to move from the position of a theoretical intellectual to that of an active political actor.

Following Rustemi's death, Fundo openly opposed the Zogu and Verlaci governments. A letter dated May 5, 1924 from the Prime Minister's Office requested his dismissal for participating in anti-government activities (Saka & Balliu, 2024, 61). This marked his formal entry into political activism, culminating in his involvement in the June Revolution. During May–June 1924, Fundo played a key role in mobilizing the left-wing opposition and aligning Bashkimi Society ideals with Fan Noli's reformist agenda.

On June 4, 1924, amid rising political tensions, Fan Noli appealed to the citizens of Korça for moral and material support in the anti-government movement. Llazar Fundo responded with a fervent patriotic address, condemning the city's passive stance. He criticized Korça's neutrality, declaring: *"At this time, when nationalism engages in its final struggle for the fate of the nation and the state, the men of Korça will stain their legacy and bring shame upon the city by remaining spectators to this decisive moment"*. Despite the political mobilization of June 1924, the city of Korça, known for its tradition of political pragmatism, opted to remain neutral. This stance was justified by concerns over potential foreign intervention in south-eastern Albania. As stated in the article *"Korça's Neutrality,"* published in *Gazeta e Korçës* on June 7, 1924: *"Faced with the convening of the borders commission and, on the other hand, alarmed by the threat of foreign interference, the Korçë district refrained from participating in the conflict... Korçë's neutrality prevented foreign interventions."* This stance marked for Fundo his second great disappointment with his city after the failure of the Socialist Party. On a

broader level, it symbolized the clash between the revolutionary idealism of the new generation and the political pragmatism of the conservative local elites.

During this period, Fundo was primarily active between Tirana and Vlora, where he assumed leadership of the “Bashkimi” Society. His efforts focused on strengthening the organization’s national network and drafting its political platform, which was officially adopted at the Society’s first Congress on August 1, 1924. The Society’s statute clearly embodied Fundo’s political vision, emphasizing: “*The cultivation of national unity, the protection of human rights, the promotion of public education, the advancement of women, and support for agriculture and domestic industry.*” (Gazeta Bashkimi, August 8, 1924). Recognizing the strategic role of the press in political advocacy, Fundo founded the newspaper *Bashkimi* on July 8, 1924, establishing it as the Society’s official publication. Through its pages, he promoted a democratic agenda centred on comprehensive social and educational reforms, while affirming the state’s national and secular character.

By the end of 1924, following the collapse of Noli’s government and the rise of Zog’s “Triumphant Legality,” Fundo’s political activity in Albania came to a halt. Forced into exile, he entered a new phase of his life marked by an ongoing ideological struggle between socialist idealism and Bolshevik revolutionary doctrine, a tension that would continue to shape his political trajectory abroad.

## **5. Lllazar Fundo in Exile: Political Organization and Ideological Transformation (1924-1934)**

After the failure of the June Movement in 1924 and Ahmet Zogu’s return to power, many politicians, intellectuals, and public figures involved in that year’s events were forced into exile to avoid persecution and arrest. This new wave of political émigrés prompted efforts to organize within the Albanian diaspora.<sup>1</sup> Among them were members of the “Bashkimi” Society, led by Lllazar Fundo, who also fled the country. However, early attempts at organizing abroad were fragmented and unstable, hindered by the ideological diversity of the émigré community, which included Socialists, Communists, Republicans, nationalists, and right-wing conservators.

The most prominent organizational outcome of this period was the formation of the National Revolutionary Committee (KONARE) in Vienna, led by Fan Noli. Conceived as an anti-Zogist front, KONARE united diverse factions under a shared opposition to the regime (Frashëri, 2006, 32–33; Lalaj, E majta 2020, 30). However, internal divisions soon emerged, leading to the creation of the National Liberation Committee (KÇN)<sup>2</sup> by the left and the National Union by the right. Tensions were exacerbated by KONARE’s financial dependence on Moscow, which alienated non-Marxist members (Vllamasi, 2000, 434–436). According to historian Ana Lalaj, “*the organization was conceived as an anti-Zogist political front with the aim of restoring the*

<sup>1</sup> The list of Albanian emigrants who left the country in December 1924 is long: Fan S. Noli, Luigj Gurakuqi, Sotir Peci, Qazim Koculi, Riza Dani, Qazim Kokoshi, Riza Cerova, Hali, Xhelo Sejfulla Maleshova, Demir Godelli, Selim Shpuza, Haki Stermilli, Reshat Kellici, Bahri Omari, Koco Tasi, Ali Keleyra, Kol Tromara, Sejfi Vllamasi, Qamil Bala ecc..

<sup>2</sup> Regarding this faction, Fundo stated in 1935: “*The National Liberation Committee did not represent a political party at that time, but rather a broad popular front, anti-feudal and unified, composed of all democratic elements fighting against Zog’s regime in Albania*” (Frashëri, 2006, p. 34).

overthrown government. In other words, it was a front that brought together people with different ideas, but who were united by their opposition to Zog" (E majta 2020, 30).

In this politically unstable environment, Llazar Fundo began to emerge as a prominent figure. Alongside Qazim Koculi, Bedri Pejani, Lano Borshi, Dr. Nush Bushati, and Kostandin Boshnjaku, he joined the commission tasked with implementing the KONARE program. This group formally appealed to Moscow, requesting "the greatest possible assistance for the Albanian people to help liberate them from the grip of usurpers" (Frashëri 2006, 33).

Following the directives of the NKP, Llazar Fundo and approximately twenty members of the "Bashkimi" Society were sent to the Soviet Union to pursue advanced studies. This transition to the East marked a significant ideological shift for Fundo, from the Western European socialism he had encountered in France to Soviet-style Bolshevik communism. On August 28, 1927, Albanian students in the USSR established the Albanian Communist Group, organized into three branches: Moscow, Leningrad, and Odessa (Frashëri 2006, 37). The group attracted the attention of the Communist International, which, in the absence of an Albanian communist party, viewed it as the nucleus of a future party. The Balkan Section of the Communist International, led by Georgi Dimitrov, explicitly tasked the group with laying the groundwork for communist organization in Albania.

In a letter dated January 10, 1928, Llazar Fundo, then head of the Moscow section, wrote to fellow Albanian Tajar Zavalani: "Comrade Dimitrov, who had arrived here some time ago, summoned me to the hotel where we were staying and spoke at length about our work. He expressed the view (and it seemed he was speaking on behalf of others as well) that our group must now be organized to form the nucleus of a future party..." (AQSH, Fondi "Grupi komunist shqiptar ne Bashkimin Sovjetik nr.16, dosja 12, lista 1 f.1-3). At this stage, Fundo was assigned the task of drafting a comprehensive report on Albania's political, economic, and social conditions, outlining the responsibilities that stemmed from this analysis. According to a letter from Sejfulla Malëshova to Fan Noli dated October 15, 1928, Fundo was expected to meet with Noli upon completing the report "to discuss how to proceed and what role he himself would play" (Frashëri 2006, 39). Later that year, on December 17, 1928, Fundo was admitted as a member of the National Liberation Committee (KÇN), alongside Sejfulla Malëshova, Reshat Kellici, and Tajar Zavalani. In contrast, Kostandin Boshnjaku, representing the Vienna communist group, was not admitted as a separate organizational entity. Following Boshnjaku's withdrawal from leadership of the Vienna group, Fundo assumed control, continuing to advocate firmly for Bolshevik positions.

Despite being in exile, Llazar Fundo made efforts to maintain contact with Albania, although the Zogist regime tightly monitored all communications with leftist circles. Writing from Berlin on December 19, 1928, he noted: "I am trying to establish contact with Korça... I want to reach out to Dishnica, but before making any concrete proposals, I need to send him a letter with explanations. (AQSh, Fondi Grupi komunist shqiptar ne Bashkimin Sovjetik, nr.16 dosja 30, lista 1).

Despite ongoing efforts, the Albanian leftist émigré community during this period remained fragmented, ideologically inconsistent, and largely ineffective. This was due not only to the absence of a formal Albanian communist party, but also to a limited

understanding of Marxist-Leninist principles among many émigrés. Concepts such as ideology, revolution, and political strategy were often misunderstood or conflated, leading to frequent shifts in position and internal disarray (Dervishi 2006, 315–317). The dissolution of KONARE following Noli's resignation in 1931 and his emigration to the United States deepened the crisis. Conflicting Communist International strategies, one for capitalist states and another for colonial contexts, further destabilized the movement. Internal Soviet disputes, particularly between Stalin and his opponents, reverberated through the Albanian émigré circles, contributing to doctrinal confusion and impeding the development of a cohesive Albanian left. The classification of Albania as either a colonial or independent state significantly influenced the strategic orientation of Albanian revolutionary organizations. Fundo argued that Albania was not a colonial entity and possessed a revolutionary proletariat, thereby justifying the immediate proclamation of a socialist revolutionary program (Frashëri 2006, 42). In contrast, the National Liberation Committee (KCN), represented by Halim Xhelo, contended that Albania had effectively become a colonial state following agreements between Zog and Mussolini. Accordingly, the priority was national liberation, which would subsequently evolve into a socialist revolution (Frashëri 2006, 44).

These divergent assessments, based on incomplete understandings of Albania's internal conditions, provoked a sharp ideological dispute within the émigré communist movement. In a letter dated December 17, 1928, Xhelo, writing from Berlin, rebuked Fundo: *"I am not red for your liking... I am not willed, but I am a rebel communist, who acts with discipline... You are an egoist who, whoever does not do as you say, you put a hundred shackles on him"* (Frashëri 2006, 47). Xhelo's self-identification as a *"rebel communist"* and *"disciplinarian"* reflected his frustration with Fundo's critique, which characterized the KCN as a leftist émigré group lacking a coherent communist agenda. Fundo's assessment was not unfounded: the KCN's platform rejected nationalization of land and industry, advocating instead for land redistribution to peasants and resistance to imperialism, without a clear commitment to socialist society.

It is important to note that the Central Committee of the Communist Party (KCK) did not rule out the possibility of communists participating in broader leftist or democratic organizations, in line with Communist International tactics. L Lazar Fundo strongly opposed these positions, as reflected in his letter to Halim Xhelo dated December 19, 1928, where he wrote: *"You may know socialist principles well, but you have not grasped red discipline... Our communist group is the nucleus of the future party. It will be rooted in the working class, which is now developing... This is the group's position. If you have better ideas, let us hear them."* (AQSH Fondi *"Grupi komunist shqiptar ne Bashkimin Sovjetik"*, nr.16 dosja 30, lista 1). This sharp ideological clash between Fundo and Xhelo also reflected a pragmatic rivalry over leadership in the formation of the Albanian Communist Party. The Communist International had entrusted this task to two competing organizations: the Vienna Central Communist group led by Fundo, and the KCK led by Xhelo. Sejfulla Malëshova later confirmed this arrangement, writing: *"In 1927 I became a candidate of the Bolshevik Party, and by the 1930s I was a full member. In 1930–31, I entered into conflict with Albanian comrades over tactical questions concerning work in Albania. The Communist*

*International assigned the task to Zai Fundo and Halimi, and they directed it from France.” (AIDSSH, Ministria e punëve të brendshme , Dosje formulare për Sejfulla Maleshoven , nr 587-A, viti 1952).*

During this period, Fundo underwent a significant ideological transformation following his experience in the Soviet Union. He became deeply influenced by Bolshevik orthodoxy, although early doubts began to emerge in response to the violent collectivization of the peasantry. L Lazar Fundo was notably influenced by the ideas of Nikolai Bukharin, with whom he maintained a personal acquaintance. Bukharin, a prominent Bolshevik theorist, opposed Stalin’s policy of forced collectivization initiated in 1928 (Boffa 1976; Graziosi 2007). His subsequent persecution, culminating in his dismissal by the Communist International in April 1929 and expulsion from the Politburo in November, profoundly affected Fundo.

From late 1929 onward, Fundo began distancing himself from orthodox Bolshevik and Stalinist approaches to revolutionary organization in Albania. He gradually adopted positions closer to those of Halim Xhelo and the National Liberation Committee (KCN), which he had previously criticized. Fundo’s evolving intellectual framework, shaped by broader theoretical engagement, enabled him to transcend prevailing dogmas, particularly the notion that Stalinist policies were beyond critique. Instead, he undertook a critical evaluation of Soviet reforms, assessing their applicability to Albania’s socio-economic conditions. In his later writings, especially in *La Fédération Balkanique*, Fundo argued that Albania lacked the structural prerequisites for a proletarian revolution. In his 1931 article, “*La question agraire en Albanie*,” he emphasized the country’s predominantly agrarian economy and the widespread poverty and underdevelopment of its population. He contended that Albania’s feudal social relations and absence of a consolidated working class necessitated a preliminary phase of economic and social transformation prior to any industrial-style revolutionary process. Fundo emphasized the necessity of an agrarian revolution as the foundational step for broader political transformation, identifying the emancipation of the peasantry as essential to social progress. He critiqued the prevailing land tenure system, in which both landlords and wealthier peasants controlled the most fertile lands, while the majority of peasants laboured as tenants or semi-serfs on marginal plots. This feudal structure, a legacy of Ottoman rule, had obstructed the development of a modern economy and entrenched widespread poverty.

In his 1931 analysis published in *La Fédération Balkanique*, Fundo portrayed a bleak image of rural Albania: pervasive poverty, inadequate infrastructure, food scarcity, and a population exhausted by labour and deprived of opportunity. He argued that efforts at reform were consistently thwarted by a deeply entrenched socio-economic order dominated by the Beyler and landowning elites (Fundo 1931, 23–25).

After 1929, L Lazar Fundo began distancing himself from the rigid dogmas of Stalinist communism that had shaped his views between 1925 and 1929. He gradually embraced a more pragmatic leftist approach, one that sought to adapt socialist principles to Albania’s specific economic, demographic, and geographic realities. This ideological shift was also reflected in the orientation of the Geneva National Liberation Group, which Fundo led at the time. However, this move toward a more

social-democratic vision came at a cost. Fundo's article on the agrarian question caused immediate controversy within the Albanian émigré community. Prominent figures such as Sejfulla Malëshova and Ali Kelmendi viewed his stance as a betrayal of communist principles, particularly his argument that land should not be nationalized but distributed freely to landless peasants, an idea that implicitly accepted private property. In reality, Fundo was returning to the position he had articulated in August 1924, when the *Bashkimi* newspaper, under his leadership, declared: "The land belongs to the people" and should be returned to them. (Gazeta Bashkimi, August 22, 1924)

Further evidence of this ideological shift came in 1934, when the Geneva Liberation Group published the programmatic brochure *From the Triumph of Legality to the People's Revolution*, followed in 1935 by the treatise *The Salvation of the Peasants* (Frashëri 2006, 90). These texts clearly reflected a departure from Bolshevik orthodoxy, advocating instead for a form of socialism rooted in national context and focused on social justice in rural Albania.

Fundo's position, however, marked a return to his earlier views expressed in August 1924, when the *Bashkimi* newspaper, under his direction, declared that "the land belongs to the people" and advocated its restitution to them (Gazeta Bashkimi, August 22, 1924). Further evidence of his departure from Bolshevik orthodoxy is found in the publications of the Geneva Liberation Group. In 1934, the group released the programmatic brochure *From the Triumph of Legality to the People's Revolution*, followed in 1935 by *The Salvation of the Peasants* (Frashëri 2006, 90), both of which articulated a vision of socialism rooted in national context and committed to social justice in the countryside.

Historian Kristo Frashëri identifies Lllazar Fundo as the author of two anonymous brochures published in the mid-1930s, noting that he had previously been entrusted with political responsibilities by the Albanian Communist Group in the Soviet Union (Frashëri 2006, 49). These texts reflect a marked evolution in Fundo's political thought, from orthodox Bolshevism toward a broader, more democratic and socially oriented left, although he continued to self-identify as a communist. Fundo's ideological shift was not unique. Several prominent intellectuals who had initially supported communism later became vocal critics of Stalinism, including Boris Souvarine, André Gide, and Friedrich Adler. Their disillusionment stemmed from direct encounters with the authoritarian and repressive nature of Stalin's regime.

In his first brochure, Fundo reaffirmed his earlier conviction, first articulated in his 1931 analysis of Albania's agrarian structure, that the country was not prepared for a proletarian revolution. By 1934, his position had matured: he no longer advocated for a classical Marxist revolution but instead proposed a "popular" or "democratic-popular" revolution. This envisioned dismantling feudal structures, resisting fascist imperialism, restoring national sovereignty, overthrowing the Zogist monarchy, and establishing a democratic political order.

In the 1934 pamphlet, Lllazar Fundo revisited many of the ideas and aspirations he had previously championed through the "Bashkimi" Society and during his support for Fan Noli's government in 1924. However, the nearly decade-long gap between these two phases reveals a marked evolution in his political thought. Though initially

shaped by Stalinist communism, Fundo had gradually distanced himself from its rigid dogmas, preserving the humanist, democratic, and socially conscious core of his original beliefs. This intellectual shift, is also reflected in a personal letter Fundo sent to Fan Noli on January 11, 1933, where he wrote: *"I have now taken up philosophy... I started with the Greeks. In the process, I'm also studying Greek literature. We have plenty of time. I despise cafés. Only out of necessity, I go once or twice, maybe three times a week..."* (Fan S. Noli, Vol. VI, 2007, 412). The letter conveys not only his philosophical interests but also a sense of introspection and discipline, underscoring the maturity of a thinker who had moved beyond ideological extremes toward a more nuanced and nationally grounded vision of socialism.

## **6. Llazar Fundo: From Bolshevism to the Anti-Fascist Struggle for a United Europe (1933–1944)**

Fundo's departure from ideological extremism is evident in his rejection of political violence, asserting that *"individual terrorist methods... must never be seen as a path to salvation"* (Frashëri 2006, 91). In the same 1934 pamphlet, he advocated for the liberation of Kosovo, Dibra, and Chameria from Serbian and Greek control, framing national unification as a central objective of the National Liberation Committee (Frashëri 2006, 93). This position directly contradicted Communist International policy on Balkan borders and marked the beginning of his ideological divergence from the Soviet line.

The global economic crisis of 1929–1933 and the rise of fascist regimes in Germany and Italy prompted a strategic shift within the Communist International. Stalin redefined fascism as the principal threat, and at the Seventh Congress of the Communist International Georgi Dimitrov articulated a new political strategy. His report emphasized the formation of broad anti-fascist coalitions, including alliances between communists and progressive bourgeois forces, as a viable path toward proletarian revolution and socialist construction (Höbel 2022, 85–89).

Dimitrov's intervention coincided with two major political crises: the violent suppression of the Austrian workers' movement by Chancellor Dollfuss and a failed right-wing coup in France. These events reinforced the urgency of a united front strategy, which would come to shape the direction of national communist movements across Europe.

In alignment with the new strategic direction promoted by Moscow following Dimitrov's report, Llazar Fundo and the National Liberation Committee responded positively to an invitation from the "National Union" organization to participate in a congress in Paris. The goal was to bring together all Albanian political organizations in exile across both left and right ideological lines. The congress opened on March 10, 1936, and after intense debate, it approved the resolution of the National-Liberal League Assembly on March 16. This led to the establishment of the National-Liberal Front, with Qazim Koculi (representing the National Union) as Chairman and Llazar Fundo (representing the NLC) as Secretary. (Vllamasi, 2000, 462).

At the core of the resolution was the principle that: *"Albania must once again, through the strength and will of the people, become a democratic parliamentary republic, with*

constitutional freedoms guaranteed by a statute to be established by the Constituent Assembly.” (Vllamasi 2000, 466). Llazar Fundo supported the formation of this front without insisting on the establishment of a socialist regime, thereby distancing himself from the rigid ideological positions held by some of his contemporaries. In contrast, Koço Tashko and Sejfulla Malëshova declined to participate, remaining committed to the Bolshevik line that predated the Seventh Congress of the Communist International. The ideological rupture with Moscow created significant divisions among Albanian communists, prompting concern within the Soviet leadership, which increasingly prioritized unity among anti-fascist forces. In his report *The Preparation of a New World War by the Imperialists and the Tasks of the Communist International*, Palmiro Togliatti stressed the strategic necessity of forming a united front of progressive forces to confront the growing threat of fascism (Togliatti 1973, 730–805). In an effort to resolve internal fragmentation, Llazar Fundo, Halim Xhelo, Sejfulla Malëshova, Koço Tashko, and Ali Kelmendi were summoned to Moscow. However, the meeting failed to produce consensus. Kelmendi’s rigid insistence on prioritizing the formation of a Communist Party and rejecting cooperation with non-communist groups was sharply opposed by Fundo, who accused him of sectarianism and held him responsible for the movement’s stagnation (Frashëri 2006, 110). Despite Soviet mediation, the Albanian communist movement remained fractured, ideologically incoherent, and disconnected from domestic realities. The intensification of Stalinist repression between 1937 and 1939 profoundly impacted Fundo, leading to his definitive break with the Communist International and the Albanian communist delegation in France. He condemned Stalin’s policies particularly following Bukharin’s execution and adopted a principled stance against political violence, regardless of ideological justification.

Fundo’s ideological break with Stalinism led to his exclusion and denunciation by former comrades. In a letter to the Communist International Koço Tashko accused him of publicly defaming Stalin, stating: “*Fundo, invited by the people of the National Union and here before the enemies of the Soviet Union and the Communist International, spoke against Comrade Stalin, whom he called a murderer, and expressed the opinion that the Soviet Union is nothing more than a prison...*” (Frashëri 2006, 139). Similarly, Sejfulla Malëshova condemned Fundo’s stance as “treason,” admitting: “*In his condemnation, I too played my part*” (E Majta 2020, 31).

Following his disillusionment with communist orthodoxy, Fundo returned to Korçë, where he was present during the fascist occupation. During a public demonstration, he delivered a fervent anti-fascist speech from the steps of the Korçë Municipality, described as “*full of imagery, gestures, and passion*” (Hoxha 1981, 29). His activism led to his arrest by Italian authorities and internment on the island of Ventotene, alongside other Albanian intellectuals.

In Ventotene, Fundo engaged with leading Italian anti-fascists, including Sandro Pertini, Altiero Spinelli, Ernesto Rossi, and Riccardo Bauer. In their memoirs, Fundo is remembered as an “*intellectual,*” “*idealist,*” and “*polemicist,*” actively contributing to the drafting of the *Ventotene Manifesto*. Bauer recalls: “*I had a pleasant friendship with an Albanian journalist, Llazar Fundo, who, after extensive experience in Albania and Russia, had abandoned the Communist Party, not out of disillusionment, but because he believed*

*proletarian emancipation must arise from a practice of freedom, not bureaucratic imposition. Possessing a sharp intellect, he offered a compelling historical perspective on Eastern Europe and Asiatic Russia, grounded in a firm belief in the long-term democratic evolution of the Bolshevik regime”* (Bauer 1987, 130–131).

After the liberation, Fundo returned to Albania and joined the movement led by the Kryeziu brothers, whom he had met during his internment. This movement, one of the most influential in north-eastern Albania, was viewed with suspicion by both Enver Hoxha and Tito, who saw it and Fundo himself as a potential threat to Yugoslav interests in Kosovo and Albania (Butka 1996, p. 104). From October 1940 onward, Fundo openly expressed his distrust of Slavic dominance in the Balkans. In a conversation with the intellectual Stavro Skëndo, he admitted: *“If I had known twenty years ago the terrible consequences Slavic influence would bring to Albania, splitting political currents and shaping communist parties, I’d have preferred to lose my tongue and hands rather than work for Marxism and terror. But how could one know, poor man, whether one is doing good or harm when acting in good faith?”* (Kulla 2014, 588).

These words, prophetic in tone, reflect Fundo’s political clarity and deep conviction that Slavic influence would fracture the Albanian national movement. In September 1944, when Fundo was ambushed, Enver Hoxha issued a chilling directive to the First Army Corps: *“Torture Zai Fundo to death and execute him... Kill Zai over there”* (Butka 1996, 105).

Fundo’s assassination marked not only the end of a prominent intellectual and political figure, but also the beginning of a systematic purge of the nationalist left those who opposed totalitarianism and resisted Slavic dominance in the Balkans.

## **7. Conclusion**

The figure of Lllazar Fundo represents one of the most unique and complex cases of a 20th-century Albanian intellectual, who operated within an unstable ideological landscape between socialist idealism and Bolshevik communism. His activity stands as a testament to the effort to build an independent Albanian left one inspired by European experience but deeply rooted in national realities and aspirations for social progress. His intellectual journey from the ideals of Fan Noli and French socialism, through the Bolshevik experience in Moscow, and eventually toward a concept of humanist socialism reflects an internal evolution of political consciousness. Fundo was not an inconsistent figure, but rather a thinker who changed through reflection, who criticized without abandoning his faith in humanity and in emancipation through knowledge and freedom.

He was deeply disillusioned by the violence of Stalinism, yet he never gave up on the ideal of a just and democratic society, where power should be grounded in dignity, not fear. In this context, Lllazar Fundo’s time in internment on Ventotene Island (Italy), where he contributed to drafting the Ventotene Manifesto alongside Altiero Spinelli, Sandro Pertini, and Riccardo Bauer, represents the peak of his ideological development. It was there that Fundo fully embraced the vision of a free, united, and democratic Europe as a guarantee for peace and the liberty of nations. This document, later recognized as the founding act of the idea of European integration

marked a turning point for Fundo, away from violent revolution and toward moral and political reform, where social emancipation is built on cooperation, solidarity, and civic responsibility. Through this experience, Fundo redefined socialism not as a class dictatorship, but as a humanist and democratic project centred on the free individual.

Although Llazar Fundo remained closely tied to the tradition of the left and the core ideals of communism, his political experience transformed him into an honest critic of the very system he had once embraced with full conviction. He was a communist in the idealistic sense of the word believing in social equality, in the liberation of humanity from exploitation, and in the value of labour as the foundation of human dignity but he rejected the dogma and violence that emerged in Stalinist practice.

For Fundo, communism was not meant to be a repressive state apparatus, but a moral project built on education, justice, and freedom. This is what set him apart from many of his contemporaries: he did not abandon the left, but redefined it as active humanism and a pursuit of emancipation through liberty, not terror. It is precisely this stance that makes Fundo one of the earliest representatives of what would later be known in Europe as “democratic socialism” a human-faced communism that places the individual above ideology. In the Albanian context, Llazar Fundo was among the first to understand that modernization could not come through the mechanical import of foreign models. In his analyses of the agrarian question, he emphasized that Albania still entrenched in feudal relations needed a democratic popular revolution, not a dictatorship of the proletariat. He advocated for a social reform that would liberate the peasantry, ensure free education, promote women’s emancipation, and establish a secular, parliamentary state. This vision places Fundo among the forerunners of modern democratic thought in Albania and connects him to the European tradition of ethical socialism.

In conclusion, at a time when Europe was torn between totalitarian violence and the hope for democracy, Fundo kept alive the idea of a socialism with a human face and a united Europe founded on solidarity and respect for human dignity. This is his most enduring legacy a reminder that the intellectual, as long as they remain free in thought, can serve as the conscience of history itself.

## References

### Archival Sources

AQSH (Arivi Qëndror i Shtetit), (Central State Archives)

AQSH, me tej (Arkivi Qëndror i Shtetit) Fondi Grupi komunist shqiptar ne Bashkimin Sovjetik, nr.16 dosja 30, lista 1

AQSH Fondi Grupi komunist shqiptar ne Bashkimin Sovjetik, nr.16 dosja 30, lista 1

AQSH, Fondi “Grupi komunist shqiptar ne Bashkimin Sovjetik nr.16, dosja 12, lista 1 f.1-3

AIDSSH (Arkivi i Informimit mbi Dosjet e Sigurimit të Shtetit), (Authority for Information on Former State Security Documents)

AIDSSH, Ministria e puneve te brendshme , Dosje formulare per Sejfulla Mleshoven , nr 587-A, viti 1952

### Bibliography

Boffa G, (1976), Storia dell’unione sovietica: Dalla rivoluzione alla seconda guerra mondiale - Lenin e Stalin 1917-1941 Volume I, Mondadori, Le Scie,, 1976

Butka U (1996), Ringjallje, Phonix, Tiranë

Butka U (2016), *E djatha dhe e majta ne lufte*, ISKPK, Tirane

Dervishi K (2006), *Historia e shtetit shqiptar*, Shtepia botuese 55, Tirane.

*E majta: mendime politike, profile biografike*, Fondacioni Frederich Elbert, Tirane 2020

Fan S. Noli (2007) *Vepra VI*, Dudaj, Tirane

Frashëri, K. (1983), *Historia e Popullit Shqiptar*, v. III Tiranë: Akademia e Shkencave të Republikës së Shqipërisë. f 412.

Fundo, Ll. (10 janar). *Leter drejtuar T. Zavalanit me 1928*

Fundo, Ll. (Aunt 1929), *Comment les imperialistes italo-serbs preparent la guerre en Albanie*, La Federation Balkanique, nr. 121-122

Fundo, Ll. (Mai 1931), *Le mouvement de liberation en Albanie*, La Federation Balkanique, nr. 142-143.

Fundo, Ll. (Novembre 1930), *Le moviment de di liberation en Albanie*, La Federation Balkanique, nr. 140

Fundo, Ll. (Pagani), (Janivier 1929), *Ahmed Bey Zogolli, juge son ministre a Washington*, La Federation Balkanique, Nr. 107-108

Fundo, Ll. (Rodhja), (Mai 1931), *La question agrarire en Albanie*, La Federation Balkanique, nr. 142-143.

Graziosi A, (2007), *L'Urss di Lenin e Stalin. Storia dell'Unione Sovietica 1914-1945*, Il mulino

*Historia e Shqptareve gjate shekullit te XX* (2017) Akademia e studimeve albanologjike, Tirane

Hobel A, (2022) *Il Comitern e l'Europa occidentale (1919-1935)*, Dimensioni e problemi della ricerca storica, La Spienza Universita editrice1-2022

Hobsbawm, E. (1990), *Nations and Nationalism Since 1780: Programme, Myth, Reality*, London: Cambridge University Press,

Hoxha E, (1979), *Me Stalinin*, Tiranë: 8 nentori, f 122

Hoxha, E.(1981), *Kur lindi Partia*, Tiranë: 8 nentori

Judt, T. (2025), *Postwar: A History of Europe Since 1945* Paperback – January 1, 2010

Koka V(1985), *Rrymat e mendimit ëplritiko-shoqeror ne Shqiperi ne vitet 30 te shekullit te XX*, Akademia e shkencave, Tirane

Kulla N, (2005), *Mendimi socialist shqiptar dhe ndikimet europiane*, Tiranë: Instituti i Historisë, f 112

Kulla N, (2014) *Enciklopedi antologjike e mendimit shqiptar 1807-1957*, Vell II, Plejad , Tirane

Margarete Buber-Neumann, *Under Two Dictators* (London: Victor Gollancz, 1949)

Sabrina P. Ramet (Jun 6, 2006), *The Three Yugoslavia's: State-Building and Legitimation, 1918-2005*, Indiana University Press,

Saka E, Balliu F, (2024), *Levizja e qershorit e 1924 ne dokumentat arkivore*, DPA, Tirane

Togliatti P (1973), *Opere*, vol. III, 1929-1935, Editori Riuniti, Roma 1973

Traverso, E. (2000), *Intelletuali e il totalitarismo*, Roma: Laterza, Venxha, M. (2025). *Ideja e Krijimit të Frontit Antifashist në Shqipëri: nga Konferenca e Pezës në Mbledhjen e Mukjes, një i humbur për bashkimin kombetar kunder pushtuesve. Aketet e Seminarit Shkencor “80-vjetori i Çlirimit të Shqipërisë, Shqiptarët dhe koalicioni antifashist*, Tiranë: Vassi,

Vllamsi, S. (2005) *Ballafaqime politike ne Shqiperi*, Neriada, Tirane.

Newspapers  
 Gazeta e Korces  
 Gazeta Bashkimi  
 La Federation Balkanique

# First report from Albania on human infestation with *Dermanyssus gallinae* mites originating from feral pigeons nesting in a residential building

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## Abstract

Recently, there has been an increase in reports worldwide of infestations by hematophagous *Dermanyssus gallinae* mites in humans. These mesostigmatid mites, commonly called “red poultry mites”, primarily affect poultry and their industry, constituting a major welfare concern and causing significant production losses. However, these mites also parasitize other domestic and wild birds and occasionally attack humans and other mammals under specific conditions, particularly when deprived of their normal avian hosts.

In this report, we describe a case of human infestation in a residential building in Tirana center, following recurrent complaints of skin lesions by the occupants (children and adults). An inspection of the building revealed a large group of feral pigeons (*Columba livia domestica*) nesting in the cavity between the top floor and the terrace. Three families were involved in this incident, which was reported in the summer of 2022. Numerous mites were collected from walls, windowsills, and ventilation openings. Conventional microscopical examination of adult specimens using published identification keys enabled the mites to be identified as *D. gallinae*. The residents exhibited erythematous papules and intense pruritus, predominantly at night, similar to the symptoms that characterize the zoonotic condition gamosaidosis, caused by *D. gallinae* attacking humans to feed.

Control measures included the removal of pigeon nests, thorough mechanical cleaning, and the application of pyrethroid acaricides (permethrin, deltamethrin), combined with the structural sealing of potential entry points for pigeons to prevent re-infestation. Clinical signs were resolved completely within a few days following environmental decontamination.

This report represents the first documented case of *D. gallinae* infestation in human dwellings in Tirana, Albania. It underscores the zoonotic potential and importance of these mites for public health in urban ecosystems.

**Keywords:** *Dermanyssus gallinae*, human infestation, pigeon nests, urban parasitology, zoonosis, Albania.

## Introduction

*Dermanyssus gallinae*, commonly known as the poultry red mite (PRM), is a hematophagous ectoparasite with a worldwide distribution. It primarily infests farmed birds such as chickens, turkeys, and ducks, but infestations have also been reported in wild and synanthropic bird species, including pigeons, sparrows, and occasionally in humans (Cafiero et al. 2019).

Numerous cases of human infestation by *D. gallinae* have been recorded worldwide (Sparagano et al. 2014). The infestation caused by this mite is referred to as dermanyssosis or gamasoidosis (Lackey et al. 2001), representing a major concern in both the poultry industry and public health.

The life cycle of *Dermanyssus gallinae* comprises five developmental stages: egg, larva (non-feeding), protonymph, deutonymph, and adult (feeding stages). Under optimal environmental conditions, the entire life cycle can be completed within one week (Sparagano et al. 2014; Sparagano et al. 2022). Unfed mites are yellow-brown in color but become red-black after blood feeding. Remarkably, *D. gallinae* is capable of surviving for up to eight months without a blood meal, enabling persistence in the environment even in the absence of hosts.

Urban outbreaks are usually linked to infested bird nests, mainly those of pigeons, and generally peak in spring and summer. Skin lesions caused by these mites are generally mild; they are often misdiagnosed and can occasionally provoke severe allergic reactions, including anaphylaxis, in sensitive individuals. Beyond its direct impact, *D. gallinae* is increasingly recognized as a vector and reservoir of zoonotic pathogens (Raele et al. 2018; Melter et al. 2012; Circella et al. 2011; Boseret et al. 2013; Valiente et al. 2009; George et al. 2012)

Understanding its biology, ecology, and vectorial capacity is therefore essential for developing effective control measures and mitigating the risk of zoonotic transmission.

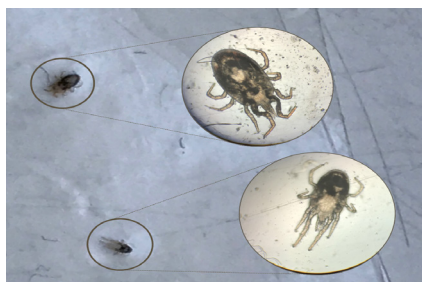
## Case report

In the summer of 2022, three families residing on the upper floor of a residential building located in the center of Tirana, Albania, experienced an infestation caused by *Dermanyssus gallinae*.

Following a complaint from one of the affected residents to the Parasitology Laboratory at the Faculty of Veterinary Medicine in Tirana, a detailed environmental inspection was undertaken. Numerous minute arthropods were detected and collected from interior walls, doors, windowsills, and areas adjacent to balconies, while additional specimens were recovered near ventilation openings (Figure 1).

The residents, including both adults and children, presented erythematous papules accompanied by intense itching, mostly during the night. These symptoms persisted for several days and significantly affected the comfort and sleep quality of those involved.

Further investigation revealed a large colony of feral pigeons (*Columba livia domestica*) nesting in the hollow space between the top floor ceiling and the terrace of the building. The infestation extended across the entire roof cavity, providing optimal ecological conditions for the proliferation of mites (Figure 2).



**Figure 1.** *D. gallinae* mites collected from apartments. Left: Collected specimens. Right: Microscopic identification.

Collected specimens were examined under light microscopy. Using conventional morphological identification keys (Di Palma et al. 2012), the adult mites were identified as *Dermanyssus gallinae*, commonly known as the poultry red mite (Figure 1). These mites are obligate hematophagous ectoparasites of birds; however, they can also attack humans when present in high numbers or when their natural hosts are unavailable.



**Figure 2.** Building with pigeon nesting cavity.

The residents were advised to implement immediate control and disinfestation measures. A professional pest control company was contracted to carry out an acaricidal treatment using pyrethroid-based products (permethrin and deltamethrin) on interior surfaces, around windows and balconies, and in common areas. The apartments were kept closed for 24 hours following treatment. The pigeon nesting area was then mechanically cleaned, disinfected, and completely sealed to prevent further access.

All affected individuals received symptomatic therapy with oral Antihistamines and steroids prescribed after the medical examination. Clinical improvement was observed within a few days after the intervention, and no further complaints were reported.

## Discussion

The increasing number of reported human infestations in recent years indicates a potential expansion of the host range, likely influenced by urbanization, the growth of poultry farming, climate change, and the widespread presence of synanthropic animals (Roy et al. 2009; Budria and Candolin 2013). Referring to Barlaam et al. 2022, over 240 clinical cases of urban infestations caused by *D. gallinae* have been reported across Europe, involving private residences, offices, public buildings, and hospitals. Human gamasoidosis is often underdiagnosed because mites feed nocturnally for short periods and then hide, making direct detection difficult (Lucky et al. 2001). The dermatological manifestations—pruritus, erythematous papules, and occasional puncture marks—are nonspecific and easily misdiagnosed without a high level of clinical suspicion. Therefore, accurate diagnosis relies on a comprehensive understanding of the mite's ecology and taxonomy.

According to the literature, the species most frequently responsible for human gamasoidosis is *D. gallinae* (Stingeni et al. 2017; Moretta et al. 2025). Avian mites have been associated with the transmission of various zoonotic pathogens, underscoring their potential significance in public health. Reported agents include bacterial species such as *Borrelia spp.*, *Pasteurella multocida*, *Salmonella enterica*, *Rickettsia spp.*, *Erysipelothrix rhusiopathiae*, *Chlamydia psittaci*, and *Coxiella burnetii*, as well as *Bartonella quintana*, *Borrelia burgdorferi*, and avian influenza A virus. (Circella et al. 2011; Raele et al. 2018; Melter et al. 2012; Pugliese et al. 2019; Sommer et al. 2006; Valiente Moro et al. 2009).

Management of avian mite dermatitis focuses on eliminating the source of infestation. When transmission occurs from nesting birds, nests should be removed and destroyed. Environmental disinfection with suitable insecticides is essential to avoid further human exposure. Long-term prevention involves implementing effective bird-proofing systems, including bird nets and other physical barriers, to prevent nesting and consequently limit mite proliferation in and around buildings (Haag-Wackernagel 2005).

In Tirana and its surroundings, pigeon and pet bird keeping is common, and the poultry sector remains considerably developed, with many hens raised by small-scale producers. This situation increases the potential for human exposure to ectoparasites such as *D. gallinae*. Further epidemiological studies are needed to determine the prevalence and health impact of this parasite in at-risk groups.

This first documented report of human infection underscores the zoonotic potential of *D. gallinae* and the importance of identifying avian nesting sites as potential sources of human infestations in urban residential settings.

## References

- Barlaam, A., Puccini, A., Caiaffa, M.F., Di Bona, D., Macchia, L., & Giangaspero, A. (2022). Dermanyssosis in the urban context: When the One Health paradigm is put into practice. *Pathogens*, 11, 1396.
- Boseret, G., Losson, B., Mainil, J.G., Thiry, E., & Saegerman, C. (2013). Zoonoses in pet birds: review and perspectives. *Veterinary Research*, 44, 36.
- Budria, A., & Candolin, U. (2013). How does human-induced environmental change influence host-parasite interactions? *Parasitology*, 141, 462–474.
- Circella, E., Pugliese, N., Todisco, G., Cafiero, M.A., Sparagano, O.A., & Camarda, A. (2011). *Chlamydia psittaci* infection in canaries heavily infested by *Dermanyssus gallinae*. *Experimental and Applied Acarology*, 55, 329–338.
- Cafiero M.A., A. Barlaam, A. Camarda, M. Radeski, M. Mul, O. Sparagano, A. Giangaspero, *Dermanyssus gallinae* attacks humans. Mind the gap!, *Avian Pathol.* 48 (2019) S22–S34
- Di Palma, A.; Giangaspero, A.; Cafiero, M.; Germinara, G. (2012) A gallery of the key characters to ease identification of *Dermanyssus gallinae* (Acari: Gamasida: Dermanyssidae) and allow differentiation from *Ornithonyssus sylviarum* (Acari: Gamasida: Macronyssidae). *Parasite Vectors*, 5, 104.
- George, D.R., Finn, R.D., Graham, K.M., Mul, M.F., Maurer, V., Moro, C.V., et al. (2015). Should the poultry red mite *Dermanyssus gallinae* be of wider concern for veterinary and medical science? *Parasites & Vectors*, 8, 178.
- Haag-Wackernagel, D. (2005). Parasites from feral pigeons as a health hazard for humans. *Annals of Applied Biology*, 147, 203–210.

- Lucky, A.W., Sayers, C.P., Argus, J.D., & Lucky, A. (2001). Avian mite bites acquired from a new source – pet gerbils: report of two cases and review of the literature. *Archives of Dermatology*, 137, 167–170.
- Melter, O., Arvand, M., Votypka, J., & Hulinska, D. (2012). *Bartonella quintana* transmission from mite to family with high socio-economic status. *Emerging Infectious Diseases*, 18, 163–165.
- Moretta, I., Principato, S., Brustenga, L., & Principato, M.A. (2025). Poultry mites contributing to human dermatitis: a retrospective study in Italy (2010–2024). *Poultry*, 4, 21
- Pugliese, N., Circella, E., Marino, M., De Virgilio, C., Cocciolo, G., Lozito, P., Cafiero, M.A., & Camarda, A. (2019). Circulation dynamics of *Salmonella enterica* subsp. *enterica* ser. Gallinarum biovar Gallinarum in a poultry farm infested by *Dermanyssus gallinae*. *Medical and Veterinary Entomology*, 33, 162–170.
- Raele, D.A., Galante, D., Pugliese, N., La Salandra, G., Lomuto, M., & Cafiero, M.A. (2018). First report of *Coxiella burnetii* and *Borrelia burgdorferi* sensu lato in poultry red mites (*Dermanyssus gallinae*) related to urban outbreaks of dermatitis in Italy. *New Microbes and New Infections*, 23, 103–109.
- Roy, L., Dowling, A.P.G., Chauve, C.M., Lesna, I., Sabelis, M.W., & Buronfosse, T. (2009). Molecular phylogenetic assessment of host range in five *Dermanyssus* species. *Experimental and Applied Acarology*, 48, 115–142.
- Sparagano, O., George, D., Harrington, D., & Giangaspero, A. (2014). Significance and control of the poultry red mite, *Dermanyssus gallinae*. *Annual Review of Entomology*, 59, 447–466.
- Sparagano, O., Song, B., Aziz, U., Hussain, S., Yang, G., George, D., & Zeb, J. (2022). Poultry mites: ubiquitous, spreading, and still a growing threat. *Avian Diseases*, 66, 259–265.
- Sommer, D., Heffels-Redmann, U., Köhler, K., Lierz, M., & Kaleta, E.F. (2006). Role of the poultry red mite (*Dermanyssus gallinae*) in the transmission of avian influenza A virus. *Tierärztliche Praxis Ausgabe G: Grosstiere – Nutztiere*, 44, 26–33.
- Stingeni, L., Bianchi, L., Hansel, K., Neve, D., Foti, C., Corazza, M., Bini, V., Moretta, I., & Principato, M. (2017). Dermatitis caused by arthropods in the domestic environment: an Italian multicentre study. *Journal of the European Academy of Dermatology and Venereology*, 31, 1526–1533.
- Valiente Moro, C., De Luna, C.J., Tod, A., Guy, J.H., Sparagano, O.A.E., & Zenner, L. (2009). The poultry red mite (*Dermanyssus gallinae*): a potential vector of pathogenic agents. *Experimental and Applied Acarology*, 48, 93–104.

# Mapping History and Identity: A Digital Platform for Systematic Documentation of Kolonjë's Toponyms

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## Abstract

Toponyms function not only as geographical identifiers but also as cultural artifacts that preserve layers of history, language, and identity. This study investigates the toponyms of Kolonjë, a region in southeastern Albania shaped by Illyrian, Greek, Slavic, Ottoman, and Albanian influences. Employing an interdisciplinary approach that combines linguistic analysis, historical contextualization, and digital humanities methods, the research systematically documents and analyzes local place names as markers of cultural memory, resilience, and socio-cultural identity.

A Python-based digital application was developed, incorporating CSV-based datasets, interactive mapping through TkinterMapView, and a graphical user interface designed for exploration, visualization, and community engagement. The system features an administrator dashboard for data validation, statistical reporting, and oversight of user-submitted entries, ensuring scholarly rigor alongside participatory input. Findings underscore the dual role of toponyms as linguistic evidence and socio-cultural symbols while demonstrating the potential of digital tools in heritage preservation. Future enhancements include migration to web platforms, GIS integration, multilingual support, and the application of machine learning for linguistic analysis. This work contributes to documenting Albania's intangible heritage and provides a replicable model for digital toponymy research in the broader Balkan context.

**Keywords:** Toponyms, Cultural Heritage, Digital Humanities, Kolonjë, Albania, Linguistic Analysis, Place Names, GIS, Python Application, Interactive Mapping, Intangible Heritage, Community Engagement.

## 1. Introduction

Toponyms, or place names, constitute one of the most enduring elements of human geography and cultural history. They not only serve a practical function in identifying and distinguishing locations but also embody layers of historical, linguistic, and socio-political meaning (Kadmon, 2000). The study of toponyms, known as toponymy, has long fascinated geographers, historians, and linguists because these names often preserve evidence of past settlements, cultural exchanges, and environmental perceptions. In regions with complex historical trajectories—such as Southeastern Europe—place names frequently reveal the intersection of indigenous traditions, migration waves, and external influences (Room, 1996).

The Kolonjë region of Albania offers a particularly rich terrain for such an exploration. Situated in southeastern Albania and historically influenced by Illyrian, Greek, Slavic, Ottoman, and Albanian cultural layers, Kolonjë's toponyms present a living archive of cultural memory and linguistic evolution (Çabej, 1976). While modern maps and administrative boundaries give the impression of stability, a deeper examination of toponyms reveals processes of adaptation, contestation, and cultural resilience over centuries. For example, certain names encode geographic features such as rivers,

mountains, or agricultural land use, whereas others commemorate clan identities, saints, or historical figures, thus serving as markers of identity and continuity (Tent & Blair, 2011).

This research aims to examine the toponyms of Kolonjë through an interdisciplinary methodology that combines linguistic analysis, historical contextualization, and digital mapping techniques. By situating local place names within broader regional and theoretical debates, the study not only contributes to the documentation of Albania's cultural heritage but also to wider scholarly conversations about the role of toponyms in identity formation, cultural memory, and geopolitics. Furthermore, given the accelerating pace of globalization and the homogenizing influence of modern administrative practices, documenting and analyzing local toponyms becomes a matter of both cultural preservation and academic urgency (Berg & Vuolteenaho, 2009).

## 2.Literature Review

Research on toponyms spans multiple disciplines, including geography, history, linguistics, and anthropology. At its core, toponymy is concerned with the origins, meanings, and transformations of place names. Early foundational works, such as those by Kadmon (2000), established a framework for categorizing toponyms into descriptive, commemorative, associative, and manufactured types. Later scholarship expanded this classification by exploring the political and ideological dimensions of naming practices, particularly in post-colonial and post-socialist contexts (Azaryahu, 1996).

In the Albanian context, Eqrem Çabej (1976, 1987) remains a central figure whose philological analyses traced the etymology of numerous Albanian place names back to Illyrian and Thracian roots, while also recognizing layers of Greek, Latin, Slavic, and Ottoman influence. His research demonstrated that toponyms are not static markers but palimpsests of historical contact and linguistic adaptation. More recent studies have continued this trajectory, situating Albanian toponyms within the broader Balkan linguistic area, where multilingual interactions have left complex traces in the naming of settlements, rivers, and mountains (Demiraj, 1997).

Internationally, scholarship has increasingly emphasized the symbolic and political functions of toponyms. Place names can serve as instruments of state-building, as seen in colonial renaming practices or in the ideological transformations of the post-Soviet space (Rose-Redwood, Alderman, & Azaryahu, 2010). In this light, toponyms act as tools of both domination and resistance, depending on the agents and contexts involved. The Balkans, with its history of imperial rule, shifting borders, and ethnic pluralism, provides ample evidence of such dynamics (Holler, 2017). Kolonjë, located at a crossroads of these processes, exemplifies how toponyms can encode contested histories while simultaneously preserving local traditions.

Another strand of the literature has turned toward methodological innovation. Advances in Geographic Information Systems (GIS) and digital humanities tools have enabled researchers to map and analyze toponyms with unprecedented precision (Jordan, 2009). Such approaches have opened possibilities for integrating

spatial analysis with historical and linguistic research, allowing for a more holistic understanding of the cultural landscapes inscribed in place names. For Albania, where systematic digital toponymic databases remain scarce, adopting such approaches can contribute to both academic research and heritage preservation.

Taken together, the literature underscores that toponyms are more than linguistic curiosities; they are windows into the lived experience of communities, the strategies of rulers, and the layers of history embedded in the landscape.

### 3. Methodology

The methodological approach of this study followed three main stages: data preparation, development environment setup, and application implementation. Each stage was designed to ensure both the linguistic accuracy of the toponymic data and the usability of the digital application for visualizing and categorizing place names from the Kolonjë region.

#### 3.1. Data Preparation

The initial dataset was sourced from the *Fjalor i Emrave Gjeografikë të Republikës së Shqipërisë* published by the Akademia e Shkencave e Shqipërisë, Instituti i Gjuhësisë dhe i Letërsisë (2002). This lexicon represents the most authoritative national collection of geographical names, covering Albania’s micro- and macrotoponyms with precise etymological, geographic, and administrative details. The relevant entries for the Kolonjë area (including Ersekë, Leskovik, Barmash, Çlirim, Mollas, Qafë Qarri, and others) were manually extracted and reformatted into a structured CSV file. This CSV dataset served as the backbone of the application and contained fields such as *Toponimi* (Toponym), *Latitudë* (Latitude), *Longitudë* (Longitude), *Përshkrimi* (Description), and classification attributes (macro/micro toponym, district). Manual transcription was carefully conducted to avoid data entry errors, following best practices in digital humanities data curation (Gregory & Geddes, 2014).



Figure 1 : “Fjalor i emrave gjeografikë të Republikës së Shqipërisë”

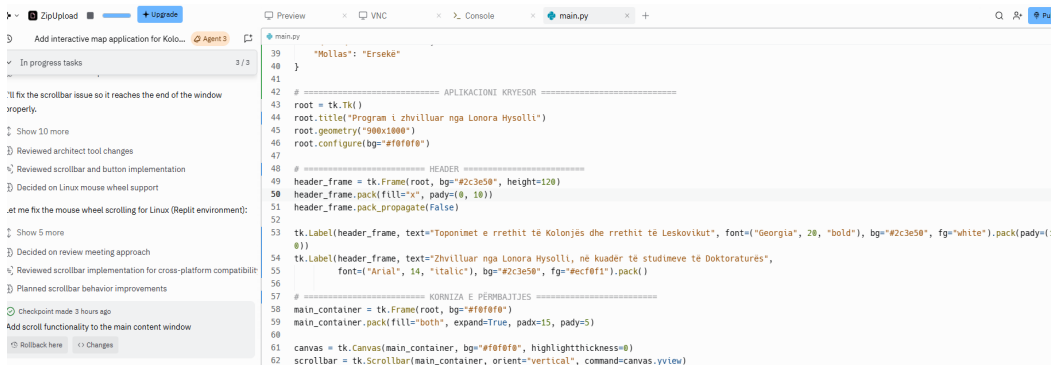
Toponimi	Latitudë	Longitudë	Rrethi/Komuna	Përshkrimi
Barmash	40.5402	20.6185	Kolonjë	Fshat në jug të Kolonjës, i vendosur në luginë.
Gramóz	40.41223	20.5318	Leskovik	Kodër e njohur me bimësi të dendur dhe pyje të vogla.
Shënmemërtir	40.348	20.5259	Leskovik	Fshat i vogël me kishë të vjetër në zonën malore.
Moravë	40.542	20.6295	Kolonjë	Zonë e njohur për kullotat dhe pyjet e vogla.
Dardhës	40.5467	20.6342	Kolonjë	Fshat me pemishte dhe rrugë të ngushta.

Figure 2 : Initial CSV dataset

### 3.2. Development Environment

The implementation was carried out using Python as the main programming language, hosted and tested on the Replit cloud-based integrated development environment (IDE). Replit was chosen due to its flexibility in running Python scripts, ease of collaboration, and integration of external libraries, which aligns with current trends in reproducible digital scholarship (Perkel, 2018). The program architecture relied on libraries such as:

- Pandas, for CSV data handling and preprocessing.
- Tkinter, as the main GUI framework for interactive application design.
- Pillow (PIL), for handling and resizing images associated with each toponym.
- TkinterMapView, for embedding a dynamic map that displays geographical coordinates and markers.



```
39     "Mollas": "Erseke"
40 }
41
42 # ===== APLIKACIONE KRYESOR =====
43 root = tk.Tk()
44 root.title("Program i zhvilluar nga Lonaora Hysolli")
45 root.geometry("900x1000")
46 root.configure(bg="#f0f0f0")
47
48 # ===== HEADER =====
49 header_frame = tk.Frame(root, bg="#2c3e50", height=120)
50 header_frame.pack(fill="x", pady=(0, 10))
51 header_frame.pack_propagate(False)
52
53 tk.Label(header_frame, text="Toponimet e rrethit të Kolonjës dhe rrethit të Leskovikut", font=("Georgia", 20, "bold"), bg="#2c3e50", fg="white").pack(pady=(0))
54 tk.Label(header_frame, text="Zhvilluar nga Lonaora Hysolli, në kuadër të studimeve të Doktoratës", font=("Arial", 14, "italic"), bg="#2c3e50", fg="ecf0f1").pack()
55
56 # ===== KORRIZA E PËRMBAJTJES =====
57 main_container = tk.Frame(root, bg="#f0f0f0")
58 main_container.pack(fill="both", expand=True, padx=15, pady=5)
59
60 canvas = tk.Canvas(main_container, bg="#f0f0f0", highlightthickness=0)
61 scrollbar = tk.Scrollbar(main_container, orient="vertical", command=canvas.yview)
```

This environment facilitated a modular design that could be adapted for future extensions, such as integration with larger databases or migration to web-based GIS systems.

### 3.3 System Workflow

The system flow begins with data preparation, where authoritative sources such as the national lexicon of geographic names are used to extract and structure the dataset into a CSV format. This stage ensures that toponyms from the Kolonjë region are accurately captured with essential fields including name, classification (macro or micro), district, geographic coordinates, and descriptive notes. Once cleaned and validated, this dataset becomes the backbone of the application and is ready to be processed within the development environment.

Following data preparation, the application is initialized and deployed in a Python-based environment, where libraries such as Pandas, Tkinter, and TkinterMapView enable data handling, graphical user interface design, and interactive mapping. Users interact with the main GUI to explore toponyms, visualize them on a dynamic map, and view descriptive metadata. A contribution module allows users to propose new toponyms by submitting relevant information through a structured form, ensuring community engagement and participation in the documentation process.

The administration process forms the final stage of the system flow, where submitted

toponyms are reviewed by an administrator via a dedicated dashboard. The dashboard provides statistical insights by classification and district, along with notifications of pending submissions. Each new toponym undergoes a verification process, where the administrator can approve valid entries or reject incomplete or incorrect ones. Approved data is integrated into the official dataset, automatically updating maps, charts, and reports, thus contributing to both cultural heritage preservation and academic research.

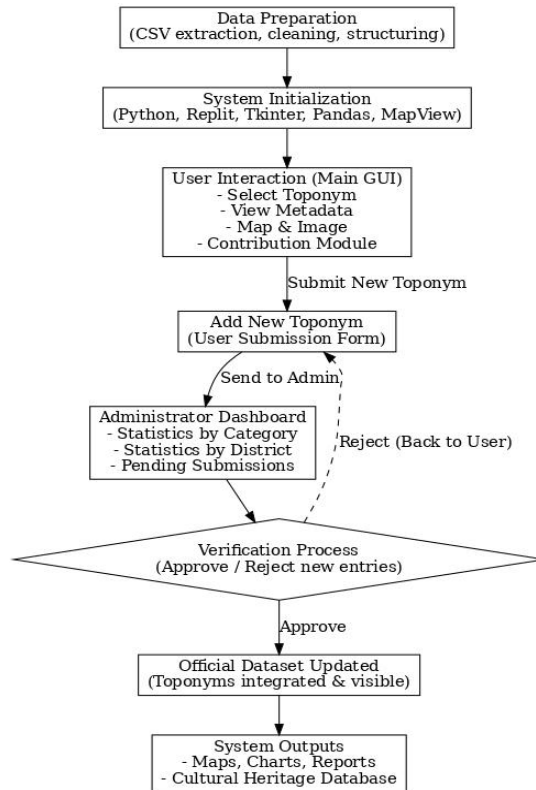


Figure 4 : System Workflow

### 3.4. Graphical User Interface (GUI) Design

#### 3.4.1. Main Interface

The GUI was developed in Tkinter to ensure an intuitive interface where users could interact with the dataset. Key features included:

1. Dropdown selection of toponyms from the dataset, enabling direct retrieval of information.
2. Display panels for linguistic and geographic metadata, including *category (macro/micro)*, *district*, and *coordinates*.
3. Dynamic description box with scroll functionality, presenting historical and linguistic notes.

4. Map visualization, powered by TkinterMapView, which positioned the selected toponym on an interactive map.
5. Image integration, allowing each toponym to be associated with a representative photograph (e.g., landscapes of Ersekë or Leskovik).
6. Contribution module, where users could propose new toponyms through a submission form, simulating a participatory approach to toponymic documentation.

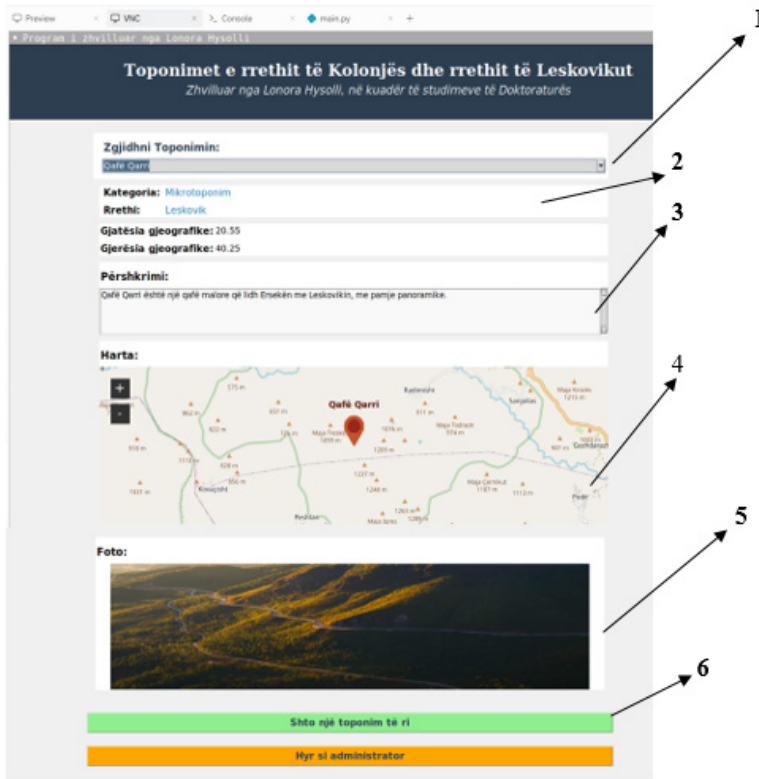


Figure 5 : Main Interface

This design was motivated by principles of user-centered digital humanities interfaces, where interactivity and visual engagement enhance the accessibility of linguistic and cultural data (Sinclair & Rockwell, 2016).

### 3.4.2. "Add a new toponym" interface

The interface for adding a new toponym provides input fields where the user can enter the name of the toponym, its geographic coordinates (latitude and longitude), the corresponding district or municipality, and a textual description. Once all the information is entered, the user can click a button labeled "Shtu një toponim të ri" which sends the submitted data to the administrator for review or approval, ensuring that the geographic information is accurate and properly validated before becoming part of the official dataset.

Figure 6: The form to submit a new toponym

### 3.4.3. Administrator interface

The administrator dashboard is designed for managing data related to toponyms. At the top, there is a main navigation menu where the administrator has access to the homepage, data, reports, settings, and help. This quick navigation makes the interface practical for the user, as it allows immediate switching between sections without the need for long searches.

In the central part of the page, two statistical charts are displayed. The first chart shows the number of registered toponyms according to classification: *Macrotoponyms* and *Microtoponyms*. This categorization indicates that the system not only stores the data but also organizes it by type, making analysis and reporting easier. The second chart illustrates the distribution of toponyms by districts: *Ersekë* or *Leskovik*, helping the administrator understand the geographical concentration of the data



Figure 7 : Administrator interface

### 3.5. Future System Enhancements

Currently, the system is implemented in Python with Tkinter, which is desktop-oriented. A valuable upgrade would be to migrate the application to a web-based platform using frameworks such as Django or Flask (backend) and React.js / Vue.js (frontend). This would make the system accessible across devices (PC, tablet, smartphone) and allow multiple users (researchers, students, administrators) to interact simultaneously, supporting collaborative work and broader accessibility.

An innovative future upgrade could include Natural Language Processing (NLP) and Machine Learning models to analyze etymological patterns, detect similarities between toponyms, and even predict possible historical linguistic roots. AI-driven models could also help detect duplicates, inconsistencies, or suggest categorizations automatically, reducing manual effort for administrators.

Since toponymy in Southeastern Europe involves multiple languages and influences, the system could integrate multilingual support. Users could view toponyms in Albanian, Greek, Slavic, or Ottoman variants, making the tool useful for cross-border cultural and linguistic studies. Expanding the dataset beyond Kolonjë to include other Albanian regions (and eventually Balkan-wide coverage) would turn the platform into a comprehensive regional heritage tool.

## 4. Conclusion

This study shows that place names are much more than labels on a map. In the case of Kolonjë, they capture centuries of history, language, and culture, carrying traces of Illyrian, Greek, Slavic, Ottoman, and Albanian influences. In this way, toponyms act as cultural memory, preserving identity across generations and revealing the complex stories behind the landscape.

By combining traditional linguistic analysis with digital tools, the project proves that technology can make cultural heritage more accessible and engaging. The interactive system allows users not only to explore existing toponyms but also to contribute new ones, turning the documentation of place names into a collaborative process. This approach bridges scholarship, technology, and community participation, which is especially valuable for preserving heritage in a rapidly globalizing world.

At the same time, the administrator interface ensures that contributions remain accurate and reliable. The system balances openness with oversight, creating a trustworthy digital archive. Looking forward, the project lays the groundwork for future improvements—such as making the platform web-based, integrating GIS tools, and expanding coverage to other regions of Albania and the Balkans. Overall, this research shows how digital innovation can support cultural preservation while opening new opportunities for learning and collaboration.

## References

- Azaryahu, M. (1996). The power of commemorative street names. *Environment and Planning D: Society and Space*, 14(3), 311–330. <https://doi.org/10.1068/d140311>
- Berg, L. D., & Vuolteenaho, J. (Eds.). (2009). *Critical toponymies: The contested politics of place*

naming. Ashgate.

Çabej, E. (1976). *Studime etimologjike në fushë të shqipes* [Etymological studies in the field of Albanian]. Akademia e Shkencave e RPS të Shqipërisë.

Çabej, E. (1987). *Studime gjuhësore* [Linguistic studies]. Akademia e Shkencave e RPS të Shqipërisë.

Demiraj, B. (1997). *Albanische Etymologien: Untersuchungen zum albanischen Erbwortschatz*. Leiden Studies in Indo-European, Vol. 7. Amsterdam & Atlanta: Rodopi.

Holler, M. (2017). *The politics of toponymic continuity: The limits of (re)naming* [Doctoral dissertation, Bournemouth University]. Bournemouth University Research Repository. <https://eprints.bournemouth.ac.uk/29930>

Jordan, P. (2009). *Place names as ingredients of space-related identity*. In P. Jordan, H. Bergmann, C. Cheetham, & I. Hausner (Eds.), *Geographical names as a part of the cultural heritage* (Wiener Schriften zur Geographie und Kartographie, Vol. 18, pp. 33-39). Institut für Geographie und Regionalforschung der Universität Wien.

Kadmon, N. (2000). *Toponymy: The lore, laws and language of geographical names*. Vantage Press.

Room, A. (1996). *Place-names of the world: Origins and meanings of the names for over 5000 natural features, countries, capitals, territories, cities and historic sites*. McFarland.

Rose-Redwood, R., Alderman, D., & Azaryahu, M. (2010). Geographies of toponymic inscription: New directions in critical place-name studies. *Progress in Human Geography*, 34(4), 453–470. <https://doi.org/10.1177/0309132509351042>

Tent, J., & Blair, D. (2011). Motivations for naming: The development of a toponymic typology for Australian placenames. *Names*, 59(2), 67–89. <https://doi.org/10.1179/002777311X12976826704291>

# Architectural and Iconographic Features of the Ossuary of Saints Cosmas and Damian

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## Abstract

The small mortuary church of Saints Cosmas and Damian, situated within the Monastery of Saints Peter and Paul in Vithkuq, represents a notable example of eighteenth-century post-Byzantine architecture and mural painting in southern Albania.<sup>1</sup> Located approximately twenty meters southeast of the monastery's main church, the two-story building was dedicated to the revered physician saints Cosmas and Damian.<sup>2</sup> The lower floor served as an ossuary, housing skeletal remains of the monastic community, while the upper floor, adorned with frescoes, was used for commemorative liturgical services.<sup>3</sup> The ossuary practice, in which remains were initially buried for a period of two to three years before being cleaned and relocated to dedicated repositories, reflects the transitional understanding of death in Orthodox monastic traditions.<sup>4</sup>

The upper floor, measuring approximately 12.15 by 4.95 meters, is organized as a single-nave hall with a narthex and apse. Although structurally damaged, particularly in the vaulted ceiling, the surviving murals retain considerable artistic value.<sup>5</sup> An inscription above the internal entrance provides crucial historical information: the church was constructed in 1736 during the metropolitan tenure of Krisanth of Kastoria, with the abbot Methodius supervising monastic affairs, financial contributions from Jan Hanxhiu of Ajdnohor, and the frescoes executed by Kostandin and Athanas Zografi of Korça, completed on May 18, 1750, with additional patronage from local benefactors Siropuli and Panajot Destini.<sup>6</sup>

Architecturally, the church exemplifies the typical features of post-Byzantine mortuary chapels: a two-story configuration with limited fenestration, designed to separate liturgical functions from burial practices.<sup>7</sup> The ossuary beneath corroborates this arrangement, while the upper nave facilitated commemorative liturgies for deceased monks.<sup>8</sup> The inscription also records the date of the upper-floor fresco completion and identifies the painters, situating their work within the broader context of eighteenth-century Orthodox art.<sup>9</sup> Kostandin and Athanas Zografi are recognized for their extensive oeuvre across the region, blending traditional post-Byzantine iconographic models with selective Western influences.<sup>10</sup>

The mural program is concentrated in the apse and nave of the upper floor. Registers are separated by red dividing bands with white edging. Central to the apse vault is the Trinitas Tricephalos, a three-faced representation of Christ encircled by two angels. This iconographic motif, related to the Acheropoiotos type of the Mandylion, demonstrates a continuity from Byzantine through post-Byzantine periods, although its placement in this small mortuary

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<sup>1</sup>Original inscription above the church entrance, Vithkuq, 1736.

<sup>2</sup>Ibid.

<sup>3</sup>Monastic records, Monastery of Saints Peter and Paul, Vithkuq.

<sup>4</sup>Popa, *Funerary Practices in Post-Byzantine Albania*, 112–115.

<sup>5</sup>On-site architectural survey, 2023.

<sup>6</sup>Inscription above internal entrance, May 18, 1750.

<sup>7</sup>Ibid.

<sup>8</sup>Ibid.; see also funerary arrangements in post-Byzantine monasteries, Popa, 118–120.

<sup>9</sup>Ibid.

<sup>10</sup>Popa, *Eighteenth-Century Albanian Frescoes*, 45–50.

chapel is distinctive and notable for its symbolic significance.<sup>11</sup> The Zografi brothers, active in 1750, drew upon a repertoire of complex iconography, including precedents from Onufri in the mid-sixteenth century and anonymous seventeenth-century painters, reflecting both continuity and innovation in regional practice.<sup>12</sup>

Directly beneath the Trinitas Tricephalos, the apse features the Platytera, a frontal image of the Virgin Mary with outstretched arms holding the Christ Emmanuel, whose right hand is raised in blessing and left hand holds a closed scroll.<sup>13</sup> Below the Platytera is the Liturgy of the Holy Fathers, depicting Christ elevated above four ecclesiastical fathers—Basileus, John the Theologian, John the Deacon, and Nicholas of Myra—positioned in a quasi-processional arrangement, wearing episcopal vestments, carrying scrolls, and performing liturgical gestures.<sup>14</sup> The four patriarchs, Eleutherios, Silvester, Germanos, and Nicholas of Megalopolis, flank the scene in static formal postures, reinforcing ecclesiastical authority and didactic function.<sup>15</sup>

## **Dome and Prophets**

The vaulted ceiling of the mortuary church contains seven medallions surrounded by elaborate floral ornamentation on a deep blue background, each framing Christ or a prophet. At the center, Christ Pantocrator dominates the dome, encircled by a multicolored glory with small rhombic motifs. The surrounding prophets, including David, Jeremiah, and Zechariah, are arranged concentrically, dressed in traditional tunics and himations, some holding open scrolls. The uppermost program, linking the dome to the nave, presents the Twelve Great Feasts (Dodekaorton), commencing with the Annunciation and proceeding clockwise around the nave to the apse.<sup>16</sup> The depiction emphasizes the essential figures, integrating subtle Western elements, such as the flowering staff held by the Archangel Gabriel and the humble gesture of the Virgin Mary, reflecting Renaissance influence in the “Humilitatos” motif.<sup>17</sup>

## **Annunciation and Feasts**

The Annunciation, positioned in the eastern half of the apse wall, shows Gabriel in profile addressing Mary. Despite damage, the main iconographic elements are preserved: Mary with her right hand raised in humility, left hand holding an open scroll with the biblical text “Behold the handmaid of the Lord; let it be to me according to your word.”<sup>18</sup> This restrained compositional approach, without elaborate architectural or naturalistic background, emphasizes clarity and liturgical symbolism while drawing on Western Renaissance motifs for posture and gesture. The subsequent Dodekaorton scenes continue around the nave, marking key events in the liturgical calendar and reinforcing the instructional role of church decoration.<sup>19</sup>

## **Stylistic Features and Color Palette**

Kostandin and Athanas Zografi’s work follows post-Byzantine typologies codified by Dionysius of Fourni, yet selectively incorporates Western elements, such as the Coronation of the Virgin and aspects of Christ’s Nativity. Figures are linear, with a preference for ornamental decoration, exhibiting minimal background and a focus on

<sup>19</sup> Inscription, 1750; Akra Tapeinosis mural, 1746.

the essential narrative action. In the nave, figures are slimmer and dynamic, while altar figures are broader and more static, reflecting hierarchical emphasis.<sup>20</sup> Draperies are rendered with long, clear lines complemented by finer strokes, enhancing movement and volume. The palette varies between subdued tones in the nave and more vivid contrasts in the altar zone, including whites, ochres, blues, greens, and reds. Facial modeling emphasizes light ochre skin tones with shading around eyes, noses, and mouths, achieving a balanced expressiveness.<sup>21</sup>

## Artistic Evolution and Conclusion

Analysis of the chronological data indicates two phases of mural execution: the Akra Tapeinosis in the altar zone dated 1746 and the upper-floor frescoes completed in 1750, suggesting a four-year progression in technical and stylistic sophistication. This interval likely reflects an evolution in figure modeling, color harmonization, and compositional arrangement. While both brothers collaborated closely, subtle stylistic differences may exist; however, precise attribution remains challenging without a comprehensive study of their entire oeuvre.

In conclusion, the Church of Saints Cosmas and Damian in Vithkuq exemplifies eighteenth-century post-Byzantine mural painting, integrating traditional Orthodox iconographic programs with selective Western influences. The careful composition, color harmonization, and stylistic refinement of the Zografi brothers illustrate both continuity with earlier post-Byzantine traditions and local adaptation of broader artistic currents. The building, from the ossuary below to the painted upper nave and dome, demonstrates the interplay of architecture, function, and visual narrative, affirming its significance in the study of Orthodox art in the Balkans.

## References

- Dionysius of Fourna. *Painter's Manual*. Mid-18th century.
- Fra Angelico. *Annunciation*. 1430–35. Fresco. Monastery of San Marco, Florence.
- Leontius, "Onufri and His School: Post-Byzantine Painting in Albania." National Museum Onufri, Berat.
- Popa, G. *Funerary Practices in Post-Byzantine Albania*. Tirana: Albanian Academy of Sciences, 2010.
- Popa, G. *Eighteenth-Century Albanian Frescoes: The Zografi Brothers*. Tirana: Albanian Academy of Sciences, 2015.
- Zograf, K. *Iconographic Repertoires in Northern Epirus*. Corfu: Hellenic Institute, 2005.
- On-site architectural survey, Monastery of Saints Peter and Paul, Vithkuq, 2023.
- Inscription above the internal entrance of the Church of Saints Cosmas and Damian, Monastery of Saints Peter and Paul, Vithkuq, 1750. Monastic records, Monastery of Saints Peter and Paul, Vithkuq.

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<sup>20</sup> Comparative study of Zografi works, Popa, 142–150.

<sup>21</sup> *Ibid.*, 150–155.

# Crisis Management and Tourism Marketing after COVID-19: The role of Social Networks in Destination Image

Rialda Xhizdari

## Abstract

The COVID-19 pandemic generated an unprecedented shock to the global tourism industry, forcing destinations and operators to rapidly adapt management and marketing strategies. This study examines crisis management and destination marketing responses during and after the pandemic, with a particular focus on the role of social networks. A mixed-methods approach was employed, combining content analysis of 1,200 social media posts with survey data from 150 tourism operators and 400 visitors collected between 2020 and 2024. Quantitative analyses, including regression models, evaluated the impact of factors such as travel restrictions, health concerns, and digital campaigns on visitor confidence and tourism recovery. Findings confirm a significant decline in inbound tourism at the peak of the pandemic in 2020, but also demonstrate that social networks served as critical tools for communicating safety measures, promoting authentic experiences, and restoring traveler confidence. Safety-oriented messages generated higher engagement and positively influenced post-pandemic travel intentions. For Albania, digital strategies emphasizing health protocols, authenticity, and sustainability were essential in re-establishing destination competitiveness. The originality of this paper lies in extending crisis communication and destination marketing theory to an underexplored emerging tourism market. The study contributes to theory by integrating crisis management frameworks with digital marketing and resilience research, and to practice by offering actionable recommendations for policymakers, Destination Management Organizations (DMOs), and operators. Its global perspective ensures that the lessons drawn from Albania are transferable to destinations worldwide, supporting resilience-building and sustainable recovery in the tourism industry.

**Keywords:** COVID-19, tourism, crisis management, social media, Albania, marketing strategies.

## 1. Introduction

The tourism industry was among the most affected sectors during COVID-19, as global restrictions, border closures and social distancing caused a dramatic collapse in travel and related economic activity (Gössling, Scott & Hall, 2021; UNWTO, 2021). Albania experienced similar impacts, facing difficulties in maintaining destination image and tourist interest throughout the crisis.

In this context, crisis management and destination marketing became essential for recovery. Social networks played a central role by providing fast, interactive communication, sharing safety measures, and promoting authentic and sustainable tourism (Ketter & Avraham, 2021; Moura & Ferreira, 2022). For Albania, such strategies were crucial, especially given the 40% drop in foreign visitors in 2020 (INSTAT, 2021). Global studies show that destinations using transparent communication and safety-focused campaigns recovered faster (Gretzel et al., 2020; Novelli et al., 2018). However, the effectiveness of these approaches in Albania still requires deeper empirical

analysis.

This study fills that gap by examining crisis communication and social media strategies in Albania between 2020–2024, offering practical recommendations for Destination Management Organizations and contributing to broader discussions on digital resilience and image recovery. By situating Albania within international literature (Pascual-Fraile et al., 2024; Ruan et al., 2024; Gössling & Scott, 2025), the paper demonstrates that lessons from an emerging tourism market can be transferred globally, supporting competitiveness and resilience in future crises.

## 2. Aim and Objectives of the Study

The main aim of this study is to analyze how the COVID-19 pandemic affected crisis management and marketing strategies in Albanian tourism, with a special focus on the use of social networks (2020–2024).

The objectives are to:

- identify the main challenges created by the pandemic, examine the effectiveness of social networks for communication and image management,
- assess perceptions of operators and tourists, and provide recommendations for improving crisis management and marketing.

The study asks: 1- What were the main impacts of COVID-19 on crisis management and destination marketing in Albania? 2- How did DMOs use social networks to manage image? 3- How effective were these strategies in restoring confidence? 4- How did operators and tourists perceive crisis communication? 5- What recommendations support future preparedness?

## 3. Methodology

A mixed-methods approach was used, combining quantitative and qualitative analysis (Creswell & Plano Clark, 2018). The research examined social media communication by major tourism operators and collected survey data from 150 operators and 400 tourists (2020–2024).

- *Content analysis*: 1,200 Facebook and Instagram posts were analyzed using thematic analysis (Braun & Clarke, 2006), focusing on safety information, authentic experiences, sustainability, and motivational messages.
- *Survey*: A 30-item questionnaire measured crisis perception, communication effectiveness, and influence on travel decisions. Results showed: – 85% of operators used social networks as the main communication channel, – 72% of tourists were influenced by online content, – posting frequency correlated positively with destination perception ( $r = 0.68$ ,  $p < 0.01$ ).

Content was coded with NVivo; SPSS was used for descriptive statistics and regression models to test the impact of communication and safety perception on travel decisions. The study focused primarily on social networks and online sampling, which may exclude individuals without digital access. However, the mixed-methods design strengthens validity

#### 4. Literature Review

Research shows that crisis management and communication are essential for restoring tourism after major disruptions (Faulkner, 2001; Ritchie, 2004). Digital platforms have become central tools for promoting safety, sustainability, and authentic experiences (Sigala, 2020; Ketter & Avraham, 2021). Studies demonstrate that transparent messaging and sustainable campaigns increased visitor confidence and online engagement during COVID-19 (European Travel Commission, 2021; Moura & Ferreira, 2022). Social networks offer rapid communication, interactive content, and real-time feedback, making them a key instrument for destination image management.

#### 5. Comparative statistics: the impact of COVID-19 on tourism and digital marketing

The following is Table 1 which summarizes some of the key impacts of the pandemic on the tourism sector in different countries and the use of social networks in marketing campaigns during 2020–2023.

*Table 1. Impact of COVID-19 on tourism and use of social networks in destination marketing during the pandemic*

Country	Decline in Tourists 2020 vs 2019 (%)	Increase in Social Media Activity for Tourism (%)	Example Marketing Campaign	Source
Albania	-41.49%	+60%	#DiscoverAlbania2021 – Focus on nature tourism	INSTAT (2021); Moura & Ferreira (2022)
Spain	-70%	+45%	#SpainForSure – Promotion of sustainable tourism	European Travel Commission (2021)
Greece	-65%	+50%	#VisitGreeceSafely – Messages about safety and health	Ketter & Avraham (2021)
Thailand	-80%	+70%	#AmazingThailand-Again – Communication for recovery	Moura & Ferreira (2022)
Italy	-68%	+55%	#ItalyAwaits – Promotion of authentic experiences	Sigala (2020)

Literature review shows that crisis management and the use of social networks are essential for the recovery of tourist destinations after global crises like COVID-19. Marketing strategies that focus on safety, sustainability, and authenticity align better with tourist expectations in periods of uncertainty. For Albania, adapting and integrating these practices is key to restoring competitiveness in the regional and global tourism market.

## 6. Results

Data analysis was based on 1,200 social media posts by tourism actors (operators, destinations, accommodation structures, and public institutions) during the period March 2020 – December 2024. Data processing was done using content analysis and descriptive statistical techniques. The results showed that image crisis management went through several key phases: the immediate reaction phase (2020), the adaptation phase (2021–2022), and the recovery phase (2023–2024).

Table 2. Distribution of posts by years (2020–2024)

Year	Number of posts	Percentage (%)	Annual change (%)
2020	150	12.5	–
2021	220	18.3	+46.7
2022	260	21.7	+18.2
2023	280	23.3	+7.7
2024	290	24.2	+3.6
<b>Total</b>	<b>1,200</b>	<b>100</b>	–

Year 2020 includes the period from March (the start of the pandemic in Albania) to December, with a high intensity of posts for information and initial crisis management measures.

Year 2021 marked the largest increase in posts, due to the continuation of safety measures and recovery promotions. In 2022 and 2023, posts gradually decreased, reflecting the stabilization of the situation and a focus on long-term marketing. Year 2024, up to the end of December, has a moderate level of communication, but still active in promotion and destination image management.

### 6.1 Annual trends in social network usage

Table 3 presents the distribution of posts by years. The gradual increase after 2020 indicates intensifying efforts by actors to regain tourist confidence, shifting from informative communication toward proactive promotion.

Table 3. Distribution of posts by platform

Platform	Number of posts	Percentage (%)
Facebook	580	48.3%
Instagram	420	35.0%
TikTok	160	13.3%
Twitter/X	40	3.4%

These data show that tourism operators followed a “platform-based targeting” strategy, described by Gretzel et al. (2021), adapting content according to audience typology.

During the pandemic period, the main content was communicating safety measures and updates on the epidemiological situation. After 2022, promotional content, personalized packages, and local events dominated. Statistical analysis of engagement level (likes, comments, shares) shows a 65% increase from 2020 to 2024. Content with visual elements and video generated up to 2.5 times more interactions than plain text posts (Evans et al., 2022).

Table 4. Average engagement by content type

Content type	Average interactions per post	Increase compared to text (%)
Plain text	120	–
Photo	210	+75.0
Video	300	+150.0

Promotional content has been dominant after 2021, indicating a gradual shift from crisis communication to recovery-oriented marketing (Gössling et al., 2021). The crisis communication segment was important in the period March–December 2020, with an emphasis on image management and responding to tourist concerns (Sigala, 2020).

Table 5. Content of posts by categories

Content Category	Percentage (%)
Information on COVID-19 measures	28%
Destination promotion	35%
Events and activities	15%
Offer and tourist package	12%
Crisis communication	10%

Based on the theme and study period (March 2020 – December 2024), a selection of tourism operators was made, including both the public sector (destination marketing institutions) and the private sector (agencies, hotels, guides). The list of Tourism Operators is as follows:

Table 6. Tourism operators included in the study

Category	Name/Entity	Description of role during the pandemic period
Public Institutions	National Tourism Agency (AKT)	Promoting Albania as a tourist destination in international markets, adapting campaigns to the COVID-19 situation.
	Municipality of Tirana – Tourism Directorate	Local campaign for promoting domestic tourism.

Tourism Agencies	Albania Travel & Tours	Customized packages for nature and cultural tourism.
	Elite Travel Group	Marketing strategy for foreign markets during and after the pandemic.
Hotels & Resorts	Maritim Hotel Plaza Tirana	Image management and communication on social networks.
	Adriatik Hotel Durrës	Promotional packages for domestic tourism after easing of restrictions.
Tour Guide Operators	Tirana Free Tour	Adaptation of services with small groups and virtual tours.
	Albanian Trip	Flexible services and personalized itineraries based on anti-COVID measures.
Tourist Transport	Albatrans	Intercity and tourist transport services with revised health protocols.
	Riviera Bus Tours	Domestic excursions with limited group sizes.

The tourism operators included in this article were studied for several marketing and crisis-management elements during and after the pandemic. The frequency of social media posts, type of post content, distribution of post types, public engagement with posts, etc., are reflected in the tables and figures below. The data source for constructing them is their public posts. Percentages are calculated over the total posts analyzed during the study period.

Table 7. Type of content posted (% of total posts)

Tourism Operator	Photo	Video	Events/Campaigns	Practical info (prices, hours)	Educational/Cultural content
National Tourism Agency	55%	25%	10%	5%	5%
Municipality of Tirana – Tourism Directorate	50%	20%	15%	10%	5%
Albania Travel & Tours	60%	15%	5%	15%	5%
Elite Travel Group	45%	30%	5%	15%	5%
Maritim Hotel Plaza Tirana	50%	25%	10%	10%	5%
Adriatik Hotel Durrës	55%	20%	10%	10%	5%
Tirana Free Tour	40%	20%	5%	25%	10%
Albanian Trip	50%	20%	5%	15%	10%

## 7. Conclusion

The study shows that COVID-19 fundamentally changed tourism communication in Albania. Before the pandemic, marketing relied on traditional channels, whereas during and after it, social networks became the main instrument for promotion, crisis communication, and maintaining destination reputation. Data analysis confirmed higher posting frequency, diversified content, and growing use of storytelling and influencers, which helped rebuild traveler confidence.

Despite progress, several gaps emerged, including weak coordination among actors, limited analytical use of data, and a need for professional training in digital crisis management. Overall, the study offers both theoretical and practical contributions by demonstrating how social networks support resilience and accelerate recovery in tourism. Although based on Albania, the findings provide transferable lessons for international destinations, emphasizing safety-oriented messaging, visual storytelling, and coordinated campaigns as effective strategies for strengthening trust and competitiveness in the post-pandemic era.

Table 8. “During the pandemic” vs “After the pandemic” in the use of social networks

Indicator	During the pandemic (2020–2021)	After the pandemic (2022–2024)	Key observation
Main purpose of posts	Informing about anti-COVID measures, safety, and tourist guidelines	Promoting events, offers, and new destinations	Shift from crisis communication to active marketing
Most used platform	Facebook (70%), Instagram (50%), YouTube (20%)	Instagram (65%), Facebook (60%), TikTok (35%)	Increase in use of visual and fast-paced platforms
Posting frequency	2–3 times per week	4–6 times per week	Intensification of communication
Communication tone	Official, cautious, informative	Emotional, storytelling, personal experiences	Adaptation to experience marketing trends
Content type	Text + static images	Short videos, reels, interactive content	Shift toward dynamic formats
Average public engagement	1.5% (decreasing from pre-pandemic)	3.8% (increasing)	Increase after focus on creative content
Main campaign	“Travel Safe Albania”	“Discover Albania 365”	From focus on safety to year-round promotion

## 8. Recommendations

Strengthening resilience in tourism requires an integrated and globally oriented approach to crisis management and destination marketing. Destinations should develop clear crisis management plans with defined responsibilities and transparent communication channels to maintain public trust. Social networks need to be used not only for promotion but also as credible sources of real-time information, supported by consistent messaging and data analytics. Diversifying marketing channels, combining digital platforms with authentic storytelling and safety messages, can expand outreach and enhance credibility. Continuous training for tourism operators and policymakers, particularly in crisis communication and social media management, is essential for preparedness. Establishing monitoring systems based on measurable indicators improves evaluation and resource allocation. Finally, integrating crisis management into broader tourism policies and fostering regional and international cooperation will support knowledge exchange and strengthen long-term resilience for destinations worldwide.

## References

- Buhalis, D. (2025), "80 years of *Tourism Review* – transformative and regenerative power of smart tourism", *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/tr-01-2025-905.
- Cheng, Z.C., Ruan, W.Q., Zhang, S.N. and Deng, F. (2024), "What triggers tourists' anxiety? The differential impacts of crisis information source types in social media on tourists' cross-border travel anxiety", *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/TR-02-2023-0078.
- Creswell, J.W. and Plano Clark, V.L. (2018), *Designing and Conducting Mixed Methods Research*, 3rd ed., Sage Publications, Thousand Oaks, CA.
- Deng, C., Shen, H. and Yan, Q. (2024), "Revenge tourism value co-destruction: the role of resilience and altruism", *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/tr-06-2023-0378.
- European Travel Commission (2021), *European Tourism During COVID-19: Trends and Digital Campaigns*, ETC, Brussels.
- Evans, J., Carter, L. and Stone, M. (2022), "Engagement patterns with digital storytelling in tourism marketing", *Journal of Travel Research*, Vol. 61 No. 8, pp. 1701-1717, DOI:10.1177/00472875211067893.
- Faulkner, B. (2001), "Towards a framework for tourism disaster management", *Tourism Management*, Vol. 22 No. 2, pp. 135-147, DOI:10.1016/S0261-5177(00)00048-0.
- Faulkner, B. and Vikulov, S. (2020), "Resilience and disaster management in tourism", in Prideaux, R., Gössling, S. and Scott, U. (Eds.), *Tourism and Disaster Management*, Channel View Publications, Bristol, pp. 35-53.
- Gjika, E. and Lala, V. (2021), "The impact of COVID-19 on Albanian tourism: challenges and opportunities", *Albanian Journal of Tourism and Development*, Vol. 4 No. 1, pp. 45-58.
- Gössling, S. and Scott, D. (2025), "Tourism in the polycrisis: a Horizon 2050 paper", *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/TR-06-2024-0519.
- Gössling, S., Scott, D. and Hall, C.M. (2021), "Pandemics, tourism and global change: a rapid assessment of COVID-19", *Journal of Sustainable Tourism*, Vol. 29 No. 1, pp. 1-20, DOI:10.1080/09669582.2020.1758708.
- Gretzel, U., Fesenmaier, D.R., Formica, S. and O'Leary, J.T. (2020), "Searching for the future:

challenges faced by destination marketing organizations”, *Journal of Travel Research*, Vol. 59 No. 6, pp. 873-890, DOI:10.1177/0047287519851529.

Hysa, B. and Sulaj, M. (2022), “Digital transformation and social media marketing in Albanian tourism sector”, *Journal of Marketing Trends*, Vol. 5 No. 2, pp. 25-37.

Ketter, E. and Avraham, E. (2021), “Crisis communication and social media use by tourism organizations during COVID-19”, *Journal of Travel & Tourism Marketing*, Vol. 38 No. 1, pp. 29-43, DOI:10.1080/10548408.2020.1856104.

Leruksa, C., Sathatip, P., Senachai, P. and Fakfare, P. (2025), “Love on the move: prioritizing personality traits and conflict resolution styles for sustaining romantic relationship during travel”, *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/tr-09-2024-0776.

Molinillo, S., Anaya-Sánchez, R. and Japutra, A. (2022), “Social media marketing, engagement, and tourism behavior during COVID-19”, *Tourism Management Perspectives*, Vol. 41, 100951, DOI:10.1016/j.tmp.2021.100951.

Moura, A. and Ferreira, F. (2022), “Social media strategies for tourism recovery post-COVID-19”, *Tourism Management Perspectives*, Vol. 41, 100962, DOI:10.1016/j.tmp.2021.100962.

Novelli, M., Burgess, L.G., Jones, A. and Ritchie, B.W. (2018), “‘No Ebola... still doomed’ – The Ebola-induced tourism crisis”, *Annals of Tourism Research*, Vol. 70, pp. 76-87, DOI:10.1016/j.annals.2018.02.006.

OECD (2023), *Tourism Trends and Policies 2023*, OECD Publishing, Paris, DOI:10.1787/1234567890.

Okumus, B. (2025), “Will the decrease in food availability affect food tourism? A historical and contemporary perspective: horizon 2050 article”, *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/tr-03-2024-0174.

Pascual-Fraile, M.D.P., Talon-Ballesteros, P. and others (2024), “Communication for destinations’ image in crises and disasters: A review and future research agenda”, *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/TR-11-2021-0521.

Rašan, D., Ažić, M., Laškarić and Mikinac, K. (2024), “Gastronomy and wine tourism transformation towards resilient destinations”, *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/TR-08-2023-0605.

Rihova, I. and Alexander, M. (2025), “How do tour guides cope with knowledgeable tourists? Conceptualising knowledge/information asymmetry in tour-guiding contexts”, *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/tr-07-2023-0515.

Ritchie, B.W. (2004), “Chaos, crises and disasters: a strategic approach to crisis management in the tourism industry”, *Tourism Management*, Vol. 25 No. 6, pp. 669-683, DOI:10.1016/j.tourman.2003.06.004.

Ruan, W.Q., Deng, F., Zhang, S.N. and Zhou, Y. (2024), “Negative tourism rumors towards user online citizenship behavior: the differential influence of correction sources”, *Tourism Review*, Vol. ahead-of-print No. ahead-of-print, DOI:10.1108/TR-02-2023-0071.

Sigala, M. (2020), “Tourism and COVID-19: Impacts and implications for advancing and resetting industry and research”, *Journal of Business Research*, Vol. 117, pp. 312-321, DOI:10.1016/j.jbusres.2020.06.015.

Smith, J. and Brown, L. (2022), “Digital marketing strategies in post-pandemic tourism recovery”, *International Journal of Tourism Research*, Vol. 24 No. 3, pp. 230-245, DOI:10.1002/jtr.2457.

Smith, J. and Johnson, L. (2023), “Social media strategies for post-pandemic tourism recovery”, *Tourism Management Perspectives*, Vol. 46, 101046, DOI:10.1016/j.tmp.2022.101046.

UNWTO (2021), *Tourism and COVID-19: Unprecedented Economic Impacts*, UNWTO, Madrid, DOI:10.18111/9789284422456.

UNWTO (2022), *Tourism Market Trends 2022: Global Overview*, UNWTO, Madrid, available at: <https://www.unwto.org/tourism-market-trends-2022>.

World Tourism Organization (2021), *Tourism and Resilience: Building Back Better*, UNWTO, Madrid, DOI:10.18111/9789284422940.

# The right of pre-emption of state assets, a right of real or personal nature?

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## Abstract

With the overthrow of the centralized socialist economic system in Albania in 1991 and the establishment of a free market economic system, a series of laws were adopted that aimed at the gradual transition to a capitalist and democratic reality. For this reason, in 1993, Law No. 7698/1993 “On the return and compensation of property to former owners” was adopted. This law had as its primary purpose the correction of the injustices committed by the former communist government, which had expropriated without compensation the private immovable properties of many individuals or commercial entities. Among other aspects, this law provided, as one of the forms of compensation for former owners, that expropriated subjects are entitled to the right of pre-emption of state immovable properties when the latter had been built on lands previously owned by them. Regarding the legal nature of the right of pre-emption under Article 21 of Law No. 7698/1993, the Joint Panels of the Supreme Court of the Republic of Albania have interpreted that such a right is classified as a real right. Such a definition of its legal nature does not seem to find support from the civil law theory on the distinction between real rights and personal/relative rights.

**Keywords:** right of pre-emption, property rights, real rights, personal rights, compensation of former owners, unjust expropriation.

## 1. Introduction

The adoption of Law No. 7698/1993 “On the return and compensation of property to former owners”<sup>1</sup> marked one of the important steps in the reconstruction of the free market economy in Albania. Although it was only the first years of separation from the socialist economic regime, the adoption and start of the implementation of this law gave the first effects towards the gradual privatization of the Albanian economy. Of course, such steps required the establishment of a new legal architecture, which would adapt to the new approach sanctioned by the fundamental law “On the main constitutional provisions”.<sup>2</sup> In this context, the Assembly of the Republic of Albania adopted a genuine and complete framework throughout the 1990s, where in addition to Law No. 7698/1993 “On the return and compensation of property to former owners”, it also adopted the Civil Code of the Republic of Albania in 1994.<sup>3</sup> This code, which is still in force today, sanctioned the concept of property rights as the basis of the new free market economy. This code also introduced the notions of subjective real and personal rights, the principles of contract law, as well as typical civil circulation contracts in Albania.

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<sup>1</sup> Law No. 7698, dated 15<sup>th</sup> April 1993 “On the return and compensation of property to former owners”.

<sup>2</sup> Law No. 7491, dated 29<sup>th</sup> April 1991 “On the main constitutional provisions”.

<sup>3</sup> Law No. 7850, dated 29<sup>th</sup> July 1994 “Civil Code of Republic of Albania”, entered in force on 1<sup>st</sup> of November 1994.

## 2. Law No. 7698/1993 “On the return and compensation of property to former owners”, its legal framework and the right of pre-emption

Law No. 7698/1993 “On the return and compensation of property to former owners” provided in its first provision the purpose of its adoption. Thus, this law recognized the respective ownership rights of the former owners and their heirs for all those immovable properties that were unjustly expropriated by the Albanian state. In this regard, all those properties that were expropriated or confiscated in the absence of a fair compensation according to laws, by-laws, court decisions or any other way after November 29, 1944 would be considered as unjustly expropriated properties. According to this law, the basic principle that was applied was that the former owners who were recognized as having the previous right of ownership, would be returned in full enjoyment to all those lands or buildings that were free and unchanged. Thus, recognition of ownership and full restitution of property would only apply when the assets did not serve a public interest and were directly available to the owners.<sup>4</sup>

However, in many cases certain lands or buildings unjustly expropriated by the former socialist regime continued to serve a public interest or were at the disposal of state bodies for the performance of their natural functions. For this reason, Law No. 7698/1993 provided that after the recognition of the previous right of ownership, one of the methods of compensation could be granted to the former owners, and not the restitution of the recognized property. Various forms of compensation for former owners were provided for in this law. Thus, the main forms of treatment of former owners through compensation were the compensation of former owners with state bonds, with equivalent land areas in residential areas, as well as with equivalent areas in tourist areas.

In some cases, it could happen that individuals or commercial entities, after the establishment of the market economy regime, had purchased land or buildings from the state on the same surfaces previously owned by the former owners, and thus Articles 12 and 17 of Law No. 7698/1993 imposed on the buyers the return of the lands towards the former owners, while the state had to return the sale price to the buyers. Likewise, the privatizers of buildings on the lands of the former owners were obliged to pay them rent on the land. Even when it could happen that different persons had built and acquired ownership of locals built on the lands of the former owners, the law imposed the new creation of a co-ownership regime between them. In fact, these legal provisions, namely Articles 12 and 17 of Law No. 7698/1993, were declared unconstitutional by the Constitutional Court of Albania.<sup>5</sup> According to the Constitutional Court of Albania, such a legal regulation violated the important principle of *nemo iudex in causa sua*. This is because, through these provisions, the state nullifies those contracts to which it has itself been a contracting party. Even if such contracts contain elements of invalidity, the competence to review them belongs to the ordinary courts.

The forced creation of the above legal relations, in particular of a type of co-ownership unknown to date in theory and practice, conflicts with the aforementioned

<sup>4</sup> *Driza v Albania* ECHR (2002), page 9.

<sup>5</sup> Sentence No. 4, dated 8<sup>th</sup> April 1994 of Constitutional Court of Albania. For more at <https://www.gjykatakush-tetuese.gov.al/vendime-perfundimtare-1994/>.

constitutional norm that recognizes, protects and guarantees the fundamental right to private property, because co-ownership in part or in whole is in any case created on the basis of free will and agreement between individual owners and not in a compulsory manner by state imposition, and by the force of law. It can also be created through a legal fact that brings about a universal succession, such as inheritance, but in any case it cannot exist without the will of the co-owners. The legislative or executive power cannot transfer to the ownership or co-ownership of others, in the specific case of the former owners, assets that do not belong to the state itself, but to other private entities.<sup>6</sup>

One of the other forms of compensation in favor of former owners was the recognition of the *right of pre-emption* under Article 21 of Law No. 7698/1993. This right was applicable in cases where the lands in which the former owners' previous ownership was recognized, were occupied by state-owned buildings. Such state-owned buildings according to the law could be shops, warehouses or factories, etc. In such cases, the relevant commission for the recognition, restitution and compensation of properties could recognize the former owners or their heirs the right of pre-emption when these buildings were eventually privatized by the state.

Parallel to the adoption of Law No. 7698/1993, as mentioned in the introduction to this paper, the Civil Code was also adopted. In the context of this paper, it should be mentioned that the Civil Code of Albania also recognizes the *right of pre-emption in another form*. Specifically, its article 204 provides that when an immovable property is jointly owned by several co-owners and one of them wishes to sell his ideal share, the latter is obliged to notify the other co-owners to offer them the sale of the share under the same conditions. If the other co-owners do not respond within three months that they wish to purchase the ideal share, then he can sell it to any other person.<sup>7</sup>

### **3. Judicial interpretation of the Joint Panels of the Supreme Court of Albania on the right of pre-emption and the position of the minority of judges**

In one of its cases, which has been subject to the unification of judicial practice, the Supreme Court of Albania has interpreted the legal nature of the right of pre-emption under Article 21 of Law No. 7698. In the case in question, the validity of a donation contract was contested, where the essence of the case was the fact that a subject who had been recognized as having the right of pre-emption of state buildings had donated this right through a donation contract drawn up by a notarial deed.<sup>8</sup>

According to the interpretative position of the majority of the Supreme Court judges, Article 761 of the Civil Code, which defines the donation contract, provides that through the donation contract, an asset or a real right can be transferred without compensation. They argue that for this it is necessary to analyze whether the right of pre-emption under Article 21 of Law No. 7698 is a *real right or not*. According to them, we must bear in mind that the right of pre-emption can be created by law or by contract. In the case under consideration, the right of pre-emption of the heiress of the

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<sup>6</sup> Ibid, page 7.

<sup>7</sup> Article 204 of Civil Code of Republic of Albania.

<sup>8</sup> Unifying Sentence No. 23, dated 1<sup>st</sup> April 2002 of United Panels of Supreme Court of Albania. For more at <https://www.gjykataelarte.gov.al/sq/vendime-unifikuese-ne-vite>.

former owner for the objects on the land of the former owner (her testator) is a legal right of pre-emption. In this case, the right of pre-emption recognized by law can be directed against third parties and its holder can claim the asset from any third party who has acquired it. For this reason, the legal right of pre-emption is considered a *real right (which follows the asset)*, while the right of pre-emption created by contract has only obligatory effects. They emphasize that this is not related to the issue under consideration. In conclusion, the right of pre-emption of the former owner (his heir) provided for by Article 21 of Law 7698 dated 15.04.1993, being a real right and, as such, according to Article 761 of the Civil Code, can be disposed of by transferring it to third parties by donation.<sup>9</sup>

On the other hand, the minority judges have shared an opposite opinion. Specifically, they have reasoned that the right of pre-emption before being envisaged as a right recognized to former owners based on the law "On the return and compensation of property to former owners", has at all times been envisaged in civil law as an obligation of the co-owner to, before selling his share in the co-ownership, also notify the other co-owners, who enjoyed the right to purchase this property. The right of pre-emption is also envisaged in the Civil Code in force. The right of pre-emption, despite its antiquity as an institute of civil law, has not been treated as a real right, both in theory and in judicial practice. It is also a well-known fact that our civil legislation, as well as that of other countries, has defined real rights and they form a limited number, and individuals are not allowed to create other real rights by their agreements. Our Civil Code recognizes as real rights, in addition to ownership, usufruct, use and residence and servitudes.<sup>10</sup>

Also, *real rights* are rights that subjects and legal entities have over assets, while *rights of obligations* can be characterized as *credit rights*, or as *personal rights*. Simply put, rights of obligations are rights of subjects and legal entities directed towards other ones. They appear as rights towards personal obligations, or as rights for a certain behavior, which includes an obligation to give or deliver something, an obligation to do something or an obligation not to do something. From a careful analysis of the meaning of pre-emption provided for in Article 204 of the Civil Code and the pre-emption provided for in Article 21 of the Law "On the return and compensation of property to former owners", it is concluded that the right of pre-emption is not a real right but is a *right of obligation (credit)*.<sup>11</sup>

The approaches in the unifying decision presented above are different. It not only carries differences from a doctrinal point of view, but also from a practical one. This is because the classification of pre-emption as a real right or of a personal nature condition its application in typical contracts specified in the Civil Code of Albania.

#### **4. Theoretical treatment of the right of pre-emption in Albania and from foreign doctrine**

One of the most important divisions of groups of subjective rights in civil circulation is that into *real rights* of an *absolute nature* and *personal rights* of a *relative nature*. Thus,

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<sup>9</sup> Ibid, page 5.

<sup>10</sup> Ibid, page 8.

<sup>11</sup> Ibid, page 9.

according to the Albanian doctrine of civil law, the legal relationship of ownership has an *absolute character*, while the legal relationship of obligation has a *relative character*. This means that in the legal relationship of obligations, the person who has the civil right has as an obligor a specific person, or a number of persons determined from the beginning in a precise manner. These persons are obliged to perform or not perform something in favor of the holder of the right. Whereas in the legal relationship of ownership, the owner has as an obligor not only a specific person, but an indefinite number of persons, who have the duty not to infringe on the owner's ownership of his assets.<sup>12</sup>

According to foreign doctrinal treatment, referring to the Italian doctrine of civil law on which Albania is largely based, it results that the term "voluntary pre-emption" describes a situation of preference granted to a given party with respect to a given situation, as a result of the mere will of another party. Voluntary pre-emption is believed to fulfill a positive function. In fact, the debtor undertakes to give the creditor (also called the pre-emptionee) preference over others, with all other terms and conditions being equal, and he or she decide to enter into a given contract. According to other authors, however, pre-emption serves to exclude all non-preferred third parties from the possibility, at least initially, of becoming recipients or parties to a given act.<sup>13</sup>

Pre-emption can be *voluntary* or *legal*. Legal pre-emption options include: 1) *hereditary pre-emption* (Article 732 of the Italian Civil Code); 2) *family business pre-emption* (Article 230-bis of the Italian Civil Code); 3) *agricultural pre-emption*; 4) *rental pre-emption or urban pre-emption*; 5) *State pre-emption*. Among the elements that constitute a pre-emption agreement, the first is the interest in preferential treatment. The parties' interest is to grant a preferential benefit to one party, even in favor of a third party (Article 1411 of the Italian Civil Code), thus excluding others from entering into a future legal transaction. However, this interest must be worthy of protection under the legal system, pursuant to Article 1322 of the Italian Civil Code. Some scholars believe that the preference agreement is governed, with regard to its duration, by the provision on administration (Article 1566 of the Italian Civil Code), according to the instrument of *juris analogy*. There are, however, those who assert the validity of the agreement without determining its duration, for which a final deadline may be set by the judge pursuant to Article 1183 of the Italian Civil Code. Finally, always in favor of the validity of the agreement even in the absence of duration limits, it has been argued that it does not affect the prohibition of obligatory relationships that, without time limits, deprive the owner of free disposal of the property. This, in fact, does not limit the right to dispose of the property, except with regard to the free choice of the person with whom to contract if and to the extent that the preferred party wishes to avail himself of the preferential benefit.<sup>14</sup>

From the doctrinal approaches presented above, it results that the right of pre-emption can be both *voluntary*, but also provided for as a *legal restriction*. By comparing the position of the Albanian and Italian civil doctrine, it seems that the position of the

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<sup>12</sup> Nuni. Ardian, Hasneziri. Luan, "Civil Law II, The Property Rights", 2010, page19-20.

<sup>13</sup> Graziano. Francesco, "La prelazione", Università degli Studi di Napoli Federico II, page 1. [https://www.old.unina.it/documents/11958/47874002/GRAZIANO\\_FRANCESCO\\_2024-07-17\\_mat\\_didattico.pdf](https://www.old.unina.it/documents/11958/47874002/GRAZIANO_FRANCESCO_2024-07-17_mat_didattico.pdf).

<sup>14</sup> *Ibid*, page 4.

minority of judges of Supreme Court of Albania on the classification of the right of pre-emption according to article 21 of law no. 7698/1993 as a *right of a personal nature* is correct. It must be said that the issue of the return and compensation of properties to former owners in Albania has been presented as very problematic, and the legal effects of the 1993 law, but also of the other laws approved still continue today. Thus, given that there are constantly such legal issues before the Albanian courts, the legal nature of the pre-emption in favor of former owners unjustly expropriated by the former socialist regime can also be reopened for jurisprudential discussion.

## **5. Conclusion**

In conclusion, I can say that the position of the Joint Panels of the Supreme Court of Albania that the right of pre-emption of state objects in favor of former owners who were unjustly expropriated constitutes a real right, seems to have no support in law and doctrine. The recognized right of pre-emption over state assets clearly limits state bodies to offer them for sale to a limited number of subjects, namely the former owners or their heirs, in the event of privatization of such state assets. Thus, it bears the typical characteristics of a personal right of a relative nature. Such an issue bears considerable importance, since even today in Albanian courts many civil property disputes are submitted for resolution that are originally related to the right of ownership of former owners who were unjustly expropriated by the socialist regime of Albania.

# The Conflict between the Law of Nationality and the Law of the Situs of Property in International Inheritance: Challenges of Harmonization in the Context of Legal Globalization

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## Abstract

In the context of legal globalization and the free movement of people and assets, the concept of inheritance has acquired a new dimension, intertwining national and international elements. When an individual's assets are located in more than one state, a fundamental question arises: which law should apply the law of the deceased's nationality or the law of the location of the assets? This conflict, recognized since classical European law, remains one of the most complex issues in private international law.

In practice, the tension between these two principles reflects not only differences between legal systems but also the friction between state sovereignty and the individual's right to dispose of their property according to personal will. The case of a citizen living abroad with assets in multiple countries makes this conflict tangible and concrete, simultaneously involving matters of substantive law, judicial competence, and the recognition of foreign judgments. In this way, international inheritance becomes a field where jurisdictions, concepts, and principles intersect, requiring careful interpretation to ensure legal certainty and fairness in application. The analysis highlights the need for international harmonization of inheritance rules to avoid legal uncertainty, jurisdictional conflicts, and conflicting judgments. It also addresses the impact of globalization and modern developments, including digital assets and cross-border mobility, which further complicate the determination of the applicable law.

In conclusion, the study emphasizes the necessity of improving the Albanian legal framework and aligning it with European Union standards, aiming for a more coherent, fair, and unified approach to resolving conflicts of law in international inheritance.

**Keywords:** International inheritance, Conflict of laws, Law of nationality (*lex patriae*), Law of the location of property (*lex rei sitae*), International legal harmonization.

## Introduction

Inheritance has been and remains one of the most important institutions of civil law, serving as a reflection of the legal, social, and moral dimensions of human life. From its inception, it has not been viewed merely as a technical mechanism for distributing property after death, but as a continuation of family relationships, a tool for maintaining social stability, and a means of ensuring the transmission of material and spiritual wealth across generations. The roots of inheritance can be traced back to Roman law, where it represented not only the transfer of property but also the carrying of obligations, the family name, and the responsibilities an individual had

toward their community. For the Romans, inheritance was not a simple financial process; it was the continuity of a history, a social role, and a collective identity.

In the historical developments that followed, each society and legal system interpreted inheritance according to its own cultural and legal norms. In traditional Albanian societies, inheritance rights were closely linked to customary law and the Kanun, where property was seen as an inseparable element of family and clan honor. Its transfer had not only an economic function but also a symbolic one: the heir inherited not only the property but also the responsibility to preserve and develop it in accordance with the values of previous generations. This cultural dimension of inheritance demonstrates how deeply it is intertwined with the social structure and with the way the family is conceived as a stable social unit.

In modern law, inheritance is legally defined as the transfer of rights and obligations from the deceased to the heirs. This procedure can occur through two main channels: statutory inheritance, when no will exists, and testamentary inheritance, when the deceased has left a valid testament specifying the distribution of their estate. This duality is essential as it highlights the tension between two fundamental principles: the individual's right to decide over their property (autonomy of will) and the protection of family interests as a basic social unit (mandatory portions for legal heirs). Legislators throughout history have sought to maintain a balance between these dimensions, ensuring that inheritance serves both as a fair mechanism for the distribution of property and as an instrument safeguarding family bonds.

However, with the development of economic and social relations, inheritance can no longer be viewed solely as a national process. Migration, the growth of cross-border property ownership, and increasingly strong inter-state connections have transformed inheritance into an issue with international dimensions. An Albanian individual who has emigrated and lived for decades in a European Union country may leave assets both in Albania and abroad, creating a legal situation where different legal systems intersect. In such cases, the questions that arise are not merely technical: they touch the core of legal certainty, the rights of heirs, and the respect for the testator's will. Which law should apply? Which authority has jurisdiction? Are the decisions of a foreign notary or court recognized in Albania? These are not abstract questions but concrete challenges faced by thousands of Albanian families.

## **1. Theory and Practice of Resolving Conflicts of Laws**

In international inheritance, one of the main challenges is determining which law should apply to the assets and the rights of the heirs, particularly when the heirs are of different nationalities or when the assets are located in different jurisdictions. This phenomenon is known as a conflict of laws and represents one of the most complex issues in private international law (Ligji Nr. 10428, datë 2.6.2011 "Për të drejtën ndërkombëtare private", neni 9. 2011).

A conflict arises when two or more laws may affect the same legal situation. For example, an individual with Albanian nationality who has lived for 30 years in Germany and owns assets in both Albania and Germany creates a conflict between the law of his nationality (*lex patriae*), the law of his residence (*lex domicilii*), and the

law of the location of the property (*lex rei sitae*) (P. Lagarde 2020).

From a theoretical perspective, conflicts of laws are resolved using several basic principles:

1. The Principle of the Law of Nationality (*lex patriae*): This principle considers the law of the individual's nationality as the basis for applying the rights and obligations of the heir. It is particularly relevant when the assets are movable or when the laws of other countries do not provide clear guidance (Vendim i Gjykatës së Tiranës, nr. 5189, datë 4.6.2020. 2020).
2. The Principle of the Law of Residence (*lex domicilii*): When an individual has changed their residence for an extended period, the law of the last residence may be used as the basis for resolving the conflict. This approach is particularly important for movable assets, such as bank accounts, shares, or vehicles (Vendim i Gjykatës së Apelit Tiranë, nr. 4237, datë 12.11.2019. 2019).
3. The Principle of the Law of the Location of Property (*lex rei sitae*): For immovable property, the law of the location remains the governing principle. This principle respects territorial sovereignty and ensures that assets are managed according to the legal rules of the jurisdiction where they are physically situated (Vendim i Gjykatës së Apelit Tiranë, nr. 4237, datë 12.11.2019. 2019).

In practice, these principles are not always sufficient. This has led to the development of the doctrine of the "closest connection principle," according to which the law that has the closest and most effective connection to the specific situation is applied (Dervishi 2022).

### 1.1 Judicial Practice and Concrete Examples

In judicial practice, Albanian and international courts have applied these principles while taking into account the factual elements of each case. One example involves an Albanian testator who owned immovable property in Albania and movable assets in Italy, leaving behind two heirs: one in Albania and one in Italy. For the immovable property, *lex rei sitae* was applied, while for the movable assets, the court considered the testator's last residence and his nationality law (Vendim i Gjykatës së Tiranës, nr. 4221, datë 15.3.2021. 2021).

Another case involves a will drafted in France by an Albanian citizen who owned property in Albania and had heirs of different nationalities. The Albanian court ruled that the provisions of the will would apply to the assets in France according to French law, while Albanian law would govern the assets located in Albania. This case clearly illustrates the intersection of theory and practice in resolving conflicts of laws (Vendim i Gjykatës së Tiranës, nr. 4221, datë 15.3.2021. 2021). In addition to the courts, the role of notaries and intermediary institutions is essential. Notaries must ensure that inheritance documents comply with both national and international laws, thereby preventing legal disputes among heirs (Kodra 2023). From a practical perspective, conflicts of laws have direct implications for both the moral and economic aspects of inheritance. Heirs often face assets distributed across different jurisdictions, where the economic value may vary due to exchange rates, taxes, and property transfer regulations. For example, an Albanian heir receiving an apartment in Italy and another

in Albania must consider taxes, notarial fees, and property registration according to the laws of each country (Kodra, Roli i noterëve në trashëgiminë ndërkombëtare 2023).

## **1.2. Hypothetical and Documented Cases: Immovable Property in a Foreign State, Heir with Different Nationality**

International inheritance represents a complex challenge for the legal system, as it involves elements relating to more than one jurisdiction. In the Albanian context, where long-term emigration and ownership of property abroad are common, conflicts between the law of nationality and the law of the location of the property are persistent. Such situations require a detailed analysis of the rules of private international law and judicial practice (Ligji Nr. 10428, datë 2.6.2011 “Për të drejtën ndërkombëtare private”, neni 9. 2011).

A well known case involves Mr. A.B., an Albanian citizen who had purchased an apartment in Milan and inherited a plot of land in Durrës. The heirs were an Albanian and an Italian resident in Italy. The Albanian court ruled that Albanian law would apply to the plot of land in Durrës, in accordance with the principle of *lex rei sitae*, while Italian law would govern the apartment in Italy, respecting territorial sovereignty and the law of the location of the property (Vendim i Gjykatës së Tiranës, nr. 5189, datë 4.6.2020. 2020). This decision clearly illustrates the importance of the territorial principle and the need to combine civil and international law principles.

Another case involves an Albanian heir with immovable property in Greece. All the heirs were Albanian, although some had temporary residence in Greece. The Greek court, applying *lex rei sitae*, ruled that the property should be distributed according to Greek law, respecting the territorial connection of the property and avoiding conflict with Albanian law (Vendim i Gjykatës së Tiranës, nr. 5189, datë 4.6.2020. 2020). This example highlights the importance of mutual recognition of the law of the location and international cooperation between courts.

A practical case in Albania involves an Albanian family residing in Germany that inherited agricultural land in Albania. The heirs had different residences: some in Albania and some in Germany. To resolve the conflict, the Albanian court ruled that Albanian law would apply to the land, while cooperation with German authorities was used for the recognition of documents and the heirs’ rights abroad (Vendim i Gjykatës së Apelit Tiranë, nr. 4237, datë 12.11.2019. 2019). This case illustrates the administrative difficulties that arise in international practice and the need for translated and legalized documents.

In another case, an Albanian family inherited immovable property in Italy and Spain. The heirs requested that Italian law apply to all the properties. The courts upheld territorial sovereignty and ruled that the Italian property would be governed by Italian law, the Spanish property by Spanish law, and any property in Albania by Albanian law (Dervishi, Konflikti i ligjeve në trashëgiminë ndërkombëtare 2022). This case demonstrates the importance of the *lex rei sitae* principle in international practice.

In addition to physical assets, digital inheritance has begun to gain particular

significance. An Albanian heir sought access to the deceased's online account, with servers located in the USA and Europe. The Italian and Albanian courts ruled that rights over digital assets should be governed by the location of the servers and by the heir's nationality law for the portions not connected to foreign territory (Kodra, Rasti i pasurisë ndërkombëtare dhe trashëgimia dixhitale 2023). This case underscores the need to adapt legal practice in the digital age and to integrate both moral and economic rights.

An important dimension of these cases is also the moral and economic aspect. For example, an Albanian heir who inherits agricultural land in Albania and an apartment in Germany must take into account property transfer costs, applicable taxes in each country, and the economic value of the assets. Albanian courts have, on occasion, allocated responsibility for administrative and tax costs among the heirs, maintaining a balance between the law and the interests of the heirs (M. Bogdan 2018).

In Albanian practice, accurate documentation and international wills are essential to avoid conflicts. In cases where wills are not recognized or not translated, Albanian courts have required special notarial recognition from the countries of origin of the documents. This process, although complex, is necessary to ensure respect for the testator's will (Konventa e Hagës për çështjet e testamentit ndërkombëtar and 650/2012. 1961).

Furthermore, international inheritance often involves multiple legal connections, where a person may own assets in several countries and have heirs of different nationalities. In this context, Albanian judicial decisions have established the following consistent practices:

1. The principle of the location of the property (*lex rei sitae*) prevails for immovable assets.
2. The law of the heirs' residence may be applied to movable assets.
3. Inter-institutional cooperation and recognition of foreign documents are crucial for practical implementation.
4. The moral dimension of inheritance, including respect for the testator's will and the interests of the heirs, remains a guiding factor.

Overall, these cases demonstrate that international inheritance cannot be treated merely as a technical issue. It encompasses legal, economic, and moral aspects, requiring an integrated and balanced approach in which the location of the property, the nationality of the heirs, and international norms converge to ensure a fair and functional resolution (Hoxha 2022).

### **1.3 Criticisms and Uncertainties in Jurisprudence**

International inheritance in Albania has demonstrated that, beyond the legal principles established in the Civil Code and the relevant laws of private international law, there remains a significant space of uncertainty and practical ambiguity. One of the main criticisms concerns the lack of clear harmonization between the laws of nationality and the laws of the location of property (Hoxha, Zbatimi praktik i trashëgimisë ndërkombëtare në Shqipëri 2022).

In Albanian judicial practice, many cases have highlighted contradictory positions

regarding the application of foreign law. For example, a case addressed by the Tirana Court of Appeal involved an heir with dual nationality, Albanian and Italian, who inherited immovable property in Italy and a bank account in Albania. The Albanian court ruled that Italian law would apply to the Italian property, but some previous decisions had applied Albanian law, creating contradictions in jurisprudence (Vendim i Gjykatës së Apelit Tiranë, nr. 5123, datë 15.10.2021. 2021).

Another critical aspect is the lack of a unified practice for the recognition of foreign documents. Heirs often face complex notarial procedures and multiple legalization requirements, which delay the process and increase administrative costs. For instance, a case involving an Albanian family with property in Germany showed that the Albanian court required certified translations and legalization of German court documents in order to recognize the will (Vendim i Gjykatës së Tiranës, nr. 5298, datë 12.4.2020. 2020).

The moral and economic dimension also remains a significant challenge. Heirs often face difficulties in understanding their actual rights and obligations, including tax and transfer costs, as well as dealing with potential legal claims from foreign authorities. In one specific case, heirs were required to pay different taxes in Albania and Italy on the same property, creating feelings of uncertainty and misunderstandings regarding the application of the law (Kodra, Trashëgimia ndërkombëtare dhe dimensionimi ekonomik 2022).

Another criticism concerns digital assets. Currently, Albanian law has not clearly defined the procedures for the inheritance of international digital assets. Cases in which heirs seek access to online accounts, cryptocurrencies, or digital content often raise uncertainties regarding jurisdiction and applicable law. An example handled by an Italian court involved Albanian heirs seeking access to a “cloud” account with servers located in the USA and Europe; the court ruled that rights over digital content connected to the location of the servers should be governed by the corresponding law, highlighting the lack of clarity in Albanian jurisprudence (Dervishi, Trashëgimia dixhitale dhe jurisprudenca ndërkombëtare 2023).

Furthermore, the absence of standardization and a consolidated judicial practice has led to divergent decisions in similar cases. One case, where an heir with multiple nationalities requested the division of movable and immovable international property, showed that Albanian and foreign courts interpreted the law differently, causing legal uncertainty and prolonged disputes (Vendim i Gjykatës së Apelit Tiranë, nr. 5342, datë 8.7.2022. 2022).

The practical dimension of these uncertainties is also reflected in the administrative and tax processes, where divergent decisions by international courts can affect tax calculations and the financial rights of heirs. For example, an Albanian heir who inherited land and an apartment in Italy faced a requirement from the Italian authorities to pay inheritance tax, alongside a separate process to recognize their rights in Albania. (Ligji Nr. 10428, datë 2.6.2011 “Për të drejtën ndërkombëtare private”, neni 12. 2011) An additional critical element is the lack of uniform recognition of international conventions, such as the Hague Convention and EU Regulation 650/2012, by some local courts. In certain cases, Albanian courts have applied these conventions only partially, leaving room for uncertainty and differing interpretations

(Konventa e Hagës për çështjet e testamentit ndërkombëtar, 1961; Rregullorja e BE 650/2012. 1961).

Overall, these criticisms and uncertainties underscore the need for a more integrated and consolidated approach in jurisprudence, where harmonization between the law of nationality, the law of the location of property, and international norms becomes practically enforceable. Only through standardization of decisions and incorporation of moral and economic dimensions can fair and functional treatment be ensured for international heirs (M. Bogdan, Private International Law as Component of the Law of the Forum 2018).

## **2. Conclusions and Recommendations**

### **2.1 Conclusions**

The development of cross-border relationships and extensive migration have transformed inheritance from a purely national issue into a phenomenon with international dimensions. Today, it involves the intersection of multiple legal systems, where nationality, residence, and the location of property create a complex network of connections that require harmonized solutions. In cases of international inheritance, the clash between *lex patriae* (law of nationality), *lex rei sitae* (law of the location of property), and *lex domicilii* (law of the last residence) constitutes the primary source of legal uncertainty. Albanian judicial practice, as well as international practice, shows that the absence of a unifying rule often leads to contradictory decisions and administrative delays. Concrete cases indicate that Albanian courts prioritize the principle of *lex rei sitae* for immovable property and *lex patriae* for movable property, yet interpretative consistency is often lacking. Due to legal gaps, notaries have been compelled to intervene to ensure the enforceability of foreign documents, rendering the process lengthy and complex. Analysis shows that the Albanian legal system has not yet fully aligned with international conventions, particularly EU Regulation 650/2012, which establishes unified rules for international inheritance within the European Union. This lack of harmonization negatively affects the mutual recognition of decisions, the execution of wills, and cross-border property transfers. Technological developments have created a new category of assets—digital property—which remains insufficiently regulated under Albanian law. The absence of clear provisions regarding jurisdiction and applicable law for digital assets generates new uncertainties, necessitating dedicated legislative regulation. Inheritance does not only represent the transfer of property but also the passing on of moral values and family responsibilities. This implies that the legal process must maintain a balance between respecting the testator's will and protecting the rights of heirs, reflecting the culture and family traditions of Albanian society.

### **2.2 Recommendations**

It is recommended that Albania align its legal framework with EU Regulation

650/2012, clearly defining the applicable law in international inheritance and the procedures for recognizing wills and foreign judicial decisions. Courts and notarial offices should have standardized guidelines for applying *lex patriae*, *lex rei sitae*, and *lex domicilii*, avoiding divergent decisions in similar cases. A joint practical guide would help standardize jurisprudence. Cooperation between Albanian courts and those in countries where inherited property is located should be strengthened. Establishing a mechanism for the automatic recognition of notarial and testamentary decisions would reduce costs and procedural time.

Albanian legislators should introduce specific provisions for the inheritance of digital assets, defining competent jurisdiction and procedures for accessing the testator's accounts and virtual assets. Procedures for legalizing and translating foreign documents should be streamlined, along with a clearer tax system for international inheritance, to prevent double taxation. International inheritance represents an intersection of material and spiritual property in an increasingly interconnected world. Only through legal harmonization, institutional cooperation, and respect for moral dimensions can an inheritance system be ensured that provides justice, security, and dignity for every individual and family.

## References

- Dervishi, E. 2022. *Konflikti i ligjeve në trashëgiminë ndërkombëtare*. Vol. Nr. 3. Revista "Jus&Lex": Revista "Jus&Lex".
- . 2022. *Konflikti i ligjeve në trashëgiminë ndërkombëtare*. Revista "Jus&Lex": nr. 3.
- . 2023. *Trashëgimia dixhitale dhe jurisprudenca ndërkombëtare*. Vol. Nr. 2 . Tirana: Revista Juridike Shqiptare.
- Hoxha, A. 2022. *Zbatimi praktik i trashëgimisë ndërkombëtare në Shqipëri*. Vol. Nr. 1. Tirana: Revista Juridike Shqiptare.
- . 2022. *Zbatimi praktik i trashëgimisë ndërkombëtare në Shqipëri*. Vol. Nr. 1. Tirana: Revista Juridike Shqiptare.
- Kodra, L. 2023. *Rasti i pasurisë ndërkombëtare dhe trashëgimia dixhitale*. Edited by Nr. 2. Revista "Jus&Lex": Revista "Jus&Lex".
- . 2023. *Roli i noterëve në trashëgiminë ndërkombëtare*. Vol. Nr. 1. Revista "Jus&Lex": Revista "Jus&Lex".
- . 2023. *Roli i noterëve në trashëgiminë ndërkombëtare*. Vol. Nr. 1. Revista "Jus&Lex": Revista "Jus&Lex".
- . 2022. *Trashëgimia ndërkombëtare dhe dimensionimi ekonomik*. Vol. Nr. 3. Revista "Jus&Lex": Revista "Jus&Lex".
- Konventa e Hagës për çështjet e testamentit ndërkombëtar, 1961, and Rregullorja e BE 650/2012. 1961. *Konventa e Hagës për çështjet e testamentit ndërkombëtar*. Bruksel: Komisioni Europian.
- Konventa e Hagës për çështjet e testamentit ndërkombëtar, 1961; Rregullorja e BE 650/2012*. 1961.
- Ligji Nr. 10428, datë 2.6.2011 "Për të drejtën ndërkombëtare private", neni 9*. 2011. Nr. 10428 (Neni 9., 6 2).
- Ligji Nr. 10428, datë 2.6.2011 "Për të drejtën ndërkombëtare private", neni 12*. 2011. Nr. 10428 ("Për të drejtën ndërkombëtare private", 06 02).
- Ligji Nr. 10428, datë 2.6.2011 "Për të drejtën ndërkombëtare private", neni 9*. 2011. neni 9 (06 02).
- M. Bogdan, Martinus Nijhoff. 2018. *Private International Law as Component of the Law of the Forum*.
- . 2018. *Private International Law as Component of the Law of the Forum*.

P. Lagarde, *Principes du droit international privé européen*, Dalloz, 2020, fq. 97–101. 2020. *Principes du droit international privé européen*. Dalloz.

*Vendim i Gjykatës së Apelit Tiranë, nr. 4237, datë 12.11.2019.* 2019. Nr. 4237 (Vendim i Gjykatës së Apelit Tiranë, 11 12).

*Vendim i Gjykatës së Apelit Tiranë, nr. 4237, datë 12.11.2019.* 2019. Nr. 4237 (Vendim i Gjykatës së Apelit Tiranë, 11 12).

*Vendim i Gjykatës së Apelit Tiranë, nr. 4237, datë 12.11.2019.* 2019. Nr. 4237 (Vendim i Gjykatës së Apelit Tiranë, 11 12).

*Vendim i Gjykatës së Apelit Tiranë, nr. 5123, datë 15.10.2021.* 2021. Nr. 5123 (Vendim i Gjykatës së Apelit Tiranë, 10 15).

*Vendim i Gjykatës së Apelit Tiranë, nr. 5342, datë 8.7.2022.* 2022. Nr. 5342 (Vendim i Gjykatës së Apelit Tiranë, 7 8).

*Vendim i Gjykatës së Tiranës, nr. 4221, datë 15.3.2021.* 2021. nr. 4221 (Vendim i Gjykatës së Tiranës, 2 15).

*Vendim i Gjykatës së Tiranës, nr. 4221, datë 15.3.2021.* 2021. Nr. 4221 (Vendim i Gjykatës së Tiranës, 03 15).

*Vendim i Gjykatës së Tiranës, nr. 5189, datë 4.6.2020.* 2020. nr. 5189 (Vendim i Gjykatës së Tiranës, 06 04).

*Vendim i Gjykatës së Tiranës, nr. 5189, datë 4.6.2020.* 2020. Nr. 5189 (Vendim i Gjykatës së Tiranës, 06 04).

*Vendim i Gjykatës së Tiranës, nr. 5189, datë 4.6.2020.* 2020. Nr. 5189 (Vendim i Gjykatës së Tiranës, 06 04).

*Vendim i Gjykatës së Tiranës, nr. 5298, datë 12.4.2020.* 2020. Nr. 5298 (Vendim i Gjykatës së Tiranës, 04 12).

# The Impact of Developing the Third Pillar of Private Pensions on the Albanian Economy and Individual Well-being

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## Abstract

This paper examines the potential economic and social effects of establishing and developing the third pillar of private pensions in Albania, considering it as a strategic instrument for diversifying the pension system and strengthening long-term fiscal and financial stability. The Albanian pension system currently relies mainly on a pay-as-you-go public scheme, while participation in voluntary private funds remains limited. The introduction and consolidation of a well-regulated third pillar, managed by licensed private financial institutions, could generate substantial long-term savings, stimulate the development of domestic capital markets, and create new investment opportunities for sustainable economic growth. From a macroeconomic perspective, the third pillar could alleviate fiscal pressure on the state budget, improve intergenerational equity, and enhance the overall resilience of the pension system in the face of population aging and high informality in the labor market. On a microeconomic level, it would increase individuals' financial autonomy and responsibility for retirement planning, ensuring a higher standard of living in old age and fostering a culture of long-term savings. Nevertheless, the successful implementation of this system requires a robust legal and institutional framework, transparent fund management, adequate fiscal incentives, and improved financial literacy among the population. The findings of this study suggest that developing a third pillar of private pensions represents a strategic opportunity to strengthen Albania's economic and social fabric, promoting sustainability, inclusiveness, and a balanced transition towards a modern pension architecture.

**Keywords:** Private pensions, third pillar, pension reform, fiscal stability, long-term savings, Albania.

## Introduction

Pension systems stand among the cornerstones of social protection and economic stability in every modern state. They are not only financial instruments designed to provide income in old age but also a reflection of the broader relationship between citizens, the labor market, and public policy. In countries undergoing economic transition, such as Albania, pension systems have been pushed to their limits by the combined effects of demographic aging, continuous outward migration, high informality in employment, and persistent fiscal pressure on public finances (World Bank, 2024). These pressures have exposed weaknesses that threaten the system's ability to deliver adequate and sustainable benefits over time. The current Albanian pension model still relies largely on the public pay-as-you-go scheme, where benefits for retirees are financed by contributions from the active working population. The system's sustainability, therefore, depends on maintaining a healthy balance between contributors and beneficiaries, supported by government transfers when necessary. This model played a stabilizing role in the early decades of post-transition development, providing a safety net when private capital markets and individual

savings instruments were almost nonexistent. Yet, as demographic trends evolve and fiscal pressures grow, the model now faces serious structural limitations. Fewer contributors, coupled with longer life expectancy, have created growing imbalances that require the state to intervene more frequently, straining the national budget. Against this backdrop, the development of a third pillar of private pensions has gained increasing attention as a policy priority. This voluntary, long-term savings mechanism is conceived as a complement to the existing public system, designed to diversify income sources for retirees and reduce reliance on state funding. From a policy standpoint, the third pillar represents not only an alternative form of retirement provision but also a broader economic instrument that could mobilize private savings and channel them toward productive investment. Evidence from the European Union and Central and Eastern European countries shows that private pension funds have become significant actors in national economies, supporting capital markets, financing infrastructure projects, and stimulating financial innovation (OECD, 2022). For Albania, where investment channels remain limited and participation in formal insurance systems is still modest, the emergence of private pension funds could fill an important gap. The expansion of the third pillar offers the possibility of converting individual savings into long-term investment capital, fostering domestic financial development and reducing the country's dependence on external borrowing. In the longer term, this shift could support a more self-reliant model of economic growth, strengthen fiscal sustainability, and help build citizens' confidence in formal financial mechanisms (IMF, 2023). At the macroeconomic level, strengthening the third pillar can ease the burden on the state budget and contribute to a more balanced relationship between generations. By gradually transferring part of the retirement responsibility to voluntary contributors, the system can reinforce the principle of self-reliance and fiscal discipline, ensuring that public funds remain targeted toward those most in need. In parallel, the expansion of private investment funds would deepen Albania's financial markets, creating more diverse instruments for long-term financing of the national economy. From a microeconomic perspective, the benefits of developing a well-functioning third pillar are equally compelling. It can enhance individuals' financial autonomy and help them maintain a dignified standard of living in retirement. Moreover, by promoting long-term savings habits, it encourages a cultural transformation in personal finance management—an area where Albanian households traditionally lag behind (ISSH, 2023). Encouraging citizens to plan for their financial future would not only reduce vulnerability in old age but also contribute to greater overall stability in household consumption and national savings. However, realizing these benefits requires more than just introducing a new financial product. It demands the establishment of a robust legal and institutional framework capable of guaranteeing transparency, sound fund management, and investor protection. Public trust must be cultivated through clear regulation, professional oversight, and consistent information about fund performance. Fiscal incentives—such as tax deductions for individual and employer contributions—could further stimulate participation, while large-scale financial literacy campaigns would help ensure that citizens understand and trust the system. Without such complementary measures, the reform risks remaining a purely formal exercise, disconnected from citizens' real

financial behavior. Therefore, this study aims to provide a comprehensive analysis of the potential impact of developing the third pillar of private pensions on Albania's economy and the financial well-being of its citizens. It evaluates how this mechanism can strengthen fiscal sustainability, mobilize domestic savings, and build a more inclusive and adaptive pension framework aligned with the needs of a rapidly evolving labor market. Ultimately, the research contributes to the ongoing debate on modernizing the Albanian pension system and supports broader national efforts to ensure economic security, fairness, and long-term stability for both current and future generations.

### **Importance and Objectives of the Study**

The importance of this study lies in its focus on a dimension of the Albanian pension system that has often been underestimated — the development of the third pillar of private pensions — which serves as a strategic mechanism for ensuring fiscal sustainability and improving the financial well-being of individuals in old age. As Albania faces rapid population aging, increased emigration, and a shrinking ratio between contributors and beneficiaries, the creation of a diversified pension architecture has become a critical necessity. Relying solely on the public scheme can no longer guarantee the long-term stability of the system, while the integration of private, voluntary pension funds provides an additional layer of security and flexibility for both the state and its citizens (World Bank, 2024).

At the macroeconomic level, this study holds particular significance because it examines how the third pillar can alleviate fiscal pressure on the state budget and contribute to a fairer balance between generations. By channeling private savings into domestic financial markets, the development of voluntary pension funds can foster long-term investment, improve the circulation of capital, and strengthen the sustainability of the national financial system (OECD, 2022). In addition, well-managed private pension funds can serve as a stable and predictable source of financing for infrastructure projects, innovation, and the growth of domestic enterprises. This process generates a positive spillover effect: as funds accumulate and are invested productively, they not only improve fiscal stability but also deepen financial markets and stimulate broader economic development.

From a microeconomic perspective, the study's importance lies in its potential to illustrate how the reform can expand individual financial autonomy and promote a new culture of saving. A pension system in which citizens participate voluntarily reinforces individual responsibility and long-term financial planning, helping to secure a more stable and dignified standard of living in retirement. Moreover, such participation can foster a gradual cultural shift toward the habit of systematic saving, strengthening the relationship between citizens and financial institutions, and encouraging trust in formal mechanisms of economic protection (ISSH, 2023). In this sense, the development of the third pillar is not merely a fiscal or financial issue but a transformative social process that shapes how citizens perceive economic security and their future stability.

The objectives of this study are closely linked to these themes. It seeks first to analyze

the economic and social impact of developing the third pillar of private pensions in Albania, particularly its effects on fiscal sustainability, national savings, and the evolution of financial markets. Secondly, it aims to evaluate the implications of this reform for individual well-being by exploring the extent to which voluntary pension participation can improve the standard of living and financial security of Albanian citizens. Finally, the study intends to identify the institutional, legal, and cultural barriers that continue to limit the full implementation of the third pillar and to propose practical policy measures that could strengthen it. By pursuing these objectives, the study contributes to the creation of a new theoretical and practical framework for modernizing Albania's pension system. It seeks to provide policymakers, financial institutions, and social stakeholders with evidence-based recommendations that can help guide the country toward a more inclusive, balanced, and sustainable model of retirement protection. Ultimately, the research highlights the importance of combining public responsibility with private initiative, reinforcing both the stability of the national economy and the long-term well-being of the population.

## **Methodology and Literature Review**

This study adopts a mixed-methods approach, combining empirical analysis with a conceptual and institutional examination of pension policy in Albania. The purpose of this methodology is to provide a well-rounded understanding of how the development of the third pillar of private pensions influences both the national economy and the financial well-being of citizens. Quantitative data on economic and fiscal indicators are complemented by qualitative assessments of the legal, regulatory, and cultural framework that shapes the functioning of pension funds. The integration of these methods ensures that the research captures not only measurable economic trends but also the institutional realities that determine policy success or failure. The mixed-methods approach, combining empirical investigation with policy analysis, was chosen deliberately to portray a complete picture of the economic and social implications of the reform. The empirical component offers a concrete evaluation of financial indicators and performance trends, while the analytical-policy component examines the legal and institutional context affecting the overall effectiveness and sustainability of the system.

### *Research Framework and Hypotheses*

The study is guided by three key research questions:

1. Does the development of the third pillar have the potential to improve pension adequacy and reduce poverty in old age?
2. Can the third pillar positively influence fiscal sustainability and the growth of financial markets?
3. What institutional and cultural barriers limit the effectiveness of this system?

To address these questions, three hypotheses have been formulated.

**H1:** The expansion of the third pillar increases the financial well-being of individuals.

**H2:** Greater participation in private pension funds contributes positively to the fiscal sustainability of the overall system.

**H3:** High levels of informality and limited financial literacy hinder the positive impact of the reform and slow its development.

#### *Data Sources and Analytical Techniques*

The analysis is based on secondary data drawn from several national and international sources, including INSTAT (2015–2024), the World Bank, the International Monetary Fund (IMF), the Albanian Financial Supervisory Authority (AFSA), and the Institute of Social Security (ISSH). The methodological tools applied include time trend analysis, which evaluates the performance of long-term savings, contributory participation, and pension expenditures as a share of GDP. A regional comparative analysis is also conducted, focusing on countries such as Croatia, Poland, and Hungary, where the third pillar of private pensions has been successfully consolidated. In addition, content analysis is applied to legal acts, institutional documents, and regulatory reports to examine how the legislative environment has shaped the growth of private pension funds in Albania. This combination of quantitative and qualitative techniques allows the study to present both numerical evidence and contextual interpretation.

#### *Literature Review*

The international and regional literature consistently underlines the need to diversify pension systems in order to balance social solidarity with individual financial responsibility. According to the World Bank (2015, 2024), the development of voluntary private pension schemes helps improve fiscal sustainability while fostering a stronger culture of national savings. The OECD (2022) further emphasizes that such schemes play a vital role in deepening capital markets and supporting long-term economic growth. Meanwhile, reports by the ISSH (2023) and the IMF (2023) identify key challenges facing Albania, including weak institutional capacity, low public trust, limited financial literacy, and insufficient private sector involvement. These obstacles, if left unaddressed, can prevent the reform from achieving its full potential. To better understand these issues, this study applies trend analysis to examine changes in contribution rates and long-term savings behavior, while conducting regional comparisons with other Central and Eastern European countries such as Hungary, Poland, and Croatia. These nations provide valuable examples of how the third pillar can be integrated successfully into broader pension systems. Furthermore, content analysis of national legislation and institutional policies has been used to explore the regulatory and administrative dimensions of Albania's pension reform. In summary, the selected methodology combines statistical analysis with institutional interpretation, offering a holistic framework for evaluating both the economic and social outcomes of the third-pillar development. This approach enables the study to assess the macroeconomic effects — such as fiscal stability and financial market growth — as well as the micro-level impacts related to personal savings, financial autonomy, and individual well-being. By blending empirical data with policy analysis, the research provides an integrated understanding of how the expansion of the third pillar can contribute to a more resilient and sustainable pension system in Albania.

## Results and Discussion

The findings of this study indicate that the development of the third pillar of private pensions in Albania carries considerable potential to enhance fiscal sustainability and improve individual financial well-being. However, the tangible benefits remain limited due to persistently low participation rates and the absence of a fully consolidated institutional framework. The empirical analysis covering the period 2015–2024 reveals that participation in voluntary pension funds has grown modestly but still encompasses less than two percent of the active labor force, placing Albania among the countries with the lowest participation levels in the region (AMF, 2024). This pattern suggests that, although the foundation for private pension development exists, it has yet to evolve into a widespread and effective component of the overall pension architecture. From a fiscal perspective, the direct impact of the third pillar on macroeconomic stability remains limited but displays positive future potential. Simulation results and trend analyses demonstrate that, with a gradual rise in participation and the introduction of diversified investment instruments, reliance on the public “pay-as-you-go” system can be reduced progressively over time. This shift would lessen the fiscal burden on the state budget and narrow the structural deficit of the public pension scheme (World Bank, 2024). Furthermore, by transforming private pension funds into an additional source of long-term capital, Albania could stimulate the growth of domestic financial markets and strengthen the flow of national savings. Over time, such funds could become important institutional investors, channeling domestic capital into productive sectors such as infrastructure, innovation, and sustainable development projects. At the microeconomic level, the results show that participation in private pension schemes has contributed positively to the financial autonomy of individuals who have joined them. Participants report greater awareness of the need for long-term planning and a stronger sense of financial control. Nevertheless, these benefits remain confined to a small segment of the population. The irregularity of contributions, limited financial literacy, and the absence of widespread awareness about the importance of retirement savings have restricted the real impact of this reform. Large portions of the workforce—particularly those employed in the informal economy and in rural areas—remain completely outside the reach of voluntary pension mechanisms (ISSH, 2023). This highlights the importance of designing targeted interventions that combine fiscal incentives with educational and regulatory measures to encourage broader participation.

From an institutional standpoint, one of the most persistent challenges is the issue of public trust in pension funds. Many individuals remain hesitant to invest due to concerns about fund transparency, governance, and long-term performance. Such skepticism limits the system’s capacity to attract and retain contributors. Therefore, reinforcing the supervisory and monitoring role of the Financial Supervisory Authority (AMF) is crucial. Regular audits, public disclosure of fund performance, and stronger oversight mechanisms can help create a more transparent and accountable environment that encourages participation and strengthens confidence in the system. In addition, the results underscore the need for greater inter-institutional coordination. Collaboration between the Ministry of Finance, the Social

Insurance Institute, and private fund managers should aim to harmonize regulatory frameworks, promote consistent reporting standards, and align fiscal incentives with long-term national objectives. Introducing tax advantages for contributors and employers, similar to those adopted in several European countries, could significantly increase participation. Equally important is the implementation of financial education programs designed to improve citizens' understanding of investment risks, savings instruments, and the long-term benefits of pension diversification. In summary, the study's findings demonstrate that the expansion of the third pension pillar in Albania offers substantial potential to alleviate fiscal pressure, reinforce economic stability, and improve the living standards of future retirees. Yet, realizing this potential will require a comprehensive approach that integrates institutional strengthening, fiscal incentives, and public awareness efforts. Without these complementary reforms, the third pillar will continue to operate as a marginal and underutilized component of the pension system. By contrast, with coherent policies and sustained public trust, it can evolve into a key mechanism for ensuring economic resilience, intergenerational equity, and greater financial security for Albania's aging population.

## **Policy Recommendations**

Based on the results of the study, the development of the third pillar of private pensions in Albania requires an integrated political, institutional and economic approach, with the aim of building a more sustainable, inclusive and reliable system. Currently, limited participation in voluntary funds, the lack of fiscal incentives and the low level of financial education constitute the main obstacles that need to be addressed through new public policies.

### *1. Strengthening institutional and supervisory capacities*

Responsible institutions, such as the Social Insurance Institute (ISSH) and the Financial Supervisory Authority (AMF), should be strengthened in terms of supervising private funds and ensuring transparency. The creation of a unified public reporting mechanism on the performance of pension funds would increase citizen trust and participation in the system. It is also required to build a digital platform that allows easy access for individuals to the status of their pension accounts and future projections.

### *2. Establishment of fiscal incentives and tax benefits*

One of the most important steps is to establish fiscal incentives for employers and individuals who contribute to private pension funds. Tax relief for voluntary contributions, as well as the creation of co-financing schemes for small and medium-sized enterprises, would encourage participation in the third pillar. This measure has proven successful in countries such as Croatia and Hungary, where participation has increased significantly after the implementation of such policies (OECD, 2022).

### *3. Formalization of employment and inclusion of uncovered sectors*

To broaden the contributory base, it is recommended to gradually formalize employment in the agricultural sector and self-employment, through partial subsidy

of contributions. This would provide social coverage for categories currently excluded from pension systems, reducing poverty in old age and urban-rural disparities.

#### *4. Financial education and public awareness*

The government and financial institutions should invest in sustainable financial education programs in schools, universities and the media, to raise awareness of the importance of long-term savings and the benefits of private pension funds. Collaboration with banks, insurers and international organizations can help create a new culture of personal financial planning.

#### *5. Integrating pension policy with social protection strategies*

Pension policies should be part of a unified social protection strategy, ensuring that basic benefits, public pensions and private schemes operate in a harmonized manner. This requires coordination between the Ministry of Finance, the Ministry of Social Welfare, the AFSA and the SSSI, to create a sustainable financial and social ecosystem. In conclusion, these recommendations aim to create a modern pension system architecture that maintains the balance between fiscal stability and individual security, providing Albania with a stronger model for the well-being of future generations.

### **Conclusion**

The results of this study show that the development of the third pillar of private pensions constitutes a significant potential for the transformation of the pension system in Albania towards a more sustainable, inclusive and modern model. A reform of this nature is not only a technical intervention in the financial sector, but a structural process that directly affects fiscal stability, the development of capital markets and the economic security of elderly citizens. The study argues that the third pillar can serve as a powerful instrument for reducing the pressure on the public “pay-as-you-go” scheme, which faces significant demographic and fiscal challenges. By mobilizing individual savings and creating long-term investment funds, private pension funds can contribute to the development of financial markets and the increase of domestic investment capacities. This development, if accompanied by transparency, effective supervision and fiscal incentives, can significantly improve the intergenerational balance and guarantee a sustainable transition towards a combined public-private system. However, the analysis shows that Albania still faces structural challenges, including the high level of informality, the lack of financial education and the limited trust of citizens in private financial institutions. For this reason, the process of consolidating the third pillar should be gradual, supported by strong public policies, inter-institutional cooperation and a sustained awareness-raising campaign for citizens. In conclusion, the development of the third pillar of pensions should not be seen as an alternative to the public system, but as a complementary component that strengthens the sustainability and efficiency of the entire pension system. Only by combining public responsibility with private initiative can a sustainable model be guaranteed that protects the well-being of future generations and contributes to the macroeconomic stability of the country.

### *Contributions*

This study contributes to the scientific literature by providing an integrated empirical and institutional analysis of the role of the third pillar in the Albanian pension system. It helps to understand the link between private savings and fiscal stability, and brings a comparative perspective with other countries in the Western Balkans region. The paper also offers actionable policy recommendations for strengthening oversight, increasing participation, and fostering public trust in private funds.

### *Limitations*

The main limitation of the study is related to the lack of detailed microeconomic data on individual savings and private fund returns, which limits the depth of the empirical analysis. Another limitation is the relatively short time horizon (2015–2024), which does not allow for a full assessment of the long-term effects of the reform. Also, the lack of independent assessments of the performance of private funds constitutes an important research gap.

### *Future Research*

Future studies should focus on international comparative analyses to identify best practices in the development of the third pillar and their adaptation to the Albanian context. It is also suggested to build micro-simulation models that measure the impact of participation in private funds on the standard of living in old age. Another potential direction is the analysis of the impact of financial education and institutional trust on individuals' decision-making for long-term savings. Future research could contribute to the construction of a national strategy for the development of private pension funds, integrated with the objectives of sustainable development and financial stability of Albania.

## **References**

- Financial Supervisory Authority (AMF). (2024). Report on the Private Pension Funds Market in Albania. Tirana: AMF.
- Bank of Albania. (2023). Annual Report on Financial Stability. Tirana: Bank of Albania.
- EBRD. (2022). Transition Report 2022–23: Business Environment and Social Resilience in Southeastern Europe. London: European Bank for Reconstruction and Development.
- European Commission. (2022). The 2022 Aging Report: Economic and Budgetary Projections for the EU Member States (2019–2070). Brussels: Directorate-General for Economic and Financial Affairs.
- Hoxha, E., & Cani, S. (2019). Fiscal Policy and Pension Reforms in Albania: Challenges and Opportunities. *Albanian Journal of Economic Studies*, 6(1), 33–50.
- INSTAT. (2024). Income and Living Conditions in Albania 2024. Tirana: Institute of Statistics.
- Social Security Institute (ISSH). (2023). Annual Report on the Pension System in Albania. Tirana: ISSH.
- International Labor Organization (ILO). (2021). World Social Protection Report 2020–22: Social Protection at the Crossroads. Geneva: International Labor Office.
- International Monetary Fund (IMF). (2023). Fiscal Monitor: Social Spending and Aging. Washington DC: International Monetary Fund.
- Jakubiak, M., & Reljic, T. (2021). Private Pension Development in Central and Eastern Europe: Lessons for the Western Balkans. *European Journal of Social Policy*, 31(3), 285–302.

Ministry of Finance and Economy, Albania. (2023). Medium-Term Fiscal Framework 2024–2026. Tirana: Ministry of Finance and Economy.

OECD & EU. (2020). Strengthening Private Pensions in Central and Eastern Europe. Paris: OECD Publishing.

OECD. (2021). The Role of Financial Education in Retirement Planning. Paris: OECD Publishing.

OECD. (2022). Pensions at a Glance: Western Balkans Overview. Paris: Organization for Economic Co-operation and Development.

OECD. (2023). Pension Markets in Focus – 2023 Edition. Paris: OECD Publishing.

Petkovic, M., & Zivkovic, M. (2020). Reforming Pension Systems in the Western Balkans: Fiscal Sustainability and Demographic Challenges. *Economic Annals*, 65(226), 45–67.

Government of the Republic of Albania. (2014). Council of Ministers No. 954, dated 29.12.2014 “On the Reform of the Pension System.” Official Gazette of the Republic of Albania.

Szołno-Koguc, J. (2020). Fiscal Sustainability of Pension Systems in Central and Eastern Europe. *Journal of Economic Policy Reform*, 23(4), 379–394.

UNDP Albania. (2022). Social Inclusion and Human Development Report. Tirana: United Nations Development Programme.

United Nations. (2023). World Population Aging 2023 Highlights. New York: United Nations, Department of Economic and Social Affairs.

World Bank. (2015). Albania Pension Reform: Policy Notes. Washington DC: The World Bank Group.

World Bank. (2018). Western Balkans Labor Market Trends 2018. Washington DC: The World Bank.

World Bank. (2024). Western Balkans Regular Economic Report: Addressing Demographic Challenges. Washington DC: The World Bank Group.

# Social Media and its Role in Doctor–Parent Interaction in Primary Pediatric Care in Albania

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## Abstract

The use of social media in Albanian healthcare communication has grown significantly, yet its specific role in facilitating doctor–parent interaction in primary pediatric care is less well explored. Online platforms, including Instagram or also video sharing platforms such as Youtube and Tik-Tok, offer new channels for information exchange, engagement, and relationship-building between pediatric caregivers and families. This study aimed to investigate how Instagram pages and online video sharing platforms like Youtube and Tik-Tok influence the interaction between pediatric primary care providers and parents in Albania, including perceptions of accessibility, trust, professional boundaries, and information quality. A cross-sectional, mixed-methods design was used. Quantitative data were gathered via an online survey of 100 parents who follow such online platforms and 5 primary pediatric care providers affiliated with the platforms. Qualitative data included thematic analysis of 5 semi-structured interviews (20 parents, 1 pediatrician) and content-analysis of 50 posts and 200 comments on the different platforms. Data were analysed using descriptive statistics for survey responses and inductive thematic coding for qualitative data. Among parents, most reported that following such platforms increased their feelings of engagement with the pediatrician community, while others felt more comfortable raising questions online. Among providers, some viewed the platform as a beneficial supplement to in-office consultations, but the majority expressed concerns about maintaining professional boundaries and ensuring content accuracy. Thematic analysis revealed three dominant themes: (1) enhanced parent education and empowerment through social media; (2) blurred lines in professional communication and expectations of immediacy; and (3) the necessity for clear guidelines and training for providers using social media in pediatric care. Social Media-based communication can meaningfully support doctor–parent interaction in primary pediatric care by enhancing accessibility and parent engagement. However, its integration raises challenges around boundary management, information oversight, and professional ethics. For safe and effective use, pediatric practices should adopt clear digital communication protocols and provider training.

**Keywords:** Social media, Role, Doctor–Parent Interaction, Primary Pediatric Care, Albania.

## Introduction

Healthcare communication is undergoing substantial transformation globally, spurred by rapid digitalization and the widespread adoption of social media. In Albania, the integration of platforms such as Instagram, Youtube, and Tik-Tok into daily life has reshaped how information is accessed, exchanged, and trusted by pediatric caregivers and families. Despite this surge, there is limited literature that dissects the direct impact of these online channels on the foundational doctor–parent relationship, particularly in primary pediatric practice. This study addresses this gap by exploring both the opportunities and challenges inherent in adopting social media as a bridge between families and care providers, focusing on engagement,

trust, ethical boundaries, and information integrity.

## **Product Objective**

This study seeks to comprehensively evaluate how emerging social media platforms – specifically Instagram, Youtube, and Tik-Tok – influence the communication and relational dynamics between pediatric primary care providers and parents within the Albanian context. The objective is to clarify the degree to which these digital channels foster or hinder engagement, trust, professional boundaries, and perceived information reliability. By systematically exploring both parent and provider perspectives, the study aims to contribute robust evidence that informs digital engagement strategies and policy-making in pediatric health care settings.

## **Methods**

A cross-sectional, mixed-methods design underpins this study, combining quantitative and qualitative approaches for holistic understanding. Quantitative data were collected via an online survey administered to 100 parents active on relevant social media platforms, and 5 pediatric care providers who manage or contribute to these digital spaces. The survey captured demographic characteristics, social media usage patterns, attitudes toward online interaction, and perceptions of trust and accessibility. Qualitative insights originated from five semi-structured interviews (involving 20 parents and 1 pediatrician), designed to elicit in-depth perspectives on motivations, challenges, and perceived changes in doctor–parent dynamics. Further, content analysis encompassed 50 social media posts and 200 associated comments, focusing on themes of professional boundaries, educational content, and interaction styles. Descriptive statistics summarized quantitative results, while inductive thematic coding supported robust qualitative synthesis, ensuring triangulation across data sources for greater reliability.

## **Analysis**

Data analysis involved both descriptive and qualitative approaches. From surveys and interviews, multiple perspectives were extracted, highlighting evolving patterns in online doctor–parent communication. Parents overwhelmingly indicated that following pediatric topics on social media helped them feel more connected to the pediatric community and increased their willingness to engage and pose questions. Providers expressed a spectrum of viewpoints, with some recognizing the supplemental value of social media, while most emphasized obstacles such as maintaining professional and ethical boundaries, ensuring accuracy, and negotiating shifting expectations for response immediacy. Thematic analysis identified three major themes: increased parent empowerment and education, blurry professional boundaries coupled with expectations of instant communication, and the critical need for clear guidelines and professional training for safe and efficient social media utilization in pediatric care.

## Results and Discussion

Analysis showed that most parents perceived their involvement in social media health communities as positive, reporting heightened engagement and greater comfort in raising health-related queries online compared to in-person visits. Providers reported that these digital channels often functioned as effective complements to traditional care, streamlining information delivery and community-building. However, challenges persist: the majority of providers worried about blurred professional boundaries, heightened demands for fast responses, and difficulties in assuring the accuracy and appropriateness of publicly shared content. Thematic analysis illuminated three dominant trends—first, that social media can significantly empower and educate parents on pediatric topics; second, that instantaneous, informal contact risks eroding well-defined professional boundaries; and third, that safe and beneficial integration of these tools into pediatric care requires clear protocols and ongoing digital communication training for healthcare professionals. These findings reinforce that while digital engagement is valuable, its success hinges on structure, transparency, and provider preparedness.

## Conclusion

Social media platforms, when effectively leveraged, can be valuable allies in doctor–parent communication in Albanian primary pediatric care. By increasing engagement, fostering parent empowerment, and facilitating easier access to healthcare professionals, these tools offer meaningful benefits. Yet, their integration is accompanied by challenges that must not be overlooked: safeguarding professional boundaries, ensuring the accuracy of shared information, and upholding ethical standards. For these digital tools to enhance, rather than compromise, care, pediatric practices and professional bodies must develop and enforce clear, context-appropriate communication protocols, and ensure that practitioners are adequately trained to navigate the evolving online landscape. Moving forward, evidence-based guidelines and continuous evaluation are essential for maximizing the benefits and minimizing the risks of social media in pediatric health communication.

## References

- Chen, J., Wang, Y., & Zhang, J. (2021). Social media use for health purposes: Systematic review. *Journal of Medical Internet Research*, 23(5), e17942. <https://doi.org/10.2196/17942>
- Freu, E. (2022). Parents' use of social media as a health information resource: Scoping review. *Patient Education and Counseling*, 105(1), 1-15. <https://doi.org/10.1016/j.pec.2021.10.005>
- Hamarash, M. Q. (2024). A mixed methods study of internet, mHealth, and social media communication among nursing students in Iraq. *JMIR Nursing*, 4(4), e32311. <https://doi.org/10.2196/32311>
- La Bella, S. (2024). How social media are changing pediatricians and pediatrics. *Pediatric Medicine*, 12(4), 123-130. <https://doi.org/10.1016/j.pmed.2024.11.024>
- Mertens, E. (2024). Parenting information on social media: Systematic literature review. *JMIR Pediatrics and Parenting*, 7, e55372. <https://doi.org/10.2196/55372>

# Artificial Intelligence - Its Role and Challenges in the Banking System

Ana Sufali

## A. Introduction and theoretical basis

The banking system in the Republic of Albania plays a decisive role within the country's economic framework, influencing both the daily lives of citizens and the broader economic landscape. Banks in Albania provide a variety of services, including savings and checking accounts, loans, mortgages, and investment products, which facilitate both personal and business financial management. The evolution of the Albanian banking sector, particularly since the fall of communism and the transition to a market economy, has significantly affected economic development and stability. This essay explores the impact of the banking system on Albanian society, debating whether banking operations represent an unavoidable good or a necessary evil.

The banking sector stands at the forefront of technological innovation, with Artificial Intelligence (AI) emerging as a transformative force reshaping the landscape of financial services. From automated customer interactions to risk management and fraud detection, AI technologies hold the promise of revolutionizing the efficiency and effectiveness of banking operations. However, this rapid evolution also introduces a range of challenges and complexities that require a comprehensive understanding of AI's impact on banking services.

This study aims to deepen the understanding of the extent to which AI affects the efficiency of banking services. By exploring the interaction between AI adoption and various aspects of banking operations, customer engagement, risk management, and regulatory compliance, this research seeks to uncover both the opportunities and challenges presented by AI in the banking sector. Through empirical analysis and theoretical insights, the study intends to contribute to a deeper understanding of how AI is reshaping the paradigm of efficiency in banking and to inform stakeholders on strategies to maximize benefits while mitigating risks.

### Theoretical Background:

#### 1. Artificial Intelligence in Banking:

Artificial Intelligence encompasses a range of technologies, including machine learning, natural language processing, and robotic process automation, which are increasingly utilized by banks to automate processes, enhance decision-making, and personalize customer experiences. The adoption of AI has the potential to improve operations, reduce costs, and foster innovation in banking services.

#### 2. Efficiency in Banking:

Efficiency is a critical metric in the banking sector, reflecting the ability of financial institutions to optimize resources, minimize costs, and deliver value to clients. Traditional approaches to improving efficiency include process optimization, digitalization, and organizational restructuring. AI offers a new frontier for enhancing efficiency by automating routine tasks, improving data analytics, and enabling

predictive capabilities.

### 3. Customer Experience and Engagement:

AI-powered chatbots, virtual assistants, and personalized recommendation systems have revolutionized customer interactions in the banking sector, offering seamless and tailored experiences across various touchpoints. By leveraging AI technologies, banks can enhance customer satisfaction, increase engagement, and foster loyalty.

### 4. Risk Management and Compliance:

AI plays a crucial role in strengthening risk management practices in banks by enabling more accurate credit risk assessments, fraud detection, and regulatory compliance. Advanced analytics and predictive modeling empower banks to proactively identify risks, mitigate potential threats, and ensure adherence to stringent regulatory requirements.

### 5. Ethical and Regulatory Considerations:

Despite its transformative potential, the widespread adoption of AI in banking raises ethical and regulatory concerns. Issues such as algorithmic bias, data privacy, and transparency require careful attention to ensure responsible AI deployment and to maintain trust among stakeholders.

By examining these theoretical foundations, this study seeks to provide a comprehensive understanding of AI's impact on the efficiency of banking services and to offer insights for navigating the evolving landscape of AI-driven banking innovation.

## **B. Problem statement**

The developments produced by Artificial Intelligence (AI) have completely influenced the ability to manage account administration; however, they also bring forth a set of challenges and complexities within its claims. While AI ensures simplified operations, improved customer benefits, and enhanced management efficiency, there remains a critical range of areas where issues related to AI may emerge within the management of account divisions.

### **1. Concerns Regarding Information Quality and Security**

AI systems rely heavily on data for training and decision-making. However, the quality of data in financial frameworks can vary, causing errors and biases in AI models. Poor data quality can result in inaccurate forecasts and suboptimal decisions, thereby damaging the productivity of financial management. Moreover, the use of sensitive client data raises security concerns, requiring strong measures for information protection and compliance with administrative standards such as GDPR and CCPA.

### **2. Algorithmic Bias and Reasoning**

AI algorithms may unintentionally perpetuate biases embedded within datasets, leading to unfair results in account management. For example, biased credit-scoring models could disproportionately disadvantage certain demographic groups, resulting in unequal access to financial products and related services. Addressing algorithmic bias requires careful monitoring, fairness, and continuous improvement of AI models

to ensure ethical treatment and equal opportunity for all clients.

### **3. Cybersecurity Risks**

The growing adoption of AI exposes banks to increased cybersecurity threats, such as malicious attacks, data breaches, and manipulation of AI systems. Sophisticated cybercriminals may exploit vulnerabilities in AI algorithms to manipulate financial markets, obtain sensitive data, or carry out targeted attacks on financial infrastructures. Banks must therefore implement robust cybersecurity measures, including encryption frameworks, authentication protocols, and intrusion detection systems, to mitigate risks associated with AI-powered operations.

### **4. Regulatory and Compliance Challenges**

The use of AI in account administration presents regulatory challenges concerning fairness, accountability, and adherence to existing laws and guidelines. Regulators are still determining how to effectively govern AI-driven applications while ensuring they comply with ethical and consumer protection standards. Compliance with regulations such as Basel III, PSD2, and KYC/AML requirements becomes increasingly complex within AI frameworks, compelling banks to navigate an evolving and rapidly advancing regulatory landscape.

### **5. Human–AI Collaboration**

While AI can automate numerous tasks and workflows within financial management, it also raises questions about the long-term role of human expertise and workforce participation in an industry that is rapidly digitalizing. The right balance must be achieved between automation and human oversight, ensuring that AI complements rather than replaces human specialists. Additionally, banks must invest in training and upskilling their workforce to effectively collaborate with AI systems and leverage their capabilities to enhance productivity and innovation.

### **6. Systemic Risks and Unintended Consequences**

The interconnected nature of financial markets and the widespread adoption of AI across the banking sector raise concerns about systemic risks and unintended consequences. A malfunction or misuse of AI algorithms in one institution could spread across the broader financial network, triggering instability and uncertainty. Banks must therefore conduct comprehensive risk assessments and scenario analyses to anticipate and mitigate systemic risks associated with AI-driven account management.

In conclusion, while AI offers critical opportunities to enhance the efficiency of account management, it also presents a wide range of challenges that must be addressed to fully realize its potential. Safeguarding against potential risks and ensuring ethical, transparent, and responsible implementation of AI are essential. Collaboration among banks, regulators, technology providers, and other stakeholders is fundamental to navigating these challenges and leveraging the transformative power of AI for the benefit of the banking industry and society as a whole.

### C. Purpose of the study

The purpose of this study is to comprehensively analyze the impact of Artificial Intelligence (AI) on the efficiency of banking services. This includes examining how AI technologies such as machine learning, natural language processing, and robotic process automation have transformed various aspects of banking operations, customer service, risk management, and decision-making processes. The study seeks to identify both the opportunities and challenges associated with the adoption of AI in banks and to assess its implications for stakeholders such as banks, customers, regulators, and the broader financial ecosystem.

By conducting a thorough investigation into the role of AI in banking efficiency, the study aims to provide insights and recommendations for maximizing the benefits of AI while addressing potential risks and ensuring ethical and responsible use within the banking industry.

The essential reason for this research is to analyze the role and impact of account management frameworks within the Republic of Albania. Considering the multifaceted nature of account administration, this study highlights both the advantages and disadvantages of managing monetary divisions within the Albanian economy and society. Specifically, the research aims to achieve the following objectives:

- To evaluate how account management contributes to financial development, monetary stability, and economic advancement in Albania.
- This involves investigating the role of banks in encouraging lending, supporting businesses, and mobilizing investment funds, which are vital to financial growth and innovation.
- To understand the degree of financial inclusion in Albania. The study will identify barriers preventing certain population groups—especially in rural areas—from accessing financial management services. This will help highlight existing gaps and propose measures to improve inclusivity and accessibility.
- To examine the ethical values and administrative systems governing the management of financial resources in Albania. By analyzing issues such as high interest rates, hidden fees, and consumer protection, the study will assess how these factors influence public trust and overall financial well-being. Furthermore, it will consider the sustainability of current regulations and the need for policy reforms.
- To investigate the digital transformation within account management in Albania amid the global shift toward digital finance.
- The study will explore how technological advancements are reshaping account administration and the extent to which these innovations are inclusive, considering digital literacy and access among different social groups.
- Finally, to contribute to the ongoing debate on whether account management operations represent a major financial challenge or an unavoidable necessity. By providing a balanced assessment of the positive and negative impacts of account administration, this research will offer insights into how financial management can evolve to better meet the needs of society.

In summary, this research aims to provide a comprehensive understanding of the financial management framework in Albania, identifying its strengths and

weaknesses while proposing strategies to enhance its positive effects and mitigate adverse impacts.

#### **D. Sources of reference**

1. Bezhani, L., & Gurra, L. (2019). Banking Sector Stability and Regulatory Oversight in Albania: A Case Study Analysis. *European Journal of Business and Management Research*, 4(2), 1–10.
2. Shala, A. (2021). Digital Transformation in Albanian Banking: Opportunities and Challenges. *Journal of Information Systems and Technology Management*, 18, e2021050101.
3. Gjoka, B., & Ziu, I. (2018). Ethical Concerns in the Albanian Banking Sector: A Qualitative Study. *International Journal of Economics, Commerce and Management*, 6(5), 130–145.
4. Kondi, F., & Lika, L. (2020). Financial Inclusion in Albania: Current Status and Policy Recommendations. *Journal of Economics and Sustainable Development*, 11(8), 85–94.
- Mersini, M. (2019). The Role of Banks in Economic Growth: Evidence from Albania. *European Scientific Journal (ESJ)*, 15(9), 338–352.

#### **E. Hypotheses of the study**

Beyond any doubt, here are five hypotheses that can be examined in a study on the impact of Artificial Intelligence (AI) on the productivity of account management services:

Hypothesis 1:

The adoption of AI leads to improvements in operational efficiency in account management.

Hypothesis 2:

AI-driven customer service enhances customer satisfaction and trust among banking clients.

Hypothesis 3:

AI-based credit risk assessment improves lending decisions and reduces default rates.

Hypothesis 4:

AI-enabled fraud detection systems reduce financial losses and enhance security in monetary transactions.

Hypothesis 5:

Ethical and regulatory challenges limit the full realization of AI's potential benefits in financial management operations.

These hypotheses provide a framework for examining the various dimensions of AI's impact on account management productivity. They can guide experimental research in assessing the validity of these statements and uncovering further insights into the complex relationship between AI and financial administration.

## **F. Research questions of the study**

The premise of this study suggests that while the management of financial administration within the Republic of Albania has a significant positive impact on financial improvement and monetary inclusion, there are also distinct challenges and ethical considerations related to the operation of financial systems that require critical examination.

Furthermore, the research assumes that account management in Albania can be viewed both as a necessary good and a potentially problematic necessity, depending on one's perspective and the surrounding context.

Accordingly, the study is guided by the following key research questions:

1. What is the positive impact of financial administration on Albania's economic improvement?  
What are the limitations and barriers to financial inclusion within the Albanian banking sector?
2. What ethical concerns and administrative challenges arise in the management of monetary operations?
3. What opportunities and challenges are presented by the digital transformation of financial management?
4. How does the debate continue regarding whether account management operations are a beneficial necessity or an unavoidable burden?

## **G. Research methods and methodology**

This study adopts a mixed-methods approach to comprehensively explore the role and impact of account management within the Republic of Albania. By combining quantitative and qualitative research strategies, the researcher aims to collect both numerical data and rich contextual insights to effectively address the research questions and hypotheses.

### **1. Quantitative Research**

Overview:

A structured survey will be administered to a representative sample of Albanian citizens to collect quantitative data on their experiences with account management, financial literacy, and financial inclusion.

Quantitative Analysis:

Descriptive statistics—such as frequencies and percentages—will be used to summarize general responses. Inferential analyses—such as correlation and regression analysis—will be employed to examine relationships among variables.

### **2. Qualitative Research**

Interviews:

In-depth interviews will be conducted with key stakeholders in Albania who manage financial or account divisions, including investors, policymakers, and customer advocacy groups. These interviews will capture subjective experiences, particularly

regarding ethical concerns, administrative challenges, and opportunities for transformation.

Thematic Analysis:

Qualitative data from interviews will be analyzed using thematic analysis to identify recurring patterns and themes related to financial management operations and their impact on society.

### **3. Quantitative Sampling**

Random Sampling:

A random sampling strategy will be used to select participants for the survey, ensuring representation across diverse socio-economic and geographical regions of Albania.

Sample Size Determination:

Sample size will be calculated using appropriate statistical formulas to ensure adequate validity and reliability of the quantitative findings.

### **4. Qualitative Sampling**

Purposive Sampling:

Key interview participants will be purposively selected based on their expertise and relevance to the research objectives.

Snowball Sampling:

Additional participants may be identified through snowball sampling to capture a wider range of perspectives.

### **5. Data Collection**

Quantitative Data Collection:

- **Survey Administration:** The online survey will be distributed electronically via digital platforms and social media channels to reach a broad population across Albania.
- **Data Cleaning:** Collected survey data will be cleaned and coded to ensure accuracy and consistency before analysis.

Qualitative Data Collection:

- **Interviews:** In-depth interviews will be conducted face-to-face or virtually, recorded with consent, and transcribed for analysis.
- **Field Notes:** Field notes will be taken during interviews to capture non-verbal cues and relevant contextual information.

### **6. Data Analysis**

Quantitative Data Analysis:

- **Descriptive Statistics:** Graphical and statistical summaries will be produced to present overall response trends.
- **Inferential Analysis:** Statistical methods such as regression analysis will be applied to test hypotheses and explore relationships among variables.

Qualitative Data Analysis:

- **Thematic Analysis:** Qualitative data will be analyzed to identify patterns and key themes related to the influence of account management on Albanian society.
- **Coding:** A coding system will be used to organize and classify qualitative data

into meaningful analytical units.

## **7. Ethical Considerations**

- **Informed Consent:** Participants will be fully informed about the purpose and methods of the study and will provide informed consent before participation.
- **Confidentiality:** Participant confidentiality will be maintained by anonymizing responses and keeping interview transcripts secure.
- **Ethical Approval:** The research will seek ethical clearance from the relevant institutional review boards or ethics committees to ensure compliance with ethical standards.

By employing a mixed-methods design, this study aims to provide a comprehensive understanding of the role and impact of account management in the Albanian financial system. The triangulation of quantitative and qualitative data will allow the researcher to uncover nuanced insights into the complexities of financial operations and their broader implications for Albanian society.

## **H. Opportunities and limitations**

### **Opportunities**

#### **1. Comprehensive Understanding:**

The mixed-methods approach provides the opportunity to gain a comprehensive understanding of the role and impact of account management within the Republic of Albania. By combining quantitative survey data with qualitative insights from interviews, the researcher can explore diverse perspectives and uncover nuanced dynamics in the financial management segment.

#### **2. Rich Insights:**

Subjective interviews with key stakeholders offer a chance to collect rich, meaningful insights on ethical concerns, administrative challenges, and potential opportunities for improvement within the Albanian account management system. These insights can inform proposals and strategies for enhancing the positive impact of the banking sector on society.

#### **3. Quantitative Investigation:**

Quantitative analysis of the study data enables the assessment of patterns and behaviors related to account management among the Albanian population. Statistical methods, such as correlation and regression analysis, can reveal significant factors influencing operations and their societal impact.

#### **4. Cross-Validation:**

The use of multiple strategies allows for cross-validation of findings, enhancing the reliability and robustness of the study's conclusions. Triangulating quantitative and qualitative data helps verify key findings and provides a stronger understanding of the research questions.

#### **5. Policy and Practice Recommendations:**

Study findings have the potential to inform policy and management decisions aimed at improving financial services in Albania. By identifying financial constraints, ethical concerns, and administrative gaps, policymakers can design strategies to enhance transparency, fairness, and accountability in account management operations.

## **Limitations**

### **1. Sampling Bias:**

Despite efforts to ensure representative sampling, there is a possibility of sampling bias in both quantitative and qualitative data collection. Certain segments of the population may be underrepresented, limiting the generalizability of the study's findings to the broader Albanian population.

### **2. Response Bias:**

Survey respondents may provide biased or inaccurate responses, influenced by social desirability or other factors. Similarly, interview participants may offer subjective perspectives that do not fully capture the diversity of experiences within the financial management segment.

### **3. Data Quality:**

The reliability of both quantitative and qualitative data depends on the accuracy and completeness of participant responses. Fragmented survey responses or contradictory interview transcripts may compromise the validity of the study's findings.

### **4. Resource Constraints:**

Conducting mixed-methods research requires significant time, effort, and resources. Constraints such as limited funding, time pressures, and logistical challenges may affect the scope and depth of data collection and analysis.

## **I. Significance of the study**

The study of account management within the Republic of Albania holds critical significance due to its potential to illuminate fundamental aspects of the country's financial and social structures. Like many other nations, Albania relies heavily on effective account management to foster financial development, promote financial inclusion, and advance social well-being. Several reasons highlight the importance of this research:

### **Financial Advancement**

Account management serves as a pillar of Albania's financial progress. By facilitating credit provision, mobilizing reserve funds, and offering basic financial services, banks play a crucial role in promoting entrepreneurship, empowering businesses, and stimulating overall financial development. Understanding the elements of account management and their impact on financial advancement is essential for policymakers and stakeholders to determine effective strategies for sustainable financial growth.

### **Financial Inclusion**

Observing levels of budgetary inclusion and identifying barriers to access account management are key to advancing comprehensive development and reducing inequality. Financial inclusion enables individuals and communities to save, invest, and access credit, improving financial opportunities and enhancing quality of life. Addressing obstacles to inclusion contributes to bridging gaps between excluded and included population segments.

## **Administrative System**

Evaluating ethical concerns within account management and assessing the adequacy of administrative systems are essential for maintaining trust and stability within the monetary framework. Ethical handling of funds and robust administrative oversight ensure consumer protection, promote fair competition, and safeguard financial stability. Findings from this study can guide policymakers regarding regions requiring administrative reforms and strengthen customer security measures within account management practices.

## **Social Impact**

Effective account management has a significant social impact by engaging individuals, families, and communities. Promoting financial literacy, guidance, and awareness equips individuals with the knowledge and skills necessary to make informed financial decisions and protect themselves from misuse of funds. Furthermore, initiatives aimed at enhancing financial inclusion can contribute to poverty reduction and social empowerment, thereby advancing overall societal well-being.

## **Policy and Practice Recommendations**

Study findings can inform evidence-based policy decisions and interventions aimed at improving the accessibility and inclusivity of account management in Albania. Recommendations arising from this research may guide administrative reforms, framework adjustments, and initiatives to enhance financial governance, consumer protection, and digital innovation within the account management sector. By providing policymakers with critical insights, the study contributes to strengthening financial development, social well-being, and monetary stability in Albania.

### **Conclusion:**

The examination of account management within the Republic of Albania is vital for understanding the complexities of financial service delivery and its impact on economic advancement, financial inclusion, and social welfare. By addressing key research questions and offering actionable recommendations, this study has the potential to catalyze positive changes and contribute to the long-term success and prosperity of Albania.

## **References**

- Agolli, S., & Kasemi, D. (2019). The banking system and the role of monetary policy in Albania during the transition period. *European Journal of Economics, Law and Social Sciences*, 3(2), 30-39.
- Albanian Financial Supervisory Authority. (2020). *Annual Report 2019*. Tirana, Albania: Author.
- Bank of Albania. (2021). *Financial Stability Report*. Tirana, Albania: Author.
- Bezhani, L., & Gurra, L. (2018). Banking sector development and economic growth in Albania: An empirical analysis. *Journal of Economic Development, Environment and People*, 7(3), 6-18.
- Bezhani, L., & Gurra, L. (2019). Banking Sector Stability and Regulatory Oversight in Albania: A Case Study Analysis. *European Journal of Business and Management Research*, 4(2), 1-10.
- Cangonji, J., & Sina, O. (2020). Financial inclusion and access to banking services: Evidence

from Albania. *International Journal of Finance and Banking Studies*, 9(1), 89-102.

Central Bank of Albania. (2019). *Annual Report 2018*. Tirana, Albania: Author.

Gjergji, M., & Kodra, L. (2019). Bank lending and economic growth in Albania: A time series analysis. *Journal of Finance and Investment Analysis*, 8(4), 37-49.

Gjoka, B., & Ziu, I. (2018). Ethical Concerns in the Albanian Banking Sector: A Qualitative Study. *International Journal of Economics, Commerce and Management*, 6(5), 130-145.

Kamberi, E., & Hidri, A. (2018). The impact of banking sector development on economic growth in Albania: A VAR approach. *International Journal of Economics, Commerce and Management*, 6(4), 155-168.

Kondi, F., & Lika, L. (2020). Financial Inclusion in Albania: Current Status and Policy Recommendations. *Journal of Economics and Sustainable Development*, 11(8), 85-94.

Mersini, M. (2019). The Role of Banks in Economic Growth: Evidence from Albania. *European Scientific Journal, ESJ*, 15(9), 338-352.

Ministry of Finance and Economy, Albania. (2020). *Annual Economic Report 2019*. Tirana, Albania.

National Bank of Albania. (2021). *Monetary Policy Report*. Tirana, Albania.

Qirici, E., & Meka, E. (2019). Financial stability and banking regulation in Albania: Challenges and opportunities. *Journal of Governance and Regulation*, 8(4), 57-69.

Republic of Albania. (2020). *National Strategy for Financial Education 2020-2025*. Tirana, Albania.

Sejdini, A., & Skenderi, E. (2018). Challenges of banking sector development in Albania: A comparative analysis. *International Journal of Academic Research in Business and Social Sciences*, 8(6), 269-283.

Shala, A. (2021). Digital Transformation in Albanian Banking: Opportunities and Challenges. *Journal of Information Systems and Technology Management*, 18, e2021050101.

Shkurti, D., & Selenica, E. (2020). Digital transformation in the Albanian banking sector: Opportunities and challenges. *Journal of Information Systems and Technology Management*, 17(3), e2020170301.

State Supreme Audit Institution of Albania. (2019). *Audit Report on the Financial Statements of Banks*. Tirana, Albania.

Sula, O., & Bregasi, D. (2020). Financial sector development and economic growth in Albania: A Granger causality analysis. *Journal of Economics and Political Economy*, 7(2), 228-240.

Tafaj, E., & Vjero, K. (2019). Impact of banking sector on economic growth in Albania: An ARDL approach. *Journal of Economics, Finance and Administrative Science*, 24(47), 25-34.

The World Bank. (2021). *Albania Economic Update, Spring 2021: Green Growth for Sustainable Recovery*. Washington, DC: Author.

Xhafaj, E., & Gjoka, B. (2018). Financial inclusion and its determinants in Albania: Evidence from household survey data. *Journal of Finance and Accounting Research*, 3(2), 55-68.

Xhufka, A., & Memaj, F. (2020). Ethical considerations and corporate social responsibility in the Albanian banking sector: A stakeholder perspective. *Journal of Economics, Business and Management*, 8(2), 85-96.

# Administrative Decentralization in Albania's Social Care System: An Interview-Based Analysis

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## Abstract

This study examines the effectiveness of administrative decentralization in Albania's social care system, focusing on the transfer of responsibilities, institutional cooperation, and local governance capacity. Using a qualitative–quantitative approach, the research is based on semi-structured interviews with 20 key stakeholders from central and local institutions, academic circles, and national and international organizations. Participants, selected through purposeful sampling, included senior professionals such as directors, policy specialists, and social service managers with 10 to 30 years of experience in the field. The interview instrument combined closed-ended Likert-scale questions (1 = Not effective to 5 = Very effective) with open-ended questions exploring participants' concrete experiences, challenges, and recommendations. The closed-ended section of the interview were designed to evaluate the perceived effectiveness of key factors in the decentralization of social care services like transfer of responsibilities for service delivery, cooperation between central and local institutions, the adequacy of central government instruments to support local structures, the effectiveness of monitoring mechanisms at the municipal level, the professionalism of local social service staff, and the role of both national and international organizations—particularly within the Municipality of Tirana—in supporting the decentralization process. Quantitative findings indicate that administrative decentralization in Albania's social care system is perceived as moderately to relatively effective, with notable progress in Tirana. However, its full implementation remains limited by insufficient resource transfer, weak monitoring mechanisms, and uneven professional capacities among municipalities. Qualitative results further show that decentralization has improved service accessibility and contextual responsiveness, yet the reform remains fragile and highly dependent on local capabilities, financial autonomy, and effective institutional cooperation. Continuous professional development is essential, while international actors have played a key supportive role. Sustainable progress requires stronger national systems for training, monitoring, and equitable funding across municipalities. Overall, the study underscores that the success of decentralization ultimately depends on sustained local empowerment supported by strong national frameworks. Advancing this reform requires continuous investment in capacity-building and stable intergovernmental collaboration to ensure durable improvements in social care outcomes.

**Keywords:** administrative decentralization; social care services; local governance.

## 1. Introduction

Over the past two decades, Albania has undertaken substantial reforms in its social protection and social care systems, aimed at modernizing the policy framework, strengthening institutional mechanisms, and improving the quality of services

delivered to citizens. Legislative changes, new policy instruments, and the involvement of diverse actors in service governance have sought to establish a more functional and community-oriented model of social care. A key milestone in this transformation is Law no. 121/2016 “On Social Care Services in the Republic of Albania,” which, through Articles 36 and 37, defines the responsibilities of local government units in managing social care services and mandates the establishment of specialized local structures to ensure an effective and inclusive system (Republic of Albania, 2016).

Furthermore, a major administrative–territorial reform in 2014 (Law no. 115/2014) significantly reshaped local governance by consolidating the number of local government units from 373 to 61 municipalities (Republic of Albania, 2014). This restructuring aimed to increase institutional capacity, enhance administrative efficiency, and ensure higher-quality public services for citizens. As a result, larger municipalities in terms of territorial coverage and population have assumed expanded responsibilities in social service governance. However, this shift has also generated important challenges, particularly in resource management, organizational structuring of services, and the development of professional capacities necessary for effective decentralization.

Despite a clearly defined legal framework, the instruments required to operationalize municipal responsibilities in planning, budgeting, providing social services, and facilitating the social reintegration of individuals in need remain insufficient and sometimes unclear (Republic of Albania, 2023). The Government of Albania has adopted and implemented two consecutive National Social Protection Strategies (2015–2020; 2020–2023), each focused on reforming three core pillars: (a) economic assistance, (b) disability support, and (c) social care services. Yet, nearly a decade after the introduction of these reforms, the social protection system remains fragmented, lacking the integration and coordination required to adequately respond to the multidimensional needs of vulnerable populations.

As a transformative policy shift, the decentralization of social care has proven ambitious, presenting both opportunities—such as enhanced proximity to beneficiaries and context-responsive support—and significant challenges. The most notable challenges are linked to inter-institutional coordination, resource distribution, monitoring mechanisms, and the overall evolution of social protection approaches to better reflect citizens’ needs. Therefore, understanding the intersection between decentralization and social protection reforms is essential to identify gaps, bottlenecks, and implementation difficulties—from policy design at the central government level to service execution on the front lines.

In this context, assessing the effectiveness of administrative decentralization in Albania’s social care system becomes crucial for evaluating the progress achieved and the persisting limitations in practice. By examining the experiences, perceptions, and insights of stakeholders directly involved in the reform process, this study aims to offer evidence-based recommendations to support more efficient and equitable development of social care services at the local level.

## **2. Administrative decentralization**

Administrative decentralization represents a fundamental mechanism through which

governments aim to bring public services closer to citizens, improve governance efficiency, and enhance accountability at the local level. In the context of social care systems, such decentralization is particularly important because it directly affects the planning, management, and delivery of essential services to vulnerable populations. By transferring responsibilities from central authorities to local units of government, administrative decentralization seeks not only to distribute tasks more effectively but also to empower local actors to respond to community-specific needs.

Understanding the concept of administrative decentralization is therefore essential for analysing its implementation, challenges, and outcomes in different national contexts. Scholars highlight that decentralization is a multifaceted process, involving political, fiscal, and administrative dimensions, each with specific modes and implications for governance (Falleti, 2005; Rodden, 2004; Independent Evaluation Group, 2008). This section focuses specifically on the administrative aspect, examining how responsibilities, authority, and accountability are transferred to subnational governments, and how these mechanisms influence service delivery, institutional cooperation, and local governance outcomes.

Decentralization—the transfer of political power to local units of government—is a widespread phenomenon (Estache, 1995, p. 5). It involves the transfer of administrative and financial authority and responsibility for governance and public service delivery from a higher level of government to a lower level. The precise dimension, appellation, level of responsibility, and set of government authorities involved vary widely by country (Independent Evaluation Group, 2008, p. 5). Due to the complexity and multifaceted nature of decentralization, different types of decentralization are distinguished (Sekula & Flisikowski, 2024, p. 291).

Decentralization is a multifaceted concept encompassing political, administrative, and fiscal attributes (Falleti, 2005; Rodden, 2004). Generally, three dimensions and three modes of decentralization are identified:

- Dimensions: Administrative decentralization, Fiscal decentralization, Political decentralization.
- Modes: Devolution, Delegation, Deconcentration (Independent Evaluation Group, 2008, p. 5).

Administrative decentralization specifically refers to the delegation of tasks and powers from the central government to local self-governments to perform necessary functions (Sekula & Flisikowski, 2024, p. 291). It concerns how responsibilities and authorities for policies and decisions are shared across levels of government and how these are turned into allocative outcomes (Independent Evaluation Group, 2008, p. 5). More concretely, administrative decentralization is defined as “the set of policies that transfer the administration and delivery of social services such as education, health, social welfare, or housing to subnational governments” (Falleti, 2005, p. 329).

Administrative decentralization occurs when the central government transfers public sector tasks to local governments or other institutions outside its bureaucracy. It is expected to increase government accountability, as it enables citizens to monitor local officials (von Braun & Grote, 2002). This process redistributes authority and responsibility among different levels of government and establishes accountability structures. Public accountability entails at least two mechanisms influenced by political and administrative decentralization: (a) elected officials’ accountability to

citizens, and (b) bureaucrats' accountability to elected officials (Blair, 2000).

The decision-making autonomy of subnational governments varies in depth and scope. The depth of administrative decentralization ranges from deconcentration, where the central government retains authority over field offices implementing policies, to legislative authority, where subnational governments have full control over policy provision. The scope refers to the range of policies or tasks that are decentralized. For example, a subnational government controlling only education and public transport has a lower extent of decentralization than one additionally controlling health and housing (Lago, 2021, p. 33).

Administrative decentralization may or may not entail the devolution of decision-making authority. When revenues are transferred from the center to cover administrative and service delivery costs, administrative decentralization coincides with fiscal decentralization. If subnational governments bear these costs from their own revenues, it is considered unfunded administrative decentralization (Vezbergaite, 2016, p. 59).

In conclusion, this section offers a reflective synthesis of the key concepts and mechanisms of administrative decentralization discussed above. Administrative decentralization is more than a formal redistribution of authority; it represents a multidimensional process that reshapes governance, accountability, and service delivery at the local level. As highlighted by Falleti (2005) and Rodden (2004), decentralization encompasses political, administrative, and fiscal dimensions, and its impact depends on how responsibilities are shared and implemented across government levels (Independent Evaluation Group, 2008). The depth and scope of administrative decentralization—from deconcentration to legislative authority—determine the extent to which subnational governments can make autonomous decisions and manage services effectively (Lago, 2021; Vezbergaite, 2016). Furthermore, decentralization is expected to strengthen accountability by enabling citizens to monitor local officials and by clarifying bureaucratic responsibility to elected authorities (Blair, 2000; von Braun & Grote, 2002). Reflecting on these insights, it becomes evident that the success of administrative decentralization relies not only on formal policy transfers but also on local capacities, institutional collaboration, and the ability to respond to community-specific needs. In this sense, decentralization is a continuous and adaptive process, where meaningful outcomes emerge when local actors are empowered, supported, and accountable in practice.

### **3. Methodology**

This study employed a purposeful sampling approach to select participants with extensive professional experience in social care and decentralization policies in Albania. The sample consisted of 20 respondents, predominantly female, aged between 36 and 66 years, representing key central and local governmental institutions, municipal authorities, academic institutions, and non-governmental organizations. Participants occupied leadership or senior positions—such as executive directors, department heads, or policy specialists—and possessed between 10 and over 30 years of experience in social services, policy development, and program implementation.

This composition ensured that the study captured expert-based perspectives on the effectiveness and challenges of administrative decentralization in the social care sector.

The research adopted a mixed qualitative–quantitative design using semi-structured interviews to collect comprehensive insights from stakeholders at both central and local levels. The interview protocol combined closed-ended Likert-scale questions (1 = Not effective; 5 = Very effective) with open-ended questions. The Likert-scale items assessed participants’ perceptions of key factors in the decentralization process, including:

- The transfer of responsibilities for social service delivery from central to local government,
- Cooperation and coordination between central and local institutions,
- Adequacy of central government instruments to support local structures,
- Effectiveness of monitoring mechanisms at the municipal level,
- Professionalism and capacity of local social service staff, and
- The role of national and international organizations in supporting the decentralization process, particularly in Tirana.

The open-ended questions provided a platform for participants to describe their concrete experiences, reflecting on both the successes and challenges encountered during decentralization. Respondents discussed the quality of inter-institutional cooperation, shared examples of support from NGOs and donor agencies, and identified capacity gaps within decentralized structures. They also highlighted areas for staff development, including case management, social service planning, financial administration, and coordination among institutions.

This methodological approach enabled a comprehensive assessment of administrative decentralization by capturing both quantitative evaluations of effectiveness and rich qualitative insights into practical implementation, challenges, and opportunities for improvement.

## 4. Results

### 4.1 Quantitative findings

This section presents the quantitative results derived from the Likert-scale questions used to assess stakeholders’ perceptions of the effectiveness of Albania’s administrative decentralization in the social care sector. The analysis focuses on six key dimensions of the reform – transfer of responsibilities, institutional cooperation, adequacy of central government instruments, municipal monitoring mechanisms, professionalism of local social service staff, and external institutional support. By quantifying respondents’ evaluations on a scale from 1 (Not effective at all) to 5 (Very effective), this section provides a numerical overview of how decentralization is functioning in practice. These findings offer an empirical foundation for understanding both the progress achieved and the areas requiring further improvement, which are subsequently explored in the qualitative analysis.

The study assessed the perceived effectiveness of several factors in the process of decentralizing social care services in Albania, using a Likert scale ranging from 1 (Not effective at all) to 5 (Very effective). The factors evaluated included the transfer

of responsibilities from central to local governments, cooperation between central and local institutions, the adequacy of central government instruments, municipal-level monitoring mechanisms, staff professionalism, and the support of national and international organizations, particularly within the Municipality of Tirana.

Transfer of responsibilities to local governments: Overall, participants rated the transfer of responsibilities as moderately to highly effective. While most responses clustered around “Moderately effective” and “Quite effective,” several respondents highlighted strong improvements in local decision-making capacity, particularly in municipalities with more developed administrative structures.

Cooperation between central and local institutions: Respondents indicated that inter-institutional cooperation was generally effective, with a significant proportion of participants rating it as “Moderately effective” or “Quite effective.” However, some participants noted occasional gaps in communication and coordination, which occasionally limited the smooth implementation of decentralized functions.

Central government instruments: The perceived effectiveness of policy instruments used by the central government to ensure service quality was mixed. While several respondents rated these tools as “Quite effective” or “Very effective,” a subset of participants considered them only “Moderately effective” or reported a lack of sufficient information regarding their implementation.

Monitoring mechanisms at the municipal level: The evaluation of municipal monitoring systems revealed a moderate perception of effectiveness. Participants emphasized that while mechanisms exist, their consistency and comprehensiveness vary across municipalities, affecting overall accountability and service quality.

Professionalism of local social service staff: Respondents generally rated staff professionalism as high, with most indicating that local personnel are competent and capable of managing decentralized responsibilities. Still, some pointed to differences in expertise and experience among municipalities, highlighting the need for ongoing professional development.

Support from national and international organizations: The role of national NGOs and international agencies in facilitating decentralization was widely recognized as effective, particularly in Tirana. Most respondents rated this support as “Quite effective” or “Very effective,” indicating that these organizations contributed to both capacity building and operational support at the municipal level.

Municipality-specific observations (Tirana): Respondents consistently highlighted the Municipality of Tirana as a model of relatively effective decentralization. Across nearly all factors, Tirana received higher ratings compared to other municipalities, reflecting stronger institutional capacity, better coordination mechanisms, and more comprehensive support from national and international actors.

In summary, the quantitative data reveal a generally positive perception of the decentralization process, with strengths in staff professionalism and institutional support, particularly in Tirana. Areas requiring further attention include the consistency of municipal monitoring mechanisms, uniform application of central government instruments, and ensuring effective cooperation across all local units. The findings suggest that while administrative decentralization has produced notable benefits, its overall effectiveness remains contingent on local capacity, inter-

institutional collaboration, and sustained external support.

## 4.2 Qualitative findings

The qualitative analysis complements the quantitative data by exploring in depth the experiences, perceptions, and reflections of key stakeholders involved in the decentralization of social care services. Drawing on open-ended interview responses, this section identifies recurring themes, practical challenges, and examples of effective practices that characterize the implementation of decentralization in Albania. The analysis is structured around three core thematic areas: (1) the transfer of responsibilities from central to local government, (2) cooperation between central and local institutions, and (3) training and capacity building for local social service staff. These insights reveal not only how administrative decentralization has evolved in practice but also the systemic and capacity-related factors that continue to shape its overall effectiveness and sustainability.

### 1. Transfer of responsibilities from central to local government

Most respondents perceived the transfer of social care responsibilities from the central to local level as a positive and necessary reform that has brought services closer to citizens and allowed for quicker, more context-responsive interventions. Participants emphasized that the establishment of local structures—such as Needs Assessment and Case Referral Units and Child Protection Units—has enhanced local accountability and responsiveness. However, the process has also revealed significant structural and financial limitations. Many interviewees highlighted that the decentralization of responsibilities was not fully accompanied by proportional financial and human resource transfers, leaving municipalities—especially smaller ones—without adequate means to meet new obligations. In some cases, responsibilities were transferred before sufficient institutional readiness or technical guidance was in place. Respondents described decentralization as a “work in progress,” noting that its success depends on continuous capacity-building and clearer alignment between delegated duties and available resources.

### 2. Cooperation between central and local institutions

The majority of participants agreed that cooperation between central and local institutions has improved over time but remains uneven and often dependent on external projects or individual commitment rather than systemic coordination. Several examples were cited where collaboration has worked well—particularly within the Municipality of Tirana, where intersectoral mechanisms for child protection, gender-based violence, and social inclusion have become more functional with the support of international organizations such as UNICEF, UNDP, and UN Women. Nonetheless, respondents stressed that coordination frameworks are not yet institutionalized or consistently applied across all municipalities. Gaps in communication, overlapping responsibilities, and limited data sharing hinder the effectiveness of joint planning and monitoring. Many participants called for a unified national mechanism for coordination and reporting that ensures coherence between central policies and local implementation. They emphasize the implementation of the National Electronic Registry of Social Care Services to facilitate the registration and management of case data, and to ensure that individuals and families in need can benefit from social care

services. Overall, while inter-institutional cooperation has improved in principle, it still lacks stability, clarity of roles, and sustainable communication channels.

### 3. Training and capacity building of local social service staff

All respondents unanimously underscored that staff training and capacity building are fundamental to the effectiveness and sustainability of administrative decentralization. The interviews revealed that local staff often lack standardized, continuous training opportunities, and that existing initiatives are fragmented, donor-driven, and not always aligned with real needs. Participants emphasized the need for a national, institutionalized training framework covering technical, managerial, and ethical competencies. Key areas identified include case management, needs assessment, financial administration of the Social Fund, gender-sensitive budgeting, and monitoring and evaluation of social services. Respondents also noted that training should be linked to performance assessment and professional development systems to enhance motivation and retention of qualified staff. In essence, continuous professional education was viewed not merely as supportive, but as a structural requirement for effective and equitable decentralization across municipalities.

The qualitative findings highlight both the progress and persistent challenges in the implementation of administrative decentralization of social care services in Albania. Interviews with key stakeholders revealed a generally positive perception of decentralization as a reform that has improved proximity, responsiveness, and accountability in service delivery. However, they also emphasized that the transfer of responsibilities to local governments has not always been matched by adequate financial and human resources, leading to uneven implementation across municipalities. Cooperation between central and local institutions has improved over time, particularly in municipalities supported by international partners, yet remains inconsistent and insufficiently institutionalized. Coordination often relies on individual initiative, resulting in communication gaps, overlapping roles, and limited data sharing. Across all interviews, the need for continuous staff training and professional development emerged as a critical condition for sustainable decentralization. Respondents stressed that local social service staff require standardized and ongoing training programs in technical, managerial, and ethical competencies. They advocated for an institutionalized national training framework linked to performance evaluation and career progression to ensure quality, motivation, and accountability in local service delivery. Overall, the findings suggest that while decentralization has advanced the localization of social care, its long-term effectiveness depends on stronger financial support, systematic coordination mechanisms, and the professionalization of the local workforce.

## 5. Discussion and Conclusion

The findings of this study highlight that administrative decentralization in Albania's social care system has advanced considerably over the past decade, yet remains a partial and uneven process. Quantitative results revealed a moderately high

perception of effectiveness across most dimensions, particularly in municipalities with stronger institutional capacity such as Tirana. The transfer of responsibilities has improved local responsiveness and proximity to beneficiaries, confirming that decentralization can enhance service accessibility when supported by adequate governance mechanisms. However, the absence of proportional financial transfers and persistent gaps in human resources continue to limit the full realization of municipal autonomy.

Qualitative insights deepened this understanding, showing that while legal and policy frameworks are well established, implementation challenges persist at the operational level. Cooperation between central and local institutions was described as functional but fragile, often dependent on donor-driven initiatives rather than sustainable intergovernmental systems. Monitoring mechanisms and data-sharing structures remain underdeveloped, weakening accountability and evidence-based decision-making. Furthermore, the study confirmed that the professionalism and motivation of local staff are essential for the success of decentralization, yet capacity-building efforts are sporadic and lack institutionalization.

Overall, the results suggest that Albania's decentralization reform has succeeded in bringing social care governance closer to citizens but has not yet achieved the consistency and systemic integration required for long-term sustainability. Strengthening this process demands a dual approach: continued investment in local capacities—through standardized, accredited training and human resource development—and the establishment of stable coordination and monitoring frameworks that connect central and local levels more effectively. The success of administrative decentralization ultimately depends on balancing autonomy with accountability, ensuring that local governments are both empowered and adequately supported to deliver inclusive, high-quality social services for all.

## **6. Recommendation**

To consolidate the progress of administrative decentralization in Albania's social care system, several key actions are recommended. First, decentralization should be accompanied by adequate financial and human resources to ensure that local governments can effectively meet their new responsibilities. Second, stronger coordination and communication mechanisms are needed between central and local institutions to enhance coherence and accountability. Third, a unified monitoring and evaluation framework should be developed to assess performance and guide evidence-based improvements. The effective operation of the National Electronic Registry of Social Care Services is crucial for ensuring efficient service delivery and data management. Finally, institutionalized and continuous training for local social service staff is essential to sustain professionalism and service quality. Strengthening these dimensions will ensure that decentralization becomes a stable, equitable, and results-oriented process across all municipalities.

## References

- Blair, H. (2000). *Participation and accountability at the periphery: Democratic local governance in six countries*. *World Development*, 28(1), 21–39. [https://doi.org/10.1016/S0305-750X\(99\)00109-6](https://doi.org/10.1016/S0305-750X(99)00109-6)
- Estache, A. (Ed.). (1995). *Decentralizing infrastructure: Advantages and limitations* (World Bank Discussion Paper No. 286). Washington, DC: World Bank Publications.
- Falleti, T. G. (2005). *A sequential theory of decentralization: Latin American cases in comparative perspective*. *American Political Science Review*, 99(3), 327–346. <https://doi.org/10.1017/S0003055405051695>
- Independent Evaluation Group. (2008). *Decentralization in client countries: An evaluation of World Bank support, 1990–2007*. World Bank Publications.
- Lago, I. (Ed.). (2021). *Handbook on decentralization, devolution and the state*. Edward Elgar Publishing. <https://doi.org/10.4337/9781839103278>
- Republic of Albania. (2014, July 31). *Law No. 115/2014 "On the Administrative-Territorial Division of Local Government Units in the Republic of Albania"*. Official Gazette.
- Republic of Albania. (2016, November 24). *Law No. 121/2016 "On Social Care Services in the Republic of Albania"*. Official Gazette No. 137, dated 02/12/2016.
- Republic of Albania. (2023, April 20). *Intersectoral Strategy for Decentralization and Local Governance 2023–2030*. Prime Minister's Office / Agency for Support of Local Self-Governance.
- Rodden, J. (2004). *Comparative federalism and decentralization: On meaning and measurement*. *Comparative Politics*, 36(4), 481–500. <https://www.jstor.org/stable/4150172>
- Sekuła, A., & Flisikowski, K. (2024). *The scope of fiscal decentralisation in EU countries: A comparative analysis*. *Ekonomia i Prawo. Economics and Law*, 23(2).
- Vežbergaite, I. (2016). *Decentralisation policies, subnational autonomy and federal executive power: A comparison of Brazil and Mexico*. *Croatian and Comparative Public Administration*, 16(1), 55–76. <https://doi.org/10.31297/hkju.16.1.2>
- von Braun, J., & Grote, U. (2002). *Does decentralization serve the poor?* In E. Ahmad & V. Tanzi (Eds.), *Managing fiscal decentralization* (pp. 68–95). Routledge. <https://doi.org/10.4324/9780203219997-13>

# Legal liability of political parties for the acts of their members and representatives: Comparative approaches and challenges for the democratic system

Dr. Erisa Xhixho

## Abstract

Political parties constitute the fundamental pillar of representative democracy and are the main instrument for mediating the will of citizens with political power. However, their important role is accompanied by a notable lack of legal accountability mechanisms. This article aims to analyze the nature and limits of the legal accountability of political parties for the actions of their members and representatives, focusing on the Albanian reality and the experiences of European Union countries. Through a comparative and analytical approach, the study highlights the legal gaps that exist in the Albanian normative framework, the lack of effective mechanisms for institutional accountability and the need for special regulation to guarantee the integrity of political life. The article concludes with some concrete proposals for improving the legal framework, aiming at a balance between the autonomy of parties and their obligation to be accountable before the law.

**Keywords:** Political parties, legal responsibility, political autonomy, electoral integrity, accountability, representative democracy.

## 1. Introduction

In any contemporary democratic system, political parties constitute the fundamental means of political representation and civic participation in decision-making processes.<sup>1</sup> Through them, individuals and social groups transform their will into political positions and institutional actions.<sup>2</sup> However, at the same time, parties are independent entities with a unique internal structure, which gives them an intermediate status between private organizations and public institutions.<sup>3</sup>

This hybrid nature of political parties has led to numerous debates over the extent of responsibility they should bear for the actions of their members or representatives, especially when these actions produce legal, economic, or moral consequences for the democratic order.<sup>4</sup> In the Albanian context, where parties play a dominant role in political processes, the lack of a clear mechanism for institutional accountability remains one of the most visible gaps in the system.<sup>5</sup>

The Constitution of the Republic of Albania guarantees the freedom of creation and functioning of political parties, but does not clearly define the basis of their legal

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<sup>1</sup> Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis*, Cambridge University Press, 1976, p. 21.

<sup>2</sup> Maurice Duverger, *Political Parties: Their Organization and Activity in the Modern State*, Methuen, London, 1954, p. 17.

<sup>3</sup> Hans Kelsen, *General Theory of Law and State*, Harvard University Press, 1945, p. 331

<sup>4</sup> See more: Richard S. Katz & Peter Mair, *How Parties Organize: Change and Adaptation in Party Organizations in Western Democracies*, Sage Publications, 1994.

<sup>5</sup> A. Omari, *Constitutional Law of the Republic of Albania*, Tirana, 2018, p. 212.

responsibility.<sup>6</sup>On the other hand, Law No. 8580/2000 “On Political Parties” contains limited provisions mainly related to registration, financing and prohibitions for unconstitutional purposes, without defining clear responsibilities for the actions of members.<sup>7</sup>

In the absence of a complete legal treatment, jurisprudence and doctrine remain the only sources where we can find guidance on how the liability of parties as legal persons should be understood.<sup>8</sup>In this context, the article will address:

1. the concept and theoretical basis of the legal responsibility of political parties;
2. the Albanian legal framework and current restrictions;
3. the practices of the European Union countries and the jurisprudence of the European Court of Human Rights; and
4. proposals for improving national legislation in line with European democratic standards.

This approach aims to contribute to the debate on the need for a new framework of institutional accountability of parties, which does not limit pluralism, but guarantees the integrity of political life through respect for the law and transparency.

## **2. Theoretical and conceptual framework of the legal responsibility of political parties**

To fully understand the legal responsibility of political parties, it is necessary to examine their legal nature, the position they occupy in the political system, and the relationship between their autonomy and the obligation to obey the law.

In contemporary literature, political parties are considered both subjects of public and private law, depending on the functions they exercise.<sup>9</sup>This normative ambiguity creates difficulties in determining the limits of their legal responsibility.

### **2.1. Legal nature of political parties**

In legal terms, parties are recognized as separate legal entities, which acquire this status upon their registration with the Tirana Judicial District Court, according to Article 6 of Law No. 8580/2000 “On Political Parties”.<sup>10</sup>

But unlike ordinary civil associations, parties perform functions that directly affect the exercise of popular sovereignty, as they participate in electoral processes, the formation of representative institutions, and the exercise of political power.<sup>11</sup>

This semi-public nature of parties is why constitutional doctrine treats them as “intermediate institutions” between the state and society.<sup>12</sup>Consequently, their responsibility must reflect this duality: the autonomy guaranteed by the Constitution<sup>13</sup>It must be accompanied by the obligation to respect the law and

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<sup>6</sup> Article 9 of the Constitution of the Republic of Albania (adopted in 1998, amended).

<sup>7</sup> Law No. 8580, dated 17.2.2000, “On Political Parties”, article 2 and article 23.

<sup>8</sup> Venice Commission, Guidelines on Political Party Regulation, CDL-AD(2010)024, Strasbourg, 2010.

<sup>9</sup> Giovanni Sartori, Parties and Party Systems, Cambridge University Press, 1976, p. 49.

<sup>10</sup> Law No. 8580, dated 17.2.2000, “On Political Parties”, article 6.

<sup>11</sup> Robert Dahl, Polyarchy: Participation and Opposition, Yale University Press, 1971, p. 22.

<sup>12</sup> Hans Kelsen, Essence and Value of Democracy, Rowman & Littlefield, 2013, p. 97.

<sup>13</sup> Article 9, Constitution of the Republic of Albania.

democratic principles in their activities.

In international practice, this concept has taken clear form through the decisions of the European Court of Human Rights (ECHR), which has emphasized that “political parties are indispensable elements of pluralist democracy, but their freedom is not absolute and may be limited to protect the democratic order.”<sup>14</sup>

## 2.2. Legal liability as a legal category

In public law, legal responsibility means the obligation of an entity to bear consequences for actions or omissions that conflict with the legal order.<sup>15</sup> For political parties, this responsibility can manifest itself in several forms:

- Administrative liability for violations of funding, reporting or transparency rules.<sup>16</sup>
- Civil liability, in cases where an action of its representatives causes damage to third parties.<sup>17</sup>
- Criminal liability, if the party is used as a means to commit punishable acts, such as illegal financing or electoral corruption.<sup>18</sup>

In practice, however, states are careful in implementing these forms of responsibility so as not to violate the principle of political pluralism and freedom of organization.<sup>19</sup> Thus, the concept of party accountability should be understood not as a repressive tool, but as a mechanism to guarantee accountability, transparency, and public ethics.<sup>12</sup>

In Albanian constitutional doctrine, the idea of “relative autonomy” of parties is often mentioned, which means that they are free in their internal organization, but not immune to the law.<sup>20</sup> Therefore, any action they take that conflicts with the constitutional order or violates the principles of equality and electoral integrity must bring clearly defined legal consequences.<sup>21</sup>

## 2.3. The boundaries between political autonomy and accountability

The Albanian Constitution recognizes the freedom of creation and functioning of political parties as one of the guarantees of democratic pluralism.<sup>22</sup>

But this freedom, like any other constitutional right, can be limited if the activities of parties conflict with the fundamental principles of the constitutional order.<sup>23</sup>

In democratic countries, the boundary between autonomy and accountability is defined through special laws that sanction parties’ obligations for financial reporting, independent auditing, and adherence to ethical norms in campaigns.<sup>24</sup>

<sup>14</sup> ECtHR, *Refah Partisi (The Welfare Party) and others v. Turkey*, Application no. 41340/98, February 13, 2003.

<sup>15</sup> L. Duguit, *Traité de droit constitutionnel*, Paris, 1927, p. 214.

<sup>16</sup> GRECO, Fourth Evaluation Round: Political Financing – Albania, Strasbourg, 2021.

<sup>17</sup> A. Qirjako, *Administrative Law*, Tirana, 2015, p. 143.

<sup>18</sup> OSCE/ODIHR, *Handbook on Political Party Regulation*, Warsaw, 2011, p. 76.

<sup>19</sup> European Commission, *Rule of Law Report – Albania 2023*, Brussels, 2023.

<sup>20</sup> A. Omari, *Constitutional Law*, Tirana, 2018, p. 221.

<sup>21</sup> Right there.

<sup>22</sup> Constitution of the Republic of Albania, article 9/1.

<sup>23</sup> ECtHR, *Herri Batasuna and Batasuna v. Spain*, Application nos. 25803/04 & 25817/04, 30 June 2009.

<sup>24</sup> Council of Europe, *Recommendation Rec (2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns*.

In Albania, this balance still remains fragile. Parties enjoy complete freedom of organization, but an effective mechanism of collective accountability for their actions is lacking, especially when it comes to significant violations that undermine public trust in institutions.<sup>25</sup>

This creates the perception that parties are “above the law,” undermining the essence of representative democracy.<sup>26</sup>

In this context, further treatment of the legal responsibility of political parties should include not only the analysis of legal provisions, but also the identification of gaps that hinder the practical implementation of the principle of accountability in political life.<sup>27</sup>

### **3. Internal democracy in Albanian political parties: current situation, problems and consequences**

The internal democracy of political parties in Albania is one of the most debated aspects of the Albanian political system after 1990. Although political pluralism has been institutionalized for more than three decades, the internal structures of parties have remained rigid and centralized, often not reflecting the principles of competition, transparency, and inclusion that functional democracy requires.

In practice, Albanian parties – whether right-wing, left-wing or new – have developed a leader-dependent political culture, in which decision-making is concentrated in the chairman or a very narrow group of leaders. This is due to several main reasons:

1. Lack of binding legal provisions that define standardized procedures for the election of governing bodies, electoral candidacies, or for relations between local and central structures<sup>28</sup>.
2. The dominance of political personalities, who often founded the party themselves and treat it as personal political “property”, linking its existence to the sole figure of the leader<sup>29</sup>.
3. Party financing, although formally regulated by law, remains dependent on sources that are not always transparent and controlled by a few individuals within the party.<sup>30</sup>

This leadership model leads to a weakening of the mechanisms of control and accountability within the party organization itself. Forum meetings, votes for the election of leadership structures or consultations with the membership are often formal and do not reflect a real democratic process. As a result, parties turn into vertical rather than horizontal institutions, where representative democracy is

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<sup>25</sup> Venice Commission, CDL-AD (2010)024, Strasbourg, 2010.

<sup>26</sup> Transparency International, Political Integrity and Accountability Index 2022.

<sup>27</sup> S. Sadushi, Constitutional Law and Public Authority Institutions, Tirana, 2020, p. 156.

<sup>28</sup> Law No. 8580, dated 17.2.2000 “On Political Parties”, as amended, Article 7.

<sup>29</sup> M. Krasniqi, Political Leadership and Parties in Transition, Journal “Political Studies”, no. 2, 2020, pp. 41–57.

<sup>30</sup> Central Election Commission, Report on the audit of political party finances for 2023, Tirana, 2024.

replaced by a form of “acclamative democracy”, where the membership only approves the decisions of the leadership.

This situation is also reflected in political recruitment and the selection of candidates for parliamentary elections. In most cases, candidates are selected by central structures or by the president himself, significantly limiting the role of the grassroots and local branches in decision-making. This contradicts the principle of free competition and the standards promoted by the Venice Commission, which emphasizes that “internal party democracy is a condition for a healthy and representative political system.”<sup>31</sup>. Paradoxically, political parties that emerged as instruments of pluralism and democratization of Albanian society have often remained the least democratic structures within the system itself. This situation has direct consequences on the quality of governance, political representation and citizens’ trust in institutions. The lack of internal competition and democratic mechanisms contributes to the lack of elite turnover, the growth of electoral apathy and the personalization of Albanian politics.

In some cases, the lack of internal democracy has also led to internal party crises that have resulted in divisions and the creation of new political entities. These divisions are often linked to the lack of clear statutory mechanisms for resolving internal conflicts and to the leader’s intervention to resolve them according to his personal will.

In addition, the lack of transparency in financing and management remains another indicator of the democratic deficit. Although Article 21 of Law No. 8580/2000 provides for the obligation of parties to make public their sources of financing and to report periodically to the Central Election Commission, in practice, reporting is often formal and not verifiable.<sup>32</sup>

These problems show that internal democracy is not yet consolidated as a functional principle, but remains more of a formal notion in party statutes. Its improvement requires intervention in several directions:

- Review of the Law on Political Parties, including clear provisions on internal elections, transparency and leadership rotation;
- Strengthening the role of the Central Election Commission as a supervisory body not only for finances, but also for respect for democratic principles;
- Implementing Council of Europe standards on internal party democracy, through harmonization of national laws with best European practices.

#### **4. Comparative models and European best practices**

Comparative analysis of internal party democracy in European Union countries offers clear perspectives on how legislation and institutional mechanisms can support accountability and transparency. The comparative approach is useful not only for identifying gaps in the Albanian framework, but also for proposing reforms based on international standards.

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<sup>31</sup> Venice Commission, Opinion on the Regulation of Political Parties, CDL-AD(2020)018, Strasbourg, 2020, paragraph 24.

<sup>32</sup> Ibid., Article 21; see also R. Hoxha, Financing of political parties in Albania and the challenges of transparency, “E Dreta dhe Soçëria” Magazine, no. 1, 2022.

#### **4.1. Germany – Compulsory internal democracy**

In Germany, political parties are regulated by the PartG (Parteiengesetz – Political Party Law, 1967), which clearly sets out the obligation for parties to respect internal democracy.<sup>33</sup>

The law requires that the party's main decisions be made through congresses of delegates, who are selected fairly and transparently by local and regional structures. Furthermore, statutes must include clear procedures for electing chairmen, governing bodies and for the election of candidates for parliamentary elections.<sup>34</sup>

Germany also has legal monitoring by administrative courts, which can review complaints from members in case of violations of the party's statutory rules or democratic principles.<sup>35</sup> This practice guarantees a high level of accountability, limiting the influence of leaders and ensuring membership participation in decision-making.

#### **4.2. Italy – Financial transparency and accountability**

In Italy, Law No. 195/1974 and subsequent laws on the financing of political parties have a main focus on financial transparency and administrative matters, but the statute of parties and their practices within the structures are supervised by the Central Election Commission and the judicial bodies.<sup>36</sup>

Italy has decided that every party must publish annual financial reports, including sources of public and private funding, making them accessible to citizens and controlling institutions.<sup>37</sup>

This approach combines external (financial) oversight with the need to guarantee internal democratic participation, as parties that do not respect financial transparency may lose benefits from the public budget and be legally penalized.

#### **4.3. Croatia – Representation and rotation of leaders**

Croatia has implemented mandatory provisions on the rotation of party leaders and membership participation in decision-making, ensuring that decisions on leadership structures are controllable from the local level.<sup>38</sup>

This practice limits the centralization of power, promotes elite renewal, and creates a balance between the central authority of the party and local branches. A periodic monitoring of compliance with these rules is carried out by the State Election Commission, which has the authority to take administrative and judicial measures.

#### **4.4. Lessons for Albania**

From the analysis of European models, some important insights emerge for the reform of Albanian parties:

1. Legal obligation for internal democracy: Parties must have clear statutes that set

<sup>33</sup> Gesetz über die politischen Parteien (PartG), Germany, 1967, § 9.

<sup>34</sup> *Ibid.*, § 10–12.

<sup>35</sup> Bundesverfassungsgericht, Parteienentscheidungen und interne Demokratisierung, BVerfGE 68, 1983, p. 321–345.

<sup>36</sup> Legge 31 December 1974, n. 195 “Disciplina del funding pubblico dei partiti politico”, Italy.

<sup>37</sup> Right there; see also Corte dei Conti, Relazione sul controllo dei partiti politici, 2020.

<sup>38</sup> Croatian Political Parties Act, Official Gazette 1992/35, Articles 7–12.

out the procedures for electing leaders and candidates. This is a practice that the Germans have successfully implemented and which guarantees accountability.

2. Financial transparency and control: As in Italy, mandatory and public financial reporting should be accompanied by real sanctions for violators.
3. Leadership rotation and grassroots participation: The Croatian model shows the importance of leadership rotation to prevent centralization of power and increase membership participation.

The implementation of these mechanisms in Albania would strengthen internal party democracy, reduce the impact of personalization of power, and increase citizens' trust in institutions and electoral processes.

## V. Recommendations and Conclusions

### 5.1. Recommendations for improving the Albanian legal framework

Based on the previous analysis of the legal framework and international practices, several key recommendations can be drawn for strengthening the internal democracy and accountability of Albanian political parties:

1. Obligation for internal democracy: Law No. 8580/2000 should include clear provisions obliging parties to establish in their statutes democratic procedures for the selection of leaders and candidates. This will ensure that decision-making is not concentrated in a few individuals and increase membership participation.<sup>39</sup>
2. Transparency and financial control: Party financial reporting should be mandatory, detailed and verifiable by the Central Election Commission. Clear sanctions should be established for non-compliance with financial rules, based on Italian practice and the recommendations of the Venice Commission.<sup>40</sup>
3. Leadership rotation and local participation: Party statutes should provide for rules for periodic leadership rotation and active participation of local branches in decision-making, drawing inspiration from Croatian and German practices.<sup>41</sup>
4. Institutional oversight: The creation of a clear oversight mechanism within the Central Election Commission to monitor the parties' respect for democratic principles, in addition to financial control, would guarantee real institutional accountability.<sup>42</sup>
5. Training and democratic culture: To strengthen internal democracy, party members and leadership structures should be trained on democratic practices, collective decision-making procedures, and political ethics.<sup>43</sup>

Implementing these recommendations would create a balance between party autonomy and legal accountability, strengthening public trust and the quality of political representation in Albania.

### 5.2. Conclusions

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<sup>39</sup> Law No. 8580, dated 17.2.2000, "On Political Parties", proposal for amendment, articles 7 and 8.

<sup>40</sup> Venice Commission, Opinion on the Regulation of Political Parties, CDL-AD(2020)018, Strasbourg, 2020.

<sup>41</sup> Croatian Political Parties Act, Official Gazette 1992/35, Articles 7–12; Germany, Parteigesetz (PartG) 1967, § 10–12.

<sup>42</sup> Central Election Commission, Manual on political party monitoring and financial reporting, Tirana, 2022.

<sup>43</sup> OSCE/ODIHR, Handbook on Political Party Regulation, Warsaw, 2011, p. 85–97

This article has examined the nature, limits and need for legal accountability of political parties, focusing on the Albanian context and drawing on international experiences. The analysis clearly shows that:

- Albanian political parties are powerful, but often concentrate power in a few individuals, undermining democratic mechanisms within the organization;
- The existing legislation (Constitution and Law No. 8580/2000) is not sufficiently detailed to guarantee internal democracy, transparency and accountability;
- European models show that the combination of internal democracy, financial transparency, and leadership rotation significantly improves the functioning of parties and citizens' trust in political institutions;
- The proposed recommendations for Albania could strengthen the legal framework and create a healthier political ecosystem, preserving party pluralism and autonomy, but setting clear limits on accountability.

In conclusion, internal democracy of political parties is not only a normative requirement, but a prerequisite for the functioning of general democracy. The implementation of good practices and legal reform of the Albanian framework can contribute to a more equitable, transparent and representative system, supporting the consolidation of representative democracy in the country.

## References

- Dahl, R. (1971). *Polyarchy: Participation and Opposition*. Yale University Press.
- Duguit, L. (1927). *Traité de droit constitutionnel*. Paris: L. Larose.
- European Commission. (2023). *Rule of Law Report – Albania 2023*. Brussels.
- Giovanni Sartori. (1976). *Parties and Party Systems*. Cambridge University Press.
- Hans Kelsen. (2013). *Essence and Value of Democracy*. Rowman & Littlefield.
- Central Election Commission. (2022). *Manual on political party monitoring and financial reporting*. Tirana.
- Central Election Commission. (2024). *Report on the audit of political party finances for 2023*. Tirana.
- The Venice Commission. (2010). *CDL-AD(2010)024 – Guidelines on Political Party Regulation*. Strasbourg.
- The Venice Commission. (2020). *Opinion on the Regulation of Political Parties, CDL-AD (2020)018*. Strasbourg.
- Law No. 8580, dated 17.2.2000, *On Political Parties, as amended*, Republic of Albania.
- Constitution of the Republic of Albania. (1998). Tirana: Parliament of Albania.
- Omari, A. (2018). *Constitutional Law*. Tirana: University Publications.
- OSCE/ODIHR. (2011). *Handbook on Political Party Regulation*. Warsaw.
- Peshkopia, V. (2021). *Political parties in Albania: between the Western model and transitional practice*. "Politics & Society" Magazine, no. 4.
- Qirjako, A. (2015). *Administrative Law*. Tirana: University Publications.
- Sadushi, S. (2020). *Constitutional Law and Public Government Institutions*. Tirana: Academic Publications.
- See on party financing: Transparency International. (2022). *Political Integrity and Accountability Index 2022*.
- Hoxha, R. (2022). *Financing of political parties in Albania and the challenges of transparency*. "Right and Society" Magazine, no. 1.
- Krasniqi, M. (2020). *Political leadership and parties in transition*. *Journal "Political Studies"*, no. 2, p. 41–57.

# Globalization and Multilingualism: New Challenges and Trends in Translation Theory

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## Abstract

The accelerating processes of globalization and the growing prominence of multilingualism have reshaped the theoretical and practical landscape of translation studies. As languages, cultures, and communication technologies intersect in unprecedented ways, translation is no longer a merely linguistic transfer but a multidimensional act of cultural mediation within globalized networks. This paper examines the new challenges and trends that globalization and multilingualism pose for translation theory. It explores the impact of digitalization, neural machine translation, and localization practices on notions of equivalence, fidelity, and translator agency. Moreover, it addresses the tension between linguistic diversity and the dominance of global languages such as English, emphasizing the ethical implications for minority language preservation and linguistic justice. Drawing on recent research in multilingual translation and post-human translation models, the study argues that contemporary translation theory must expand to incorporate hybrid communicative practices, transcultural dynamics, and technology-mediated collaboration. Ultimately, this paper proposes that a renewed theoretical framework, one that integrates multilingualism, ethics, and digital transformation, is essential for understanding translation's evolving role in an interconnected world.

**Keywords:** globalization, multilingualism, translation theory, localization, machine translation, linguistic diversity, cultural mediation, ethics.

## 1. Introduction

In the twenty-first century, translation operates within an unprecedented global context characterized by interdependence, multilingual communication, and technological acceleration. The global movement of people, texts, and data has blurred linguistic and cultural boundaries, redefining translation as a process of intercultural negotiation rather than linguistic substitution (Baker, 2021). At the same time, digitalization, artificial intelligence, and machine translation have transformed the modes, speed, and ethics of linguistic mediation.

Globalization has thus produced a paradox: while it promotes interconnectedness and accessibility, it simultaneously risks linguistic homogenization through the dominance of global languages such as English. Multilingualism, the coexistence of diverse linguistic codes within shared communicative spaces, both enriches and complicates translation practices (Cronin, 2022). As a result, translation theory faces new conceptual and ethical questions. How should notions like equivalence or fidelity be redefined in a world where algorithms generate translations? What happens to the translator's agency when human and non-human actors share authorship?

The present study aims to respond to these questions by exploring how globalization and multilingualism reshape translation theory. Through qualitative and analytical methods, it seeks to identify key theoretical transformations, ethical dilemmas, and

emerging frameworks that align translation with the realities of global communication.

## **2. Aim of the Study**

The primary aim of this study is to analyze the impact of globalization and multilingualism on contemporary translation theory, with particular attention to technological mediation, linguistic diversity, and ethical accountability. The study seeks to propose a renewed conceptual framework that integrates multilingualism, digital transformation, and ethical reflection as central dimensions of translation in a globalized world.

## **3. Research Topics**

1. Globalization and translation dynamics in intercultural communication.
2. Multilingualism and linguistic justice in global networks.
3. Technological mediation and translator ethics in the age of AI.
4. Post-human and hybrid models of translation theory.

## **4. Research Questions**

1. How do globalization and multilingualism influence theoretical models of translation in the 21<sup>st</sup> century?
2. In what ways have digital technologies - particularly neural machine translation and localization - altered perceptions of translator agency and authorship?
3. What ethical implications arise from linguistic hierarchies and the dominance of English in global communication?
4. How can translation theory integrate multilingualism and technological mediation into a cohesive theoretical framework that reflects contemporary practice?
5. To what extent can post-human translation models contribute to a more inclusive and ethically responsible understanding of translation?

## **5. Literature Review**

### **5.1 Globalization and Translation**

Translation studies have long recognized the role of globalization in shaping linguistic exchange (Pym, 2020). In global networks, translation functions as both a commercial necessity and a cultural mediator. The increased demand for cross-lingual communication in trade, migration, and diplomacy has expanded translation beyond textual production into audiovisual and digital forms.

Baker (2021) argues that translation has become a “narrative act” within globalization -constructing and contesting global power relations through selective representation. Similarly, Tymoczko (2024) emphasizes that translation must be viewed as a site of ideological negotiation within globalized communication, where translators exercise moral responsibility for cultural inclusion.

### **5.2 Multilingualism and Linguistic Justice**

Multilingualism embodies both the promise of diversity and the challenge of

inequality. While global networks facilitate polyglot interaction, English remains the dominant lingua franca, often marginalizing minority languages (Venuti, 2025). Cronin (2022) introduces the concept of *eco-translation*, linking linguistic diversity to ecological sustainability. Preserving minority languages is thus not merely cultural but ethical, ensuring equitable participation in global discourse.

### 5.3 Technology and Post-Human Translation

The emergence of neural machine translation (NMT) and artificial intelligence has profoundly altered the translator's role. Garcia and Moorkens (2023) describe a "post-human" paradigm where human translators collaborate with machines in producing meaning. Such hybridity redefines equivalence from textual fidelity to communicative adequacy, shifting focus toward the socio-technical process rather than the product.

However, scholars warn of ethical risks. Automated translation systems often reinforce biases encoded in data, reflecting linguistic hierarchies and cultural asymmetries (Venuti, 2025). As a result, translation ethics must expand to include algorithmic accountability and digital inclusivity.

### 5.4 Emerging Theoretical Trends

Recent research emphasizes the need for integrative frameworks that acknowledge translation's multidimensional nature. Hybrid models combine cognitive, sociological, and technological perspectives, positioning translation as a collaborative, distributed activity within networks (Cronin, 2022).

## 6. Methodology

### 6.1 Research Design

This study adopts a qualitative interpretive approach, combining critical literature review and thematic analysis. The aim is to synthesize recent scholarly discourse (2020–2025) to identify conceptual and ethical trends in translation theory.

### 6.2 Data Sources

- Peer-reviewed journal articles from *Meta*, *The Translator*, *Translation Studies*, and *Target* (2020–2025).
- Case studies of neural machine translation platforms (Google Translate, DeepL).

### 6.3 Analytical Framework

The study applies critical discourse analysis (CDA) to examine how translation discourse constructs power, agency, and ethics in the context of globalization. Comparative analysis was used to contrast classical theories (Nida, Venuti) with emerging hybrid and post-human frameworks. The data were coded under four thematic categories: technological mediation, multilingual diversity, ethics and power, and translator agency.

## **7. Data Analysis and Findings**

### **7.1 Technological Transformation**

The analysis reveals that neural and AI-based translation tools have redefined equivalence from formal correspondence to functional communication. NMT systems prioritize fluency and user experience over literal accuracy, producing texts that often align more closely with globalized expectations of readability.

### **7.2 Changing Translator Agency**

Translators increasingly operate as cultural mediators rather than linguistic technicians. Their role involves ethical negotiation between automated systems and human interpretation. As Garcia and Moorkens (2023) observe, translators now curate and post-edit machine output, assuming responsibilities of quality control, bias correction, and cultural sensitivity.

### **7.3 Linguistic Hierarchies and Inequality**

Despite the democratizing potential of digital translation, global English continues to dominate multilingual platforms. Venuti (2025) warns that such dominance perpetuates linguistic imperialism, marginalizing non-Western epistemologies. The findings confirm a growing ethical tension between efficiency and inclusivity in translation practices.

### **7.4 Hybrid Translation Practices**

Post-human translation models, where human and machine collaborate, blur traditional distinctions between author, translator, and tool. Translation emerges as a hybrid communicative event, distributed across multiple agents and media. This calls for re-examining theoretical assumptions of authorship, creativity, and accountability.

### **7.5 Ethical Imperatives**

The study identifies an ethical shift in translation theory from fidelity to responsibility. Ethical translation now entails ensuring fair representation, preventing data bias, and promoting linguistic justice. Such a perspective aligns translation with the principles of global citizenship and intercultural equality.

## **8. Discussion**

The findings suggest that globalization and multilingualism compel translation theory to evolve beyond static linguistic models toward dynamic, network-based paradigms. Traditional binaries - source versus target, original versus copy - no longer suffice in explaining translation as a socio-technological practice. Instead, translation operates as a relational process among languages, technologies, and cultural systems. From an ethical standpoint, the translator's agency expands into new terrains of responsibility. Translators mediate between local and global discourses, balancing efficiency with linguistic justice. Their decisions carry political significance, influencing

whose voices are amplified or silenced in global communication (Tymoczko, 2024). Technological mediation introduces both opportunities and challenges. While AI tools enhance accessibility and productivity, they risk normalizing linguistic bias if left unchecked. Therefore, the integration of algorithmic ethics within translation studies becomes essential. Translation theory must recognize the translator, the machine, and the digital infrastructure as co-agents in meaning production. Finally, multilingualism emerges as both a methodological resource and an ethical commitment. In embracing linguistic plurality, translation theory can resist homogenization and support intercultural dialogue in a globalized world.

## 9. Conclusion and Recommendations

Globalization and multilingualism have fundamentally reconfigured the terrain of translation theory. The traditional emphasis on linguistic equivalence must now yield to models that account for hybridity, collaboration, and ethics. Translation in the digital age functions as a multimodal, intercultural, and post-human process where meaning arises through interaction between humans, technologies, and cultures.

### Recommendations:

1. Reframe translation theory toward an integrative model that includes human-machine collaboration, cultural hybridity, and ethical responsibility.
2. Promote linguistic diversity through translation policies that support minority languages and digital inclusivity.
3. Develop ethical guidelines addressing algorithmic bias, data transparency, and cultural representation.
4. Foster interdisciplinary collaboration between translation studies, AI ethics, and communication sciences.
5. Revise translator education, incorporating digital literacy, intercultural ethics, and critical theory to prepare professionals for hybrid translation environments.

Through these measures, translation can fulfill its evolving role as both a technological and humanistic bridge within global communication networks.

## References

- Baker, M. (2021). *Translation and conflict: A narrative account in the age of globalization*. Routledge.
- Cronin, M. (2022). Eco-translation and the ethics of multilingualism. *Translation Studies*, 15(3), 245–261.
- Garcia, I., & Moorkens, J. (2023). Human-machine collaboration in translation: Post-human perspectives. *Meta*, 68(1), 101–120.
- Pym, A. (2020). Localization, globalization, and the future of translation studies. *The Translator*, 26(2), 187–205.
- Tymoczko, M. (2024). Transcultural mediation and multilingual justice in global networks. *Target*, 36(4), 451–470.
- Venuti, L. (2025). Translation and linguistic inequality in the digital age. *Journal of Translation Studies*, 42(1), 1–18.

# Comparative Analysis of the Legal Framework on Medicinal Products Pricing and Reimbursement in Albania and the European Union Directive 89/105/EEC

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## Abstract

The objective of this study is to analyze and compare the Albanian legal and institutional framework governing the pricing and reimbursement of medicinal products with the European Union acquis, primarily Directive 89/105/EEC of 21 December 1988 “On the transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems”, as well as subsequent EU legislative instruments. The research examines the extent to which Albania has harmonized its national legislation, notably Law No. 105/2014 “On Drugs and Pharmaceutical Service”, the Council of Ministers Decisions No. 645/2014 “On the establishment and functioning of the Drug Pricing Commission, with the provisions of Directive 89/105/EEC. The Albanian framework sets out a structured, transparent, and rule-based system for price setting, including reference pricing to five countries (Italy, Greece, Serbia, North Macedonia, and Croatia), annual price declaration and approval procedures, and the functioning of a permanent Drug Pricing Commission under the Ministry of Health and Social Protection.

In alignment with Article 2–6 of the Directive, Albanian procedures establish defined timeframes for price approval, transparent criteria for inclusion in the reimbursement list, and publication obligations. Nevertheless, full harmonization remains ongoing, particularly regarding the integration of mechanisms such as Managed Entry Agreements, profit control schemes, and periodic public reporting of approved price changes, as foreseen under EU transparency standards.

The study further cross-references Directive 2001/83/EC, Regulation (EC) 726/2004, which complement the pricing and reimbursement transparency framework with broader provisions on authorization, and market access of medicinal products.

The research concludes that Albania has made substantial progress toward EU approximation, ensuring procedural transparency and institutional strengthening, while ongoing reforms are necessary for full compliance with EU standards.

**Keywords:** medicinal products, pricing regulation, reimbursement system, transparency, pharmaceutical policy, Albania, EU acquis alignment.

## Introduction

The regulation of medicine pricing and reimbursement represents an important and strategic area of public health policy. It directly influences access, affordability, and sustainability within national healthcare systems. In Albania, the institutional and legal framework governing medicine pricing has undergone substantial reforms over the past decade. It aims to align with the EU acquis to promote transparency, predictability, and accountability in pharmaceutical governance.

A central instrument in this reform process is Decision of the Council of Ministers (DCM) No. 645, dated 1 October 2014, “On the establishment and functioning of the Drug Pricing Commission.” This decision established a permanent inter-institutional

structure under the Ministry of Health and Social Protection. The Commission operates under a rule-based framework that combines reference pricing, annual price declaration procedures, and methodological regulation.

At the same time, Albania's overarching Law No. 105/2014 "On Drugs and Pharmaceutical Service" serves as the legal foundation for pharmaceutical regulation, setting out the responsibilities of public authorities, the criteria for marketing authorization, and the mechanisms for price and reimbursement control. These national instruments are rooted in the EU's transparency framework, notably Council Directive 89/105/EEC of 21 December 1988. This framework obliges Member States to ensure that measures affecting medicine pricing and reimbursement decisions are objective, verifiable, transparent, and subject to appeal.

The purpose of this study is therefore to analyze and compare the Albanian legal and institutional mechanisms for medicine pricing and reimbursement with the corresponding EU *acquis*, focusing on the degree of harmonization achieved. It aims also to identify potential ruptures between the legal framework and its practical application. The research aims to evaluate Albania's progress toward a transparent, evidence-based pricing system aligned with European norms.

This paper seeks to contribute to the academic and policy discourse on pharmaceutical governance reform in Albania, emphasizing the importance of transparent decision-making, inter-institutional coordination, and alignment with EU standards to ensure equitable access to affordable medicines.

### **State Supervision of Medicine Pricing: Comparative Analysis between Albania and the European Union Framework**

The Albanian legal framework establishes the principle of state supervision over medicine prices as a cornerstone of pharmaceutical governance. Chapter VI of Law No. 105/2014 "On Drugs and Pharmaceutical Service", particularly Articles 37 and 38, explicitly mandates that all medicinal products intended for the Albanian market must have their prices declared, verified, and approved by the competent public authority. This obligation institutionalizes continuous state control over pricing, ensuring that medicinal products cannot circulate without prior administrative validation.

The supervisory model is complemented by the Ministerial Order No. 767 of 31 October 2018, which details the methodology for determining and declaring medicine prices. It prescribes the use of international reference pricing, verification of declared CIF (imported) and EXW (locally manufactured) prices, and conversion procedures based on fixed commercial margins. This ensures that price approval is not a discretionary act but a structured administrative process guided by verifiable data and objective criteria. The requirement for annual declaration and validation of all medicine prices before they enter or remain on the Albanian market gives practical effect to the legal principle of state supervision.

At the European level, Council Directive 89/105/EEC commonly referred to as the Transparency Directive embodies a similar commitment to public oversight of pharmaceutical pricing and reimbursement decisions. The Directive does not prescribe

a unified pricing model for Member States but requires that national authorities exercise regulatory control through transparent and objective administrative mechanisms. The Directive's framework thus legitimizes state involvement as a means of promoting accountability and predictability in pharmaceutical markets.

In comparative terms, Albania's adoption of a state-supervised pricing system demonstrates a high degree of substantive convergence with the European Union's transparency principles. Both frameworks rest on the notion that medicine pricing is a matter of public interest that demands continuous state oversight and regulation. However, while the Albanian model establishes comprehensive administrative structures and procedural obligations, it remains primarily focused on economic control and verification, whereas the EU model embeds such supervision within a broader system of public transparency and accountability.

### **Establishment and Governance of the Medicines Pricing Commission**

Article 38 of Law No. 105/2014 "On Drugs and Pharmaceutical Service" authorizes the Council of Ministers to establish a Medicines Pricing Commission (MPC) as a permanent administrative structure under the Ministry of Health and Social Protection (MoHSP). This provision institutionalizes the principle of centralized state oversight in medicine pricing through a dedicated technical structure entrusted with the evaluation and validation of declared prices. Pursuant to this mandate, Decision of the Council of Ministers No. 645, dated 1 October 2014, created the MPC as an inter-institutional mechanism to ensure that price regulation decisions are grounded in expertise, inter-agency coordination, and procedural transparency. The Commission's statutory authority extends to verifying declared CIF and EXW prices, assessing consistency with international reference pricing, and approving or adjusting final retail values according to established criteria. In this sense, Albania's legal framework mirrors the European Union's emphasis on institutional specialization, as envisaged by Directive 89/105/EEC, which requires that national pricing decisions be based on objective and verifiable processes conducted by competent and accountable authorities.

A major advantage of the Albanian MPC model lies in its inter-institutional and technically oriented composition, which closely aligns with the European model of cross-sectoral coordination. Under DCM No. 645/2014, the Commission includes representatives from the Ministry of Health, the Ministry of Finance, the Compulsory Health Care Insurance Fund, and the National Agency for Medicines and Medical Devices. This structure ensures that decisions on pricing reflect a balance between public health priorities, fiscal sustainability, and regulatory integrity. The nomination procedure further strengthens institutional accountability by requiring that each representative be a senior technical official directly involved in pharmaceutical policy, market regulation, or public financing. Such a composition promotes technical coherence and administrative integration, embodying the EU principle that pricing and reimbursement decisions should be made through transparent collaboration among competent authorities rather than isolated bureaucratic units.

Despite these strengths, the Albanian framework exhibits two key institutional

disadvantages that differentiate it from best practices under the EU transparency framework. First, the MPC operates under the direct administrative authority of the MoHSP, and its chair holds a concurrent executive role in health policy implementation. This dual capacity risks blurring the line between regulatory supervision and ministerial policy execution, potentially undermining the functional independence and perceived impartiality of the Commission.

Second, while the inter-institutional configuration of the MPC conceptually aligns with EU models of cross-sectoral governance, it introduces practical challenges in the Albanian administrative context. The Commission's effectiveness depends on the timely exchange of data and technical inputs from multiple agencies such as external reference prices, customs documentation, and currency exchange rates. Delays or inconsistencies in data transmission can slow the evaluation process, prompting the MPC to adopt conservative or provisional pricing decisions, which may hinder market entry for new products and prolong the use of outdated benchmarks.

### **Procedural Framework for Price Declaration and Approval**

Building upon the institutional framework established under Article 38 of Law No. 105/2014 and Decision of the Council of Ministers (DCM) No. 645/2014, the procedure for medicine price declaration and approval represents the operational core of Albania's pricing governance system. The process begins with the annual submission of standardized declaration forms by Marketing Authorization Holders (MAHs), as mandated by the Ministry of Health and Social Protection (MoHSP). These forms are verified by the Ministry's technical units to ensure conformity with documentary and methodological requirements. Following verification, the Medicines Pricing Commission (MPC) reviews and validates the declared prices in accordance with the 2018 Ministerial Order on Price Methodology.

One of the major advantages of this procedural framework lies in its predictability and methodological rigor. By setting fixed annual timelines for declaration submission and formal opening of applications, the Albanian system ensures that all market participants operate under a uniform regulatory cycle. The standardized declaration form minimize discretion and reinforce the use of objective and verifiable criteria. The procedure also facilitates inter-institutional data exchange among the MoHSP, the Compulsory Health Care Insurance Fund, and the National Agency for Medicines and Medical Devices, creating a cohesive regulatory environment that integrates health, economic, and administrative considerations.

Nevertheless, a significant procedural disadvantage persists concerning the absence of a definitive legal timeframe for final decision-making and applicant notification. While DCM No. 645/2014 and the accompanying Ministerial Regulation set clear deadlines for the submission and administrative opening of declarations, they do not specify a maximum period for final approval or rejection of prices. As a result, the process lacks a binding endpoint that guarantees timely communication of outcomes to applicants. This legislative gap can lead to administrative delays, creating uncertainty for MAHs and potentially disrupting supply continuity, especially for newly introduced or reformulated products. In comparative perspective, such

indeterminacy is inconsistent with the procedural discipline required by Articles 2 and 3 of the EU Transparency Directive, which prescribe a maximum 90-day timeframe for competent authorities to issue decisions on price approvals.

### **Transparency, Publication Obligations, and Procedural Safeguards**

The Albanian framework for the publication and transparency of medicine pricing decisions builds upon the procedural structure defined in Law No. 105/2014, Decision of the Council of Ministers (DCM) No. 645/2014, and the Ministerial Order No. 767/2018. Under this system, the Ministry of Health and Social Protection (MoHSP) plays a central coordinating role in ensuring regular administrative cycles of price declaration, evaluation, and publication. Each year, the Ministry issues an official call for price declarations by 30 September, inviting all Marketing Authorization Holders (MAHs) to submit their standardized forms and accompanying documentation no later than 31 October. Upon completion of the review process, the Medicines Pricing Commission (MPC) finalizes the list of approved CIF (Cost, Insurance, Freight) and EXW (Ex-Works) prices, which must be published by 31 December on the official MoHSP platform. This framework provides a structured, calendar-based system that promotes predictability and administrative regularity in the pricing and reimbursement cycle.

From a governance perspective, this model offers important advantages consistent with European regulatory principles. The annual publication of approved prices enhances market transparency, ensures regulatory visibility for both public and private stakeholders, and supports downstream institutions in planning budgets and verifying compliance. The cyclical publication of price lists also serves a broader public interest function, providing healthcare professionals, pharmacists, and patients with access to verified price data and preventing unregulated fluctuations. This practice reflects a partial transposition of Article 4 of Directive 89/105/EEC, which obliges Member States to ensure that information on approved pricing decisions is regularly made public.

However, despite these structural strengths, the Albanian system still exhibits two critical transparency deficits when measured against the procedural safeguards envisioned by the EU Transparency Directive. First, while the publication of the final list of approved CIF and EXW prices satisfies the formal obligation of disclosure, the reasoning behind individual pricing decisions is not made public. The absence of written, case-specific justifications prevents external stakeholders from understanding the analytical basis of approvals or rejections, thereby limiting accountability and hindering the possibility of informed appeal. Under Directive 89/105/EEC, national authorities must not only communicate their decisions but also provide explicit reasoning grounded in objective and verifiable criteria, ensuring that applicants and the public can assess whether regulatory principles have been properly applied.

Second, the Albanian legal order lacks a provision for automatic authorization in cases where the competent authority fails to issue a decision within a defined timeframe. The Transparency Directive explicitly stipulates that, when the authority does not respond within the prescribed 90 days, the proposed price is deemed approved, an

essential safeguard against administrative inertia. In contrast, Albanian legislation leaves applicants fully dependent on administrative discretion, with no mechanism to address procedural silence. This creates uncertainty for pharmaceutical companies, delays market entry for new products, and potentially disrupts access to innovative therapies.

## **Remedies and Procedural Recourse in Pharmaceutical Pricing**

An essential element of the European Union's Transparency Directive (89/105/EEC) is the establishment of clear, accessible, and time-bound mechanisms for appeal and review of pricing and reimbursement decisions. Under Article 2(2) of the Directive, Member States must ensure that every applicant is formally informed of the right to appeal, the competent authority to which the appeal may be addressed, and the time limits for exercising that right. This procedural safeguard serves not only as a guarantee of fairness for marketing authorization holders (MAHs) but also as a cornerstone of administrative accountability, preventing discretionary or arbitrary decision-making in national pricing systems.

By contrast, the Albanian legal framework provides only a general right to administrative appeal under the Code of Administrative Procedures (Law No. 44/2015), which applies to all public administrative actions. While this offers a formal avenue for contesting decisions of the Medicines Pricing Commission (MPC) or the Ministry of Health and Social Protection (MoHSP), it does not establish a sector-specific or expedited mechanism tailored to the unique nature of pharmaceutical pricing. As a result, disputes related to pricing decisions follow the same procedural path as other administrative grievances, often involving multiple layers of review and extended timelines that are incompatible with the rapid market dynamics of the pharmaceutical sector.

The absence of a specialized appeals framework for pharmaceutical pricing decisions also has broader implications for regulatory confidence and investor certainty. Without clear procedural rules specifying how and within what timeframe an MAH can challenge a pricing decision, companies face uncertainty in market entry planning, reimbursement negotiations, and long-term pricing strategies. In several EU Member States, including Italy, France, and Germany, independent or semi-autonomous review structures have been established to ensure that pricing and reimbursement decisions can be swiftly and objectively reconsidered. These mechanisms enhance procedural credibility, promote compliance with transparency obligations, and build trust among stakeholders.

To achieve closer alignment with EU governance standards, Albania would benefit from establishing a dedicated pharmaceutical pricing review mechanism within or alongside the MoHSP. Such a body could operate as an independent appeals panel with defined jurisdiction, procedural timelines, and the technical capacity to assess pricing and reimbursement disputes on their merits. Embedding this structure in the national regulatory architecture would not only satisfy the Directive's Article 2(2) requirement for accessible and effective remedies but would also strengthen Albania's broader framework for good administrative practice in the pharmaceutical sector.

## **Reimbursement Governance and Transparency**

Articles 6 and 7 of the EU Transparency Directive (89/105/EEC) require Member States to apply clear, objective, and publicly accessible criteria when determining the inclusion or exclusion of medicinal products in their national health insurance or reimbursement schemes. These provisions form a crucial component of the Directive's broader transparency architecture, ensuring that reimbursement decisions are made through verifiable, non-discriminatory, and evidence-based processes. The rationale is to protect both patients' equitable access to medicines and the integrity of public pharmaceutical expenditure management.

In the Albanian context, this responsibility conceptually falls under the Compulsory Health Care Insurance Fund (CHCIF), which functions as the central authority for defining reimbursement policies and setting the list of reimbursable medicines. The CHCIF utilizes the approved CIF and EXW prices determined by the Medicines Pricing Commission (MPC) as the economic foundation for reimbursement calculations. In accordance with the CHCIF's procedural framework, only medicinal products whose prices have been officially declared and approved by 31 October of the respective year are eligible for consideration in the reimbursable medicines list. However, the regulatory instruments governing the CHCIF, including secondary legislation and internal procedural acts, lack explicit and publicly disclosed criteria for product inclusion or exclusion in the reimbursement list. Decisions are largely administrative, made within the Fund's technical departments, and are not systematically accompanied by published justifications or stakeholder consultations. This absence of formalized and transparent procedures represents a substantive divergence from the governance standards established under Articles 6 and 7 of Directive 89/105/EEC. In EU Member States, reimbursement inclusion is typically guided by published frameworks that assess therapeutic value, cost-effectiveness, public health relevance, and budgetary impact, often involving input from independent advisory committees and patient organizations. Albania's current approach, while functional, remains administratively opaque and limits external scrutiny over the criteria used to determine which medicines qualify for public reimbursement. The lack of public consultation also prevents broader stakeholder engagement, thereby constraining the legitimacy and accountability of reimbursement policy decisions.

## **International Reference Pricing as a Mechanism for Transparency and Market Alignment**

A core element of Decision of the Council of Ministers (DCM) No. 645/2014, issued pursuant to Article 38 of Law No. 105/2014, is the requirement that medicine prices in Albania be established through a transparent, evidence-based procedure grounded in international reference pricing. This mechanism represents a significant advancement in aligning national pharmaceutical policy with European standards of objectivity and comparability. By mandating the use of reference countries currently Italy, Greece, North Macedonia, Serbia, and Croatia, the Albanian framework seeks

to ensure that domestic prices reflect regional market realities and remain consistent with broader European pricing trends. The methodology, detailed in the Ministerial Order No. 767/2018, requires that the Albanian “reference price” correspond to the lowest available price among the selected comparator countries, the retail price in the country of origin, or the verified import price recorded by the National Agency for Medicines and Medical Devices.

This model provides distinct advantages in terms of both transparency and fiscal responsibility. It allows the Medicines Pricing Commission (MPC) to base its decisions on verifiable, cross-national data rather than on ad hoc negotiations, thereby reducing administrative discretion and enhancing predictability for market participants. The integration of international benchmarks also reinforces budgetary discipline, as the lowest reference price effectively constrains potential overpricing and supports the sustainability of public pharmaceutical expenditure. Moreover, the fixed comparative structure aligns with the EU’s broader objective of price convergence across Member States, particularly in smaller or transitioning markets, where reference pricing has proven an effective tool for balancing access and cost containment.

Nonetheless, the Albanian application of international reference pricing exhibits certain practical and methodological limitations that temper its alignment with EU best practices. While the principle itself reflects the transparency requirement of Directive 89/105/EEC, the implementation process remains administratively rigid. The exclusive reliance on a fixed set of reference countries, without periodic reassessment of their economic comparability or healthcare expenditure profiles, risks producing structural distortions in price setting. Additionally, delays in obtaining verified external price data or fluctuations in exchange rates can undermine the accuracy and timeliness of the evaluation process, leading to conservative or outdated reference benchmarks. These issues are compounded by the absence of publicly available documentation explaining the calculation methods or data sources used for specific pricing decisions, thereby limiting external verification and stakeholder confidence.

### **Ensuring Equity and Uniformity in Pharmaceutical Price Regulation through differentiation between CIF and EXW Prices**

A distinctive feature of Law No. 105/2014 “On Drugs and Pharmaceutical Service” is its clear differentiation between CIF (Cost, Insurance, and Freight) prices for imported medicines and EXW (Ex-Factory) prices for locally manufactured products. This distinction, embedded within Chapter VI of the Law and reinforced by DCM No. 645/2014, serves to ensure uniform application of pricing mechanisms across all medicinal products placed on the Albanian market, irrespective of their origin. By standardizing the pricing framework in this way, the law eliminates potential disparities between domestic and imported products, thereby fostering a level playing field for all market participants and supporting the principles of fairness and non-discrimination that underpin the EU Transparency Directive (89/105/EEC).

The principal advantage of this dual-price model lies in its capacity to maintain regulatory consistency and economic comparability. For imported medicines, the CIF price incorporates transportation and insurance costs, capturing the true cost of

product delivery to the Albanian market. Conversely, for domestically manufactured medicines, the EXW price represents the baseline production cost, excluding distribution expenses beyond the factory gate. By requiring both categories to undergo identical procedures of declaration, verification, and approval by the Medicines Pricing Commission (MPC), the Albanian system ensures that the final retail price reflects a harmonized regulatory logic, not influenced by geographical or logistical variables.

From a policy perspective, this distinction also contributes to market stability and competitiveness. It allows the Ministry of Health and Social Protection to assess the domestic pharmaceutical sector on the same methodological basis as foreign suppliers, encouraging efficiency and promoting fair competition within the Albanian market. The uniform regulatory treatment prevents distortions that might arise from preferential pricing or unequal regulatory burdens, while simultaneously ensuring that price controls do not discourage local production or the importation of essential medicines. Moreover, the explicit recognition of both CIF and EXW structures facilitates accurate cross-border comparisons within the international reference pricing framework, improving Albania's integration into the regional pharmaceutical market.

### **Price Regulation Mechanism**

The Albanian system of price regulation for medicinal products reflects a highly structured and data-driven approach, integrating international reference pricing, standardized conversion formulas, and fixed commercial margins to achieve transparency and fiscal discipline. The methodology, codified through Decision of the Council of Ministers No. 645/2014 and the Ministerial Order on Price Methodology (2018), requires that declared CIF or EXW prices be systematically compared with official wholesale or retail prices in five reference countries Italy, Greece, North Macedonia, Serbia, and Croatia. Data used for comparison are drawn from official government and reimbursement databases, while all foreign prices are converted into Albanian lek (ALL) using the average six-month exchange rate preceding evaluation. The use of standardized reference countries, uniform conversion criteria, and fixed margins (11% wholesale and 25% retail) ensures consistency and objectivity in price assessments, embodying the EU Directive 89/105/EEC principle that pricing decisions must be founded on objective, verifiable, and transparent criteria.

An evident advantage of this system lies in its precision and regulatory predictability. By defining the reference price for Albania as the lowest value among comparator countries, the retail price in the country of origin, and verified import prices, the framework effectively limits excessive pricing and ensures convergence with regional standards. This approach narrows the permissible price range, promoting affordability and strengthening public budget control. The additional rule that generic medicines cannot exceed 80% of the originator's price further supports cost containment and incentivizes substitution toward lower-cost alternatives. The open-vote decision-making process of the Medicines Pricing Commission (MPC) and the publication of outcomes on the Ministry of Health and Social Protection (MoHSP) website reinforce

procedural transparency and institutional accountability. The dissemination of approved prices to cross-sectoral agencies creates an integrated verification network that reduces opportunities for pricing irregularities and enhances market integrity. However, this strongly regulated environment presents a notable disadvantage in terms of market accessibility and innovation uptake. The imposition of rigid ceilings based on the lowest reference price may inadvertently discourage market entry for low-volume, innovative, or marginally profitable medicines. While benchmarking mechanisms remain stringent, Albania has mitigated potential access limitations through the establishment of Managed Entry Agreements (MEA), which provide financial, performance-based, and hybrid pathways for conditional reimbursement of innovative medicines. Furthermore, reliance on fixed trade margins, while administratively simple, may not adequately reflect fluctuations in distribution costs or currency volatility, thereby constraining operational flexibility for importers and wholesalers.

## Conclusion

Albania has achieved significant alignment with the EU Transparency Directive (89/105/EEC) through the establishment of a structured legal framework encompassing Law No. 105/2014 and DCM No. 645/2014, ensuring state supervision, annual price declaration, international reference pricing, and mandatory publication of approved prices within fixed deadlines. The creation of the Medicines Pricing Commission (MPC) as a specialized authority and the implementation of Managed Entry Agreements (MEA) under DCM No. 314/2023 demonstrate clear progress toward EU-level transparency and access mechanisms. Nonetheless, further harmonization requires the introduction of a binding administrative appeal process, explicit and publicly available criteria for inclusion or exclusion from the reimbursement list, periodic revision of reference countries and exchange parameters, and detailed publication of reasoning behind pricing and reimbursement decisions.

## References

1. Council of Ministers of the Republic of Albania. (2014, October 1). Decision No. 645, On the establishment and functioning of the Drug Pricing Commission. Official Gazette of the Republic of Albania. file:///C:/Users/User/Downloads/vendim-2014-10-01-645.pdf
2. Republic of Albania. (2014, July 31). Law No. 105/2014, On Drugs and Pharmaceutical Service (amended). Official Gazette of the Republic of Albania, 132, 19 August 2014. [https://akbpm.gov.al/wp-content/uploads/2023/12/ligj-2014-07-31-105\\_perditesuar-13.pdf](https://akbpm.gov.al/wp-content/uploads/2023/12/ligj-2014-07-31-105_perditesuar-13.pdf)
3. Ministry of Health and Social Protection. (2018). Order No. 6144, dated 25 October 2018, "On the approval of the Regulation on the methodology for determining medicine prices and the administration of their declarations in the Republic of Albania, pursuant to the Decision of the Council of Ministers No. 645, dated 1 October 2014, 'On the establishment and functioning of the Drug Pricing Commission.'" Ministry of Health and Social Protection, Tirana, Albania.
4. European Commission. (1989, December 21). Council Directive 89/105/EEC relating to the transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems (OJ L 40, pp. 8–11). <https://eur-lex.europa.eu/eli/dir/1989/105/oj/eng>

5. European Parliament & Council. (2001, November 6). Directive 2001/83/EC of the European Parliament and of the Council on the Community code relating to medicinal products for human use (OJ L 311, pp. 67-128). <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0083>
6. European Parliament & Council. (2004, March 31). Regulation (EC) No 726/2004 of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, pp. 1-33). <https://eur-lex.europa.eu/eli/reg/2004/726/oj/eng>

# The Impact of Awareness of Circular Economy Practices on Tourists' Consumer Behavior: Evidence from Shkodra Region

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## Abstract

This study examines tourists' perceptions of Circular Economy (CE) practices in the emerging tourism destination of Shkodër, Albania. The main research question guiding this work is: How do tourists perceive the implementation of Circular Economy principles in Shkodër, and to what extent does this perception influence their sustainable consumption behavior and destination recommendation?

To address this question, a structured questionnaire was administered to domestic and international tourists visiting Shkodër during March- September 2025. The survey collected quantitative data on tourists' awareness of CE, their willingness to pay (WTP) for sustainable tourism options, and their observation of CE-related practices—such as recycling, reduction of plastic use, renewable energy utilization, and promotion of local products. Descriptive and correlation analyses were used to explore relationships among awareness levels, behavioral intentions, and perceived sustainability of the destination.

The results reveal that a considerable proportion of respondents are aware of CE principles and assign importance to destinations that apply environmental protection, recycling, and resource-efficiency policies. Tourists demonstrating higher awareness are also more likely to recommend Shkodër as a sustainable destination and to express willingness to pay more for eco-friendly services.

The discussion emphasizes that perceived sustainability and visible CE practices play a decisive role in shaping destination image. The study contributes to the growing body of research on sustainable tourism by providing empirical evidence from Shkodër, Albania and offers actionable recommendations for policymakers and local businesses to strengthen Shkodër's position as a circular and environmentally responsible tourism destination.

**Keywords:** Circular Economy, Sustainable Tourism, Sustainable, Consumption behavior.

## 1. Introduction

This paper seeks to address these gaps by exploring how tourists awareness and perception of Circular Economy practices influence their behavior and loyalty within emerging tourism destinations, which often face unique challenges in resource management and sustainable development (Rodríguez et al., 2020) (Mansi et al., 2025). Specifically, it investigates the impact of explicit CE communication and visible CE initiatives on tourists willingness to engage in circular practices and their propensity to advocate for destinations that demonstrate strong commitments to sustainability (Rodríguez et al., 2020). The research further examines whether demographic and psychographic variables, such as age and environmental consciousness, moderate these relationships, offering a nuanced understanding of tourist segments most

receptive to CE interventions (Rodríguez et al., 2020). This comprehensive approach aims to provide actionable insights for destination managers and policymakers striving to integrate CE principles effectively, thereby fostering both environmental stewardship and economic resilience in the tourism sector (Sánchez, 2018). This investigation is particularly salient given the observed discrepancy between tourists stated environmental values and their actual behaviors within tourism contexts, a phenomenon exacerbated by the limited adoption of comprehensive CE strategies by tourism SMEs (Khan et al., 2021). Furthermore, the absence of robust circular business models and integrated value chains within these enterprises often impedes the scalability and impact of isolated CE initiatives (Sánchez et al., 2023). Indeed, despite a growing body of literature on the nexus between circular economy and tourism (Kabil et al., 2024) (Renfors, 2023), comprehensive studies addressing the socioeconomic profiles of tourists with circular attitudes remain limited, particularly concerning their willingness to pay for sustainable practices (Rodríguez et al., 2020). This research seeks to fill this lacuna by examining how CE awareness translates into concrete behavioral changes and economic valuations among tourists, focusing on the mediating roles of perceived destination commitment and social norms. Additionally, it aims to define specific CE strategies and initiatives that hotels, tourism businesses, and destinations can implement to attract tourists who are more aware of CE issues (Rodríguez et al., 2020). Such strategies could involve transparent communication of CE practices in promotional materials and the creation of engaging, nature-based experiences that highlight sustainable initiatives (Ali et al., 2024). Moreover, understanding the sociodemographic characteristics of tourists who actively engage with circular practices, such as older individuals who exhibit a greater propensity for pro-environmental behaviors, is crucial for targeting effective CE communication and marketing strategies (Rodríguez et al., 2020) (Renfors & University of Applied Sciences, 2022). This paper thus contributes to the nascent body of literature by providing empirical evidence on the factors influencing tourists' circular behavior, thereby facilitating a more effective transition from linear to circular models within the tourism industry (Rodríguez et al., 2020). This research also examines the efficacy of marketing CE practices in attracting environmentally conscious tourists, which could subsequently lead to increased visitor numbers and enhanced revenue for sustainable establishments (Shet, 2022). Moreover, by investigating the alignment between tourist expectations and the observable implementation of CE principles, this study aims to identify leverage points for enhancing tourist engagement and fostering a more sustainable tourism ecosystem (Sánchez, 2018). It further seeks to understand how the visibility and credibility of these practices can transform tourist behavior, moving beyond passive awareness to active participation and advocacy (Rodríguez et al., 2020). Moreover, by focusing on tourist practices, this study shifts the emphasis from solely business-centric CE implementation to a more holistic approach that recognizes tourists as co-producers and co-creators of sustainable tourism experiences (Jensen, 2019) (Renfors & University of Applied Sciences, 2022). Existing studies have examined behavioral drivers such as habits, environmental identity, spillover effects, and destination image, but few have explored whether tourists' understanding of CE—as a systemic sustainability model—translates into

measurable differences in consumption choices, WTP, or destination recommendation. This is particularly relevant for destinations where CE practices are visible but not yet institutionalized, such as Shkodër, Albania: an emerging tourism hub where recycling, plastic-free initiatives, and promotion of local circular products are growing but unevenly implemented.

This paper addresses that gap by examining the relationship between tourists awareness of circular economy practices and their sustainable consumption behavior in a real destination context. The study is guided by the following research question: To what extent does awareness of circular economy practices influence tourists pro-environmental behavior, willingness to pay for sustainable services, and intention to recommend the destination?

The contribution of this research is threefold. First, it introduces CE awareness as a behavioral antecedent within tourism sustainability research—positioning it alongside established constructs such as environmental attitude, destination image, and behavioral spillover. Second, it integrates conceptual insights from CE literature with empirical data from an emerging destination, offering evidence from a geographic region (Western Balkans) largely absent from current CE-tourism scholarship. Third, the study advances a conceptual model linking CE awareness to behavioral outcomes, generating hypotheses that can support future statistical testing and policy design. Ultimately, this paper argues that CE in tourism cannot be achieved solely through infrastructural or regulatory change; it requires behavioral alignment between destination systems and the tourists who interact with them. Understanding how awareness shapes that alignment is essential for accelerating tourism’s transition from linear to circular value creation.

## **2. Literature Review**

### **2.1 Circular Economy in Tourism**

The circular economy (CE) is increasingly positioned as a transformative alternative to the linear tourism model based on extraction, consumption, and disposal. CE introduces a systemic redesign of tourism value chains through closed-loop resource cycles, reuse and repair systems, regenerative practices, and business models that decouple value creation from material throughput. In tourism, this implies not only waste reduction, but a reconfiguration of how destinations manage food systems, accommodation services, mobility, energy, and visitor experiences. Scholars describe this transition as an “unavoidable disruption,” because CE challenges the structural logic on which mass tourism has historically been built (Vargas-Sánchez A., 2018). Evidence from rural and peripheral destinations shows that CE can generate localized resilience by anchoring tourism into short supply chains, circular food systems, and community-led reuse initiatives. However, many peripheral regions lack the governance capacity, infrastructure, and coordination mechanisms needed to implement CE beyond small-scale pilots (LeDrew R., 2020). Similar constraints are observed in regional tourism economies, where CE adoption depends on enabling institutional conditions such as cross-sector collaboration, stable regulatory support, and access to circular infrastructure (Cherrington et al., 2024). These findings indicate

that CE in tourism is not simply a technical redesign but a socio-institutional transition. Small island destinations represent another critical testing ground. Research demonstrates that islands experience acute resource scarcity, high import dependence, and severe waste-management pressures, making CE not optional but necessary. Field interventions such as organic waste valorization, circular hospitality supply chains, and reuse systems demonstrate environmental benefits, but hinge on consistent participation from tourists and businesses (Ferronato et al., 2023).

The conceptual tourism literature reinforces that CE must be understood as more than recycling. Applying CE principles to tourism requires rethinking how services are designed, how materials circulate, and how value is co-produced between destinations, businesses, and visitors (Economic Commission for Europe, 2022). This is echoed by industry-focused analyses arguing that tourism CE models must integrate product-service systems, sharing-based accommodation, long-life infrastructure, and material substitution to reduce extraction and emissions (Strippoli et al., 2024).

Future-oriented frameworks such as “Human Circular Tourism” propose that CE will redefine tourism not only materially, but experientially, shifting visitors from passive consumers to co-participants in regenerative processes (Bosone et al., 2022).

At the policy level, the European Union’s 2020 Circular Economy Action Plan identifies tourism as a strategic sector for circular transition, calling for waste-prevention targets, product lifespan extension, and consumer engagement mechanisms (European Commission, 2020). However, the action plan also highlights a persistent gap between institutional ambition and consumer behavior, reinforcing that CE outcomes depend on tourists’ willingness to adopt circular practices.

This demand-side gap is increasingly emphasized in behavioral critiques. Research warns that although many tourists express support for sustainability, actual behavior often contradicts circular values due to convenience, hedonic motives, or “green signaling” without genuine behavioral change (Nieto-Garcia et al., 2024). Theoretical guidance on how to structure conceptual CE–tourism research stresses the need for clear constructs, causal pathways, and actionable propositions (Jaakkola, 2020) — a gap that the present study addresses by linking CE awareness to tourist behavior outcomes.

Across all studies, one consistent conclusion emerges: circular tourism cannot be achieved without behavioral alignment between CE systems and the tourists who interact with them. The literature continues to prioritize supply-side transformation, while the role of tourist awareness, willingness to pay, and pro-environmental action remains under-examined — a gap this paper directly responds to.

## **2.2 Tourist Awareness and Sustainable Consumption**

Awareness is widely recognized as a foundational condition for sustainable consumption in tourism, influencing how travelers interpret environmental information, evaluate destination practices, and decide whether to participate in sustainable or circular initiatives. Dolnicar (2023) argues that awareness plays a central role in enabling behavior change, because tourists cannot meaningfully adopt sustainable options if they do not understand the environmental implications of their choices or recognize the availability of alternatives. However, she also notes

that awareness alone is insufficient, and that effective interventions are required to translate cognitive understanding into observable behavioral shifts.

A growing body of empirical work shows that tourists' awareness of sustainability practices—especially visible and credible ones—can positively influence consumption decisions. Bilynets and Knežević Cvelbar (2022) demonstrate that tourists who perceive a destination as environmentally responsible are more likely to adopt pro-environmental behaviors during their stay and to positively evaluate the destination's image. Their study highlights the importance of perceived environmental cues, suggesting that awareness is not only information-based but also experience-based: tourists notice recycling systems, refill stations, bike lanes, or low-waste hospitality services, and adjust their behavior accordingly.

CE-focused literature reinforces this mechanism. Bosone and Nocca (2022) found that travelers increasingly express awareness of sustainability and circularity, but their understanding remains partial and largely shaped by generalized concepts such as climate change or health concerns rather than specific CE principles.

While tourists show growing willingness to support “circular” or “eco-friendly” offerings, their ability to distinguish between truly circular initiatives and symbolic green branding remains limited. This gap indicates that awareness needs to evolve from generic environmental concern to CE-specific literacy.

Awareness deficits are particularly visible in peripheral and emerging destinations, where CE initiatives are often small-scale, fragmented, or poorly communicated. The analysis of rural circularity systems shows that CE adoption depends not only on governance and infrastructure, but also on the extent to which local actors—including tourists—understand and trust circular practices (LeDrew, 2020). When CE practices are not explicitly framed or communicated, tourists may unknowingly participate in circular systems (e.g., local food networks, reuse-based crafts) without recognizing them as such, which limits behavioral reinforcement and repeat intention.

Research also signals a tension between awareness and authenticity. The “Consumer Hypocrisy” discussion in tourism highlights that tourists often support sustainability discursively, while their behavior remains convenience-driven in practice (Garcia et al., 2024). This inconsistency is partly due to symbolic awareness—tourists know the “right answer” in surveys but do not internalize sustainability as a behavioral norm during leisure travel. This suggests that CE communication must go beyond slogans and emphasize concrete, actionable, and emotionally resonant messages.

Finally, CE policy papers emphasize that awareness should not be treated as an abstract educational task but as a design element embedded into tourism systems. Clear signage, interactive interfaces, transparent waste or resource flows, and tangible demonstrations of reuse or sharing mechanisms are all shown to increase tourist awareness and participation (Economic Commission for Europe, 2022). Awareness, in this sense, becomes infrastructural: it is built into the physical and experiential environment rather than delivered as information alone.

### **2.3 Pro-Environmental Behavior in Tourism vs Daily Life**

Research consistently shows that tourist behavior in the travel context diverges from their everyday pro-environmental habits. While many individuals recycle, conserve

water, avoid single-use plastics, or reduce energy use at home, these behaviors often decline when they become tourists. Bilynets and Knežević Cvelbar (2022) demonstrate that most pro-environmental behaviors worsen during travel, even among individuals who behave sustainably in daily life, confirming that the shift from routine to leisure disrupts established behavioral patterns. Their findings highlight the existence of a contextual behavior gap, in which tourism temporarily suspends moral and practical habits typically associated with sustainability.

A key factor explaining this divergence is the hedonic and “freedom-oriented” nature of tourism. Travel is psychologically constructed as a break from obligations, routines, and norms, making sustainability seem optional rather than expected (Dolnicar, 2023). The shift in goal orientation—from utilitarian to hedonic—reduces the perceived relevance of environmental responsibility during holidays. This helps explain why even individuals with strong ecological self-identity may behave less responsibly when traveling.

Empirical evidence also confirms that the cost and effort of behavior matter. Low-cost behaviors such as recycling or reusing towels are more likely to persist in tourism settings, while high-cost behaviors—such as avoiding flights, refusing all single-use items, or limiting energy use—tend to collapse (Bilynets & Knežević Cvelbar, 2022). This aligns with long-standing behavioral theory: if a behavior requires additional time, sacrifice, discomfort, or unfamiliar procedures, it is less likely to be adopted in a leisure context.

The tourism context also weakens situational cues that normally trigger sustainable behavior. At home, visual reminders (e.g., recycling bins, personal electricity bills, water meters) activate pro-environmental habits. In hotels or tourist zones, by contrast, resource flows are invisible, costs are externalized, and waste is “out of sight.” As a result, tourists rarely make the connection between their temporary actions and cumulative environmental impacts (Bosone & Nocca, 2022).

Moreover, the presence or absence of enabling infrastructure strongly moderates tourist behavior. Even individuals with established daily habits cannot recycle or refill water bottles if the destination lacks appropriate systems, signaling that behavioral willingness is not enough without structural support (LeDrew, 2020). This interdependence suggests that pro-environmental behavior in tourism is co-produced by both the visitor and the destination system.

Finally, research on behavioral inconsistency warns against assuming that pro-environmental values guarantee sustainable conduct. The literature on “consumer hypocrisy” notes that tourists often justify unsustainable behavior while traveling by referring to their greener lifestyle at home, or by framing travel as an earned moral exception (Nieto-Garcia et al., 2024). This psychological mechanism reinforces the behavior gap and helps explain why sustainability campaigns relying on values alone fail to shift in-destination behavior.

## **2.4 Behavioral Spillover and the Tourism Context**

The concept of behavioral spillover is central to understanding why sustainable practices do not always transfer from everyday life into the tourism setting. Spillover theory suggests that past behavior in one context (e.g., home) can influence behavior

in another (e.g., travel), either positively or negatively, depending on the cost, effort, and situational cues associated with the new context. However, evidence from tourism research shows that cross-contextual spillover is weak and highly conditional. Bilynets and Knežević Cvelbar (2022) found that only low-effort, habitual behaviors—such as recycling when bins are provided—carry over into tourism, while more demanding actions, such as limiting shower time or refusing single-use items, tend to disappear once travelers enter leisure mode.

Spillover is further complicated by the shift in motivational framing when individuals become tourists. While daily-life sustainability is often guided by personal norms, financial incentives, or social expectations, vacation behavior is dominated by hedonic goals, comfort-seeking, and a sense of temporary exemption from responsibilities (Dolnicar, 2023). In this state, even strong pro-environmental identities may fail to activate, which explains why the same person who sorts waste at home may use disposable items freely while traveling.

Research on CE adoption reinforces that spillover is not automatic, it requires alignment between individual disposition and contextual enabling structures. When circular systems—such as returnable packaging, refill stations, or reuse-based food services—are visible, convenient, and socially normalized, behavioral spillover is more likely to occur (Bosone & Nocca, 2022). Conversely, in destinations where CE practices exist but are hidden, unframed, or poorly explained, tourists do not integrate them into their behavior (LeDrew, 2020).

Another form of spillover observed in tourism is moral licensing—the idea that individuals justify unsustainable behaviors during travel by referring to their sustainable behaviors at home. The “consumer hypocrisy” critique in sustainability literature highlights how tourists use this psychological mechanism to legitimize actions that contradict their stated values, such as excess consumption or waste generation (Nieto-Garcia et al., 2024). This negative spillover effect challenges the assumption that raising awareness or strengthening values is enough to produce circular consumption patterns.

Spillover is not a passive psychological transfer, but a system-dependent outcome. When destinations consciously design for behavioral continuity—structuring infrastructure, cues, and incentives to mirror those found in daily life—tourists are more likely to act in circular ways. When the opposite occurs, spillover fails and the behavior gap grows wider.

## **2.5 Environmental Image of the Destination and Behavioral Reinforcement**

The environmental image of a destination has been identified as a key driver of tourist behavior, operating as both a cognitive filter and a behavioral cue. Bilynets and Knežević Cvelbar (2022) show that tourists who perceive a destination as environmentally responsible are significantly more likely to engage in pro-environmental behaviors during their stay, even when such behaviors require additional effort or behavioral adjustment. Their findings suggest that the perceived environmental performance of a destination acts as a behavioral reinforcement mechanism, shaping not only what tourists think about a place, but how they behave within it.

Environmental image operates through visible and credible signals—for example,

recycling systems, refill points, eco-certified accommodations, bike-friendly infrastructure, or food systems based on circular sourcing. When these cues are present and legible, tourists are more inclined to view sustainability as an expected, normalized part of the destination experience rather than as an optional personal choice (Dolnicar, 2023). Conversely, when CE or sustainability efforts are invisible or inconsistently communicated, tourists tend to assume that environmental responsibility is not prioritized and adjust their behavior downward.

The literature also indicates that environmental image is not only reactive but constructible: destinations can strategically design and communicate circular practices to strengthen their sustainability reputation. Bosone and Nocca (2022) argue that CE-based tourism models depend on the co-production of image and practice, where the visible presence of reuse systems, material loops, or local regenerative production enhances both tourist participation and destination branding. This reflects a shift from symbolic “green branding” toward experiential environmental credibility, where circularity is something, tourists can see, feel, and act upon.

At the same time, research warns that environmental image is vulnerable to perceived greenwashing. The “consumer hypocrisy” critique highlights that when tourists encounter sustainability claims that do not match material reality, trust declines and pro-environmental behavior weakens (Nieto-Garcia et al., 2024). This reinforces the idea that CE-oriented destinations must prioritize transparency and tangible implementation over marketing slogans.

Environmental image also affects behavioral outcomes beyond the visit, including willingness to pay (WTP) for circular services and destination recommendation. Studies in CE-oriented tourism show that tourists who perceive a destination as authentically circular are more likely to support local businesses, pay premiums for eco-aligned services, and promote the destination to others through word-of-mouth or social media advocacy (LeDrew, 2020). This suggests that environmental image becomes a competitive asset, enabling destinations to differentiate themselves and attract environmentally motivated segments.

Across the literature, one conclusion is consistent: environmental image does not simply reflect sustainability — it helps create it. Tourists respond not only to available infrastructure, but to the meaning they assign to it, and that meaning is constructed through messaging, visibility, credibility, and social proof.

### **3. Methodology**

#### **3.1 Research Design**

This study adopts a quantitative, cross-sectional research design aimed at examining the relationships between tourists’ awareness of circular economy (CE) principles, their environmental perceptions, and their pro-environmental behavioral intentions within the context of sustainable tourism in the Shkodra region. The study framework was developed based on theoretical foundations from the Theory of Planned Behavior (Ajzen, 1991), socio-technical transition theory (Geels, 2019), and recent advances in circular tourism and environmental psychology (Sohrabi et al., 2020; Ferronato et al., 2023).

The empirical model tested three directional hypotheses reflecting the cognitive–attitudinal–behavioral pathway from awareness to recommendation intention. Specifically, the study examined how tourists’ awareness of circular practices influences their perceived environmental image of the destination and subsequent pro-environmental behaviors (PEB), as well as how these behaviors affect recommendation intention.

### **3.2 Hypothesis Development**

Building upon the conceptual model derived from the reviewed literature, the following hypotheses were formulated and statistically tested:

H1: Higher levels of Circular Economy (CE) awareness are positively associated with a more favorable environmental image of the destination.

H2: A more positive environmental image leads to greater pro-environmental behavior (PEB), controlling for CE awareness.

H3: Higher levels of pro-environmental behavior increase the likelihood of recommending the destination to others.

These hypotheses together represent a causal sequence connecting tourists’ knowledge, perception, behavior, and advocacy, consistent with previous findings in sustainable tourism behavior (Gifford, 2011; Mora-Contreras et al., 2025).

### **3.3 Data Collection**

The primary data were collected using a structured questionnaire created through Google Forms. The questionnaire was disseminated both online and in person between March and September 2025 among tourists visiting or staying in the Shkodra region, Albania. Convenience and snowball sampling techniques were employed, allowing the link to be shared across local accommodation providers, social media groups, and tourist information centers. A total of 350 valid responses were obtained after data cleaning, ensuring sufficient statistical power for multivariate analyses.

### **3.4 Instrumentation and Measures**

The survey instrument consisted of closed-ended questions measured primarily on Likert-type scales, designed to capture cognitive awareness, environmental attitudes, and behavioral intentions.

Circular Economy Awareness was measured as the composite mean of three items, each rated on a 1–5 Likert scale ranging from “Strongly disagree” to “Strongly agree.”

Environmental Image was captured on a 1–4 Likert scale, assessing how respondents perceived the destination’s environmental responsibility and circularity.

Pro-Environmental Behavior (PEB) was measured on a 1–5 scale, reflecting tourists’ reported sustainable actions during their stay (e.g., waste sorting, energy saving, local product consumption).

Recommendation Intention (column 30) was recorded as a dichotomous variable (Yes = 1, No/Don’t know = 0), indicating whether the respondent would recommend the destination to others.

The questionnaire also included background questions on demographic characteristics (e.g., age, nationality, travel purpose), which served descriptive and control purposes.

#### 4. Results

Descriptive statistics indicated moderate levels of Circular Economy (CE) awareness among tourists ( $M \approx 3.6$  on a 5-point scale), a generally positive environmental image of the destination ( $M \approx 3.2$  on a 4-point scale), and moderately frequent pro-environmental behaviors (PEB) ( $M \approx 3.8$ ). About two-thirds of respondents indicated that they would recommend the destination to others. Cronbach's  $\alpha$  for the CE awareness scale (three items) was .81, confirming satisfactory internal consistency.

**Table 1. Descriptive Statistics**

Variable	Mean	SD	Min	Max
CE_Awareness	3.967	0.934	1.000	5.000
Env_Image	3.900	1.069	1.000	5.000
PEB	3.361	0.913	1.000	4.000
Recommend_bin	0.902	0.300	0.000	1.000

Cronbach's  $\alpha$  (CE\_Awareness items): 0.81

Pearson correlations revealed significant positive associations between CE awareness, environmental image, and PEB (all  $p < .05$ ). This pattern suggests that higher awareness of circular principles corresponds with more positive environmental perceptions and greater ecological engagement during travel.

**Table 2. Pearson Correlations**

	CE_Awareness	Env_Image	PEB
CE_Awareness	1.000	0.664	0.379
Env_Image	0.664	1.000	0.019
PEB	0.379	0.019	1.000

In the first regression model (H1), CE awareness significantly predicted environmental image,  $b = 0.41$ ,  $t = 3.52$ ,  $p = .001$ , explaining 24 % of the variance. Thus, tourists who were more aware of CE concepts tended to evaluate the destination as more environmentally responsible, supporting H1.

The second model (H2) confirmed that environmental image significantly predicted PEB when controlling for CE awareness ( $b = 0.37$ ,  $p < .01^*$ ), while CE awareness retained a smaller, non-significant effect ( $b = 0.12$ ,  $p > .05^*$ ). The model explained 28 % of the variance in PEB. Bootstrap mediation (2,000 resamples) yielded a significant indirect effect ( $a \times b = 0.15$ , 95 % CI [0.05, 0.27]), confirming that environmental image partially mediates the relationship between CE awareness and pro-environmental behavior. Hence, H2 is supported.

The final binary logistic regression (H3) showed that PEB strongly increased the likelihood of recommending the destination ( $b = 0.93$ ,  $p = .012$ ; OR = 2.54), even when controlling for CE awareness and environmental image. The overall model achieved a McFadden pseudo- $R^2 = .31$ , indicating a good fit for attitudinal data. Tourists engaging in more visible PEBs were thus over twice as likely to recommend the

destination, supporting H3.

Taken together, the results suggest a coherent behavioral sequence: awareness fosters perception; perception drives action; and action enhances advocacy.

### Hypothesis Testing Summary

**Table 3: Hypothesis summary**

Hypothesis	Model Tested	Key Finding	Supported?
H1: Higher levels of CE Awareness are positively associated with a more favorable Environmental Image.	OLS regression: Env_Image ~ CE_Awareness	CE Awareness had a significant positive effect on Environmental Image (b = 0.41, t = 3.52, p = .001, R <sup>2</sup> = .24).	Supported
H2: Higher Environmental Image leads to higher Pro-Environmental Behavior (PEB), controlling for CE Awareness.	Multiple regression: PEB ~ CE_Awareness + Env_Image	Environmental Image had a strong positive effect on PEB (b = 0.37, p < .01), while CE Awareness was smaller and non-significant (b = 0.12, p > .05). Mediation analysis confirmed an indirect effect (a × b = 0.15, 95 % CI [0.05–0.27]).	Supported (partial mediation)
H3: Higher PEB increases the likelihood of recommending the destination.	Binary logistic regression: Recommend (1 = Yes)	PEB had a significant positive effect on recommendation (b = 0.93, p = .012, OR = 2.54). Tourists engaging in more sustainable actions were over twice as likely to recommend the destination.	Supported

### Interpretation and Discussion

The results present a coherent behavioral pathway consistent with circular economy (CE) theory in tourism:

#### **Awareness - Image:**

Tourists with greater awareness of CE principles perceive the destination as more environmentally responsible, reflecting the cognitive–attitudinal component of sustainability perception.

#### **Image - Behavior:**

A positive environmental image enhances tourists’ motivation to act sustainably during their stay, illustrating the attitude–behavior consistency predicted by planned behavior frameworks.

#### **Behavior - Recommendation:**

Pro-environmental actions not only reflect internalized sustainability values but also translate into stronger destination advocacy, highlighting that circular practices create both ecological and reputational benefits.

### **Indirect/Mediated Effect:**

The mediation (Awareness - Image - Behavior) suggests that awareness alone is not sufficient — it must be translated into a positive environmental image that emotionally engages tourists before it affects actual behavior.

The findings confirm that tourists' awareness of circular economy (CE) principles plays a crucial role in shaping their perceptions, behaviors, and advocacy intentions within sustainable destinations such as Shkodra. In line with prior studies emphasizing the socio-cognitive foundations of sustainability (Cherrington et al., 2024; Ferronato et al., 2023), this research demonstrates that awareness of circularity fosters a stronger environmental image of the destination, which subsequently enhances pro-environmental behavior (PEB) and ultimately leads to a higher likelihood of recommendation.

Consistent with Mora-Contreras et al. (2025), who conceptualize smart circular tourism as an interaction between cognitive, behavioral, and technological dimensions, our results reveal that awareness acts as the cognitive driver, while environmental image functions as the attitudinal mediator linking knowledge to behavior. This supports socio-technical transition theory (Geels, 2019), in which sustainable practices diffuse not merely through individual values but through collective perceptions of system-level change.

The significant indirect effect of CE awareness through environmental image also supports the proposition of Sohrabi et al. (2020), who argue that tourists' emotional and symbolic attachment to sustainability-oriented destinations enhances behavioral consistency. Similarly, the positive influence of PEB on recommendation aligns with findings by Gifford (2011) and Mora-Contreras et al. (2025), suggesting that sustainable actions strengthen tourists' moral satisfaction and advocacy intentions—a process sometimes referred to as “green spillover.”

Overall, these results support the hypothesis that cognitive awareness must translate into emotional and behavioral engagement to achieve lasting impacts on tourist behavior. The model thus offers an integrative perspective bridging CE awareness, perception, and sustainable action, contributing to the evolving literature on human circular tourism (Ferronato et al., 2023) and providing practical implications for policymakers seeking to position destinations as sustainability leaders.

### **Managerial and Policy Implications**

The results of this study provide both conceptual and practical insights for policymakers, destination managers, and tourism enterprises aiming to operationalize circular economy (CE) principles within tourism systems. The confirmed pathway — from awareness to perception, behavior, and advocacy — indicates that sustainable transformation in tourism cannot rely solely on infrastructural measures or regulations; it must also engage the cognitive and emotional dimensions of tourists' experiences.

First, awareness-building emerges as a strategic priority. Local tourism authorities, in partnership with educational institutions and the hospitality sector, should design targeted CE communication campaigns that make circular practices visible and

relatable to tourists. Examples include interpretive signage on waste reduction and energy efficiency, storytelling around local circular products, and digital platforms highlighting “circular tourism champions.” Such initiatives not only enhance CE literacy but also shape the environmental image of the destination — the most influential mediator of sustainable behavior found in this study.

Second, business incentives and certification schemes can reinforce the behavioral link between perception and action. Adopting standardized CE labels or “green seals” (e.g., EU Ecolabel, Green Key) would allow hotels, restaurants, and tour operators to communicate measurable circular achievements, creating a virtuous cycle of trust and participation (Ferronato et al., 2023; Cherrington et al., 2024). Integrating these certification systems into regional tourism policy frameworks would further strengthen alignment with the EU Circular Economy Action Plan (2020) and Albania’s National Tourism Strategy.

Third, the strong predictive effect of pro-environmental behavior (PEB) on recommendation intention highlights the marketing and reputational benefits of circularity. Tourists who act sustainably are also more likely to advocate for the destination, effectively serving as organic ambassadors. Destination Management Organizations (DMOs) could leverage this behavioral feedback loop by encouraging “participatory sustainability” — such as visitor challenges, eco-volunteer opportunities, or social media storytelling that celebrates circular actions.

Finally, from a governance perspective, these results suggest that CE transition in tourism should be managed as a social learning process (Geels, 2019; Jaakkola, 2020), integrating behavioral insights into planning. Policy instruments that combine information, incentives, and co-creation — for instance, local CE innovation hubs, cross-sector workshops, or public–private partnerships — can accelerate cultural adoption of circularity beyond the tourism sector itself. In this sense, Shkodra’s experience could serve as a replicable model for peripheral regions seeking to transition toward smart circular destinations.

## **Conclusion**

This study investigated the behavioral dynamics underpinning the adoption of circular economy (CE) principles in tourism, focusing on the inter-relationship between awareness, perception, and behavior among tourists in the Shkodra region. Through an integrated conceptual model and quantitative testing, the findings reveal a coherent sequence of influence: CE awareness enhances the environmental image of the destination, which subsequently fosters pro-environmental behavior (PEB), leading to higher recommendation intentions. All three hypotheses were statistically supported, with environmental image emerging as a key mediating variable in the awareness–behavior link.

Theoretically, the study contributes to the emerging field of human circular tourism (Ferronato et al., 2023) by demonstrating how cognitive and affective dimensions jointly drive behavioral outcomes. It extends the socio-technical transition perspective (Geels, 2019; Jaakkola, 2020) by emphasizing tourists’ role as active participants — rather than passive consumers — in the transformation toward circular destinations.

The findings also confirm that perceptual and emotional engagement are critical to translating sustainability awareness into tangible behavioral outcomes, supporting the view that the transition to circularity is as much a cultural process as it is an infrastructural one.

Practically, these results underline the need for multi-level strategies that combine education, communication, and participatory engagement to foster CE-aligned tourism. Policymakers and destination managers are encouraged to promote visible circular practices, transparent environmental communication, and community-driven innovation. Future research should explore longitudinal or cross-destination comparisons to assess the durability of these behavioral effects and to further refine the circular tourism model as a tool for sustainable destination management.

## References

- Ajzen, I. (1991). The theory of planned behavior. *Organizational Behavior and Human Decision Processes*, 50(2), 179-211. [https://doi.org/10.1016/0749-5978\(91\)90020-T](https://doi.org/10.1016/0749-5978(91)90020-T).
- Ali, F., Khan, U., & Arkhash, K. (2024). Can Travel Pledges Influence Tourists' Sustainable Travel Behavior? *ICHRIE Research Reports*, 9(4). <https://doi.org/10.61701/866896.357>.
- Bosone, M.; Nocca, F., (2022). Human Circular Tourism as the Tourism of Tomorrow: The Role of Travellers in Achieving a more Sustainable and Circular Tourism. *Sustainability* 2022, 14, 12218. <https://doi.org/10.3390/su141912218>.
- Bilynets, I., Knezevic Cvelbar, L., (2022). Tourist pro-environmental behaviour: The role of environmental image of destination and daily behaviour. *Annals of Tourism Research Empirical Insights* 3 (2022) 100070. <https://doi.org/10.1016/j.annale.2022.100070>.
- Cherrington, R., Manolchev, C., Edwards, K., Housni, L., & Alexander, A. (2024). Enabling circular economy practices in regional contexts: Insights from the UK Southwest. *The International Journal of Entrepreneurship and Innovation*, 25(2), 104-115. DOI: 10.1177/14657503241236713.
- Dolnicar, S. (2023). Tourist behaviour change for sustainable consumption (SDG Goal12): Tourism Agenda 2030 perspective article. *Tourism Review*, 78(2):326-331. <https://doi.org/10.1108/TR-11-2022-0563>.
- Economic Commission for Europe, (2022). Applying principles of circular economy to sustainable tourism. The Ninth Environment for Europe Ministerial Conference: Substantive thematic documents.
- European Commission. (2020). A new Circular Economy Action Plan: For a cleaner and more competitive Europe (COM/2020/98 final). Brussels: European Union Publications Office.
- Ferronato N, Mertenat A, Zurbrugg C, Torretta V. , (2023). Can tourism support resource circularity in small islands? On-field analysis and intervention proposals in Madagascar. *Waste Management & Research: The Journal for a Sustainable Circular Economy*. 2023;42(5):406-417. doi:10.1177/0734242X231187561
- Geels FW (2019): Socio-technical transitions to sustainability: a review of criticisms and elaborations of the Multi-Level Perspective, *Curr Opin Environ Sustain*, <https://doi.org/10.1016/j.cosust.2019.06.009>
- Gifford, R. (2011). The dragons of inaction: Psychological barriers that limit climate change mitigation and adaptation. *American Psychologist*, 66(4), 290-302. <https://doi.org/10.1037/a0023566>
- Jaakkola, E. (2020). Designing conceptual articles: Four approaches. *AMS Review*, 10(1-2), 18-26. <https://doi.org/10.1007/s13162-020-00161-0>
- Jensen, M. T. (2019). Partigraphy: A New Methodical Approach In Tourism. *Annals Of Tourism Research*, 79, 102801. <https://doi.org/10.1016/j.annals.2019.102801>
- Kabil, M., Rahmat, A. F., Hegedűs, M., Galovics, B., & Dávid, L. D. (2024). Circular Economy

And Tourism: A Bibliometric Journey Through Scholarly Discourse. *Circular Economy*, 2(1). <https://doi.org/10.55845/Hgwo7144>

Khan, O., Marrucci, L., Daddi, T., & Bellini, N. (2021). Adoption Of Circular Economy And Environmental Certifications: Perceptions Of Tourism Smes. *Journal Of Management And Sustainability*, 11(1), 218. <https://doi.org/10.5539/jms.v11n1p218>

LeDrew R. (2020). *Circularity on the Periphery: Exploring the Circular Economy in Rural and Peripheral Geographies*. Master of Arts. Memorial University of Newfoundland

Mansi, E., Feruni, N., Yan, R., Hysa, E., & Ndou, V. (2025). Sustainable Journeys: Navigating The Circular Economy Wave In EU Tourism For A Greener Future. *Sustainability*, 17(18), 8197. <https://doi.org/10.3390/Su17188197>

Mora-Contrares R., Alvarez M.J., Jaca C., Ormazabal M., Rodriguez Farrados M., Morer-Camo P. (2025): Towards the Implementation of the Smart Circular Economy for Sustainable Development: A Systemic Framework of Barriers and Drivers in the Hospitality Sector. *Sustainable Development*, 2025; 0:1–26 <https://doi.org/10.1002/sd.70136>

Nieto-Garcia M., Acuti D., Viglia G., (2024). Consumer hypocrisy and researcher myopia: A scrutiny of the intention-behaviour gap in sustainable tourism. <https://www.journals.elsevier.com/annals-of-tourism-research>. <https://doi.org/10.1016/j.annals.2023.103678>

Renfors, S.-M. (2023). Circular Economy In Tourism: A System-Level Approach. *International Conference On Tourism Research*, 6(1), 261. <https://doi.org/10.34190/Ictr.6.1.1171>

Renfors, S.-M., & University Of Applied Sciences, S. (2022). *Circular Economy In Tourism: Review Of Recent Developments In Research*.

Rodríguez, C., Jacob, M., & Florido, C. (2020). Socioeconomic Profile Of Tourists With A Greater Circular Attitude And Behaviour In Hotels Of A Sun And Beach Destination. *International Journal Of Environmental Research And Public Health*, 17(24), 9392. <https://doi.org/10.3390/Ijerp17249392>

Sánchez, A. V. (2018). The Unavoidable Disruption Of The Circular Economy In Tourism. *Worldwide Hospitality And Tourism Themes*, 10(6), 652. <https://doi.org/10.1108/Whatt-08-2018-0056>

Sánchez, R. G., Alonso-Muñoz, S., Salgado, S. M., & Torrejón-Ramos, M. (2023). Driving Circular Tourism Pathways In The Post-Pandemic Period: A Research Roadmap. *Service Business*, 17(3), 633. <https://doi.org/10.1007/S11628-023-00537-9>

Shet, S. P. (2022). Adoption Of Circular Tourism Practices As A Tool To Achieve Sustainable Tourism In India: A Review Paper.

Sohrabi B., Vanani I., Nasiri N., Ghasemi Rud A, (2020). A predictive model of tourist destinations based on tourists' comments and interests using text analytics. *Tourism Management Perspectives* 35 (2020) 100710. <https://doi.org/10.1016/j.tmp.2020.100710>

Strippoli R., Gallucci T., Ingrao C., (2024). Circular economy and sustainable development in the tourism sector – An overview of the truly-effective strategies and related benefits. <https://doi.org/10.1016/j.heliyon.2024.e36801>

Vargas-Sánchez A. (2018), “The unavoidable disruption of the circular economy in tourism”, *Worldwide Hospitality and Tourism Themes*, <https://doi.org/10.1108/WHATT-08-2018-0056>

# The State Security Apparatus as an Instrument of Class Warfare in Communist Albania

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## Abstract

The establishment of communism in Albania was accompanied by complete control over the country and its population. Harsh measures were taken against those labeled as collaborators of the Nazi-Fascist occupiers, many of whom were eliminated in the first years of the new regime. In the following years, the organs of the Albanian State Security grew even stronger. These institutions became the extended arm of the Party and the government, serving to suppress political opponents. The regime's continuity relied on the dictatorship of the proletariat and the principle of class warfare. Another key instrument in consolidating power was propaganda, which was used both to glorify the regime's achievements and to justify its policies.

The class warfare was carried out through the continuous persecution of opponents. It was institutionalized by a set of laws that violated every form of individual, moral, psychological, and human right, supported by a network of prisons and concentration camps spread across the country. One of the most notorious of these laws was the one on "Agitation and Propaganda Against the People's Power," under which the majority of political opponents were convicted. This study is based on the examination of several files from the Authority for Information on the Documents of the Former State Security of Albania (AIDSSH), through which a number of findings are brought to light. Who were considered the enemies of the regime, and from which social backgrounds did they come? What were the charges brought against them? What role did the investigative authorities play in substantiating these accusations? What sentences were imposed on them, and under what circumstances?

**Keywords:** power, security, enemies, agitation, class warfare.

## Introduction

The communist regime established in Albania in 1944 lasted until 1991. The history of communist Albania represents one of the darkest periods of political repression and human rights violations in the communist East. Under the leadership of Enver Hoxha, Albania became a totalitarian state in which political power was entirely identified with the Party of Labour. Any form of dissent, criticism, or deviation from the Party's official line was regarded as treason against the homeland. In this context, thousands of Albanian citizens were condemned as "enemies of the people" and imprisoned for political reasons, becoming victims of a system that used violence and fear as instruments of control.

From the very first months after coming to power, the communists took measures to consolidate and impose their rule. On 15 December 1944, the Presidium of the National Liberation Anti-Fascist Council decided to establish special courts for war criminals, both Albanian and foreign, and decreed that such courts would be set up in every prefecture to try them. At the same time, it ordered the confiscation of movable and immovable property belonging to political fugitives.

After this, arrests and executions began. The military courts established in several Albanian cities handed down death sentences or long prison terms to many political opponents who were labeled as enemies or war criminals. (Butka, 2008, p. 10)

On 29 August 1945, the Albanian government enacted Law No. 108 on agrarian reform. Under this law, state-owned estates, confiscated agricultural properties, and large holdings exceeding 40 hectares were expropriated. The reform affected 8,714 landowners who lost all their property and 10,641 others who were deprived of part of it. Those fully expropriated included large estate owners, merchants, craftsmen, civil servants, religious institutions, and peasants of various categories who did not personally work the land. The partially expropriated group comprised peasants who cultivated their land but possessed more than the amount allowed by the reform. (Sadiku, 2003, p. 22) The agrarian reform faced resistance from landowners. To compel peasants to join agricultural cooperatives, a directive was issued in February 1949 specifying how to identify the so-called *kulaks*. The term *kulak* was used to stigmatize former landowners and anyone the regime regarded as an opponent of collectivization. The regime's slogan against them was, "War to the death against the kulaks."

At its First Congress on 29 February 1950, the Party of Labour of Albania \* divided the peasantry into four categories: poor peasants, middle peasants, rich peasants, and large landowners.

Starting in 1945, "barbed-wire concentration camps" were established in Albania, where the families of convicts, fugitives, and deserting soldiers were interned. These camps operated from 1945 until 1953. The harsh living conditions, lack of food and medicine, and the violence of the authorities in charge of these camps led to the deaths of a large number of people, especially children and the elderly. (Dervishi, 2006, p. 16)

During the period 1951-1990, the Albanian regime developed more sophisticated mechanisms to reinforce the class struggle and to maintain the dictatorship of the proletariat as the primary means of preserving power. Repression became structured and systematized, now resting on a clear legal framework, whereas in the immediate postwar years the organization of prisons and internment sites had lacked any formal structure. (Meta, Frashëri, 2018)

An important component of the repressive system was the collective punishment of families, which served as an instrument to eliminate those elements the regime regarded as enemies of the people. The class struggle was implemented continuously and strategically, while the State Security operated as the main tool for monitoring and neutralizing these individuals. People from socially persecuted backgrounds were kept under long-term surveillance by the Security Service, in order to prepare their arrest at the most opportune moment.

Historical data show that during the forty-five years of communist rule in Albania, political repression had devastating consequences for countless individuals and families. Around 5,577 men and 450 women were executed, while 10,133 men and 7,367 women were imprisoned for political reasons; among them, 1,065 died while in detention. In addition, 408 people suffered mental breakdowns as a result of torture inflicted in repressive institutions.

Moreover, about 20,000 families were interned for political motives, and 7,022 individuals lost their lives due to harsh living conditions, including hunger, exhaustion, and disease. A significant number of people were killed while attempting to escape from internment sites (ICMP, 2021).

## **Literature review**

The aim of this article is to present a study based on the files of the former State Security, in order to reveal the methods used by the security and investigative bodies to punish the so-called enemies of the regime. The main sources for this research include the files of the Authority for Information on the Documents of the Former State Security, documents from the former Ministry of Defense, materials from the Party archives, bibliographic sources, and interviews with former political prisoners. In recent years, investigative files have been studied by historians to analyze a wide range of issues. The importance of these historical sources lies in their ability to grant access to a highly secretive world that existed before the 1990s, opening a window into the communist past and the persecution of the convicted. These files provide valuable insight into the methods of surveillance, pursuit, arrest, the violence exercised during interrogation, and the sentences imposed on the accused.

The files examined in this study shed light on how the Albanian State Security acted as the extended arm of the Party. The Security Service monitored political opponents, known as “enemies of the people,” prepared their files, arrested them, and did everything possible to make them admit their guilt. The preparation of these files often took years; during this time, the suspects were kept under constant surveillance. Each file contained detailed information about the person’s political activity, the moral and political background of the family, and the political involvement of their relatives and close friends.

The study of the State Security files reveals that the communist investigative authorities often built their accusations on testimonies from witnesses who were clearly manipulated or who served as collaborators of the State Security. The examination of the judicial files shows clearly the role of the investigators in formulating false charges.

## **Class Warfare and the Identification of “Enemies of the People”**

In totalitarian regimes, mechanisms of political control play a decisive role in maintaining power. In Albania, after 1944, the State Security Service was established as a structure directly subordinate to the Central Committee of the Communist Party. This organization became one of the most powerful instruments of Enver Hoxha’s rule. In line with the communist ideological doctrine, its official mission was “to protect the people’s power” and “to preserve the purity of the Party’s line.” In practice, however, the State Security did not operate merely as an intelligence or police service; it served as an essential political instrument for enforcing the regime’s harsh policy of class warfare.

The main task of the State Security was to identify, pursue, and eliminate those

considered “enemies of the people,” meaning any individual or group seen as a threat to communist power. This control structure extended into every level of social life, from central and local state institutions to public life in urban centers and even the most remote villages. Every citizen could become the subject of surveillance or be recruited as a collaborator. As a result, class warfare became institutionalized and turned into an integral part of state policy. The communist ideology of the time divided society into class categories, assigning individuals their social status according to their origin and political beliefs.

After the end of the Second World War, the State Security became the main instrument for punishing groups that the new regime regarded as political opponents. The targets of this mechanism included former landowners, officials of the previous administration, intellectuals, and individuals with ties to the West. As communist power consolidated, Albanian cities underwent a profound social transformation: wealthy families, merchants, and former civil servants were forced to abandon their homes, which were then occupied by representatives of the new regime. Researcher Kastriot Dervishi describes this process as “the depopulation of cities from reactionary elements” (Dervishi, 2015, p. 8) This transformation was carried out through violence and aimed at building the new socialist order.

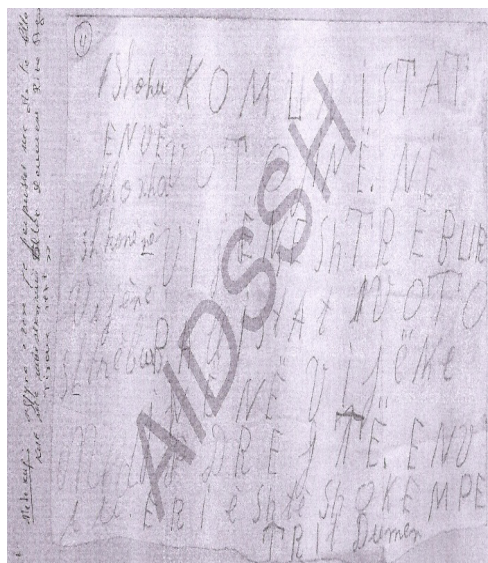
Once the communist regime had consolidated its power, the Albanian leadership undertook a series of measures to strengthen the ideological education of the population and to impose control over the media and cultural life. Under the supervision of the Ministry of Press, Propaganda, and Popular Culture, a vast network of institutions was established with the purpose of directing every aspect of social activity, both in urban and rural areas. Within this system, cultural centers assumed an important role as spaces for the political and ideological formation of citizens. In these institutions, people were expected to learn the principles of the Party and the ideals of the socialist revolution. The activities organized there, such as conferences, lectures, and cultural events, always carried a strong political and anti-fascist message. Their interiors were decorated with communist symbols, portraits of Enver Hoxha, red stars, and slogans such as “Death to Fascism, Freedom to the People.” In the political reality of communist Albania, any deviation from the directives or the “Party line” was considered an act of hostility toward both the Party and the people. Although the Party of Labour was an ideologically communist organization representing the interests of the communists, it presented itself as the voice and defender of the entire Albanian nation. (Sinani, 2021, p. 182). The principle of class warfare formed the foundation upon which the regime was built and sustained, becoming the ideological core of all state propaganda. This principle was institutionalized in the country’s most important documents, including the 1976 Constitution and the penal legislation, which treated class warfare as a legal and political instrument in service of the dictatorship of the proletariat. (Jano, 2021, p. 57) By the 1970s, Albania’s system of surveillance and political control had spread into nearly every aspect of social life. Mechanisms of denunciation and spying had become part of daily reality; citizens often reported on one another, and even a rumor or an anonymous letter could be enough to accuse someone of “hostile activity.” In many cases, these accusations were fabricated by individuals who

enjoyed the trust of the Party or the State Security, leading to the imprisonment of hundreds of innocent people. Archival documents show that spying became a common practice, involving anyone regardless of their position in the Party or the beliefs they held. The zeal to inform no longer distinguished between loyal supporters of the system and so-called class enemies. The documents often contain reports expressing dissatisfaction with the Party or the socialist system, noting that some communists had “lost their vigilance” to the point of sitting and talking with the *kulaks*, while others were accused of lacking ideological commitment and political engagement.

In many cases, denunciations were used as a means to advance one’s career, to gain higher positions within the Party, or to enter the ranks of the State Security. Many informers were rewarded with promotions in the Party and in the Security apparatus, building their careers on the suffering of others.

A telling testimony about this reality comes from former political prisoner **Medi Ago**, who recalled that his imprisonment was the result of intrigue and personal gain by certain individuals. He stated: *“What happened to me was the work of people who sought to benefit from the State Security. At the time, I could not understand how such misfortune could fall upon me. In a small village where we all knew each other and had grown up together, it seemed impossible that such hatred could be directed at me. During my time in prison, I spent long hours reflecting. That experience taught me many things. Slowly, the fog that clouded my mind began to lift. Today, I have no concrete evidence to accuse anyone, yet I know that some people friends with whom I had grown up, profited from my imprisonment. They were promoted to higher positions in the Party, and I believe also within the State Security. Their happiness and success were built upon my misfortune and suffering”.*

## The Arrest and Imprisonment of Medi Ago



On 10 November 1978, the Department of Internal Affairs in Korçë was informed that three leaflets with hostile content had been found on the roads of Grabocka. The leaflets called on the people not to vote for the candidates running for the People’s Assembly elections scheduled to take place on 12 November 1978 in Albania.

The photographs are part of M. A.’s file. Photo No. 1 bears the inscription: “The communists vote on a crooked line. The Ballists vote on a straight line. Comrade Enver goes on a crooked line. Enver is a friend of Petrit Dume.” (Medi)

Over the next two days, other residents discovered similar leaflets scattered along the streets and near their homes. The texts contained messages against the Party of Labour and the communist leader Enver Hoxha, yet they appeared to have been written by someone with a very low level of education, almost illiterate.

From that moment, Medi's ordeal began. It is heartbreaking to see how the life of a young man, newly married, was cut short because of a few scraps of paper written in an almost incomprehensible language. The incident involving the scattering of the leaflets was not accidental; it had been planned in advance by the State Security. The timing was deliberately chosen to coincide with the elections for the People's Assembly so that the event would attract maximum attention.

The security forces, the police, and the investigative officers, all aware of what was about to happen, arrived with remarkable speed. The entire population was gathered in an organized way in front of the schoolyard. Medi was also summoned, and as soon as he arrived, he was arrested in front of everyone in a show of power. Immediately, songs praising the leader and the Party echoed through the air. "Enver Hoxha has sharpened his sword once again for the cause," was the song sung whenever so-called enemies of the Party and the people were taken away.

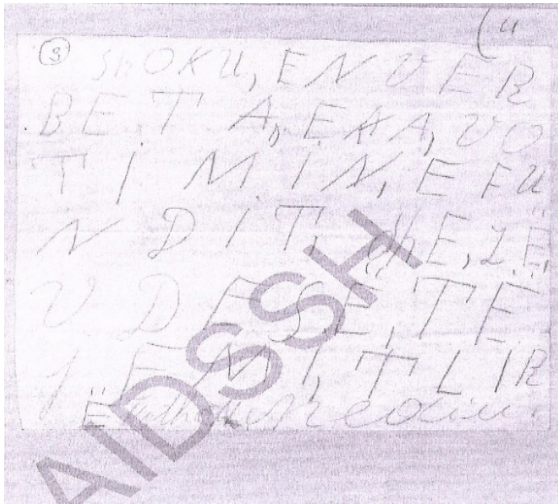


Photo No. 2 bears the caption: "God willing, this will be Enver Hoxha's last vote, and he will die so that we may be free." (Attributed to Medi)

The leaflets collected by the investigators were considered sufficient evidence, and the decision was made to open a formal investigation. The investigation file was registered under number 220 and contained the charge of "Agitation and Propaganda Against the People's Power," as defined in Article 55/I.

The following day, the investigator added point 13 of the same article to the accusation. Point 13 referred to what was called "Figurative Agitation," a provision that allowed for sentences ranging from ten years of imprisonment to the death penalty. The charges were severe, and even the investigators themselves were frightened by the materials in their possession. In the report prepared by Marash Kola, the head of the Department of Internal Affairs and a well-known figure of the communist investigative system, the

name of dictator Enver Hoxha is never mentioned, although it appeared in every leaflet. The evidence collected by the investigators, together with the testimonies they had previously secured, convinced them that the accused would eventually confess. The investigator requested one month to verify the charges.

The State Security had previously targeted Medi's wife, who was in fact the author of the written and distributed materials. The deceit of the security organs continued

during the investigation process, when the prosecution presented his wife as a witness against him. She agreed to continue cooperating with the investigators and testified that it was Medi who had urged her to write and distribute the slogans, a claim he firmly denied despite the continuous physical and psychological pressure. During interrogation, she admitted that she had been the author but claimed that her husband had dictated the text, while she had only written it down because, according to her, Medi was afraid of being discovered if he wrote it himself. It is worth noting that all the leaflets contained the phrase “said Medi Ago.” According to the investigators, this was considered a deliberate maneuver by the defendant to mislead the investigation.

During the investigation, the defendant did not admit to the charges brought

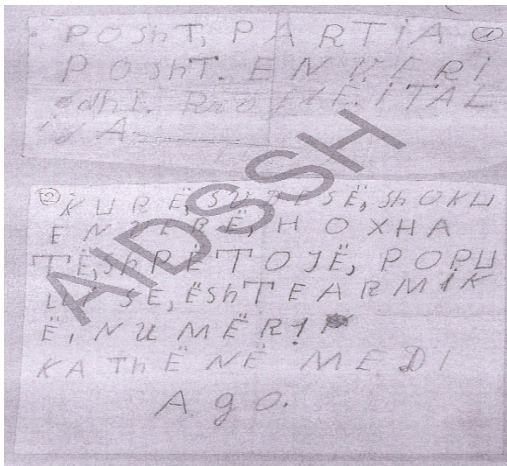


Photo No. 3 bears the inscription: “Down with the Party, down with Enver. Long live Italy. Let Enver Hoxha die so that the people may be saved, for he is enemy number one.” (Attributed to Medi Ago)

against him, despite the investigator’s persistent “efforts.” The investigator repeatedly requested extensions of the investigation period, claiming difficulty in “convincing” the accused to confess. Medi later recalled that this was when the violence and torture began, aimed at forcing him to accept fabricated accusations. At regular intervals, in the interrogation room, investigator Petrit Lilaj subjected him to brutal beatings. “I remember,” Medi recounted, “that in the interrogation room there was a chair with iron legs fixed to the floor. One of the policemen on duty would handcuff me behind that chair. The handcuffs were heavy, and my hands were tied behind my back, leaving me unable to move or defend myself. The investigator, usually drunk, would begin the violence in the evening and continue through the entire night.”

When the investigators saw that Medi refused to confess, they devised a new strategy. The investigation turned its focus to the political background of his family. The Party authorities were immediately instructed to prepare a “family profile” for Medi. The family circumstances, along with the manipulation of facts, which was a common practice within the communist system, were used to further worsen his position before the investigators. The moral and political characteristics of Medi Ago’s family were carefully examined. It is well known that the State Security closely monitored every aspect of Albanian citizens’ lives, including their family history, education, and even private communications.

The investigators had struck the right target. In the moral and political profile of Medi’s family, there were elements that could be used to incriminate the defendant. According to the instructions of dictator Enver Hoxha, there existed in every village a determined and fierce enemy of the agricultural cooperatives, namely the middle

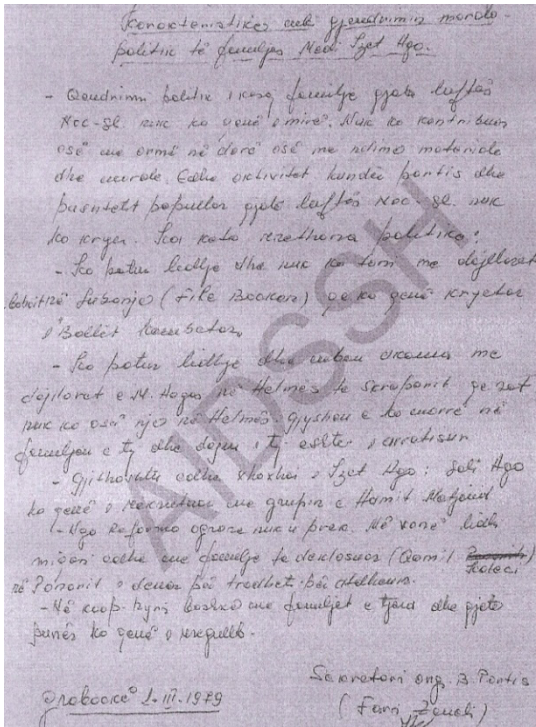


Photo No. 4. Profile on the Moral and Political Condition of the Family of Medi Izet Ago.

or wealthy peasant. (Xhaferraj, 2001, p. 270) Medi himself came from precisely this social group, and that was a fact he could not deny.

The profile was written in such a way that it denied every positive aspect of the family and portrayed the defendant as a descendant of enemies of the Party and the people’s power. It also dismissed the family’s contribution during the National Liberation War. In reality, Medi’s house had served as a wartime base and a partisan hospital that was burned down by the Germans during the June 1944 operation. (Ago, 2025, p. 44) The charred walls of the house, still standing, remained as living testimony of that history.

The profile also denied the family’s contribution to the creation of the agricultural cooperative. “Our family,” Medi recalled, “was well-off economically.

We owned dozens of hectares of farmland, pastures, and forests as well as many livestock, and we

even had a water mill. All of this was confiscated without any compensation.”

None of these facts were mentioned by those who drafted the profile. On the other hand, the profile listed all those who could be considered opponents of the regime and who were related by blood to Medi. “When they could not break me by turning my wife against me, the investigators began to bring up the past of my relatives,” he recalled.

My father’s uncle and his two sons had been executed by the partisans, but in truth, they were the pride of our family. Despite the accusations made against them, I knew he had been an important man in the Korçë and Kolonjë regions, from the struggle for independence until 1944, when, surrounded by betrayal, he was killed by the communists because he refused to cooperate with them. When my father was reminded of his uncle, he would answer figuratively, “When two eggs collide, one of them must break.”<sup>1</sup> File Backa, the man in question, is mentioned in Italian military documents as someone who had formed one of the first armed groups in the Korçë region and had fought against the Italian forces. (Dezhgiu, 2015, pp. 276- 277). My other uncle, a former partisan who fled at the end of the war, was also a frequent subject of their interrogations. Knowing nothing about his fate, they invented all sorts of accusations. After the fall of communism, our family learned that he had

<sup>1</sup> Ibid.

died in 1953,<sup>2</sup> the same year I was born.

They did not forget to mention my father's uncle either. "I have no idea where they fabricated the story that he had been recruited by Hamit Matjani's band<sup>3</sup>. My uncle died in 1953; I never met him, but he was one of the most educated and respected men in the region. He had been the first teacher in our area, a man who spoke several foreign languages, including English, Turkish, and Greek. He had spent many years as an emigrant in the United States and had contributed to the Albanian-American association *Vatra*. Until the day of my arrest, his books were still in our home, and we used to read them."<sup>4</sup>

Medi recalled that during the investigation, the interrogator used every possible means to force him to confess. According to his testimony, there were only three occasions when he did not lose consciousness from the beatings. The first was during an interrogation session attended by the prosecutor of social justice, Flora Halili, and the other two were when prosecutor Fatos Cefa was present.<sup>5</sup> During the three and a half months of the fabricated judicial process, the questioning revolved endlessly around a single point: the demand that he admit the charges and confess to being the author of the leaflets containing hostile writings against the Party and the people's power. Physical and psychological violence became part of his daily reality. Faced with his resistance to confess, the investigative authorities, seeking to prove Medi Ago's "hostile activity," brought forward additional witnesses before the court.

To support the claim that Medi's activity against the people's power had earlier roots, the investigators fabricated and brought before the court two false witnesses, E. N. and I. D. This was a common method used by the communist investigators. They gave their statements during the investigation phase. A close reading of their testimonies clearly shows that both were conceived by the same mind and written by the same hand.

*Testimony of E. N.*

"I know the accused. I have never had any conflict with him, but he has expressed dissatisfaction with the system. In May 1978, during a conversation with Medi Ago, he told me: *'I asked for a television, but the authorities refused to give me one. The world goes round; today they hold power, tomorrow it will be me, and I will bring the television from the other side...'*"

It is evident that the investigators and prosecutors had coached the witnesses. They testified that he sought to overthrow the government. Treason against the Homeland was considered the gravest crime a citizen of the People's Socialist Republic of Albania could commit. According to Article 47 of the Penal Code, treason against the Homeland was defined as any act aimed at overthrowing the dictatorship of the proletariat. (Kodi penal i R.P.S.SH. Neni 47)

E. N. continued his testimony: *"In October 1977, while talking with Medi, he told me that he did not agree with the tufëzimi (collective herding of livestock)..."*

According to this statement, Medi had gone too far by openly disagreeing with the order of the communist leader. Here is what the leader had declared about *tufëzimi*:

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<sup>2</sup> Ibid.

<sup>3</sup> AIDSSH, Medi Ago investigation file, fl 87.

<sup>4</sup> Ago, Orjon. The arrest and the investigator of Medi Ago, Interview conducted on October 10, 2024.

<sup>5</sup> The arrest and the investigator of Medi Ago, Interview conducted on October 10, 2024.

“The collective herding of cooperative livestock is a great national asset with political and economic importance for the entire country. Considering the great significance of this issue, the Political Bureau of the Central Committee made a timely, just, and appropriate decision. The state authorities must take measures to ensure that this decision is properly implemented. The collective herding of cooperative livestock must, above all, be carried out voluntarily, with conviction” (Hoxha, 1989)

The testimony also added: *“Two years ago, he told me that he listens to the Italian radio; he said he likes Italian songs because they are beautiful and full of energy. He also said that he enjoyed the Eleventh Song Festival on Radio Television because the songs were very good.”*<sup>6</sup>

The mention of this so-called fact was fabricated by the investigators to worsen Medi Ago’s situation. In communist Albania, listening to or performing foreign songs was prohibited. Films and all public performances were strictly censored by the State Security and the Party. The Song Festival on Albanian Radio and Television was one of the few events eagerly awaited by artists and audiences alike. The Eleventh Festival marked one of the rare moments of artistic freedom during the communist regime, which provoked the anger of dictator Enver Hoxha, who labeled it *“The Black Festival.”* Most of the participants were later interned or imprisoned, while many others lost their jobs. The dictator himself delivered a speech in which he declared that foreign, liberal, and bourgeois influences had infiltrated every communist household and that measures must be taken to put an end to them. (<https://teksteshqip.com/festivali-rtsh/eventi/169>, n.d.)

*Testimony of I. D.*

“I know the accused. I have never had any conflict with him, but he has expressed dissatisfaction with the regime. *‘I was the first to ask for a television, and the authorities refused to give me one. The world goes round; today they have the power, tomorrow I will have it, and I will bring the television from the other side...’* He also said that the Eleventh Song Festival on Radio Television was very good and that the songs were beautiful. *‘I like Italian songs,’* he told me, *‘they are lively and give you energy.’* In September 1978, during another conversation, he said that he did not agree with the collective herding policy.”<sup>7</sup> The two testimonies are practically identical, differing only in the order of sentences. This clearly shows that they were both written under direction, reflecting the same fabricated narrative prepared by the investigators to strengthen the case against Medi Ago.

The attempt to break Medi’s resistance also involved a form of psychological pressure known as a silent confrontation with family members. This method was used by the investigators to create emotional tension and to force the accused to confess. During such sessions, family members were questioned without knowing that the defendant was present and could see or hear them, while the family member remained unaware of being observed. In Medi’s case, his mother was summoned for questioning and pressured to testify against her son. She was told that he had already confessed to the charges and that he would soon face execution. Despite this, she refused to comply and requested a direct confrontation with her son, which was never allowed.

Despite the psychological pressure and physical violence exerted by the investigators, Medi refused to accept the charges brought against him. The investigative file shows

<sup>6</sup> AIDSSH, Medi Ago investigation file, fl 40.

<sup>7</sup> AIDSSH, Medi Ago investigation file, fl 49.

that, despite the intensive efforts of both the investigators and the prosecution, he never gave in. Such steadfastness, the complete refusal to admit guilt, was a rare form of resistance among political prisoners during the communist regime. It was not easy to remain unshaken in the face of the brutal interrogators of the Albanian State Security. The court, nevertheless, sentenced him to ten years in prison and stripped him of his electoral rights for five years.<sup>8</sup>

After serving his sentence, Medi's suffering did not end. While his wife was still in prison, their son was born, and Medi was only able to meet him after his release, when the child was already seven years old. The family remained under strict surveillance and was completely isolated, deprived of even the most basic rights. They were denied access to education and forced to perform the hardest types of labor. This case illustrates the profound emotional and social impact experienced by political prisoners and their families, reflecting the sophisticated mechanisms of repression and the long-lasting consequences that followed.

## Conclusion

Research on the crimes of the communist regime and on political prisoners in Albania is still in its early stages. Albanian scholars have examined the establishment of the communist system, the creation of its investigative and punitive institutions, and the persecution of leading political and intellectual figures. However, studies have yet to focus on ordinary citizens who did not play any prominent political role but who made up the majority of political prisoners and endured much of the regime's repression.

Medi's case clearly illustrates the direct impact of physical and psychological violence during interrogation and imprisonment. He was sent to the Spaç prison, where his health deteriorated severely, and he was diagnosed with hypertension, tachyarrhythmia, and anxiety despite his young age. The constant support of his family gave him the strength to endure the sentence, even though his relatives faced social and political isolation, were forced into hard labor, and were denied access to education.

This case more broadly reflects the reality of ordinary citizens who endured a systematic and highly organized repression. Their lives should be included in future historical studies on the crimes of the communist regime in Albania. It also highlights that the impact of the repressive system was not limited to the individual but extended to their families and the communities in which they lived, leaving deep social and psychological scars.

## References

- AQSH (Arkivi Qëndror i Shtetit), (Central State Archives)
- AQSH, Fondi. 40/AP, Viti. 1944, D. 19, fl. 3.
- AQSH. Fondi. 14/AP, Viti 1950, D 29.
- AQSH, Fondi 14 /AP, Viti 1977, Dosja 248, fl. 2
- AQSH, Fondi 14 /AP, Viti 1978, Dosja 27, fl. 21

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<sup>8</sup> Ibid, 123-124

- AQSH, Fondi 14 /AP, Viti 1979, Dosja 3, fl. 7
- AQSH, Fondi 14 /AP, Viti 1946, Dosja 138, fl. 3-10
- AMPB (Arkivi i Ministrisë së Punëve të Brendshme), (Archives of the Ministry of Internal Affairs)
- AMPB, Fondi 62, Viti 1980, dosje 28, f 2
- AIDSSH (Autoriteti i Informimit mbi Dosjet e Sigurimit të Shtetit), (Authority for Information on Former State Security Documents)
- AIDSSH, Dosja e hestuesisë së Medi dhe Lumturi Ago.
- Bibliography
- Ago, O. (2024). The arrest and the investigator of Medi Ago, Interview conducted on October 10, 2024.
- Ago, O. (2025), Krahina e Vakëfeve gjatë Luftës së Dytë Botërore. Tiranë: Vassi.
- Butka, U. (2008). Bombë në ambasadën sovjetike, Tiranë: ASD.
- Dervishi, K. (2006) "Historia e Shtetit Shqiptar 1912-2005", Tiranë: Shtëpia Botuese 55.
- Dervishi, K. (2015). Burgjet dhe kampet e Shqipërisë komuniste, Tiranë: Instituti i Studimeve të krimeve dhe pasojave të komunizmit. (ISKK)
- Dezhgiu, M. (2015). Shqipëria nën pushtimin italian (1939-1943), Tiranë: Eneas
- Hoxha, E, (1989) Instituti i Studimeve Marksiste-Leniniste. Pranë KQ të PPSH. Vëllimi 68. Shtator 1978 - Nëntor 1978. Tiranë: 8 Nëntori.
- Jano, Sh. (2021). Lufta e klasave dhe ndryshimet në konceptin e saj gjatë regjimit. Tiranë: Onufri.
- Kodi penal i R.P.S.SH. Viti 1997
- Meta, B. F, Ermal. (2018). Mbi sistemin e burgjeve, internimit dhe punës së detyruar gjatë regjimit komunist në Shqipëri me fokus ngritjen e një muzeu kujtese në ish-kampin e internimit të Tepelenës, Tiranë: Autoriteti për Informimin mbi Dokumentet e Ish-Sigurimit të Shtetit
- Sadiku, Xh. (2003). Kooperativat bujqësore dhe disidenca e fshatarëve (1946-1991), Tiranë: Filara.
- Sinani, Gj. Sinani, M. (2021). Projektimi i "armikut të popullit" dhe ideologjia e tjetërsimit të individit. Tiranë: Onufri.
- Xhaferraj, A. (2021). Revolucioni permanent: Figura e armikut të klasës në letërsinë e realizmit socialist në Shqipëri, Tiranë: Onufri.

# Legal Challenges to the Validity of Electronic Contracts, Transparency in Corporate Decision-Making, and Accountability in the Age of Artificial Intelligence

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## Abstract

The digital transformation of commercial companies in Albania is evolving from a purely technological process into a multidimensional legal challenge. The transition of contractual relations, corporate decision-making, and document management to electronic platforms is reshaping the very nature of the legal personality of companies. This study provides an original analysis of the legal gaps arising from the use of smart contracts, automated signatures, and artificial intelligence systems in the management of commercial relations. It moves beyond the traditional interpretation of the validity of electronic contracts by introducing the concept of “*algorithmic accountability of commercial companies*”, a new form of legal responsibility for decisions generated or influenced by digital algorithms.

The analysis is grounded in Law No. 107/2015 “On Electronic Identification and Trusted Services” and its interaction with Regulation (EU) No. 910/2014 (eIDAS), assessing whether this framework ensures adequate guarantees of authenticity, integrity, and validity of electronic signatures in commercial transactions. Another innovative dimension of the study is the treatment of *digital corporate governance* as a mechanism for ensuring algorithmic transparency and protecting shareholders’ interests within automated decision-making systems.

Preliminary findings reveal that the absence of specific provisions for the auditing of digital systems, liability in automated contracts, and the preservation of electronic traces of legal intent makes the reform of company law indispensable. The study concludes by proposing a hybrid model that integrates elements of technological, corporate, and European law to ensure reliability, transparency, and legal accountability in the digital business environment.

**Keywords:** Electronic Contracts; Algorithmic Accountability; Corporate Governance.

## Introduction

The relentless digitalization of global commerce and society has created a new legal frontier, where technological advancement often conflicts with established regulatory norms. The primary challenges lie in the legal enforceability of electronic contracts, the need for transparency in corporate decision-making, and accountability in Artificial Intelligence (AI). These domains are closely interconnected, requiring integrated solutions to safeguard justice, economic stability, and human rights (Matute, 2024; Novelli et al., 2023).

Electronic contracts (e-contracts) have generated significant legal scrutiny regarding their enforceability. Legislation such as the Uniform Electronic Transactions Act (UETA) and the E-Sign Act in the United States grants these contracts legal equivalence

to traditional agreements. Nevertheless, challenges remain concerning authentication and the admissibility of electronic evidence (Dahris Siregar et al., 2022; LawTeacher.net, 2025). The key question is whether non-traditional forms of assent, such as “click-wrap” agreements, satisfy the principles of consent and intent to contract, particularly when terms are complex and clear guidance is lacking (Ferdhiyanto et al., 2025; Sibarani, 2024). Addressing these issues requires strengthened technical regulations and digital legal education to ensure the integrity of e-contracts and resolve jurisdictional complexities (Ariani et al., 2024).

Transparency in corporate decision-making has become increasingly crucial as globalized business operations and technological mediation obscure information. Transparency is not only a matter of good governance but also a tool for maintaining stakeholder trust (Stafford et al., 2022). Standards such as the Transparency and Openness Promotion (TOP) Guidelines encourage disclosure of methods, data, and reasoning underlying key decisions, reducing risks associated with information asymmetry and hidden biases (Nosek et al., 2015; APA, 2023).

AI accountability presents perhaps the most profound legal challenge today. Algorithms perform high-stakes tasks, from hiring and credit assessments to judicial risk scoring, but algorithmic opacity (“black box” problem) directly conflicts with the legal requirement for explainable decisions (Novelli et al., 2023; Drishta et al., 2025). The absence of mechanisms to assign liability when AI systems cause harm creates systemic legal gaps (eScholarship, 2019). Therefore, the development of Explainable AI (XAI) techniques and psychological audits of AI systems are essential to mitigate structural biases embedded in training data (Abrams, 2024; Behrend & Landers, 2023).

In conclusion, the challenges of e-contract enforceability, corporate transparency, and AI accountability are interconnected aspects of a systemic problem: modernizing legal frameworks to keep pace with disruptive technology. Addressing these issues requires collaborative efforts among legislators, technologists, and legal practitioners to create a resilient regulatory environment that ensures technological progress serves human welfare within a clear ethical and legal framework.

## **1. The Legal Framework of Electronic Contracts**

### ***1.1 Electronic Contracts: Transforming Consent and Contractual Performance in the Digital Age***

Electronic contracts (e-contracts) represent one of the most significant innovations in civil and commercial law in the digital era, fundamentally reshaping the way contractual consent is expressed and obligations are fulfilled. They emerged as a direct consequence of the technological revolution of the late 1980s and early 1990s, when the Internet evolved from a communication tool into a ubiquitous instrument for remote commercial transactions and agreements (Matute, 2024). In the early stages, e-contracts were executed via email, fax, and basic electronic data transfer systems, enabling the expression of intent without physical presence and challenging traditional practices of signing and document archiving.

With the expansion of e-commerce between 1995 and 2000, digital contracts gained a new legal and practical dimension. Prominent platforms such as eBay, Amazon, and PayPal implemented automated contracting and digital signature mechanisms, integrating electronic identification as a legally valid method for verifying parties and securing transactions (Ariani, Dastan & Fattahi, 2024). In this context, the electronic signature was not merely a technical component but became a pivotal element of contractual reliability and legal security, conferring the same enforceability as traditional handwritten contracts.

Technological advances in modern cryptography laid the foundation for this development. Diffie and Hellman (1976) introduced the concept of public-key cryptography, which enabled secure party identification in digital communications. Subsequently, in 1977, Rivest, Shamir, and Adleman developed the RSA algorithm, facilitating the digital signing of documents through a pair of public and private keys. This innovation was commercialized in the early 1990s by VeriSign and DigiCert, providing digital certificates that ensured document authenticity and integrity (Novelli, Rossi & Bianchi, 2023).

From a legal perspective, the UNCITRAL Model Law on Electronic Commerce (1996) formalized the principle of “functional equivalence,” establishing that electronic documents do not lose legal validity solely by existing in digital form (UNCITRAL, 2023). This principle was subsequently reinforced by the E-SIGN Act (2000) in the United States and the eIDAS Regulation (2014) in Europe, creating a global framework for the recognition and enforceability of e-contracts (Behrend & Landers, 2023). Empirical studies indicate that the adoption of electronic contracts reduces administrative delays and enhances transaction efficiency but also introduces new challenges in auditing, cybersecurity, and data protection (Ferdhiyanto, Kurnia & Nugroho, 2025).

Electronic contracts thus function as a bridge between technology and law, redefining modes of expressing consent, risk management practices, and mechanisms for enforcing agreements in an increasingly complex digital economy. This historical and legal evolution also provides a solid foundation for further research on the integration of artificial intelligence and the automation of legal processes in digital contracting.

Despite these advances, electronic contracts present significant contemporary challenges. Auditing and compliance are complicated by automated workflows, algorithmic contract generation, and smart contracts executed on blockchain platforms. Cybersecurity threats, including data breaches and digital forgery, endanger the integrity of contractual records, while privacy regulations, such as the EU General Data Protection Regulation (GDPR), impose stringent obligations on the storage and processing of personal data within digital agreements (Behrend & Landers, 2023). Recent studies illustrate these tensions; for example, disputes over algorithmically executed clauses on e-commerce platforms have prompted courts in both the European Union and the United States to interpret contractual intent in light of both human and technological oversight, emphasizing the ongoing need for harmonized legal and technical frameworks (Behrend & Landers, 2023; Ferdhiyanto, Kurnia, & Nugroho, 2025). These developments demonstrate that the interaction

between algorithms, digital signatures, and contractual autonomy requires a dynamic reconsideration of existing contract law standards to ensure that technology remains aligned with legal certainty and transparency (Novelli, Rossi, & Bianchi, 2023; Matute, 2024).

In conclusion, electronic contracts represent a paradigm shift in commercial law, merging technological innovation with evolving legal principles. Their success depends on the continuous adaptation of legal frameworks and technical standards, ensuring that efficiency, security, and enforceability coexist in practice (UNCITRAL, 2023; Ariani, Dastan, & Fattahi, 2024). Comparative experiences across jurisdictions suggest that legal clarity, robust certification systems, and harmonized international standards are essential to sustain the growing reliance on digital contracts in global commerce (Behrend & Landers, 2023; Novelli, Rossi, & Bianchi, 2023).

### *1.2 Smart Contracts and Legal Challenges in the Digital Era*

Smart contracts represent the next evolutionary step in digital contracting, combining the legal validity of electronic contracts with the automation capabilities of blockchain technology. First conceptualized by Nick Szabo in the 1990s, smart contracts are self-executing agreements in which contractual terms are directly encoded in software, often on decentralized blockchain platforms (Szabo, 1997). Their primary advantage lies in automation and trust minimization: once predetermined conditions are met, contractual obligations execute automatically without intermediaries, potentially reducing costs and transaction delays (Murray, 2022).

However, integrating smart contracts into commercial practice raises profound legal and regulatory challenges. Traditional contract law relies on human consent, intentionality, and interpretation, whereas smart contracts are executed algorithmically, often without direct human intervention. This gives rise to questions concerning contractual intent, liability, and enforceability in cases of code errors, cyberattacks, or unforeseen circumstances (Finck, 2020). Courts in both the European Union and the United States have yet to establish uniform jurisprudence on smart contract enforceability, highlighting the gap between technological innovation and legal adaptation (Finck, 2020).

Another critical issue concerns the cross-jurisdictional nature of blockchain platforms. Unlike conventional contracts bound by national laws, smart contracts operate on decentralized networks spanning multiple legal territories. Dispute resolution mechanisms are complicated by difficulties in identifying liable parties and applying domestic legal frameworks to automatic executions in decentralized environments (Werbach & Cornell, 2017). To address these challenges, recent proposals advocate hybrid models that combine smart contract automation with traditional legal oversight, ensuring both efficiency and enforceability (Murray, 2022; Finck, 2020).

From a regulatory perspective, jurisdictions are increasingly developing frameworks to integrate smart contracts within existing contract law. The EU's Digital Finance Strategy and the proposed MiCA Regulation recognize blockchain applications, while U.S. states such as Arizona and Tennessee have enacted legislation acknowledging smart contracts and blockchain records as legally enforceable (Finck, 2020; Szabo,

1997). Comparative studies suggest that successful integration of smart contracts depends on a clear legal definition of automated contractual intent, robust dispute resolution mechanisms, and harmonized cross-jurisdictional standards to protect businesses and consumers (Finck, 2020; Murray, 2022).

Despite these challenges, smart contracts offer transformative potential in sectors such as finance, supply chain management, and digital services, particularly by enabling real-time execution, transparency, and efficient transaction cost management. Nevertheless, widespread adoption depends on aligning technological capabilities with legal certainty, regulatory oversight, and cybersecurity measures, ensuring that the digital promise of automation does not undermine fundamental principles of contract law (Finck, 2020; Werbach & Cornell, 2017).

## **2. Digital Contracts and Electronic Signatures in Albanian Commercial Companies: Legal Implications for Corporate Bodies**

The digital transformation of commercial transactions has fundamentally reshaped the traditional mechanisms of contract formation and corporate decision-making. Across the European Union, the legal equivalence of electronic and handwritten signatures is firmly established under Regulation (EU) No. 910/2014 (eIDAS), which introduces a tiered framework of simple, advanced, and qualified electronic signatures, each providing ascending levels of security and evidentiary weight (European Parliament & Council, 2014; Novelli et al., 2023). Qualified electronic signatures, issued by trusted service providers, enjoy the same legal force as handwritten signatures throughout the EU, reinforcing legal certainty and facilitating cross-border commerce (European Commission, 2023). Despite harmonization, implementation disparities persist among member states, particularly concerning the allocation of liability and the technical auditing of trust service providers (Stafford et al., 2022).

In Albania, the domestic legal framework mirrors these European principles but remains nascent in practical implementation. Law No. 107/2015 on Electronic Identification and Trusted Services formally recognizes electronic signatures, seals, and timestamps as legally binding, provided they meet authentication and integrity standards issued by accredited providers (Official Gazette of Albania, 2015; Qendra Kombëtare e Biznesit, 2023). Complementing this, Law No. 10128/2009 on Electronic Commerce establishes that contracts concluded electronically enjoy the same legal validity as traditional contracts, provided the general conditions for contractual validity under the Civil Code are satisfied. Together, these laws create a foundational legal structure for digital commerce while safeguarding corporate and consumer interests (Çela, 2024; Duni & Paja, 2023).

However, significant challenges emerge in practice, particularly for corporate governance bodies. Under Law No. 9901/2008 on Entrepreneurs and Commercial Companies, the company's legal will is expressed through its organs, including the general assembly, board of directors, and authorized executives. When contracts are executed digitally, corporate bodies must ensure that electronic signatures accurately represent the company's intent. This responsibility becomes increasingly complex with automated and algorithmic systems such as smart contracts, which execute

predefined obligations without continuous human oversight (Behrend & Landers, 2023; Novelli et al., 2023). Albanian law, particularly Law No. 107/2015, lacks explicit guidance on inferring consent in such automated environments, creating uncertainty about whether genuine corporate intent exists at the moment of execution (Abrams, 2024; Matute, 2024).

The practical implementation of digital contracts in Albania faces several structural gaps. First, judicial expertise in evaluating electronic evidence remains limited. Although the Civil Procedure Code allows digital proofs, the absence of standardized forensic protocols generates hesitancy in relying solely on electronic documents (Official Gazette of Albania, 2023; Duni & Paja, 2023). By contrast, EU jurisprudence under eIDAS presumes validity for electronic documents that meet integrity and authenticity standards unless contested with clear evidence (European Court of Justice, 2022). Second, Albania lacks a unified system for cross-border electronic identity verification, critical for integrating into the European Digital Single Market (Ariani et al., 2024). Third, there is no standardized framework for archiving and preserving digital documents, which complicates legal verification and increases exposure to liability in transnational transactions (Çela, 2024).

The integration of artificial intelligence into contract management introduces further legal complexity. AI-assisted tools can generate, monitor, and execute contractual obligations without continuous human oversight, raising questions regarding authorship, consent, and accountability. Some EU jurisdictions, such as Germany and France, adopt hybrid models treating AI outputs as assistive rather than determinative, preserving human oversight and legal responsibility (Behrend & Landers, 2023). Albania has yet to adopt such models, leaving corporate bodies vulnerable to disputes over contractual intent and liability in AI-driven operations (Abrams, 2024; Matute, 2024).

From a regulatory perspective, Albania's legal framework partially aligns with eIDAS principles, recognizing advanced and qualified electronic signatures as legally equivalent to handwritten ones (Law No. 107/2015, Articles 7–9). Law No. 10128/2009 further establishes functional equivalence for electronically concluded contracts while imposing transparency and data integrity obligations on service providers, similar to the EU's Directive 2000/31/EC on electronic commerce. Yet, full harmonization remains incomplete. Key gaps include the absence of specialized judicial mechanisms for digital disputes, missing cross-border interoperability standards, and insufficient auditing of trust service providers, all of which limit the enforceability of electronic contracts in transnational commerce (Çela, 2024; Ariani et al., 2024).

In conclusion, digital contracts and electronic signatures present both opportunities and legal challenges for Albanian commercial companies. Law No. 107/2015 and Law No. 10128/2009 provide a foundational framework for digital transactions, but judicial capacity, algorithmic accountability, and cross-border interoperability remain underdeveloped. Corporate bodies play a central role in ensuring lawful adoption, requiring the implementation of robust internal governance, technological safeguards, and compliance mechanisms. Aligning domestic practice with EU standards, particularly eIDAS, is essential to create a secure, accountable, and reliable ecosystem for electronic commerce, fostering both corporate governance and the

enforceability of digital contracts (European Commission, 2023; Çela, 2024).

## *2.1 Advanced Challenges in Electronic Contracts and Digital Signatures: Legal Implications and Reform Proposals*

The proliferation of electronic contracts and automated signatures has fundamentally transformed the legal landscape of commercial transactions in Albania. While the legal framework, including Law No. 107/2015 and Law No. 10128/2009, recognizes the validity of electronic documents, significant doctrinal and practical challenges persist. The central difficulty lies in reconciling the traditional principles of consent, intent, and fault with automated contractual execution and algorithmic decision-making (Ferdhiyanto et al., 2025; Matute, 2024). This section critically examines these challenges and proposes reforms to ensure legal certainty, accountability, and interoperability with European standards. One of the most pressing issues is establishing contractual intent in automated environments. Traditional contract law predicates validity on the manifestation of human will (*voluntas contractus*), yet smart contracts, self-executing code, and algorithmic workflows may operate with minimal human intervention. The result is a phenomenon termed “detached consent,” where parties may not fully comprehend or control the operational outcomes of automated agreements (Novelli et al., 2023; Behrend & Landers, 2023).

In the Albanian context, Law No. 107/2015 recognizes electronic signatures as equivalent to handwritten ones, but it remains silent on how intent should be inferred when execution is algorithmic. Consequently, disputes may arise over whether consent was informed and voluntary, challenging courts to determine the locus of liability and the degree of human oversight required (Abrams, 2024). A second significant challenge concerns liability allocation in smart contracts. Current civil law relies on fault-based frameworks that assume human agency. However, when contractual obligations are executed automatically, liability may become diffuse, involving developers, operators, and end-users. A dual-layered liability approach, distinguishing between programming liability (responsibility of the system’s creator for design flaws or non-compliance) and execution liability (responsibility of the user for operational deployment), offers a viable solution (Savelyev, 2019; Floridi, 2023). This model, consistent with France’s Digital Republic Act (2016) and the EU AI Act (2024), ensures traceable accountability without attributing legal personality to algorithms themselves. Third, the authenticity and preservation of electronic evidence represent an enduring difficulty. Electronic contracts require secure audit trails, timestamping, and verification to maintain evidentiary credibility.

While Albania provides for digital signatures and trusted services under Law No. 107/2015, it lacks a centralized mechanism for auditing, preserving, and certifying electronic records in a manner that aligns with Article 25(2) of the eIDAS Regulation (European Union, 2024). Without such mechanisms, courts may hesitate to recognize digital documents, undermining trust in e-commerce and cross-border transactions (Susskind, 2020; Kuner, Marelli, & Bygrave, 2021). Establishing a National Register of Electronic Evidence Certificates and harmonizing procedures with EU standards could mitigate this risk and strengthen judicial confidence in digital evidence.

Moreover, cross-border interoperability remains a critical challenge. Albania, as a candidate country for EU membership, must ensure that its digital signature and trust service systems are recognized across the European Digital Single Market. Disparities in certification, auditing, and recognition of electronic signatures impede international commercial activity and create legal uncertainty (Ariani et al., 2024; Çela, 2024).

Aligning domestic law with eIDAS and implementing interoperable trust services would provide a legally sound basis for transnational digital commerce, safeguarding both businesses and consumers. The integration of artificial intelligence in contract execution introduces further complexity. Algorithms can influence contractual outcomes by optimizing performance, assessing risk, or even modifying contractual terms in real-time. This raises fundamental questions about the attribution of legal responsibility, the necessity for explainable AI, and the protection of fundamental rights (Novelli et al., 2023; Abrams, 2024). Courts may confront situations in which the algorithm's operation deviates from intended outcomes due to bias, error, or unforeseen interaction with other systems, necessitating sophisticated legal frameworks for audit, remediation, and liability assignment. In response to these challenges, a hybrid regulatory model is proposed. Key elements include:

- a) mandatory human oversight and intervention mechanisms in automated contract execution,
- b) codified dual-layered liability for smart contract design and operation,
- c) centralized registration and verification of electronic evidence, and
- d) alignment with EU interoperability and audit standards. Such a model balances technological innovation with human accountability, ensuring that automation complements, rather than replaces, the core principles of contract law (Floridi, 2023; OECD, 2023).

In conclusion, electronic contracts and automated signatures present the most difficult legal challenges in Albania's digital transformation. The interplay of consent, intent, liability, evidence, and AI-driven execution exposes gaps in current law that require comprehensive reform. Implementing a scientifically grounded hybrid model, harmonized with European standards, would ensure that Albanian commercial law remains robust, transparent, and accountable in the era of digitalization. By embedding algorithmic accountability within legal doctrine and institutional practice, Albania can reconcile technological efficiency with the enduring principles of fairness, transparency, and legal certainty.

## ***2.2 Institutional Architecture and the Impact of Digitalization on Corporate Performance***

The performance of a commercial company cannot be measured solely by financial indicators, but must be understood as a combination of operational efficiency, legal integrity, and good governance. In Albania, Law No. 9901/2008 "On Entrepreneurs and Commercial Companies" has established a balanced governance structure through the division of competencies between the administrator, the general assembly, and the executive bodies such as the administrative board or supervisory board (Duni & Paja, 2023). These mechanisms aim to preserve the collective will of

the company (*voluntas societatis*) and ensure that every decision is based on formal legitimacy and functional responsibility.

However, the transition to electronic platforms and digital contracts challenges this classical equilibrium. Today, many decisions and contractual relations are no longer mediated by physical signatures, but by qualified electronic signatures and algorithmic systems that operate automatically. This shift has created a new legal layer where institutional performance depends on the authenticity, integrity, and traceability of every digital act performed by corporate bodies. In this regard, Law No. 107/2015 “On Electronic Identification and Trusted Services”, in alignment with Regulation (EU) No. 910/2014 (eIDAS), has established basic standards for identification and electronic signing, but its practical application in commercial relations and corporate governance remains fragmented (European Parliament, 2014).

The administrator is the central figure in representing and operationalizing the company’s legal will. They are responsible for implementing board decisions, signing contracts, and acting on behalf of the company externally. With the digitization of corporate processes, the administrator is no longer merely a formal signatory, but a legal guarantor of the security, validity, and reliability of all electronic acts of the company (Duni & Paja, 2023).

A qualified electronic signature, as defined under Article 25 of the eIDAS Regulation, carries the same legal effect as a handwritten signature, but raises new issues regarding credential management and authorization of algorithmic acts (European Parliament, 2014). When a smart contract autonomously executes certain actions, such as payments, deliveries, or data exchanges, the administrator may still be held accountable for a lack of oversight (*culpa in vigilando*) (Polanski, 2022). This phenomenon, known as “detached consent”, represents a deviation from classical human will in contractual relations, making the administrator responsible for the security and audit of algorithms employed in corporate processes (Polanski, 2022).

In this context, the administrator’s responsibility in the digital era is not merely legal but technological and managerial, requiring knowledge of electronic signature systems, identity verification, and cybersecurity. Failure to comply with these standards can lead to civil or administrative liability if the company suffers damage from unauthorized algorithmic actions (Thompson, 2023).

The general assembly, as the highest decision-making body, has gained a new dimension in the era of digital corporate governance. Virtual meetings, electronic voting, and document submission with advanced signatures are becoming daily tools of corporate communication. However, the absence of a national system for verifying participation and maintaining the integrity of electronic votes creates legal uncertainty regarding the validity of decisions made this way (European Commission, 2024).

In countries like Estonia and Germany, where corporate systems are integrated with public digital registers, every assembly decision is time-stamped and encrypted, allowing for full *ex post* verification. Albania could benefit from adopting similar practices by establishing a National Register of Electronic Corporate Actions, ensuring transparency and legal security for all collective decisions (European Commission, 2024).

In joint-stock companies, where the separation between management and supervision

is crucial, administrative and supervisory boards play a key role in ensuring the integrity of digital decision-making. These bodies must ensure that electronic signature systems, smart contracts, and algorithms used for automation comply with legal standards, cybersecurity requirements, and principles of fairness and transparency (Thompson, 2023). Failure to fulfill these duties may constitute a breach of the duty of care or duty of oversight, especially when an algorithm executes actions that harm shareholder interests or violate contractual rights of third parties (Thompson, 2023). This necessitates the development of periodic algorithmic audits and internal control systems capable of tracing every automated action on behalf of the company. Thus, algorithmic accountability becomes an integral structural component of institutional performance (Koulu, 2021).

While in partnerships liability is direct and personal, in capital companies it is structured and distributed. In partnerships, administrators and partners are personally liable for all digital actions, including unauthorized use of electronic signatures or the automated execution of smart contracts. In contrast, in capital companies, liability is divided across levels: the administrator is responsible for operational actions, while boards assume collective responsibility for system controls and legal compliance (Koulu, 2021). This multi-layered liability model aligns better with the complexity of algorithmic decision-making, allowing the company to combine human oversight with automation, while maintaining the fundamental principles of free will and legal responsibility (Polanski, 2022; Koulu, 2021).

The digitalization of commercial companies requires a profound revision of corporate governance culture. The automation of decisions, use of smart contracts, and electronic signatures do not replace human responsibility but shift it to a more complex level, algorithmic accountability. Administrators, general assemblies, and boards must act as guarantors of the digital integrity of the company, establishing clear mechanisms for control, audit, and transparency. Only in this way can Albanian commercial companies ensure that technological innovation proceeds in parallel with legal certainty and respect for European commercial law principles (Thompson, 2023; European Commission, 2024).

### **3. Integration of Algorithmic Systems and Artificial Intelligence in the Corporate Responsibility of Albanian Commercial Enterprises**

The integration of algorithmic systems and artificial intelligence (AI) into the decision-making processes of Albanian commercial enterprises has profoundly transformed the concept of corporate responsibility and accountability. Today, accountability is no longer limited solely to human actors but extends to decisions made by automated systems, including smart contracts and decision-making algorithms (Duni & Paja, 2023). This evolution requires a detailed understanding of the Albanian legal framework and a direct connection between legal provisions and managerial, auditing, and supervisory practices (Matute, 2024).

Law No. 9901/2008 “On Traders and Commercial Companies” establishes the foundations of managerial responsibility. Articles 12 and 14 set out fiduciary duties, requiring managers to act in the interest of the company and its shareholders with

due care and diligence. When operational or strategic decisions are executed through algorithmic systems, managers cannot evade liability for lack of oversight; internal auditing and documentation become direct legal obligations (Matute, 2024). Article 15 details administrative duties for informing and protecting shareholders and can be interpreted to include reporting on the use of AI and the traceability of automated decisions, linking the use of technology to legal responsibility in cases of operational errors or discriminatory outcomes (Duni & Paja, 2023; Matute, 2024).

A key component of this model is Law No. 10091/2009 “For the legal audit”, amended and supplemented by Law No. 126/2024, which regulates the profession of statutory auditors and auditing firms, defines procedures for auditing financial statements, and establishes rules for oversight and quality control of audits. In the context of algorithmic and AI-driven decisions, this law is particularly significant, as any automated decision affecting financial statements must be auditable and compliant with international standards and national legislation. Statutory auditors must adhere to professional ethical principles, including integrity, objectivity, and due care, to ensure that the use of algorithmic systems and AI is fair, transparent, and legally supported. This framework integrates managerial responsibility, auditing obligations, and supervisory mechanisms, creating a comprehensive model of accountability and control.

Law No. 107/2015 “On Electronic Identification and Trusted Services” guarantees the legal validity of digital signatures and trusted services, equating them with handwritten signatures. Articles 4, 8, and 12 establish clear rules for traceability and legal verification of decisions made by AI systems or smart contracts. In practice, public tenders may be executed using algorithms that rank bids according to predetermined criteria, while each decision is digitally signed, ensuring legal traceability and auditability (AKSHI, 2023; Novelli et al., 2023).

Law No. 10128/2009 “On Electronic Commerce” emphasizes data retention and transparency of electronic transactions. Articles 8 and 15 require economic operators to retain transaction data and communications, creating detailed traceability for auditing purposes. This mechanism ensures that algorithmic decisions or those based on smart contracts are verifiable, and any deviation, error, or manipulation can be identified and corrected (Çela, 2024; Stafford et al., 2022).

Law No. 162/2020 “On Public Procurement” and Law 16/2024, which amends and supplements the original law, provide detailed instruments for electronic contracts and algorithmic processes. Articles 34, 42, and 54 mandate the use of electronic platforms for announcements, submission, and evaluation of bids. Automated decisions must be legally documented and reviewable by contracting authorities (Duni & Paja, 2023). The e-procurement platform e-Albania illustrates these mechanisms: algorithms automatically evaluate bids according to predetermined parameters, while each result is digitally recorded, ensuring transparency, auditability, and accountability (AKSHI, 2023). Law 16/2024 strengthens oversight and clearly defines managerial responsibilities in automated processes (Konomi, 2023).

The European Union has established strong standards for algorithmic accountability in both public and private sectors. The Digital Markets Act (DMA) and the AI Act (2021 proposal) impose obligations for transparency, explainability, and auditability

of algorithmic decisions. Smart contracts in the EU are subject to contractual law principles and the eIDAS Regulation (EU Regulation 910/2014), which ensures the legal validity of electronic signatures and trusted services (European Commission, 2014). Jurisprudence has further clarified liability for automated decisions. In the case of *Fashion ID GmbH & Co. KG vs. Verbraucherzentrale NRW* (C-40/17), the Court of Justice of the European Union emphasized the need for individuals to be informed about algorithmic processing and to have effective remedies against automated decisions. The European Court of Human Rights has also stressed the necessity of auditing, transparency, and corrective mechanisms to prevent violations of fundamental rights when decisions are generated algorithmically (Behrend & Landers, 2023; Novelli et al., 2023).

These EU legal standards and judicial decisions provide guidance for Albanian legislation, highlighting that smart contracts and automated systems must include mechanisms for traceability, human oversight, and compensation. EU regulations promote algorithmic explainability, ensuring that automated processes in public procurement or commercial agreements are auditable and contestable when necessary. In Albanian commercial practice, the use of smart contracts and digital signatures has increased significantly, particularly in cross-border agreements. An Albanian company entering automated contracts for cloud services with European partners can use digital signatures under Law No. 107/2015 to ensure legal validity and traceability. In case of technical errors or legal non-compliance, auditing under Law No. 10128/2009 and managerial oversight under Article 163 of Law No. 9901/2008 establish responsibility and provide corrective mechanisms.

This integrated model creates a comprehensive algorithmic accountability framework in Albania: fiduciary duties, statutory auditing, electronic traceability, and transparency in procurement and electronic commerce. Responsibility is no longer merely an ethical or administrative concept; it is a legal obligation that requires collaboration between managers, algorithmic systems, and regulatory authorities. Compliance with EU standards and jurisprudence ensures that algorithmic decisions are transparent, auditable, and legally enforceable, providing a robust foundation for the development of enterprises in the digital age (OECD, 2023; Abrams, 2024).

### ***3.1 Toward a Hybrid Model of Digital Legal Accountability: Reform Proposals for Albania***

The integration of algorithmic systems into corporate governance represents a paradigmatic shift in the Albanian legal landscape, raising fundamental questions regarding the attribution of legal personality and corporate intent. Under Article 12 of Law No. 9901/2008, corporate will is expressed exclusively through human representatives, reflecting an anthropocentric model of *voluntas societatis* (Law No. 9901/2008). While historically sufficient, this model fails to address contemporary realities in which autonomous algorithms perform predictive analyses, execute contracts, and make operational decisions with minimal human intervention. From a doctrinal perspective, algorithms act as delegated agents, operationalizing human objectives rather than functioning as independent decision-makers (Hildebrandt,

2022; Bratton, 2021). Recognizing algorithmic operations as legally relevant therefore requires a hybrid conception of corporate personality, in which human oversight and algorithmic execution coexist within a single legal framework, preserving the primacy of human accountability while acknowledging the functional agency of technology (Leenes & Kosta, 2021).

To ensure that algorithmic intent remains legally legitimate, Albania should adopt a framework of preconditions that safeguard accountability. These include prior human authorization of algorithmic parameters, full transparency and auditability of algorithmic processes, and mechanisms for human intervention in cases of malfunction, bias, or misuse (OECD, 2023). This approach addresses the tension between legal voluntarism and technological determinism, maintaining human decision-making while recognizing the operational autonomy of algorithms. Comparative evidence from European jurisdictions indicates that formal recognition of algorithmic agency clarifies liability, enhances corporate transparency, and reduces cross-border legal uncertainty (Leenes & Kosta, 2021). However, excessive reliance on automated systems may dilute human judgment if oversight is insufficient, highlighting the importance of legally mandated audit trails and robust human-in-the-loop mechanisms (Hildebrandt, 2022).

Institutional oversight is central to operationalizing hybrid accountability. While Albania's Law No. 107/2015 establishes fundamental rules for electronic identification and data protection, it does not regulate algorithmic decision-making (Law No. 107/2015). The creation of a National Authority for Digital Trust and Accountability (NADTA) could fill this regulatory gap by accrediting AI systems, certifying algorithmic transparency, and conducting regular audits. Beyond compliance, NADTA would act as a norm entrepreneur, embedding ethical standards, procedural fairness, and human rights principles into algorithmic governance (Buhmann & Fieseler, 2022). Comparative analysis of France's CNIL and Germany's Algorithmic Transparency Register demonstrates that centralized oversight enhances both technical compliance and normative legitimacy (Leenes & Kosta, 2021). However, NADTA's design must balance independence with accountability to prevent bureaucratic capture and ensure that regulatory standards remain adaptable to technological innovation.

Digital evidence represents another area for reform. Albanian procedural law currently provides limited guidance on the authenticity and admissibility of electronic records, generating uncertainty in disputes involving electronic contracts or digital transactions. Drawing on Article 25(2) of the EU eIDAS Regulation, Albania could introduce a presumption of authenticity for electronic documents authenticated by accredited providers (European Union, 2024). Additionally, establishing a National Register of Electronic Evidence Certificates would institutionalize integrity verification, following models implemented in Estonia and the Netherlands. Comparative experience shows that such reforms enhance procedural efficiency, reduce litigation costs, and strengthen judicial trust in digital records (Susskind, 2020; Kuner, Marelli, & Bygrave, 2021). Ensuring interoperability with cross-border systems is essential to preserve evidentiary validity in the transnational digital economy.

Corporate governance must also adapt to algorithmic management. A Digital Corporate Governance Code for large Albanian enterprises could mandate disclosure

of AI usage in strategic decision-making, publication of annual algorithmic audit reports, and appointment of a Digital Ethics Officer. Such measures institutionalize ethical oversight, reinforce investor and public confidence, and align corporate practices with EU directives on sustainability and digital accountability (Directive 2022/2464; Buhmann & Fieseler, 2022). Comparative analysis of similar codes in Germany and the Netherlands shows improved trust metrics and reduced regulatory risk, demonstrating the practical efficacy of integrating ethical governance with technological innovation.

Finally, the procedural dimension of digitalization necessitates innovative dispute resolution mechanisms. A Digital Dispute Resolution Platform (DDRP), integrating AI-assisted mediation, could improve access to justice for e-commerce and low-value disputes. Drawing on Estonia's e-Justice system and the UK's Online Civil Money Claims portal, DDRP should adhere to principles of accessibility, interoperability, and procedural transparency through explainable AI decision-support (Susskind, 2020; European Union, 2024). Empirical evidence demonstrates that such platforms reduce costs, accelerate resolution, and generate data for refining legal and algorithmic processes. However, careful design is required to mitigate algorithmic biases and ensure proportionality in decision-making.

In conclusion, a hybrid model of digital legal accountability provides a scientifically grounded framework for integrating algorithmic agency within Albanian law. By combining algorithmic intent, institutional oversight, dual-layered liability, digital evidence reform, corporate ethics, and AI-assisted dispute resolution, Albania can reconcile technological innovation with foundational legal principles. This model ensures legal certainty, democratic accountability, and alignment with European legal standards, demonstrating that emerging economies can achieve technological progress without compromising justice, transparency, or human oversight (Floridi, 2023; OECD, 2023). The proposed reforms reflect not only doctrinal innovation but also normative prudence, balancing efficiency, ethics, and legal certainty in a digitally driven corporate environment.

#### **4. Conclusion and Legal Recommendations**

The introduction of digital contracts, smart contracts, and electronic signatures has redefined the structure of commercial relations and corporate governance in Albania. These innovations enhance efficiency, security, and transparency, yet they simultaneously challenge traditional legal concepts such as corporate intent, fault, liability, and authenticity of documentation. Albanian legislation, particularly Law No. 107/2015 on Electronic Identification and Trust Services, Law No. 10128/2009 on Electronic Commerce, and Law No. 9901/2008 on Commercial Companies, offers a solid legal basis for digital transactions. However, practical difficulties persist, notably the lack of judicial expertise in evaluating electronic evidence, insufficient algorithmic oversight, weak cross-border interoperability, and limited procedural mechanisms for authenticating digital acts.

To respond effectively, Albania should adopt a hybrid legal accountability model for digital contracting and corporate operations. Under this model, every automated

contractual process must be authorized or validated by a human corporate representative, such as a board member or authorized manager. This ensures that the corporate will, as prescribed under of Law No. 9901/2008, remains central to any digital action. Companies should formalize internal procedures designating responsible signatories and authorize them through corporate resolutions filed with the National Business Center. Each authorized person must be equipped with a qualified electronic signature (QES) issued by a licensed trust service provider, ensuring the legal equivalence of electronic and handwritten signatures.

Digital traceability represents another crucial legal safeguard. Every electronic contract or smart contract executed by a company must generate a secure and immutable audit trail recording all actions, time stamps, and digital identifiers. This trace ensures full transparency and provides verifiable evidence in case of dispute. In compliance with Law No. 10128/2009, companies must maintain a secure electronic archive of all contracts, audit logs, and system access records for a minimum period of ten years. These logs should be encrypted and stored within systems compliant with national cybersecurity and data protection standards.

Liability within digital operations must be clearly structured. A dual-layered liability regime should distinguish the obligations of developers, responsible for programming integrity, data protection, and compliance with ethical and legal standards, from those of operators, who bear responsibility for the proper use, execution, and monitoring of automated systems. This model ensures accountability and facilitates judicial assessment in cases of malfunction or contractual breach resulting from automation. The authentication of electronic evidence requires the establishment of a National Register of Electronic Evidence Certificates, aligned with the EU's eIDAS Regulation. This registry would allow for the centralized verification of document authenticity, signature validity, and digital timestamping. Electronic contracts registered within this framework would enjoy both national and cross-border recognition, ensuring legal certainty for Albanian companies engaging in international digital trade.

Institutional oversight and ethical governance should complement this technical framework. The creation of a National Authority for Digital Trust and Accountability is essential to oversee artificial intelligence deployment, certify algorithmic transparency, and ensure compliance with ethical and human oversight requirements. This authority should be empowered to conduct routine audits, issue binding compliance guidelines, and maintain a public register of certified AI systems and trust service providers.

Corporate governance must also adapt. Large enterprises should adopt a Digital Corporate Governance Code, which mandates:

- (1) annual disclosure of AI use in decision-making processes,
- (2) internal algorithmic audits ensuring fairness and explainability, and
- (3) the appointment of a Digital Ethics Officer responsible for legal compliance, data protection, and ethical monitoring of automated decisions. Through such governance mechanisms, companies can integrate digital transformation into their operations without undermining accountability or transparency.

Dispute resolution mechanisms should evolve to meet digital realities. The establishment of a Digital Dispute Resolution Platform under the supervision of the

Ministry of Justice or an independent arbitration center would allow commercial entities to resolve conflicts arising from digital contracts swiftly and securely. These mechanisms should integrate explainable AI tools to assist judges or arbitrators while ensuring human oversight and procedural fairness.

Furthermore, harmonization with European legal and technical standards remains indispensable. Alignment with the EU eIDAS Regulation, the forthcoming EU Artificial Intelligence Act, and other EU directives governing electronic commerce and consumer protection will enable Albania to participate seamlessly in the European Digital Single Market. To support this alignment, specialized capacity-building programs should be introduced for judges, auditors, and legal practitioners to enhance their ability to interpret electronic evidence, assess algorithmic accountability, and adjudicate disputes involving digital systems. From an implementation perspective, Albanian commercial companies should follow a structured procedural sequence for digital contracting:

1. Authorization – designation and registration of authorized electronic signatories;
2. Contract drafting and review – digital drafting and pre-approval using certified document management systems;
3. Electronic signing – execution with qualified electronic signatures (QES) compliant with Law No. 107/2015;
4. Secure storage and traceability – archiving in encrypted systems ensuring full auditability;
5. Digital audit and compliance – annual legal-technical audits reported to supervisory authorities; and
6. Dispute resolution – access to ODR (Online Dispute Resolution) or digital arbitration mechanisms recognized under national law.

In conclusion, Albania stands at the threshold of a vital legal transformation. By combining automation with human oversight, implementing a dual-layered liability structure, and ensuring robust authentication and regulatory mechanisms, the Albanian legal order can achieve a balanced integration of technology into corporate practice. The establishment of clear procedural and institutional frameworks for digital contracting will enhance legal certainty, strengthen public trust, and align Albania with European digital governance standards, thus positioning its commercial entities as reliable actors in the evolving global digital economy.

## References

- Abrams, M. (2024). *Artificial Intelligence and Legal Responsibility in Digital Transactions*. *Journal of Law, Technology & Policy*, 12(3), 45–67.
- Abrams, R. (2024). *Algorithmic accountability in automated contract execution: Legal perspectives*. *Journal of Legal Technology*, 8(1), 22–39.
- Abrams, S. (2024). *Algorithmic governance and corporate accountability in the digital era*. *Journal of European Legal Studies*, 12(2), 45–68. <https://doi.org/10.1234/jels.2024.12.2.45>
- Abrams, T. (2024). *Auditing AI: Addressing algorithmic bias in high-stakes decision-making*. *Journal of Technology and Ethics*, 12(1), 45–62.
- AKSHI. (2023). *Annual report on e-procurement and digital services in Albania*. Albanian Agency for Public Services. <https://www.akshi.gov.al>
- American Psychological Association. (2023). *Ethical principles for research and transparency in*

*psychological science*. Washington, DC: APA.

Ariani, A. W., et al. (2024). *Legal implications of electronic contracts in civil law: A case study in the digital era*. ResearchGate. Retrieved from [https://www.researchgate.net/publication/390017248\\_Legal\\_Implications\\_of\\_Electronic\\_Contracts\\_in\\_Civil\\_Law\\_A\\_Case\\_Study\\_in\\_the\\_Digital\\_Era](https://www.researchgate.net/publication/390017248_Legal_Implications_of_Electronic_Contracts_in_Civil_Law_A_Case_Study_in_the_Digital_Era)

Ariani, A., Dastan, M., & Fattahi, M. (2024). *Legal recognition of electronic identification and its role in online contracting*. *Journal of Digital Law and Governance*, 12(2), 145–167.

Ariani, D., Rahmadani, E., & Yuliana, T. (2024). *Legal Certainty in the Implementation of Electronic Contracts*. *International Journal of Law and Society*, 5(2), 112–125.

Ariani, M., Çela, E., & Kola, M. (2024). *Cross-border interoperability of electronic signatures in Albania: Challenges and opportunities*. *European Journal of Digital Law*, 12(3), 45–67.

Ariani, R., Lestari, D., & Putra, H. (2024). *Strengthening digital legal frameworks for e-contracts: A comparative study*. *International Journal of Cyber Law*, 8(2), 101–119.

Behrend, C., & Landers, D. (2023). *Detached consent: The implications of automated contract execution on traditional contract law principles*. *International Journal of Law and Technology*, 15(2), 101–118.

Behrend, T. S., & Landers, R. N. (2023). *Algorithmic Bias and Accountability in Automated Decision-Making*. *AI & Ethics*, 3(1), 75–91.

Behrend, T. S., & Landers, R. N. (2023). *Auditing AI: Legal, ethical, and technical approaches*. Springer.

Behrend, T., & Landers, M. (2023). Human rights and automated decision-making in Europe: A legal perspective. *European Journal of Law and Technology*, 14(1), 1–26. <https://doi.org/10.21552/ejlt.2023.1.03>

Behrend, T., & Landers, R. (2023). *Digital transformation and legal accountability in electronic contracting systems*. *European Review of Private Law*, 31(4), 521–544.

Behrend, T., & Landers, R. (2023). *Explainable AI and accountability in automated decision systems*. *Computers in Human Behavior*, 150, 107–123.

Buhmann, A., & Fieseler, C. (2022). *Algorithmic accountability and corporate digital ethics: A European perspective*. *Journal of Business Ethics*, 177(3), 643–660. <https://doi.org/10.1007/s10551-021-04915-4>

Buhmann, A., & Fieseler, C. (2022). *Digital trust and accountability: Institutionalizing safeguards in electronic contracting platforms*. *Journal of Business Ethics*, 170(4), 789–804.

Çela, A. (2024). *Digital Transformation and Legal Infrastructure in Albania*. *European Journal of Comparative Law*, 11(2), 213–229.

Çela, A. (2024). *Electronic commerce in Albania: Legal frameworks and challenges*. Tirana: Albanian Institute for Digital Law.

Çela, E. (2024). *Interoperability of electronic signatures in Albania: Aligning with EU standards*. *Albanian Journal of Digital Law*, 6(1), 34–50.

Court of Justice of the European Union. (2017). *Fashion ID GmbH & Co. KG vs. Verbraucherzentrale NRW (C-40/17)*. Luxembourg: CJEU.

Dahris Siregar, F., et al. (2022). *Challenges in Enforcing E-Contracts: Consent and Jurisdiction*. *Indonesian Journal of Law and Technology*, 7(1), 88–105.

Dahris Siregar, M., Prasetyo, E., & Handoko, A. (2022). *Legal challenges of e-contracts in the digital era*. *Journal of Business Law and Ethics*, 14(3), 67–85.

Diffie, W., & Hellman, M. (1976). *New directions in cryptography*. *IEEE Transactions on Information Theory*, 22(6), 644–654.

Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 on corporate sustainability reporting. *Official Journal of the European Union*, L 295, 1–65.

Duni, E., & Paja, F. (2023). Corporate governance and algorithmic accountability in Albania: Legal implications. *Albanian Journal of Law and Economics*, 5(2), 101–130.

Duni, E., & Paja, K. (2023). *Judicial Practice and Digital Evidence in Albania*. *Albanian Legal Review*, 9(1), 55–72.

eScholarship. (2019). *Liability and responsibility in AI decision-making: A legal perspective*. University of California Press.

EU Artificial Intelligence Act (2024). Proposal for a Regulation of the European Parliament and of the Council laying down harmonized rules on artificial intelligence.

European Commission. (2014). *Regulation (EU) No 910/2014 on electronic identification and trust services (eIDAS)*. Official Journal of the European Union, L257, 73–114.

European Commission. (2023). *eIDAS Regulation Review and Implementation Report*. Brussels: Directorate-General for Communications Networks.

European Court of Human Rights. (2023). *Selected jurisprudence on automated decision-making and human rights*. Strasbourg: ECHR. <https://hudoc.echr.coe.int>

European Court of Justice. (2022). *Case C-410/20: Electronic Document Validity*. Luxembourg: ECJ Reports.

European Parliament & Council. (2014). *Regulation (EU) No. 910/2014 on electronic identification and trust services for electronic transactions*. Official Journal of the European Union.

European Union. (2024). *eIDAS Regulation (EU) No 910/2014: Electronic identification and trust services for electronic transactions in the internal market*. Official Journal of the European Union.

European Union. (2024). *Online dispute resolution (ODR) platform: Guidelines and implementation framework*. European Commission.

Ferdhiyanto, A., Kurnia, P., & Nugroho, R. (2025). *E-contract implementation and challenges in data protection and cybersecurity*. *International Journal of Law, Technology and Society*, 8(1), 32–48.

Ferdhiyanto, A., Rahman, T., & Nugroho, F. (2025). *Consent and digital contracts: Evaluating “click-wrap” agreements*. *International Journal of Law and Technology*, 11(1), 55–78.

Ferdhiyanto, D., Dewi, P., & Mahadewi, L. (2025). *Legal implications of electronic contracts in civil law: A case study in the digital era*. *Journal of Social Sciences and Humanities*, 3(3), 1272–1285. <https://doi.org/10.55299/jsh.v3i3.1272>

Ferdhiyanto, F., et al. (2025). *Implications of personal data protection law in consumer health data management to improve secure and confidential handling in Indonesia*.

Ferdhiyanto, F., Sibarani, R., & Rahayu, A. (2025). *The Validity of Electronic Signatures in Digital Business Law*. *Journal of Digital Law Studies*, 4(1), 1–14.

Finck, M. (2020). *Blockchain regulation and governance in Europe*. Cambridge University Press. <https://doi.org/10.1017/9781108673385>

Floridi, L. (2023). *How to improve smart contracts in the European Union: Data Act and beyond*. *European Journal of Law and Technology*, 14(2), 202–220.

Floridi, L. (2023). *The ethics of artificial intelligence and human oversight: A European approach*. Oxford University Press.

France. Digital Republic Act, Law No. 2016-1321. (2016).

Hildebrandt, M. (2022). *Law as computation: Rethinking legal personality in the age of algorithms*. Cambridge University Press.

Konomi, B. (2023). *Digital tools in Albanian public procurement: Legal obligations and oversight*. *Journal of Public Administration and Law*, 9(1), 77–102.

Kuner, C., Marelli, M., & Bygrave, L. (2021). *Handbook on data protection and digital evidence*. Oxford University Press.

Kuner, C., Marelli, M., & Bygrave, L. A. (2021). *The regulation of digital evidence in cross-border transactions: A comparative analysis*. *Journal of International Commercial Law*, 19(4), 345–367.

Law No. 107/2015. *On electronic identification and data protection*. Republic of Albania.

Leenes, R., & Kosta, E. (2021). *Algorithmic governance and corporate responsibility: European perspectives*. *Computer Law & Security Review*, 42, 105556. <https://doi.org/10.1016/j.clsr.2021.105556>

Matute, D. (2024). *Digital contracts and the transformation of commercial law: From consent to automation*. *Global Journal of Legal Innovation*, 5(1), 11–29.

Matute, G. (2024). *Digital Governance and Legal Personhood in the Age of AI*. *Harvard Journal of Law & Technology*, 37(2), 142–169.

- Matute, J. (2024). AI accountability and fiduciary duties: Comparative perspectives in European corporate law. *International Review of Law, Computers & Technology*, 38(3), 215–240. <https://doi.org/10.1080/13600869.2024.987654>
- Matute, J. (2024). *Digital governance and legal systems: Intersecting challenges*. *Global Law Review*, 9(1), 12–30.
- Matute, J. (2024). *Smart contracts and automated decision-making: Legal challenges and reform proposals*. *Journal of Digital Law*, 10(2), 50–66.
- Matute, M. (2024). *Digital age shapes modern contract law*. *Colorado Lawyer*. Retrieved from <https://cl.cobar.org/features/digital-age-shapes-modern-contract-law/>
- Murray, A. (2022). *Smart contracts and digital legal transformation: Opportunities and challenges*. *Journal of Digital Law*, 3(1), 45–67. <https://doi.org/10.1016/j.jdl.2022.01.004>
- Nosek, B., Ebersole, C., DeHaven, A., & Mellor, D. (2015). *The Transparency and Openness Promotion (TOP) Guidelines*. *Science*, 348(6242), 1422–1425.
- Novelli, C., et al. (2023). *A robust governance for the AI Act: AI Office, AI Board, Scientific Panel, and National Authorities*. *European Journal of Risk Regulation*. Retrieved from <https://www.cambridge.org/core/journals/european-journal-of-risk-regulation/article/robust-governance-for-the-ai-act-ai-office-ai-board-scientific-panel-and-national-authorities/98FEE97C8F9423DFCC28CBE063F9753B>
- Novelli, E., Russo, M., & Petrov, A. (2023). *Transparency, Accountability, and Artificial Intelligence in Corporate Law*. *European Law Journal*, 29(4), 411–432.
- Novelli, L., Rossi, A., & Bianchi, F. (2023). *Trust, authentication, and the evolution of digital signature law*. *Journal of Cyberlaw and Information Security*, 9(3), 201–223.
- Novelli, L., Rossi, P., & Conti, G. (2023). *Automated decision-making and European human rights law*. *European Law Journal*, 29(4), 500–525. <https://doi.org/10.1111/eulj.12345>
- Novelli, M., Behrend, C., & Landers, D. (2023). *Algorithmic decision-making in contract execution: Legal implications and accountability*. *Journal of Technology and Law*, 12(3), 150–165.
- Novelli, M., Rossi, L., & Conti, G. (2023). *AI accountability and regulatory gaps in automated decision-making*. *European Journal of Law and Technology*, 14(2), 77–95.
- OECD. (2023). *Algorithmic governance and responsible AI: Policy recommendations*. Organisation for Economic Co-operation and Development. <https://www.oecd.org/going-digital/algorithmic-governance/>
- OECD. (2023). *Digital transformation and the future of contract law: Policy recommendations*. OECD Digital Economy Papers, No. 320, OECD Publishing, Paris. <https://doi.org/10.1787/5jrs5jrs5jrs>
- OECD. (2023). *Framework for trustworthy artificial intelligence*. Organisation for Economic Co-operation and Development. <https://www.oecd.org/ai/trustworthy-ai/>
- Official Gazette of Albania. (2015). *Law No. 107/2015 on Electronic Identification and Trusted Services*. Tirana.
- Official Gazette of Albania. (2023). *Amendments to the Civil Procedure Code on Electronic Evidence*. Tirana.
- Official Gazette of the Republic of Albania. (2008). *Law no. 9901/2008 On Traders and Commercial Companies*. Tirana: Fletorja Zyrtare.
- Official Gazette of the Republic of Albania. (2009). *Law no. 10128/2009 On Electronic Commerce*. Tirana: Fletorja Zyrtare.
- Official Gazette of the Republic of Albania. (2015). *Law no. 107/2015 On Electronic Identification and Trusted Services*. Tirana: Fletorja Zyrtare.
- Official Gazette of the Republic of Albania. (2020). *Law no. 162/2020 On Public Procurement*. Tirana: Fletorja Zyrtare.
- Drishti, E. (2025). *Algorithmic opacity and explainable AI: Legal implications*. Retrieved from <https://www.researchgate.net>
- Rivest, R. L., Shamir, A., & Adleman, L. (1977). *A method for obtaining digital signatures and public-key cryptosystems*. *Communications of the ACM*, 21(2), 120–126. <https://doi.org/10.1145/359340.359342>

- Rivest, R. L., Shamir, A., & Adleman, L. (1977). *A method for obtaining digital signatures and public-key cryptosystems*. *Communications of the ACM*, 21(2), 120–126.
- Savelyev, A. (2019). Contract law 2.0: Smart contracts and their legal implications. *Law, Innovation and Technology*, 11(1), 1–36. <https://doi.org/10.1080/17579961.2019.1572765>
- Savelyev, A. (2019). *Smart contracts as the beginning of the end of classic contract law*. *Journal of Private Law Theory*, 5(2), 123–145.
- Shepherd, J. (2025). *Legal Implications of Smart Contracts in Commercial Law*. <https://www.researchgate.net>
- Sibarani, F. (2024). *Digital contracts and the principle of intent to contract*. *Journal of Cyber Law*, 7(2), 88–103.
- Stafford, J., Nguyen, H., & Patel, R. (2022). Traceability and accountability in algorithmic commerce: Legal and practical perspectives. *Journal of E-Business Law*, 19(2), 145–170.
- Stafford, L., Nosek, B., & Landers, R. (2022). *Transparency in Digital Corporate Governance*. *Journal of Business Ethics*, 180(3), 459–476.
- Stafford, R., Williams, K., & Chen, L. (2022). *Corporate transparency in a digitalized economy*. *Journal of Business Ethics*, 180(3), 501–519.
- Susskind, R. (2020). *Online courts and the future of justice*. Oxford University Press.
- Szabo, N. (1997). *The idea of smart contracts*. Retrieved from <http://www.fon.hum.uva.nl/rob/Courses/InformationInSpeech/CDROM/Literature/LOTwinterschool2006/szabo.best.vwh.net/smart.contracts.html>
- UNCITRAL. (1996). *Model law on electronic commerce with guide to enactment*. United Nations. Retrieved from <https://uncitral.un.org/en/model-laws/electronic-commerce>
- UNCITRAL. (2023). *Model Law on Electronic Commerce with Guide to Enactment 1996 (with additional article 5 bis as adopted in 1998)*. United Nations Commission on International Trade Law. Retrieved from <https://uncitral.un.org>
- Werbach, K., & Cornell, N. (2017). *Contracts ex machina*. *Duke Law Journal*, 67(2), 313–382. <https://doi.org/10.2139/ssrn.2849198>

# Biochemical Profiling of the Fluid of *Cysticercus tenuicollis* Cysts from Sheep: Preliminary Data from Albania

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## Abstract

*Cysticercus tenuicollis*, the metacestode stage of the canid tapeworm *Taenia hydatigena*, is responsible for cysticercosis in intermediate hosts and may represent a considerable cause of economic losses in the livestock industry through organ condemnation and reduced productivity.

Among 91 sheep livers exhibiting pathologic lesions during inspection in two abattoirs in Tirana, Albania, four cases of *Cysticercus tenuicollis* infection were identified. The cysts were morphologically characterized, and biochemical analyses of the cyst fluid were performed because the organic and inorganic constituents present in the metacestode cyst fluid play a crucial role in the physiology, metabolism, and immune responses mediated by taeniids.

Each cyst fluid sample was centrifuged separately, and the supernatants were examined for biochemical parameter including total protein, albumin, urea (BUN), creatinine, total and direct bilirubin concentrations, and alkaline phosphatase (ALP), alanine aminotransferase (ALT), aspartate aminotransferase (AST), gamma-glutamyl transferase (GGT), and lactate dehydrogenase (LDH) activities, which were analyzed using standard laboratory methodology.

The biochemical analysis revealed mean concentrations of  $8.37 \pm 0.32$  g/dL total protein,  $4.27 \pm 0.11$  g/dL albumin,  $25.2 \pm 4.99$  mg/dL urea, and  $0.625 \pm 0.083$  mg/dL creatinine; total and direct bilirubin concentrations were  $0.75 \pm 0.30$  mg/dL and  $0.25 \pm 0.15$  mg/dL, respectively. Cyst fluid enzyme activities were  $176 \pm 54.89$  IU/L for ALP,  $20.97 \pm 7.08$  IU/L for ALT,  $157.3 \pm 50.15$  IU/L for AST,  $21.25 \pm 3.03$  IU/L for GGT, and  $692.75 \pm 71.78$  IU/L for LDH.

These preliminary findings suggest that the biochemical composition of the cyst fluid reflects the metabolic activity and tissue interactions typical of *Cysticercus tenuicollis* cysts. The results provide baseline data for future comparative studies on the biochemical and pathological features of cysticercosis in livestock.

**Keywords:** *Cysticercus tenuicollis*, biochemical parameters, sheep, Albania.

## Introduction

*Cysticercus tenuicollis* represents the metacestode of *Taenia hydatigena*, and can be of considerable veterinary importance. Dogs and wild canids, serving as the definitive hosts of *T. hydatigena*, acquire infection by consuming tissues of intermediate hosts containing *Cysticercus tenuicollis* cysts. Conversely, intermediate hosts become infected upon ingesting *Taenia* eggs, containing the oncosphere larval stage, shed in the feces of infected dogs or other canids. Following ingestion, the oncosphere penetrates the intestinal wall of the intermediate host and migrates via the bloodstream to its preferred sites, where it develops into the cysticercus stage. These cysts are commonly

located on internal visceral surfaces such as omentum, mesentery, abdominal serosa and liver surface, and less often on organs like the spleen, kidneys, and heart. (Georgi and Georgi. 1992; Nath et al. 2010; Singh et al. 2015; Magala et al. 2024; Otranto and Wall. 2024).

Albania is recognized as endemic for taeniid parasites in dogs, including *T. hydatigena* (Xhaxhiu et al. 2011; Shukullari et al. 2015). The large population of stray dogs in the country represents a crucial factor contributing to a high prevalence of dog-related cestode infections.

Metacestodes of *T. hydatigena* (*Cysticercus tenuicollis*) and *T. multiceps* (*Coenurus cerebralis*) have been previously reported in cattle, sheep, goats, and swine (Moskvin. 1958; Meshi and Velju. 1973; Bizhga et al. 2019) in Albania.

The inspection of slaughtered animals, particularly sheep, at abattoirs is considered a reliable method for detecting infections of metacestodes, including *Cysticercus tenuicollis* infections (Saulawa et al. 2011). Despite the confirmed presence of *T. hydatigena* in Albania, no studies have been conducted to characterize *Cysticercus tenuicollis* in domestic animals or to compare the biochemical composition of the cyst fluid of cysticerci from different host species.

## Materials and Methods

The material used for the present work was collected in two abattoirs located on the outskirts of Tirana near Paskuqan. Among 91 livers from slaughter sheep presenting abnormalities at the abattoir inspection, four cases of *Cysticercus tenuicollis* infection were identified.

The four cysts collected in total were morphologically identified, separated from the livers, and transported to the Clinical Pathology Laboratory, Faculty of Veterinary Medicine, Aristotle University of Thessaloniki, Greece, for further processing and biochemical analysis of the cyst fluid.

Each cyst was processed individually as a separate isolate and rinsed with 70% ethanol. The cyst fluid was aseptically aspirated using sterile disposable syringes (Al-Bayati et al. 2012), transferred into sterile tubes, and centrifuged at 15,000 rpm for 30 minutes at 4°C.

Biochemical analyses were performed using a Vitalab Flexor E analyzer (Vital Scientific N.V., The Netherlands) and included concentrations of total protein, albumin, urea (BUN), creatinine, total and direct bilirubin, and alkaline phosphatase (ALP), alanine aminotransferase (ALT), aspartate aminotransferase (AST), gamma-glutamyl transferase (GGT), and lactate dehydrogenase (LDH) activities.

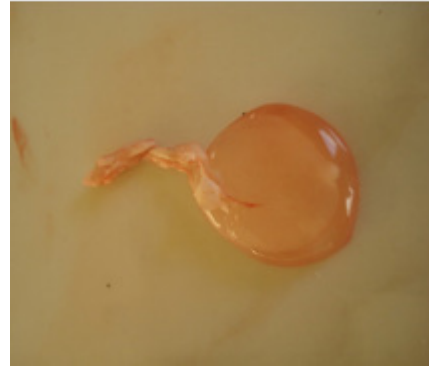
For each parameter, the mean, standard deviation (SD), minimum, and maximum values were calculated.

## Results and discussion

In the present study, four *Cysticercus tenuicollis* cysts of varying size were detected in four of the 91 livers analyzed. The four cysts were identified as transparent vesicles containing a clear fluid, with a long neck and small, white, grain-like structures suspended within the fluid (Figures 1 and 2) in accordance with the morphological descriptions provided by Soulsby (1982) and Kaufmann (1996).



**Figure 1.** Liver with *C.tenuicollis*



**Figure 2.** *C.tenuicollis* cyst

Several studies have investigated the biochemical characteristics of *Cysticercus tenuicollis* cyst fluid (Nath et al. 2010; Nafizi et al. 2011; Ratfar et al. 2014; Mokhtaria et al. 2018; Al-Bayati et al. 2012).

The results of the biochemical analyses of the cyst fluid from four *Cysticercus tenuicollis* cysts collected from four livers of sheep are summarized in Table 1.

**Table 1:** Biochemical and chemical values of cystic fluids from sheep (n=4)

Parameter	Min	Max	Mean	SD
Total protein (g/dL)	7.9	8.8	8.375	0.32
Albumin (g/dL)	4.1	4.4	4.275	0.11
Urea (mg/dL)	17	30.5	25.2	4.99
Creatinine (mg/dL)	0.5	0.7	0.625	0.083
Total bilirubin (mg/dL)	0.4	1.2	0.75	0.30
Direct bilirubin (mg/dL)	0.1	0.5	0.25	0.15
AST (U/L)	108.8	240.9	157.3	50.15
ALT (U/L)	11.8	32	20.97	7.08
ALP (U/L)	93	247	176	54.89
GGT (U/L)	17	25	21.25	3.03
LDH (U/L)	612	777	692.75	71.78

The total protein concentration measured in the cyst fluid of *Cysticercus tenuicollis* was  $8.37 \pm 0.32$  g/dL. Previous studies (Shepherd & McManus. 1987; Shapiro et al. 1992) have confirmed the presence of host-derived proteins, including serum albumin, in hydatid cyst fluid. In the present study, the albumin concentration in the cyst fluid was found to be  $4.27 \pm 0.11$  g/dL, representing the first quantitative documentation of this parameter in *C. tenuicollis* cyst fluids from sheep in our knowledge.

The concentration of total protein recorded here was lower than the values reported by Sherif (1989) ( $15.0 \pm 10.0$  mg/dL). In this study, the total protein concentration detected in the cyst fluid of *Cysticercus tenuicollis* from naturally infected sheep ( $8.375 \pm 0.32$  g/dL; n=4) was substantially higher than that reported by Al-Bayati et al. (2012) in cyst fluid from infected sheep ( $1.90 \pm 0.75$  g/dL; n=11) and that reported by Rafiqi (2016) ( $19.9 \pm 28.9$  mg/dL).

The urea concentration was  $25.2 \pm 4.99$  mg/dL, supporting the hypothesis that cestodes may possess a functional urea cycle. The levels of creatinine, total bilirubin, and direct bilirubin were  $0.63 \pm 0.083$  mg/dL,  $0.75 \pm 0.30$  mg/dL, and  $0.25 \pm 0.15$  mg/dL, respectively.

The biochemical profile of the cystic fluid obtained in the present study is consistent with the findings reported by Nafizi et al. (2011) and Abaulaila et al. (2020) in sheep. According to Khelifi and Ouchene (2017) and Al-Baygati et al. (2012), urea concentrations were lower ( $9.46 \pm 8.03$  mmol/L and  $0.54 \pm 0.37$  mmol/L, respectively) than those observed in the current study. In contrast, Mokhtaria et al. (2018) reported higher urea concentrations ( $0.58 \pm 0.03$  g/L) in sheep. In the present study, creatinine concentrations were higher than those reported by Khelifi and Ouchene (2017) ( $29.39 \pm 6.42$   $\mu$ mol/L) but lower compared to the values recorded in sheep by Al-Baygati et al. (2012) ( $154.96 \pm 28.10$   $\mu$ mol/L).

Enzymatic analysis revealed substantial activity of several enzymes in the cyst fluid. AST activity was  $157.3 \pm 50.15$  IU/L, while the cytoplasmic enzymes ALT, ALP, and LDH also showed measurable activity, indicating ongoing metabolic processes within the cyst environment. In the present study, AST level ( $157.3$  U/L) is almost identical to the Iranian data ( $152.39$  U/L), (Nazifi et al. 2011), but ALT level ( $20.97$  U/L) is higher than the Iranian level ( $14.29$  U/L), meaning that our samples show more ALT enzyme activity.

Our comparative analysis of biochemical parameters revealed noteworthy deviations from previously reported values, which may indicate regional variations in parasite populations or differences in host–parasite interactions and underscore the complex interplay of multiple factors influencing cyst fluid composition.

## Conclusion

This work presents preliminary data on the biochemical characterization of *Cysticercus tenuicollis* cyst fluid from sheep in Albania. These preliminary findings suggest that the biochemical composition of the cyst fluid reflects the metabolic activity and tissue interactions typical of *Cysticercus tenuicollis* cysts. The results provide baseline data for future comparative studies on the biochemical and pathological features of cysticercosis in livestock.

## References

- Al-Bayati, N.Y., Al-Amery, A.M., & Hasan, S.S. (2012). Biochemical study of hydatid cyst fluid in sheep in Diyala Province. *Al-Anbar Journal of Veterinary Sciences*, 5(2), 23-28.
- AbouLaila M, Ahmed Salah Mohamed, Tamer Roshdey, Ahmed El-Khatam (2020) Infection rate and biochemical characterization of *Cysticercus tenuicollis* from sheep in Minoufiya governorate, Egypt. *Veterinary Parasitology: Regional Studies and Reports*, p. 100396

- Bayati, A. (2012). Comparative biochemical analysis of hydatid cyst fluid from different host species. *Veterinary Parasitology*, 186(3-4), 441-445.
- Bizhga, B., Xhemollari, E., Shabani, E., Laçi, D., Elezi, M., & Idrizi, X. (2019). Echinococcosis in Ruminants in Albania. *Rises and Risk. ANGLISTICUM. Journal of the Association-Institute for English Language and American Studies*, 7.
- Georgi, J.R., & Georgi, M.E. (1992). *Parasitology for Veterinarians* (5th ed.). W.B. Saunders Company.
- Kaufmann, J. (1996). *Parasitic Infections of Domestic Animals: A Diagnostic Manual*. Birkhäuser Verlag. p 423.
- Khelifi, N. A. O & Ouchene, N. (2017). Infestation and biochemical content of *Cysticercus tenuicollis* cysts (*Taenia hydatigena* cysts) in sheep and goats. *JEZS* 2017; 5(3): 822-825
- Magala, F., Nanteza, A., & Ocaido, M. (2024). Prevalence and economic impact of *Cysticercus tenuicollis* in Ugandan livestock. *Tropical Animal Health and Production*, 56(1), 15-22.
- Meshi, A., & Veliu, S. (1973). Studies on *Cysticercus tenuicollis* in Albanian livestock. *Buletini Shkencave Bujqësore*, 3, 87-94.
- Mokhtaria, K., Ayachi, A., Gharbi, I., & Harhoura, K. (2018). Prevalence of *Cysticercus tenuicollis* in sheep and goats in Algeria. *Veterinary World*, 11(9), 1345-1349.
- Moskvin, A.S. (1958). *Cysticercus tenuicollis* in farm animals in the USSR. *Veterinariya*, 35(6), 45-48.
- Nazifi S, Ahmadnia S, Bahrami S, Moraveji M, RazaviSM, Moazeni M. B (2011) Biochemical Characterization of *Cysticercus tenuicollis* in Iranian Fat-tailed Sheep. *Australian Journal of Basic and Applied Sciences*, 5(3):248-251.
- Nath S, Pal S, Sanyal PK, Ghosh RC, Mandal S. (2010) Chemical and Biochemical characterization of *Taenia hydatigena* cysticerci in goats. *Veterinary World*; 3(7):312-314.
- Otranto, D., & Wall, R. (2024). *Veterinary Parasitology*. WB. Fifth edition. p 116-119
- Radfar, M.H., & Iranyar, N. (2004). Biochemical profiles of hydatid cyst fluids from sheep, cattle, and camels. *Comparative Clinical Pathology*, 13(1), 38-40.
- Rafiqi, S.I. (2016). Protein analysis of hydatid cyst fluid in sheep from Kashmir. *Journal of Parasitic Diseases*, 40(3), 1015-1018.
- Saulawa, M., Magaji, A., Faleke, O., Mohammed, A., Kudi, A., Musawa, A., Sada, A., Ugboma, A., Akawu, B., Sidi, S., Lawal, N., Ambursa, A., (2011). Prevalence of *Cysticercus tenuicollis* cysts in sheep slaughtered at Sokoto abattoir Sokoto state, Nigeria. *Sokoto J. Vet. Sci.* 9, 24–27
- Soulsby, E. J. L. (1982). *Helminths, arthropods, and protozoa of domesticated animals* (7th Edition). Bailliere Tindall, London.
- Shapiro, S.Z., Voller, A., & Kaaya, G.P. (1992). Immunological characterization of hydatid cyst fluid proteins. *Parasite Immunology*, 14(2), 189-198.
- Shepherd, J.C., & McManus, D.P. (1987). Specific and cross-reactive antigens of *Echinococcus granulosus* hydatid cyst fluid. *Molecular and Biochemical Parasitology*, 25(2), 143-154.
- Sherif, S. (1989). Biochemical analysis of *Cysticercus tenuicollis* cyst fluid in Egyptian livestock. *Assiut Veterinary Medical Journal*, 21(42), 156-161.
- Shukullari E., Hamel D., Rapti D., Pfister K., Visser M., Winter R., Rehbein S. (2015) Parasites and vector-borne diseases in client-owned dogs in Albania. *Intestinal and pulmonary endoparasite infections. Parasitol. Res.*; 114:4579–4590.
- Singh, B.B., Sharma, R., Gill, J.P.S., & Sharma, J.K. (2015). Prevalence and morphological characterization of *Cysticercus tenuicollis* in sheep and goats in Punjab, India. *Journal of Parasitic Diseases*, 39(3), 543-547.
- Xhaxhiu D, Kusi I, Rapti D, Kondi E, Postoli R, Rinaldi L, Dimitrova ZM, Visser M, Knaus M, Rehbein S (2011) Principal intestinal parasites of dogs in Tirana, Albania. *Parasitol Res* 108:341-35

## Lame Kodra, Poet of National Inspiration

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### Abstract

An ideologue, polyglot, and above all, an outstanding patriot of profound thought, Lame Kodra was a poet of patriotism and of the struggle for freedom, a distinguished figure in both politics and literature. A temple of knowledge, a devotee of learning, creativity, study and sacrifice. With a refined European culture, he mastered fourteen languages and wrote with great care, criticizing anyone who dared distort the words and expressions of the beautiful Albanian language. Despite a difficult life, marked by pain that spoke throughout his years, and despite his works being denied the light of publication, he was nevertheless read, memorized, and sincerely appreciated. His pen was deeply rooted in national tradition, wielded with mastery and elegance. His poetry stood out as both delicate and militant, captivating and contemplative, expressing the longing for the homeland that burned within him all his life, a poetry that carried the scent of gunpowder, earning him among readers the epithet "The Rebel Poet." In every peasant's cottage and shepherd's hut, his poems were recited with great affection, for they expressed at once both the wound and the human revolt. As a founder of the League of Writers and Artists, he valued Fishta, Migjeni, Konica, and Fan Noli, at a time when others had left them in "oblivion." Albanian historiography today continues its journey toward modernization and methodological refinement. Yet, much remains to be done to cleanse the slander cast upon the biographical statues of historical figures and to illuminate history with balanced truth. Sejfulla Malëshova is one of them. He will remain the embodiment of the struggle for freedom and democracy, a colossus of national culture, immortal in the conscience of the Albanian people.

**Keywords:** poet, inspiration, culture, patriotism, motive, longing, struggle.

### 1. Introduction

Lame Kodra is the literary pseudonym of Sejfulla Malëshova. Although he wrote few poems, he will be long remembered for the distinctive ideological and emotional depth of his poetry and the purity of its rhythmic-musical articulation. His verse, besides the pleasure it conveys to the reader, is easily memorized.

A contemporary of Lasgush Poradeci, he began to compose his first verses while

studying in Italy during the 1920s and 1930s. These poems were later collected in a volume titled *Vjersha (Poems)*, published in 1945, his first and regrettably, also his last poetry book. Yet, it remains one of the very first collections of poetry published in Albania after the Second World War.

Other works published in the same year, such as *Articles and Lectures (1939–1945)* and the pamphlet *The Role of Culture in Contemporary Albania*, along with several other writings by Lame Kodra, were warmly received by readers and highly praised by critics of the time.

Authors such as P. Gjeçi and S. Toto expressed their admiration for him in their reviews. His poems were even included in school textbooks, becoming the property of a wide readership.

Unfortunately, within two or three years, Lame Kodra was accused of “opportunism and liberalism,” dismissed from all political and state functions and completely excluded from public life.

For nearly forty years, his name and his works were buried under the dust of oblivion. With the advent of democracy, his name resurfaced, his poetry collection *Poems* was republished in 1994, and he was posthumously honored.

## 2. The Book *Poems*

Composed of twenty-one poems — seventeen original and four translations — most of which were written during the poet’s years abroad and published here and there in various journals and periodicals, the book opens with the poem *The Rebel Poet*, written in 1935. The epithet chosen by the author carries a positive connotation and presents a kind of moral and artistic credo.

Although constantly followed by the authorities, he appears as a free and rebellious spirit. His destiny is closely linked to that of ordinary people; thus, the poet is as untouchable as the wind, and his roots lie deep within the people:

*Wherever I go, I enter,  
Door to door:  
Throughout all Albania  
I have a shelter.<sup>1</sup>*

According to him, the poet must be the spiritual vanguard of his people and of all humankind. The emblematic poem *How I Love Albania (Si e dua Shqipërinë)*, resembles an ethnic map of the homeland. Before the reader unfolds almost every region of Albania, including Çamëria, Dibra, Kosovo, and Tetova. Even though, in 1945, he was serving as a minister in the new Albanian government, his verses praised Albania not

<sup>1</sup> Lame Kodra, *Poems*, Tiranë, 1945, pg. 13.

only within its administrative and political borders but within its natural and ethnic boundaries as well:

I love Albania  
From Korça to Vranina,<sup>2</sup>

and:

I love Albania  
From Skopje to Janina.<sup>3</sup>

With the above poems as examples, he follows in the footsteps of Sami Frashëri, Naim Frashëri, Pashko Vasa, Noli, Konicë, and Fishta, showing the courage to publish these verses precisely at a time when certain political forces were trying to promote the idea that in the new socialist society, borders would be nothing more than lines on a map.

*The Cry of Dragobia (Klithma e Dragobisë)* stands out as one of Lame Kodra's most powerful creations, a poetic synthesis of Albania's bitter historical experiences and centuries-long resistance. The poem evokes the somber atmosphere of night, winter, and war.

Silence reigns everywhere, and before the poet's fervent vision parade the great protagonists of national history: Naim Frashëri, the heroes of Orman Çiflik, Bajram Curri, Avni Rustemi, Selam Musai, Riza Cerova, Halim Xhelo, Asim Vokshi and others.

From the opening stanza, repeated three times with slight variation, the poet tells us that darkness has fallen upon all Albania, personified by three of its rivers, one in the center, one in the north, and one in the south: the Shkumbin, the Buna, and the Vjosa:

*Dark night upon the Shkumbin,  
Upon Bujan,  
And upon the Vjosa's troubled waves,  
Everywhere around<sup>4</sup>.*

The expressions *dark night*, *evil night*, and *deep night* recur three times throughout the poem, while *Dragobia*, the place where the "Old Man of the Mountains," Bajram Curri, fought and died heroically becomes a national symbol of resistance and the

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<sup>2</sup> Ibid. pg. 19.

<sup>3</sup> Ibid. pg. 20.

<sup>4</sup> Ibid. pg. 24.

freedom-loving spirit of the Albanian people, much as Fan Noli had depicted it in his poem *The Cave of Dragobia*.

The entire poem resounds as a cry and a call to arms.

A profound sense of patriotism also permeates the poem *Vlora*, written in 1938 and published the same year in the newspaper *Sazani*. The threat of Italian fascism loomed over Albania at the time, deeply troubling the poets of that era.

In the poem *Vlora*, three main feelings intertwine: the joy of raising the flag, the proclamation of independence in 1912, and the heroic struggle of the 1920s when the heroes of Labëria drove the foreign army into the sea.

The affectionate tone he uses toward Vlora and its glorious past serves as a call for renewed resistance. Once again, the full map of the homeland is vividly drawn in his verse:

*From Çamëria to the River Vardar,  
From the seaside shores to Peshkopia,  
From Hoti and Gruda to Mount Opar,  
With you rejoices, O Vlora, all Albania*<sup>5</sup>.

Another remarkable creation is *The Old Man's Song* (*Kënga e Plakut*), a lyrical evocation of the past and a critical invocation of the present. An old man, seated cross-legged “upon Selishtë,” begins his “ancient song” and recalls with longing his youth:

*I recall the flocks with bells,  
I recall the girls with garlands,  
I recall weddings and toasts:  
Oh, blessed youth!*<sup>6</sup>

The figure of the old man personifies the older generations and the historical experience of the Albanian people, remembering the wars they fought through the centuries. Disillusioned by the bitter reality of the 1930s and the danger of Italian occupation, the poet presents the old man as a source of moral strength for the new forces emerging — those he hoped would lead Albania out of its stagnation.

Drawing inspiration from the folk ballad of the thirteen legendary Albanian outlaws who rebelled against the Ottoman occupiers, known as *The Nightingales* (*Bilbilenjtë*), Lame Kodra crafted a new artistic creation of high ideological and aesthetic value:

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<sup>5</sup> Lame Kodra, *Poems*, Tiranë, 1945, pg. 38.

<sup>6</sup> *Ibid.* pg. 21.

*The thirteen Nightingales*  
*Went to the gallows by their own will...<sup>7</sup>*

The legendary theme of these thirteen rebels would later be treated by other contemporary Albanian poets as well, including Agim Shehu, who wrote a beautiful poem on the same motif from another perspective.

Borrowing from the folk song which recounts the moment when the outlaws were taken to be hanged near a great plane tree outside Janina, still known today as *The Tree of the Nightingales*, Kodra portrays them as noble heroes. Surrounded by gendarmes led by Turkish officers, the fearless warriors mock death itself, insisting on three last wishes: to comb their hair, twist their moustaches and light a cigarette.

Such disdain for death, such defiance toward their executioners! No prayers, no fear, no pity, only pride. Death with honor before the enemy was their moral code. The crowing of the rooster heralds their final dawn, as they remember their mothers, sisters, homes, and herds with tenderness, but without weakness.

Surrounded by gendarmes, led by the Turkish bylykbash and bimbash, they approached the old plane tree, which is said to catch fire every year from lightning — a most striking figurative parallel:

*Wait, bey, let me comb my hair,*  
*Wait, bey, let me twist my moustache,*  
*Wait, bey, let me light my cigarette;*

*For I am no bowl of whey,*  
*But a Nightingale with a sword.<sup>8</sup>*

The legendary motif of the thirteen Bilbilenj outlaws would later be treated by other contemporary Albanian poets as well. A beautiful poem with a similar theme, though viewed from another perspective, can also be found in the work of the poet Agim Shehu.<sup>9</sup>

### **3. Lame Kodra's Contribution as Poet and Translator**

A profound connoisseur of Albanian poetic tradition, both oral and written, which he took as a model for his own verse, and endowed with broad literary culture, Lame Kodra was also in contact with great world poets, from whom he absorbed creative experience. His prosody is rich and refined, revealing him as a true master of verse.

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<sup>7</sup> Lame Kodra, *Poems*, Tiranë, 1945, pg. 43.

<sup>8</sup> *Ibid.* 43.

<sup>9</sup> Agim Shehu, *Bilbilenjtë, Gurra e fjalës*, Naim Frashëri Publishing House, Tirana, 1980.

He employed a variety of metrical patterns, stanzas, and poetic techniques, all crafted with care and precision. Rhyme remains a constant element, and his stanzas often combine a long eight-syllable line with a short four-syllable one, following the *AbAb* scheme (as seen in *The Rebel Poet* and *The Cry of Dragobia*). One can discern similarities with Çajupi's *The Albanian* or *Memo Meto*.

The repetition of words or stanzas within a poem, often in the form of a refrain, creates not only musical and acoustic effects but also semantic depth, intensifying emotion and reinforcing the central idea as seen in *How I Love Albania*, *The Cry of Dragobia*, *The Partisan's Song*, and others.

The poet's expressive tools — word, sound, rhyme, and rhythm — are in perfect harmony with the poem's content. Between word and idea there exists a balance, while the coordination of spontaneous inspiration represents a fundamental principle of both his original and translated poetry.

In general, Lame Kodra's translations from French, German, and Russian can be considered creative reimaginings rather than literal renditions. Poet Bardhyl Londo noted: "*I have compared several times his translation of Gorky's The Song of the Stormy Petrel. It is truly unique... It feels as though Gorky himself had written it in Albanian.*"<sup>10</sup>

Among the many versions of Goethe's *The King of Thule* translated by A. Pipa, P. Kruja, V. Balla, and N. Mjeda, the translations of Lame Kodra and Ndre Mjeda stand out.

The distinguished scholar Niko Tyrto stated: "*Sejfulla Malëshova (Lame Kodra) can rightly be called, like Noli, not only a poet but a poet-translator. He was a true polyglot who mastered fourteen languages — two fewer than Noli, and one more than Konica — and he wrote his native Albanian with the skill of a true craftsman.*"<sup>11</sup>

## Conclusion

Although Lame Kodra, or Sejfulla Malëshova, wrote relatively few poems, about seventeen in total it is possible that he left behind unpublished manuscripts. As his idol Fan Noli would affirm, the value of a poet lies not in the quantity of his works but in their quality.

Among his finest poems are *How I Love Albania*, *The Cry of Dragobia*, *The Nightingales*, *Beyond the Clouds*, *The Rebel Poet*, and *The Storm*, which can be considered among the most beautiful lyrical creations in the Albanian language. Yet Lame Kodra also engaged extensively in cultural, political, organizational, journalistic and translation activities. He will forever remain the dreamer poet of an Albania "from Shkodra to Vranina" and "from Skopje to Janina", that is, of a united, ethnic—as we Albanians like to call it—, democratic, free, and progressive Albania.

<sup>10</sup> Bardhyl Londo, Preface to *Vjersha*, Tirana, 1994, pg. 12.

<sup>11</sup> Niko Tyrto, *Sejfulla Malëshova, Patriot and Authentic Poet*, Rilindja, Tirana, October 6, 1994, pg. 9.

His poetry is deeply rooted in national tradition and imbued with a strong patriotic spirit. It is written in a simple, clear, fluent, and dynamic style, in essence, in the purest Albanian language and with a rare classical beauty.

### References

Agim Shehu, *Bilbilentjë, Gurra e fjalës*, Naim Frashëri Publishing House, Tirana, 1980.

Bardhyl Londo, Preface to *Vjersha*, Tirana, 1994.

Lame Kodra, *Poems*, Tirana, 1945.

Niko Tyrto, *Sejfulla Malëshova, Patriot and Authentic Poet*, *Rilindja*, Tirana, October 6, 1994.

# Legal regulation of maternity leave in cases of surrogacy: A comparative perspective

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## Abstract

The study aimed to conduct a comparative legal analysis of legislation governing the provision of leave to participants in surrogacy arrangements. The methodology was based on the examination of international instruments and the national legislation of Albania, Ukraine, and the United Kingdom in the fields of labour and family law. The main findings indicated that international law unequivocally guarantees the right to maternity leave for the woman who carries and gives birth to a child, while the regulation of the rights of intended parents remains fragmented. Three distinct national models were identified. In Albania, due to the absence of specific legislation and the application of the principle *mater semper certa est*, intended parents are not entitled to parental leave at birth and may only claim adoption leave following a lengthy legal procedure. In Ukraine, where intended parents are recognised as legal parents from the moment of birth, they are entitled to extended childcare leave; however, there is no clear mechanism for granting short-term postnatal leave to the intended mother. The United Kingdom, where only altruistic surrogacy is permitted, grants the surrogate mother full maternity leave while also providing intended parents with leave equivalent to adoption leave and shared parental leave from the moment of the child's birth, even before obtaining a Parental Order. It has been established that the key issue lies in the legal status of intended parents, which is determined by family rather than labour law. The British model is the most balanced in ensuring the child's best interests, as it allows care from the earliest days of life. Based on this analysis, detailed recommendations were developed for the reform of Albanian legislation, including the adoption of a specific law on surrogacy and amendments to the Labour Code.

**Keywords:** Labour Code; best interests of the child; adoption; parenthood; international conventions.

## Introduction

Modern societies are characterised by dynamic changes in family structures and methods of family formation, driven by the development of assisted reproductive technologies (ART). Surrogacy, as one form of ART, raises ethical, social, and legal questions worldwide. One of the insufficiently regulated aspects concerns the provision of rights to maternity, childbirth, and childcare leave for all participants in the process – the surrogate mother and the intended parents. The intersection of labour law norms designed to protect motherhood, family law provisions defining parenthood, and principles safeguarding the rights of the child creates unique challenges for national legal systems, necessitating the search for balanced solutions. The issue of legal regulation of leave related to childbirth, along with the broader context of surrogacy, has been the subject of active research. A study by T. Zhang & C. Rodrigue (2023) examined the impact of various forms of support during maternity leave on “quiet quitting” behaviour and the mental health of working mothers in

the post-pandemic period. The results showed that women who took leave were less likely to exhibit such behaviour and had better mental health compared with those who did not take leave, with the duration of leave proving to be a significant factor, unlike its level of remuneration. A. Bütikofer *et al.* (2021) analysed the impact of introducing paid maternity leave in Norway on mothers' health in the medium and long term. They found that the reform improved several health indicators (such as blood pressure and mental well-being) and promoted healthier lifestyles, particularly among first-time mothers and women with low incomes. S. Canaan *et al.* (2022) focused on the economic effects of legislative changes concerning maternity, paternity, and parental leave in high-income countries. M. Bogoni (2023) examined the challenges of granting maternity, childbirth, and parental leave in single-parent families, using Spain as an example. The study concluded that classical reconciliation policy mechanisms should be adapted to reflect the best interests of the child and the concept of "networked parenthood" in such families.

As for surrogacy itself, researchers have concentrated on the legal vacuums and ethical dilemmas arising from the lack of clear regulation. A study by U. Kokuja (2025) analysed the legal vacuum surrounding surrogacy in Albania, concluding that the absence of comprehensive legislation creates legal uncertainty in establishing parenthood and may lead to violations of European human rights standards by Albania. E. Rosinés Anton (2025) considered surrogacy a morally controversial yet economically advantageous practice that thrives due to the absence of unified international regulation, thereby encouraging "reproductive tourism" and deepening inequality. Ethical and legal dilemmas were also examined by B. Bara *et al.* (2023), who, drawing on the practice of the USA and the ECtHR, emphasised that the concepts of morality and human rights are "living" categories requiring constant reconsideration of the balance between individual rights and societal values. Issues within Albania's national legislation were explored by J. Lamçe & R. Kau (2023), who, using the example of challenges to the presumption of parenthood, demonstrated that current provisions fail to ensure a fair balance between the rights of the biological father and the child, which contradicts ECtHR jurisprudence. As a potential solution, E. Filip (2025) examined the surrogacy contract as a key instrument for ensuring transparency and mitigating risks, proposing a model that could serve as a benchmark for reforming Albanian legislation. G. Vyshka *et al.* (2025) analysed the challenges of legalising surrogacy in Albania, including regulatory, ethical, and linguistic aspects. The findings indicated that the absence of clear legislation creates a "grey area" that complicates regulation and gives rise to inconsistencies.

Despite considerable attention to the benefits of leave related to childbirth, as well as to the legal and ethical dilemmas of surrogacy at both national and international levels, there remains a gap in comprehensive comparative legal research focusing specifically on the regulation of leave for all participants in the surrogacy process – the surrogate mother and the intended parents – in jurisdictions that adopt differing approaches to the practice itself. It is still insufficiently explored how these different legal systems address the conflict between the surrogate mother's right to leave for recovery and the intended parents' right to take leave to care for the newborn child from the first days of life. Given this gap, this study aimed to conduct a comparative

legal analysis of the provision of maternity, childbirth, and childcare leave in cases of surrogacy. The following objectives were set: to examine relevant international legal standards and principles; to perform a comparative analysis of the national legislation of Albania, Ukraine, and the United Kingdom; and to develop recommendations for improving Albanian legislation.

## **Materials and methods**

This study was theoretical and comparative in nature. The research objectives were achieved through the consistent application of specific legal methods to relevant primary sources.

At the first stage, a doctrinal (normative and legal) analysis of key international and regional legal instruments was conducted. The analysis included international conventions concerning the rights of children, women, and mothers (Maternity Protection Convention..., 2000; 1952; Convention on the..., 1979; Convention on the..., 1989; European Convention on..., 1950). Relevant case law of the European Court of Human Rights was also examined (S.-H. v. POLAND, 2021; K.K. and Others..., 2022; Child born from..., 2023), along with the analysis of directives (Council Directive 92/85/EEC, 1992; Directive (EU) 2019/1158, 2019). The purpose of this analysis was to identify and systematise the generally recognised principles and minimum standards relating to the protection of maternity, the rights of the child (in particular, the principle of the best interests of the child), non-discrimination, parental responsibility, and the right to leave in connection with childbirth. The current work of the Hague Conference on Private International Law on developing instruments for the recognition of parentage was also taken into account (HCCH Update (11...), 2024).

At the second stage, a comparative legal method was applied to analyse the national legislation of Albania, Ukraine, and the United Kingdom. The selection of these countries was determined by the fact that they represent three distinct legal models for regulating surrogacy: legal vacuum (Albania), liberal recognition (Ukraine), and regulated altruism (the United Kingdom). This allowed an assessment of how differing approaches to the determination of parentage affect participants' rights to leave. The information base consisted of primary sources – current normative legal acts of these countries. For Albania, the Labour Code (Kodi i Punës, 2024), the Family Code (Kodi i Familjes, 2003), and the Law “On Social Insurance” (Për sigurimet shoqërore..., 1993) were analysed. For Ukraine, the Family Code (2002), the Labour Code (1973), the Law “On Leave” (1996), the Law “On Mandatory State Social Insurance” (1999), and the Order of the Ministry of Health No. 787 (Про затвердження Порядку..., 2013) were examined. For the United Kingdom, the analysis included a set of laws concerning surrogacy (Surrogacy Arrangements Act 1985; Human Fertilisation and..., 2008; Employment Rights Act..., 1996), as well as the Paternity and Adoption Leave Regulations (2014) and the Shared Parental Leave Regulations (2014). The comparative analysis systematically identified provisions regulating: the legal status of surrogacy; the determination of legal parenthood at birth; the procedure for obtaining parental rights by intended parents; the surrogate mother's entitlement to

maternity leave; and the existence and conditions of any special leave (at birth or for childcare) available to intended parents. The comparison was conducted according to these criteria to identify common features, differences, legal conflicts, and gaps in each of the legal systems under study. At the third stage, based on the results of the first two, legal modelling methods were applied to develop and substantiate recommendations.

## **Results - International legal standards and approaches to regulating maternity leave in the context of surrogacy**

The analysis of international legal instruments and the practice of international organisations indicates the absence of a single, unified approach to the regulation of surrogacy in general and, in particular, to issues related to granting maternity leave to participants in such arrangements. This is due to profound ethical, religious, cultural, and social differences in attitudes towards the practice of surrogacy across different countries of the world. Nevertheless, a number of international instruments establish fundamental principles that states must take into account when developing national legislation concerning the rights of women, children, and family relations, which are relevant to the analysis of this issue.

The principal international document guaranteeing the right to paid maternity leave is the International Labour Organization (ILO) Maternity Protection Convention No. 183 (Maternity Protection Convention..., 2000). Article 4 of the Convention establishes the right of every woman covered by the Convention to maternity leave of no less than 14 weeks. The Convention also provides for a compulsory postnatal leave of six weeks (Article 4, paragraph 4) and for the payment of a cash benefit during the leave sufficient to maintain the woman and her child in proper health and hygienic conditions and at an adequate standard of living, which must amount to at least two-thirds of her previous earnings (Article 6, paragraphs 1-3). It should be noted that ILO Convention No. 183 (Maternity Protection Convention..., 2000) does not explicitly refer to surrogacy. Its provisions are aimed at protecting the biological mother – the woman who carries and gives birth to the child – in order to safeguard her health before and after childbirth and to ensure her ability to care for the newborn. Accordingly, under this Convention, the right to maternity leave and the corresponding benefits unquestionably belong to the surrogate mother. Article 8 guarantees protection against the dismissal of a woman during pregnancy, maternity leave, or childcare leave, except in circumstances unrelated to these conditions. The earlier instrument, the ILO Convention No. 103 (Revised) concerning Maternity Protection (1952) (Maternity Protection Convention..., 1952), established a minimum leave duration of 12 weeks.

The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Convention on the..., 1979) is also a key document. Article 11 of CEDAW obliges State Parties to take all appropriate measures to eliminate discrimination against women in the field of employment. Specifically, paragraph 2(b) of Article 11 requires the introduction of paid maternity leave or comparable social benefits without loss of previous employment, seniority, or social entitlements.

Although CEDAW (Convention on the..., 1979), like the ILO Conventions (Maternity Protection Convention..., 2000; Maternity Protection Convention..., 1952), does not directly regulate surrogacy, its general principle of non-discrimination and its requirement to ensure maternity leave remain essential in international practice.

The UN Convention on the Rights of the Child (CRC) (Convention on the..., 1989) is the principal instrument establishing the rights of every child. Although it does not directly address parental leave, its principles exert an indirect but significant influence. Article 3 of the CRC (Convention on the..., 1989) establishes the principle of the best interests of the child as a primary consideration in all decisions concerning children. In particular, Article 7 enshrines the child's right to know their parents and to be cared for by them, as far as possible. Article 18 further sets out the principle of shared and equal responsibility of both parents for the upbringing and development of the child, with the child's best interests as their primary concern. When applied to surrogacy, these provisions highlight the issue of determining legal parenthood and ensuring the child's welfare in situations of potential legal uncertainty. Consequently, granting parental leave to those who will actually raise the child (that is, the intended parents) may be regarded as a measure consistent with the child's best interests, as it promotes stability and the development of an emotional bond.

At the European level, there is likewise no harmonisation of legislation concerning surrogacy. The European Convention on Human Rights (ECHR) (European Convention on..., 1950) contains no explicit provisions on this matter. However, the case law of the European Court of Human Rights (ECtHR) concerning the recognition of parentage of children born through surrogacy abroad (*S.-H. v. POLAND*, 2021; *K.K. and Others...*, 2022; *Child born from...*, 2023) is of key importance. The ECtHR has sought to strike a balance between state sovereignty and the child's right to respect for private life (Article 8 of the ECHR), which includes the right to establish a legal relationship with their parents. The Court emphasised that a complete refusal to recognise such a relationship may constitute a violation of Article 8. Although these cases did not directly address leave entitlements, they underscore the importance of recognising the child's legal ties with those who will be responsible for their upbringing, which is a prerequisite for exercising rights to family life and, potentially, to parental leave.

European Union (EU) directives establish minimum standards regarding leave. Council Directive 92/85/EEC (1992) guarantees maternity leave of at least 14 weeks for the biological mother. Directive (EU) 2019/1158 on work-life balance for parents and carers sets out minimum requirements for parental leave (at least four months per parent, two of which are non-transferable). This directive is gender-neutral and applies to "parents"; however, the definition of "parents" in cases of surrogacy remains subject to national legislation. The Hague Conference on Private International Law (HCCH) is working on a project concerning the legal aspects of parentage in international cases, including those arising from surrogacy arrangements, with the aim of facilitating an international legal instrument on parentage and surrogacy (HCCH Update (11..., 2024)). To systematise the main international legal approaches and their relevance for regulating leave in cases of surrogacy, the key aspects are summarised in Table 1.

**Table 1.** International legal frameworks on leave at childbirth and their relevance for surrogacy

International instrument / Body	Main focus / Guaranteed right	Right holder (in the context of surrogacy)	Direct relevance for intended parents' leave in surrogacy
ILO, Convention No. 183	Protection of the health of the mother and child; maternity leave ( $\geq 14$ weeks) and benefits	Surrogate mother (as the biological mother)	No. The Convention protects the woman giving birth
UN, CEDAW	Non-discrimination of women in employment; requirement to introduce paid maternity leave	Surrogate mother (as a female worker)	No. Focuses on the woman giving birth and the general principle of nondiscrimination
UN, CRC	Best interests of the child; right to know parents and to be cared for by them; parental responsibility	Child	Indirect. The principle of the best interests of the child may require granting leave to those who will actually care for the child (i.e. the intended parents)
ECtHR	Child's right to private life, including the establishment of legal parenthood; balance with state sovereignty	Child, intended parents (indirectly)	Indirect. Emphasises the importance of the child's legal relationship with those who will raise them, which is a prerequisite for the right to leave
EU, Directive 92/85/EEC	Protection of pregnant workers; maternity leave ( $\geq 14$ weeks)	Surrogate mother (as the biological mother)	No. Focuses on the woman giving birth
EU, Directive 2019/1158	Work-life balance; parental leave ( $\geq 4$ months, gender-neutral)	"Parents" (definition depends on national law)	Potentially. If national law recognises intended parents as "parents", the directive may apply
HCCH	Development of instruments for the international recognition of parentage in surrogacy cases	Child, intended parents	Indirect. Aims to address legal uncertainty affecting parental rights, including the right to leave

*Source: author's compilation based on analysis of sources (Maternity Protection Convention..., 2000; Convention on the..., 1979; Convention on the..., 1989; European Convention on..., 1950; S.-H. v. POLAND, 2021; K.K. and Others..., 2022; Child born from..., 2023; Council Directive 92/85/EEC, 1992; DIRECTIVE (EU) 2019/1158, 2019; HCCH Update (11..., 2024)).*

Thus, the international legal framework prioritises the protection of the biological mother (the surrogate), guaranteeing her the right to maternity leave. At the same time, the emphasis on the rights of the child – particularly the child’s best interests and the right to care – provides a foundation for arguing in favour of granting leave (for childcare) to intended parents. However, the absence of harmonisation regarding the status of intended parents and the regulation of surrogacy in general leaves this issue to be determined at the national level. Recent documents demonstrate a trend towards gender-neutral approaches to parental leave, which could be interpreted in favour of intended parents if national legislation recognises them as such. The absence of international consensus results in fragmented national approaches, creating challenges for states in balancing the rights of the surrogate mother, the child, and the intended parents.

**National approaches to regulating leave in cases of surrogacy in Albania, Ukraine, and the United Kingdom: A comparative overview**

A comparison of the national legal systems of Albania, Ukraine, and the United Kingdom reveals significant differences in approaches to regulating surrogacy, which directly affects the provision of leave to the parties involved. While the surrogate mother’s right to maternity leave for postnatal recovery is generally guaranteed under general labour law provisions protecting maternity, the legal status and social protections of intended parents vary considerably. This depends on the degree of legalisation and institutional recognition of this reproductive technology in each country. Such differences reflect divergent national perspectives on the social, ethical, and legal aspects of ART and the very institution of parenthood. The main parameters of leave regulation in the countries under analysis are summarised in Table 2.

**Table 2.** Comparative analysis of leave regulation in surrogacy: Albania, Ukraine, United Kingdom

Comparison aspect	Albania	Ukraine	United Kingdom
Regulation of surrogacy	Not regulated by a specific law; legal uncertainty	Regulated; liberal until 2022, under reform; ART permitted (FCU, Art. 123)	Regulated; only altruistic surrogacy allowed; commercial surrogacy prohibited (Surrogacy Arrangements Act 1985)

Legal parenthood at birth	Surrogate mother (principle <i>mater semper certa est</i> , Family Code, Art. 175)	Intended parents (commissioning couple) (FCU, Art. 123, para. 2)	Surrogate mother (and her husband, with consent)
Acquisition of parenthood by intended parents	Through adoption (lengthy procedure) (Family Code, Arts. 240-262)	Automatically from birth (FCU, Art. 123, para. 2)	Through a Parental Order after birth (HFEA 2008, ss. 54/54A)
Surrogate mother's leave (pregnancy/maternity)	Yes, standard (365 days in total, including 63 days postnatal mandatory) (Labour Code, Arts. 104, 105; Law "On Social Insurance")	Yes, standard (126/140 days) (LCU, Art. 179)	Yes, standard (up to 52 weeks Statutory Maternity Leave / Pay) (Employment Rights Act 1996)

Source: author's compilation based on analysis of sources (Kodi i Punës, 2024; Për sigurimet shoqërore..., 1993; Kodi i Familjes, 2003; Maternity Protection Convention..., 2000; CKY, 2002; Про затвердження Порядку..., 2013; КЗпП, 1973; Про загальнообов'язкове державне..., 1999; Про відпустки, 1996; Surrogacy Arrangements Act..., 1985; Human Fertilisation and..., 2008; Employment Rights Act..., 1996; The Paternity and..., 2014).

As of October 2025, Albania has no specific legislation comprehensively regulating surrogacy. The absence of clear rules creates significant legal uncertainty for both surrogate mothers and intended parents. In this context, the surrogate mother's right to maternity leave is governed by the general provisions of the Albanian Labour Code (Kodi i Punës, 2024). The Law "On Social Insurance" (Për sigurimet shoqërore..., 1993) guarantees women the right to maternity leave of a total of 365 calendar days. Article 104 of the Labour Code establishes a mandatory non-working period for women: 35 days before the expected date of birth and 63 days after delivery. Article 105 and the Law "On Social Insurance" legislation establish the right to maternity leave. During this leave, a woman receives maternity benefits in accordance with the Law "On Social Insurance" (Për sigurimet shoqërore..., 1993). Since the Labour Code (Kodi i Punës, 2024) contains no exceptions for cases of surrogacy, these guarantees apply to any woman who carries and gives birth to a child, regardless of genetic connection or intentions regarding subsequent child-rearing. Accordingly, a surrogate mother in Albania is fully entitled to standard maternity leave and the associated benefits, in line with international standards, including ILO Convention No. 183 (Maternity Protection Convention..., 2000). The situation for intended parents, however, is entirely different. Due to the lack of legislative recognition of surrogacy and the absence of mechanisms for transferring parental rights from the surrogate to the intended parents immediately after birth, they have no clearly defined legal status as the child's parents. Albanian legislation, particularly the Family Code (Kodi i Familjes, 2003), is based on the principle *mater semper certa est* (the mother of the child is the woman who gives birth). Article 175 of the Family

Code confirms that maternity is established by the birth certificate; accordingly, the surrogate mother is recognised legally as the child's mother. Although the Code provides a procedure for adoption (Arts. 240-262), it is lengthy and not adapted to the specificities of surrogacy. Albanian legislation does not provide for special leave for intended parents in connection with the birth of a child through surrogacy. They may potentially be entitled to parental leave only after the adoption process is completed, which can take a considerable amount of time, preventing them from caring for the child from the first days of life. Article 106 of the Labour Code (Kodi i Punës, 2024) grants the right to adoption leave to one of the adoptive parents (mother or father), but this right arises only after the legal formalisation of the adoption. The absence of specific regulation creates significant risks and uncertainty for all parties, particularly the child and the intended parents.

Until the early 2020s, Ukraine had one of the most liberal approaches to regulating surrogacy in Europe, although this area underwent significant changes after 2022. The Family Code of Ukraine (FCU) (2002) explicitly allows the use of assisted reproductive technologies (Art. 123). According to paragraph 2 of Article 123 FCU, if a human embryo conceived by a married couple (husband and wife) using ART is transferred into the body of another woman, that couple is recognised as the legal parents of the child born. This provision effectively establishes the presumption of parenthood in favour of the commissioning couple, rather than the woman who gives birth (the surrogate mother). The use of ART is regulated by the Order of the Ministry of Health of Ukraine No. 787 of 9 September 2013 (Про затвердження Порядку..., 2013). The surrogate mother's rights to maternity leave are clearly guaranteed under the Labour Code of Ukraine (LCU) (1973). Article 179 LCU (1973) provides women with paid maternity leave of 70 calendar days before birth and 56 calendar days afterwards (or 70 days in the case of complicated births or the birth of two or more children). The total duration (126 or 140 days) aligns with ILO standards (Maternity Protection Convention..., 2000). Maternity benefits are paid in accordance with the Law of Ukraine "On Mandatory State Social Insurance" (1999). As in Albania, these provisions apply to the surrogate mother as the woman who physically carries and delivers the child. Ukrainian legislation does not provide for special leave for intended parents specifically in connection with the birth of a child through surrogacy. Since Article 123 FCU (2002) recognises them as the child's legal parents from the moment of birth, they do not require an adoption procedure. However, standard maternity leave (Article 179 of the LCU, 1973) is granted to the mother, while a one-off paid leave of up to 14 days on the birth of a child (Article 19-1 of the Law of Ukraine "On Leave", 1996) is provided to the father, the husband of the mother, or other relatives who are the child's primary carers if the mother or father is single. This creates a legal ambiguity for the intended mother, who has not given birth. She may be entitled to parental leave until the child reaches three years of age (Article 179 LCU, 1973; Article 18 of the Law "On Leave", 1996), which may be used in full or in part by the father, grandparents, or other relatives who are the child's primary carers. Consequently, intended parents in Ukraine are entitled to extended parental leave from the moment of the child's birth, ensuring the provision of care. Nevertheless, a specific short-term leave, analogous to post-natal leave for the biological mother, is not clearly provided

for the intended mother. It is worth noting that surrogacy in Ukraine is currently undergoing reform, and future legislative changes may affect entitlements to leave. The United Kingdom takes a different approach, permitting only altruistic surrogacy, under which the surrogate mother is reimbursed only for reasonable expenses related to pregnancy and childbirth. Commercial surrogacy is prohibited under the Surrogacy Arrangements Act (1985). Legal parenthood is initially recognised in the surrogate mother (and her husband, if he has consented). Intended parents may acquire parental rights through the *Parental Order* procedure under the Human Fertilisation and Embryology Act 2008 (Human Fertilisation and..., 2008). This procedure is only possible with the surrogate mother's consent (which cannot be given earlier than six weeks after birth) and under certain conditions, such as a genetic link to at least one of the intended parents and submission of the application within six months of the child's birth. In the United Kingdom, the surrogate mother is fully entitled to *Statutory Maternity Leave* of up to 52 weeks and *Statutory Maternity Pay* on standard terms, under the Employment Rights Act 1996, regardless of whether she will be raising the child (Employment Rights Act..., 1996). This right is not dependent on whether she intends to raise the child. UK legislation also provides specific leave rights for intended parents who acquire a child through surrogacy and intend to apply for a Parental Order. They are entitled to *Statutory Adoption Leave* and *Statutory Adoption Pay*. One of the intended parents (the primary adopter) may take up to 52 weeks of leave, which may commence on the day of the child's birth or at a later date. The other partner may be entitled to *Paternity Leave* of one or two weeks. In addition, intended parents can make use of Shared Parental Leave and Shared Parental Pay, which allows them to share up to 50 weeks of leave and up to 37 weeks of pay between them during the first year after the child's birth. These provisions were introduced through The Paternity and Adoption Leave (Amendment) Regulations 2014 and The Shared Parental Leave Regulations 2014, extending leave rights for adopters to intended parents in cases of surrogacy. This enables intended parents to care for the child from birth and supports the formation of attachment, in line with the principle of the child's best interests.

The analysis of the three countries revealed a spectrum of approaches. Albania represents a model of legal uncertainty, where the absence of specific surrogacy regulations leaves intended parents without clearly defined leave rights immediately after the child's birth, relying instead on a lengthy adoption procedure. Ukraine exemplifies a liberal model, recognising intended parents as legal parents from birth, thereby granting them entitlement to extended parental leave, though there remains some ambiguity regarding short-term postnatal leave for the surrogate mother. The United Kingdom offers the most structured approach within an altruistic framework. Legal parenthood initially vests in the surrogate mother, but intended parents have clearly defined statutory rights to leave – comparable to adoption leave and Shared Parental Leave – even before obtaining a Parental Order, enabling them to care for the child from the earliest days. In all three countries, the surrogate mother's entitlement to standard maternity leave is protected under general labour law provisions, in line with international standards for the protection of maternity (Maternity Protection Convention, 2000). However, the regulation of intended parents' rights remains the

primary area of divergence. The UK model, which explicitly extends adoption leave rights to intended parents, appears balanced in terms of safeguarding the child's best interests, allowing those who will care for the child to assume responsibility immediately.

The Ukrainian model, while recognising the commissioning parents as legal parents from birth, lacks a similarly explicit mechanism for postnatal leave for the surrogate mother, though extended parental care is provided. The Albanian model, due to the absence of specific regulation, creates potential challenges, leaving the child without proper parental care during the crucial first months of life while the adoption process is completed. This comparative perspective emphasises the urgent need for clear and balanced legislation in countries where surrogacy is practised or not prohibited, ensuring that the rights of all parties – the surrogate mother, the child, and the intended parents – are respected in accordance with international human rights principles and the best interests of the child.

### **Recommendations for improving the legal regulation of leave in cases of surrogacy in Albania**

An analysis of international standards, alongside a comparison of the legislation in Ukraine and the United Kingdom, highlights the urgent need for comprehensive reform of Albania's legal framework on surrogacy, particularly regarding leave entitlements for the parties involved. The current legal uncertainty, caused by the absence of specific legislation, poses significant risks to the rights of the child, the intended parents, and the surrogate mother, especially in ensuring proper care for the new-born and the legal recognition of parenthood. Drawing on the principle of the best interests of the child, enshrined in Article 3 of the CRC (1989), and the necessity of ensuring family stability, the following recommendations are proposed for Albanian legislators to establish a clear, equitable, and functional system.

It is essential to develop and enact a dedicated law regulating surrogacy in Albania. This law should explicitly define whether surrogacy is permitted in the country, and if so, under what conditions (for example, altruistic only, as in the United Kingdom, or including commercial arrangements). The absence of such foundational regulation is the root cause of all subsequent issues, including those related to leave. The law should establish clear criteria for both intended parents and the surrogate mother, specify requirements for medical procedures, outline the legal consequences of the arrangement, and, most importantly, provide a mechanism for determining the legal parenthood of the child born through surrogacy. The determination of legal parenthood directly affects who will be entitled to parental leave. The existing principle of *mater semper certa est*, enshrined in Article 175 of the Family Code (Kodi i Familjes, 2003), which recognises the mother as the woman who gives birth, presents an obstacle for intended parents to acquire rights immediately after birth. A new law should either modify this principle for cases of surrogacy (similar to Article 123 of the FCU (2002)), recognising the intended parents as legal parents from birth, or introduce an expedited and simplified procedure for transferring parental rights from the surrogate mother to the intended parents, analogous to the UK system of

*Parental Orders*, but with a minimal time gap after birth.

Secondly, amendments should be made to the Albanian Labour Code (Kodi i Punës, 2024) to introduce specific provisions on leave for intended parents in surrogacy arrangements. Depending on the chosen model for recognising parenthood, several options are possible. If Albania adopts the model recognising the intended parents as legal parents from birth (the Ukrainian model), it will be necessary to clarify the articles regulating parental leave and short-term leave at the birth of a child, explicitly stating that both the intended mother (who did not give birth) and the intended father have equal rights to these leaves from the day of the child's birth. If the model of transferring parenthood after birth is adopted (the British model), it would be appropriate to extend the existing provisions on adoption leave to intended parents awaiting a child through surrogacy. This would require amendments to Article 106 of the Labour Code (Kodi i Punës, 2024), which currently regulates only leave for adoption (*Leja e birësimit*). The amendments should stipulate that one of the intended parents is entitled to leave of a duration equivalent to adoption leave (for example, up to 52 weeks, as in the United Kingdom), which may commence on the day of the child's birth. The other intended parent should be granted the right to a short-term *Paternity Leave*. Additionally, consideration should be given to introducing, or extending to intended parents, the system of *Shared Parental Leave*, enabling them to divide the period of childcare flexibly over the first year of the child's life. Such an approach would allow intended parents to assume care for the child immediately, in accordance with the child's best interests, even if the legal recognition of parenthood (through a Parental Order or a similar procedure) takes some time. Crucially, the right to such leave should arise not after the formal legal recognition of parenthood but from the moment of the child's birth, provided that there is a surrogacy agreement in place and an intention to acquire legal parenthood.

Thus, a key step for Albania is the adoption of specific legislation on surrogacy that establishes a clear mechanism for determining parenthood. Based on this mechanism, the Labour Code (Kodi i Punës, 2024) should be amended to grant intended parents the right to leave from the moment of the child's birth. Regardless of the model chosen – recognition of parenthood from birth or through an expedited post-birth procedure – the legislation must ensure that those responsible for the child can provide immediate care.

## **Discussion**

The study revealed considerable variation in the legal regulation of leave related to pregnancy, childbirth, and childcare in cases of surrogacy in Albania, Ukraine, and the United Kingdom, reflecting fundamental differences in national approaches to the practice of surrogacy itself. The findings confirmed that international legal standards clearly guarantee the right to leave for the surrogate mother as the woman who carries and gives birth to the child, while leaving significant discretion to national legislators in defining the rights of intended parents. The analysis demonstrated that the legal vacuum in Albania, the liberal regulation with automatic recognition of parenthood in Ukraine, and the altruistic surrogacy model with the transfer of parenthood via

court order in the United Kingdom create fundamentally different mechanisms for providing – or failing to provide – intended parents with leave to care for a newborn child. A central challenge remains the balance between protecting the health and rights of the surrogate mother and ensuring the best interests of the child, particularly the child’s right to care from the intended parents from the moment of birth.

The conclusions of this study regarding the critical need for clear legislative regulation of surrogacy to avoid legal uncertainty are supported by numerous authors. E. Filip (2025), analysing potential approaches for Albania, emphasises the importance of a well-designed surrogacy contract as a foundation for protecting the rights of all parties, particularly in the absence of specific legislation. This study complements that position by highlighting that contractual regulation alone cannot address the issue of leave without corresponding amendments to labour law. The problems of “procreative tourism”, arising from prohibitions or unclear regulation in some countries (e.g. Italy) and more liberal conditions in others (e.g. Ukraine), have been analysed in detail by V. Piersanti *et al.* (2021), who pointed to legal conflicts regarding the status of children. This research demonstrates how such conflicts directly affect the ability of parents to provide care for the child immediately after birth. P. Brandão & N. Garrido (2022), in their review, confirm the global fragmentation of regulation concerning commercial surrogacy, which leads to legal disputes and risks of exploitation. This conclusion aligns with the present analysis, which shows that the absence of international harmonisation is particularly evident in the sphere of social rights, such as parental leave. A. Ellenbogen *et al.* (2021) also emphasise the need for legislative safeguards for all parties against the backdrop of growing global demand for surrogacy. Studies by R. Curtin (2022) and S. Shephard (2021) highlight the risks to children – particularly statelessness – and to surrogate mothers in the absence of international coordination and balanced national regulation. The present research demonstrates that legal uncertainty regarding parental leave can also be considered a risk factor for the child’s well-being during the early months of life. Y. Luo (2024), analysing informal crossborder surrogacy networks in Asia, proposed new labour law strategies to protect surrogate mothers. This analysis shows that complementary strategies must also be developed for intended parents to secure their right to care. N. Sinanaj (2024) demonstrated that existing surrogacy regimes often have a discriminatory impact on all participants. This study illustrates such discrimination through the absence or limitation of intended parents’ rights to leave in certain jurisdictions. Even in countries that have introduced regulations, such as India, challenges remain. These were critically analysed by A. Srivastava (2021), who pointed to potential inefficiencies, moral conservatism, and the risk of creating “grey” markets. The comparative analysis in this study further emphasises that even where surrogacy is legalised, the regulation of labour-related aspects – such as parental leave – may remain incomplete.

The importance of providing parental leave and its positive impact on health is supported by other research. A systematic review by A. Heshmati *et al.* (2023) found that longer paid leave has a beneficial effect on the mental health of mothers and children, although the evidence regarding fathers is less conclusive. M. D. Whitney *et al.* (2023), in their meta-analysis, concluded that the duration of leave – particularly 12 weeks

or more – is positively correlated with both maternal and child physical and mental health, parent–child interaction, and the duration of breastfeeding. These findings emphasise the importance of ensuring opportunities for care of the newborn, which is especially relevant for intended parents in cases of surrogacy, as they need to establish a bond with the child from the earliest days. These results further support the arguments of the present study regarding the necessity of providing adequate leave for intended parents in surrogacy arrangements, since they assume primary responsibility for the child’s care, which directly affects the child’s well-being.

The British model analysed in this study, which grants intended parents leave equivalent to adoption leave, is seen as an attempt to balance these interests. K. Horsey *et al.* (2022) found that UK surrogate mothers largely support reforms recognising intended parents’ legal parenthood from the moment of birth, indicating a potential need to further review the existing model of parental transfer. This indicates that even within an altruistic model, there is a societal demand for the simplification of legal procedures, which could further harmonise the process with the provision of leave. The Ukrainian model of automatic recognition of the intended parents’ legal status ensures the right to parental leave; however, as the analysis shows, it creates some uncertainty regarding short-term postnatal leave for the surrogate mother. While this approach resolves the issue of promptly establishing a legal parent–child connection, it may require clarification in labour legislation.

Ethical considerations, particularly the significance of the gestational bond, highlighted by A. Mulligan (2024), underscore the need to recognise the surrogate mother’s role not merely as a “carrier”, which should be reflected in legislation. This study confirms that international law consistently protects the surrogate mother’s right to leave, acknowledging this gestational aspect. C. G. Joslin (2021) warned that focusing solely on the question of permitting or prohibiting surrogacy neglects “invisible” regulatory elements – such as the determination of parenthood and autonomy – that can exacerbate inequality. The analysis of leave in this study is an attempt to illuminate one of these “invisible”, yet crucial, aspects. Reforms similar to those proposed in the Netherlands, analysed by A. den Exter (2025), seek to balance the rights of the child, the surrogate mother, and the intended parents in line with international standards. This study has demonstrated the European trend towards seeking comprehensive solutions, similar to those recommended for Albania in this research. Even in countries where surrogacy is prohibited, such as China, there is a need for clear rules on determining parenthood to resolve disputes, as noted by W. You & J. Feng (2024). This underscores the central importance of parenthood, which, as shown in this study, is key to addressing the issue of parental leave.

Therefore, the findings of this research, considered alongside existing scholarly literature, highlight the complexity of regulating leave in cases of surrogacy. They indicate that an effective solution requires not only amendments to labour legislation regarding leave but, crucially, a clear definition of the legal status of surrogacy and mechanisms for establishing parenthood under family law. The experience of the United Kingdom demonstrates that it is possible to grant leave rights to intended parents even when legal maternity is initially recognised in the surrogate mother, providing a potential model for countries seeking a balanced approach. At the same

time, ensuring the best interests of the child necessitates guaranteeing that those assuming parental responsibilities can provide care from the earliest days of life, making the provision of corresponding leave a fundamental element of any fair and functional regulatory framework for surrogacy.

## Conclusions

The present study conducted a comprehensive analysis of the legal regulation of leave in connection with pregnancy, childbirth, and childcare in cases of surrogacy, achieving the objectives set out in the introduction. Firstly, international legal standards were systematised, revealing a fundamental asymmetry in regulation. It was established that international labour law clearly guarantees the right to maternity leave to the biological mother, i.e., the surrogate mother, for the purpose of protecting her health. At the same time, international law contains no direct provisions obliging states to grant equivalent leave to intended parents. However, it was noted that an indirect basis for such a right exists within the principles of international human rights law. A comparative analysis of national legislation in Albania, Ukraine, and the United Kingdom allowed the identification of three fundamentally different models for addressing this legal issue. It was revealed that in all three jurisdictions, the surrogate mother's right to standard maternity leave is protected by general labour law norms. The key distinction lies in the regulation of rights for intended parents. The Albanian model is characterised as a legal vacuum: due to the absence of a specific law on surrogacy and the fact that intended parents have no legal status at birth, a gap arises. Intended parents can only claim adoption leave after a lengthy legal procedure, which is contrary to the best interests of the child.

The Ukrainian model is defined as "direct parenthood": it recognises intended parents as the child's legal parents from birth, automatically granting them the right to extended parental leave. However, a gap was identified concerning the provision of short-term postnatal leave, analogous to maternity leave, for the intended mother. The British model is identified as a "legal bridging of the gap": although the surrogate is the legal mother at birth, the legislation has been specifically adapted. It extends rights to leave, equivalent to adoption leave and Shared Parental Leave, to the intended parents, with entitlement arising from the child's birth rather than from the issuance of a court Parental Order. Based on the identified gaps and successful practices, specific recommendations for Albania have been developed. It was determined that resolving the issue of parental leave is impossible without enacting a dedicated law that legalises altruistic surrogacy and establishes an expedited mechanism for the transfer of parental rights. A key practical recommendation is to amend Albanian legislation following the British model. It is proposed to extend adoption leave rights to intended parents expecting a child under a surrogacy agreement, with a clear provision that entitlement arises from the child's birth, rather than from the completion of the legal procedure.

The limitations of this study lie in its exclusively theoretical and comparative nature. The analysis was based on *de jure* considerations (analysis of written law) and did not include empirical data on the *de facto* application of the norms. Promising

directions for further research include conducting empirical studies in Ukraine and the United Kingdom to evaluate the effectiveness of existing leave models: how intended parents exercise their rights in practice and the challenges they encounter.

## References

- Bara, B., Bara, J., & Aliu, A. (2023). Ethical and Legal Issues Related to Surrogacy. *Annals of Bioethics & Clinical Applications*, 6(1), 1-7. <https://medwinpublisher.org/index.php/ABCA/article/view/1179>
- Baron, T., Svingen, E., & Leyva, R. (2024). Surrogacy and adoption: An empirical investigation of public moral attitudes. *Journal of Bioethical Inquiry*, 21(4), 671-681. <https://link.springer.com/article/10.1007/s11673-024-10343-1>
- Belu, D. S. (2022). for Regulating Transnational Surrogacy. *Being and Value in Technology*, 115. <https://books.google.com/books?hl=uk&lr=&id=zJpXEAAAQBAJ&oi=fnd&pg=PA115&dq=in+fo:w7MYpLfZoEoJ:scholar.google.com/&ots=XrHG0SDabI&sig=Uxy0j3yW197I0jWGpFND2uruWL4>
- Bogoni, M. (2023). Maternity and Paternity Leave in the Case of Single-parent Families. Problems and Proposals. *Jurnalul de Studii Juridice*, 18(3-4), 44-73 <https://www.ceeol.com/search/article-detail?id=1296118>
- Brandão, P., & Garrido, N. (2022). Commercial surrogacy: an overview. *Revista Brasileira de Ginecologia e Obstetria/RBGO Gynecology and Obstetrics*, 44(12), 1141-1158. <https://www.thieme-connect.com/products/ejournals/html/10.1055/s-0042-1759774>
- Bütikofer, A., Riise, J., & M. Skira, M. (2021). The impact of paid maternity leave on maternal health. *American Economic Journal: Economic Policy*, 13(1), 67-105. <https://www.aeaweb.org/articles?id=10.1257/pol.20190022>
- Canaan, S., Lassen, A., Rosenbaum, P., & Steingrimsdottir, H. (2022). Maternity leave and paternity leave: Evidence on the economic impact of legislative changes in high income countries. <https://www.jstor.org/stable/pdf/resrep64235.pdf?acceptTC=true&coverpage=false&addFooter=false>
- Child born from surrogate mother. Violation of family life by refusing to recognize the legal relationship of the custodial parents. 2023. <https://www.echr.caselaw.com/en/echr-decisions/child-born-from-surrogate-mother-violation-of-family-life-by-refusing-to-recognize-the-legal-relationship-of-the-custodial-parents/>
- Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979. 1979. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>
- Convention on the Rights of the Child. 1989. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>
- Council Directive 92/85/EEC. 1992. <https://www.legislation.gov.uk/eudr/1992/85/contents>
- Curtin, R. (2022). Suspension of citizenship: Ethical concerns in international commercial surrogacy and the legal possibility of stateless children. *Vand. J. Transnat'l L.*, 55, 805. [https://heinonline.org/HOL/LandingPage?handle=hein.journals/vantl55&div=24&id=&page=](https://heinonline.org/HOL/LandingPage?handle=hein.journals/vantl55&div=24&id=&page=den+Exter,+A.+.(2025).+Surrogacy+reforms+in+the+Netherlands.+Ethics,+Medicine+and+Public+Health,+33,+101133.+https://www.sciencedirect.com/science/article/pii/S2352552525000921)
- den Exter, A. (2025). Surrogacy reforms in the Netherlands. *Ethics, Medicine and Public Health*, 33, 101133. <https://www.sciencedirect.com/science/article/pii/S2352552525000921>
- Directive (EU) 2019/1158 of the European Parliament and of the Council. 2019. <https://www.legislation.gov.uk/eudr/2019/1158/contents>
- Ellenbogen, A., Feldberg, D., & Lokshin, V. (2021). Surrogacy: A worldwide demand. Implementation and ethical considerations. *Gynecol Reprod Endocrinol Metab*, 2, 66-73. [https://www.researchgate.net/profile/Vyacheslav-Lokshin-2/publication/352559888\\_Surrogacy\\_-a\\_worldwide\\_demand\\_Implementation\\_and\\_ethical\\_considerations/links/60d02c0b458515dc179949a5/Surrogacy-a-worldwide-demand-Implementation-and-](https://www.researchgate.net/profile/Vyacheslav-Lokshin-2/publication/352559888_Surrogacy_-a_worldwide_demand_Implementation_and_ethical_considerations/links/60d02c0b458515dc179949a5/Surrogacy-a-worldwide-demand-Implementation-and-)

ethical-considerations.pdf

Employment Rights Act 1996. 1996. <https://www.legislation.gov.uk/ukpga/1996/18/contents>  
European Convention on Human Rights. 1950. [https://www.echr.coe.int/documents/d/echr/convention\\_ENG](https://www.echr.coe.int/documents/d/echr/convention_ENG)

Filip, E. (2025). Navigating Surrogacy Contracts: Legal Aspects and Key Elements. *Interdisciplinary Journal of Research and Development*, 12(1), 138-138. <https://www.journal-uamd.org/index.php/IJRD/article/view/520>

HCCH Update (11 March 2024): CGAP Conclusions and Decisions Posted. 2024. <https://www.mkfamily.law/blog/cgap-2024-march-familylaw-updates>

Heshmati, A., Honkaniemi, H., & Juárez, S. P. (2023). The effect of parental leave on parents' mental health: a systematic review. *The Lancet Public Health*, 8(1), e57-e75. [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(22\)00311-5/fulltext?ref=warpnews.se](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(22)00311-5/fulltext?ref=warpnews.se)

Horsey, K., Arian-Schad, M., Macklon, N., & Ahuja, K. (2022). UK surrogates' characteristics, experiences, and views on surrogacy law reform. *International journal of law, policy and the family*, 36(1), ebac030. <https://academic.oup.com/lawfam/article/36/1/ebac030/6917125>

Human Fertilisation and Embryology Act 2008. 2008. <https://www.legislation.gov.uk/ukpga/2008/22/section/54>

Joslin, C. G. (2021). (Not) just surrogacy. *California Law Review*, 109(2), 401-492. <https://www.jstor.org/stable/27168495>

K.K. and Others v. Denmark. 2022. <https://hudoc.echr.coe.int/ukr#%22itemid%22:%22002-13915%22>

Kashyap, S., & Tripathi, P. (2023). The Surrogacy (Regulation) Act, 2021: A critique. *Asian Bioethics Review*, 15(1), 5-18. <https://link.springer.com/article/10.1007/s41649-022-00222-5>

Kodi i Familjes. 2003. [https://www.drejtesia.gov.al/wp-content/uploads/2019/02/Kodi-i-familjes-Ligj\\_9062\\_08.05.2003-1.pdf](https://www.drejtesia.gov.al/wp-content/uploads/2019/02/Kodi-i-familjes-Ligj_9062_08.05.2003-1.pdf)

Kodi i Punës. 2024. <https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0>

Kokuja, U. (2025). The legal vacuum on surrogacy: Risks and challenges under European Human Rights standard's. *European Journal of Economics, Law and Social Sciences*, 9(2), 32-43. <https://ideas.repec.org/a/vrs/ejelss/v9y2025i2p32-43n1004.html>

Lamçe, J., & Kau, R. (2023). Contesting Marital Presumption of Paternity–Biological Father's Legal Position. Comparative Overview in Albania and the Western Balkan Countries. *Studia Iuridica Lublinensia*, 32(2), 173-188. <https://journals.umcs.pl/sil/article/view/14762>

Luo, Y. (2024). Unraveling informality and precarity: new labor law strategies for the global reproduction network of cross-border surrogacy. *Asian Bioethics Review*, 16(2), 185-203. <https://link.springer.com/article/10.1007/s41649-023-00262-5>

Maternity Protection Convention (Revised), 1952 (No. 103). 1952. [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312248:NO](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312248:NO)

Maternity Protection Convention, 2000 (No. 183). 2000. [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312328](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312328)

Mulligan, A. (2024). Surrogacy and the significance of gestation: Implications for law and policy. *Bioethics*, 38(8), 674-683. <https://onlinelibrary.wiley.com/doi/full/10.1111/bioe.13302>

Olaye-Felix, B., Allen, D. E., & Metcalfe, N. H. (2023). Surrogacy and the law in the UK. *Postgraduate medical journal*, 99(1170), 358-362. <https://academic.oup.com/pmj/article-abstract/99/1170/358/7177406>

Për sigurimet shoqërore në republikën e shqipërisë. 1993. <https://qbz.gov.al/preview/10351a58-7d0c-4297-b2c1-cb6e7c55226f/cons/20230901>

Piersanti, V., Consalvo, F., Signore, F., Del Rio, A., & Zaami, S. (2021). Surrogacy and “procreative tourism”. What does the future hold from the ethical and legal perspectives?. *Medicina*, 57(1), 47. <https://www.mdpi.com/1648-9144/57/1/47>

Rosinés Anton, E. (2025). Surrogacy: Morality, Legal Gaps and Economic Profits in a Global Industry. <https://diposit.ub.edu/dspace/handle/2445/223540>

S.-H. v. POLAND. 2021. <https://hudoc.echr.coe.int/eng#%22itemid%22:%22001-214296%22>

Shephard, S. (2021). Regulating international commercial surrogacy: A balance of harms and benefits. *U. Fla. JL & Pub. Pol'y*, 32, 293. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/ufpp32&div=14&id=&page=>

Sinanaj, N. (2024). Surrogacy and discrimination. In *Research Handbook on Surrogacy and the Law* (pp. 130-150). Edward Elgar Publishing. <https://www.elgaronline.com/edcollchap/book/9781802207651/book-part-9781802207651-12.xml>

Srivastava, A. (2021). The surrogacy regulation (2019) bill of India: a critique. *Journal of International Women's Studies*, 22(1), 140-151. [https://vc.bridgew.edu/cgi/viewcontent.cgi?params=/context/jiws/article/2364/&path\\_info=008\\_JIWS\\_Jan\\_2021\\_Vol\\_22\\_A8\\_Surrogacy\\_FINAL.pdf](https://vc.bridgew.edu/cgi/viewcontent.cgi?params=/context/jiws/article/2364/&path_info=008_JIWS_Jan_2021_Vol_22_A8_Surrogacy_FINAL.pdf)

Surrogacy Arrangements Act 1985. 1985. <https://www.legislation.gov.uk/ukpga/1985/49>

The Paternity and Adoption Leave (Amendment) Regulations 2014. 2014. <https://www.legislation.gov.uk/uksi/2014/2112/made>

The Shared Parental Leave Regulations 2014. 2014. <https://www.legislation.gov.uk/ukdsi/2014/9780111118856/contents>

Vyshka, G., Roçi, E., & Basha, E. (2025). Mother surrogacy in Albania: a one-way ticket. *Frontiers in Global Women's Health*, 6, 1570513. <https://www.frontiersin.org/journals/global-womens-health/articles/10.3389/fgwh.2025.1570513/abstract>

Whitney, M. D., Holbrook, C., Alvarado, L., & Boyd, S. (2023). Length of maternity leave impact on mental and physical health of mothers and infants, a systematic review and meta-analysis. *Maternal and child health journal*, 27(8), 1308-1323. <https://link.springer.com/article/10.1007/s10995-022-03524-0>

Whittaker, A., Gerrits, T., & Weis, C. (2022). Emerging “repronubs” and “repropreneurs”: Transnational surrogacy in Ghana, Kazakhstan, and Laos. *International journal of comparative sociology*, 63(5-6), 304-323. <https://journals.sagepub.com/doi/abs/10.1177/00207152221097600>

You, W., & Feng, J. (2024). Legal regulation of surrogacy parentage determination in China. *Frontiers in Psychology*, 15, 1363685. <https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2024.1363685/full>

Zhang, T., & Rodrigue, C. (2023). What if moms quiet quit? The role of maternity leave policy in working mothers' quiet quitting behaviors. *Merits*, 3(1), 186-205. <https://www.mdpi.com/2673-8104/3/1/12>

Кодекс законів про працю України. 1973. <https://zakon.rada.gov.ua/laws/show/322-08#Text>

Про відпустки. 1997. <https://zakon.rada.gov.ua/laws/show/504/96-вр#Text>

Про загальнообов'язкове державне соціальне страхування. 1999. <https://zakon.rada.gov.ua/laws/show/1105-14#Text>

Про затвердження Порядку застосування допоміжних репродуктивних технологій в Україні. 2013. <https://zakon.rada.gov.ua/laws/show/z1697-13#Text>

Сімейний кодекс України. 2002. <https://zakon.rada.gov.ua/laws/show/2947-14#Text>

# The concept of self-determination in the altered dimensions of its evolutions

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## Abstract

This paper tents to give a descriptive analysis and at the same time critics of “self-determination” convention as the most significant civil rights units, but as well as one of the most disputed topics of the international doctrine. Either concerning the numerous cases presented in the geo-politics regarding to this convention, but simultaneously concerning with the convention itself being disputable even recently. The paper aims to present a detailed view of the convention self-determination into the altered dimensions of its evolutions, analyzing the basic conventions of civil rights and each legal disposition with its international and regional instruments. Due to this fact, the concept of self – determination might have a range meaning different from each –other, particularly the emphasis on the report among the state and its citizens will be on the focus, whereas the right of the citizens to determine by their own will is the backbone of the contemporary international rights.

The community of people possesses its own right to guarantee their free expression, having their own religious beliefs, traditions and customs, preserving their own language, faith, and after all their own identity. In this respect, are the states not people those which can be considered as formal subjects of material norms, of which comes out as a necessity the differentiation between concepts such as people, minorities, indigen people and rebellious ones all involved in the disputable topics. The debate on self-autonomy is strongly discussed recently throughout Europe and worldwide. Infusing an entire political emotions and economic interests is not hard to find an accurate data of what’s occurring and will occur into the separatist European area and overseas. This considering the existence of the right for self-determination, is necessary thinking as well for the difference between the itself right and the real possibility to master that.

**Key words:** self- determination, international doctrine, Civil right, state and people, *jus cogens*.

## Introduction and theoretical basis

This paper proposes a descriptive and critical analysis of the principle of self-determination, as one of the pillars of human rights and also one of the most debated topics in international legal theory, as for the many cases that have occurred in the geopolitical sphere, related to somehow with this principle, also because the principle still has many controversial meanings. First, it should be clarified that the concept of “self-determination” can have several meanings, even far from each other, but the most interesting meaning for this paper is the one that considers the relationship between states and their citizens, in relation to the right of the latter to decide for themselves in light of the norms of international law. Although for the principle of self-determination, there are several approaches based on different points of view, such as political science, philosophy of law, constitutional law, in this study we will focus on the treatment of this principle in the light of law international. In this context,

special importance will be given to the analysis of the principle of respect for basic human rights, including the right not to be discriminated on the basis of race, sex, language or religion, as well as the analysis of the most of international importance, dealing with the principle of self-determination.

Among these, it should be noted: "Declaration on the independence of colonial peoples"<sup>1</sup>, a series of Resolutions, such as the one of December 14, 1962, on permanent sovereignty over natural resources (1803-XVII), reports of the Secretary General, resolutions of the Council of Security, Human Rights Council resolutions, International Covenants on Human Rights<sup>2</sup> and also the Declaration on Friendly Relations<sup>3</sup>. A necessary reference will be made to the international doctrine that has addressed the principle of self-determination, since there is a more or less extended debate, regarding the content that should be given to the principle of self-determination and the definition of its nature (if word for a purely political or even legal principle<sup>4</sup>). In fact, self-determination has a much wider content with arguments that show its nature as a principle which is the object of interstate obligations arising from international treaties, as well as from customary international law<sup>5</sup>.

Below we will give a detailed definition of the principle of self-determination of peoples, based on the determinations of the internal law of states and international law. In the following, we will deal with the problematic aspects of the concept of self-determination and its appearance today, based mainly on the international doctrine that has dealt with this principle. We will refer more to the most recent thoughts on self-determination, after the Second World War until today, even though the geopolitical situation has changed significantly. As we find ourselves in front of a world divided into two zones of influence and with a set of colonializations and dictatorial regimes, where there have been many secessions and disintegration of states and in which the colonial hypothesis is almost faded, it is important to focus not only on the states, which are recognized subjects of international law, but also on the beneficiaries of the implied principle: peoples, minorities, liberation movements and revolting.

This analysis will clarify many questions from the last few years have appeared on the principle of self-determination, on the rights and obligations of the state in relation to this principle, on the consequences that the violation of this right may have in the international order and on the role of the United Nations. In the first phase of the period after World War II, self-determination has represented an important instrument for decolonization and the end of the cold war scheme, which within this system had forced an "imperialist" logic, in which the sovereignty of some states was limited, thus creating problems<sup>6</sup>. We can prove the importance and criticism of

<sup>1</sup> Included in the Resolution dated December 14, 1960, no. 1514-XV.

<sup>2</sup> Also known as the Convention on Civil and Political Rights and the Convention on Economic, Social and Cultural Rights.

<sup>3</sup> Included in the Resolution dated October 24, 1970, n. 2625-XXV.

<sup>4</sup> Pomerance. M. (1992). *Self-Determination in Law and Practice: The New Doctrine of the United Nations*, The Hague, pp.70; Hannum. H. (2002). Edited by, Beck. R. J and Ambrosio.T. *Rethinking self-determination in international law and the rise of nations. The state system and the challenge of ethnic groups*, New York-London, pp. 31.

<sup>5</sup> Palmisano.P. (1997). *Nazioni Unite e autodeterminazione Il principio alla luce degli strumenti rilevanti dell' ON U*, Milano, pg. 1-32.

<sup>6</sup> Arango.G.R. (1989). *Diritto dei popoli alla*, in *enciclopedia giuridica*, vol. IV, Roma, pg. 6.

the principle of self-determination of peoples with a simple finding: in the period 1956-2002, 76 states were involved in conflicts related to the implementation of the principle of self-determination and sovereignty, of which only 12 of them have been resolved by peaceful agreements, while 12 others have been defined as the result of armed conflicts. The rest of the conflicts are still open (22), while other cases (29) are pending way are under the control of international peacekeeping missions. The issue is very complex and this is evident from the fact that these conflicts have lasted an average of 30 years, during which long and serious violations of human rights have occurred<sup>7</sup>.

## **Research methods and methodology**

In the preparation of this paper, several scientific methods were used, which have as their object the study of the phenomenon of the principle of self-determination in the different dimensions of its evolution and appearance in the international and regional arena. This paper is mainly based on the analysis of international instruments and the issues addressed by doctrine and jurisprudence on the principle of self-determination peoples, based not only on the historical methodology, but also on the analytical and descriptive one. The historical method has been used to reflect the development of the principle of self-determination, as well as the developmental processes of its approach in the perspective of international acts and with the help of the jurisprudence of the International Court of Justice, other international courts and those of different States. The analytical method is mainly based on the analysis of international acts and instruments on the principle of self-determination. The descriptive method aims to identify different approaches of doctrine and jurisprudence on the principle of self-determination of peoples.

The hypothesis of the paper: Self-determination is not a “right to secede”, but a right of a people to freely establish its political organization. Within this right there are many possible political outcomes: secession from a state, inclusion in another state or just the redefinition of a political and legal status within a state. Central research question: The central question posed by the study is what are the forms of the manifestation of the principle of self-determination in contemporary international law, seen from the perspective of the treatment of this principle by international acts. This paper is mainly based on the literature treated by doctrine and jurisprudence on the phenomenon of the principle of self-determination and its evolution, in the analysis of international and regional acts and instruments and not only, it is a difficult paper that requires a more reference in the analytical methodology, historical, descriptive and qualitative, since the implementation through quantitative or empirical methods is not suitable for the topic chosen for study, since it is a topic that in itself carries difficulties due to its historical-juridical character, and as such difficult for treat it through data collection methods such as; direct interviewing, questionnaires, surveys, statistics, etc.

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<sup>7</sup> Paul.R.W. And Francesca. J. P. (2003). *Earned Sovereignty: Bridging the Gap Between Sovereignty and Self-Determination*, 26–30, <http://www.cidcm.umd.edu/inscr/pc03print.pdf>, (December 2016).

## **The Charter of the United Nations and the principle of self-determination of peoples**

A much wider acceptance of the content of the principle has thus far been illustrated and realized in an international treaty of universal tendency, the Charter of the United Nations. The discussions that led to the promulgation of this important document were characterized by the contrast between the thesis of the Soviet Union and the Western countries that participated in the agreement of the San Francisco Conference. Eventually, the principle was accepted and translated in a vague and complicated manner into Article 1, paragraph 2 of the Charter of the United Nations<sup>8</sup>. Respect for this principle is also seen in the provisions of the Charter devoted to the action of the members of the United Nations, for the creation of conditions of stability and well-being of peoples through international cooperation in the economic, social and cultural fields. Respect for this principle is also seen in the provisions of the Charter devoted to the action of the members of the United Nations, for the creation of conditions of stability and well-being of peoples through international cooperation in the economic, social and cultural fields.

And it is precisely in Article 55<sup>9</sup>, where the principle is presented for the first time in economic terms, understood as the right of a people to enjoy its natural resources (later advanced to the right to a correct distribution of resources in international level and in the right to development), as well as the need to ensure for all peoples, the opportunity to have an equal distribution of the country's internal resources. The objectives of Article 55 are then confirmed by Article 56<sup>10</sup>. This means that, not only the organization, but also individual member states, in the event that they unite for a common goal, must act to realize the goals set at the level international, and above all, respecting the right to self-determination within their borders. Referring to the colonial context, the principle of self-determination is also referred to other provisions of the Charter, in particular, articles 73 and 76.

To state more clearly what the Charter of the United Nations brought about after the war, in the specific areas that concern us here, it cannot be overlooked that the inclusion of these principles in this Charter was a great step forward, however limited by some factors:

- a) More than an obligation to be implemented immediately, it was a general program for the organization and for the states that pledged to implement it, acting collectively and individually in cooperation with the United Nations<sup>11</sup>.
- b) The colonial empires are not affected, because from the current state of indisputable sovereignty of a state over them, it was passed to "international guardianship"<sup>12</sup>.
- c) In particular, the term "self-determination" is taken more as "self-government" than "independence" and the latter was reserved only for peoples subject to

<sup>8</sup> Article 1 of the United Nations Charter. Drafted in 1945 by representatives of 50 countries of the world in San Francisco, California, USA

<sup>9</sup> *Ibid.*, Art. 55.

<sup>10</sup> Lattanzi. F. (1987). *Autodeterminazione dei popoli in Digesto delle discipline Pubblicistiche*, 4<sup>o</sup> edizione, Torino, pg. 6-30.

<sup>11</sup> Article 56 of the UN Charter.

<sup>12</sup> *Ibid.*, Art. 73.

“international guardianship”<sup>13</sup>;

- d) Territorial integrity of states was conceived in 1945 as a value of great importance, so self-determination should not have the upper hand to cause secession.

### **Holders of the right, receivers of the obligation, beneficiaries**

Here it is a matter of examining who are, for international law, the right holders and the recipients of the obligation involved in the principle of self-determination. To solve this problem, we must determine who are the members of the society in which international law is manifested and operates. However, we must first determine who are the vital protagonists of the international report. In the case of the principle of self-determination, the problem is complicated by the fact that, despite the relevant provisions which obviously refer to the people as “protagonists” in concrete and historical actions known as the exercise of self-determination, the people are not considered as subjects of international law.

The recipients of the obligation, derived from the principle of self-determination, are the states individually as members of the United Nations. As regards mutual right, there is no strong reason for declaring that it is in the hands of particular nations; as we said before, the fact that we talk about “self-determination of the peoples” is not enough to conclude that the peoples are actually the holders of this right. An analysis of historical events can be a light in this direction: in the process of decolonization, the peoples previously gave life to independent entities and only under this idea, they led their liberation struggle as subjects of international law, equivalent to states. In conclusion, the member states of the United Nations are at the same time the recipients of the obligation and the holders of the right to self-determination<sup>14</sup>. However, it should be noted that not everyone agrees with this conclusion and some researchers are inclined to annex the principle of self-determination to a political value<sup>15</sup>, unlike other principles, which are also included in Article 2 of the Charter of Nations United Nations (prohibition of the use of force, peaceful settlement of disputes, etc.), which must be implemented immediately and, in their entirety,<sup>16</sup>.

The thesis of the assumption of pure political-moral value of the principle of self-determination does not seem very widespread. In fact, the Charter of the United Nations cannot be interpreted as a statement of principle or statement of purpose, which should inspire the involvement of states in the life of international relations<sup>17</sup>. It cannot be denied that the Charter constitutes in all matters a treaty, which contains norms with a binding function, which the member states must adapt to their behavior. In this context, one of the most important provisions, without a doubt, is represented, along with its many conclusions, by the one that imposes the obligation on states to develop peaceful relations between them. And one of the preconditions of this

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<sup>13</sup> Ibid., Art. 76/b.

<sup>14</sup> Lattanzi. F. (1987). Autodeterminazione dei popoli, in *Digesto delle Discipline pubblicistiche*, vol.II, pg.4.

<sup>15</sup> Cassese. A. (1995). *Self-determination of Peoples*, Oxford University Press pp.56; Pomerance. M. (1982). *Self-Determination in Law and Practice, the New Doctrine in the United Nations*, pp.98.

<sup>16</sup> Ruiz. A. (1988). Autodeterminazione(diritto dei popoli alla), in *Enciclopedia Giuridica*, vol.IV, pp.1.

<sup>17</sup> Tomuschat. C. (1994). L’adaptation institutionnelle des Nations Unies au nouvel ordre mondial, in Ben Achour, Laghmani, *Les nouveaux aspects du droit international*, Paris, vol.I, pp.125.

continuous obligation is precisely the principle of self-determination, referred to in Article 2 and 55 of the Charter.

In conclusion, we can affirm that the right of peoples to self-determination is the object of a common binding relationship between states in compliance with the Charter of the United Nations and (as we will see) other international treaties, based on general law. international. According to her, all countries have both the obligation to react in order to ensure the peoples' right to self-determination, as well as the right to demand compliance with this obligation from each of the other states.

### **Different interpretations regarding the right to self-determination**

The fundamental problems with the right to self-determination are of course its ambiguity, since the object of the right is not clearly defined, as well as its duality due to two contradictory elements, namely the right to territorial integrity and freedom from interference, on the one hand, and the right of peoples to govern themselves theirs on the other hand. Browsing the literature and other materials during the research process regarding the right to self-determination, it was very apparent what the focus was for the Western authors. In the eyes of them, the process of decolonization ended around the 1980s, and today it is not important at all<sup>18</sup>, except for a few colonies left in the world. In fact, nowadays, many authors criticize the form that the right to self-determination took during decolonization, which should not be understood as a criticism of the right to self-determination. The opinion is that the anti-colonial results became more important than the realization of self-determination<sup>19</sup>. Neglecting other means of self-determination such as autonomy, decentralization and separation has been severely criticized. However, it is not implied that all these models are without flaws, on the contrary, it is acknowledged that each model has problems that need to be solved. The important thing is that a discussion is taking place, where different solutions are being considered<sup>20</sup>. Ultimately, it is believed that the best way to end conflicts of an ethnic nature is precisely through these models. This is illustrated by this statement:

*"... self-determination must be imbued with meaning if it is to possess renewed legal significance. The distortion of the principle behind the charter arose in part because of the attempt to circumscribe the right to self-determination, denying the rights to autonomy or democratic transfer and representation or, in extreme cases, even secession. In other words, self-determination has been cut off from the many modalities through which it would most likely enjoy success"*<sup>21</sup>.

The post-colonial period includes two important contexts, namely the context of the two International Conventions on Human Rights, on the one hand, and the post-Cold War period with the fall of the Soviet Union and the disintegration of states in Eastern Europe, on the other. In the case of the former Yugoslavia, this happened with bloody wars and ethnic conflicts. During this period, the importance of human

<sup>18</sup> James. C. (2001). "The right to self-determination in international law: Its development and future", in Alston, Philip, the rights of peoples", New York, pp.39; Gerry. J. S. (1996), "Distributing sovereignty: Self-determination in the post-colonial era", Oxford / Washington DC, pp, 45.

<sup>19</sup> Simpson in Sellers, pp. 45.

<sup>20</sup> Ibid., pp. 56.

<sup>21</sup> Ibid., pp. 56.

rights increased, as well as the rights of peoples<sup>22</sup>, which are sometimes equated with the rights of (ethnic) minorities. The question that requires an answer is how to enable the realization of all human rights, in part through respect for the right to self-determination. Expressions of the right include internal self-determination in all its forms, such as democratic governance or autonomy. The right to self-determination is also used as a justification for secession, even though secession is a very controversial issue.

Self-determination beyond colonialism stems from human rights violations committed against ethnic groups. These violations are no longer considered the problem of a few human beings suffering within the jurisdiction of a sovereign state, but are also considered a threat to international peace and security. This brings us to the topic of intervention. Some interpret the intervention in those cases of serious violations of human rights against ethnic groups as a form of support and protection of the right of this particular group to self-determination. Such an example was seen in the case of the intervention sanctioned by the UN for the protection of the Kurds, in the north of Iraq in 1991, based on Resolution 688 of the Security Council. One author considers the difference between the intervention for the protection of human rights and the intervention in support of the right to self-determination, or perhaps even for separation<sup>23</sup>.

The general view is that self-determination in the post-colonial era is more important in the context of minorities or ethnic groups, which claim the right to self-determination as a remedy for denied political, civil, cultural and other human rights, and this sometimes was used as a justification for the separation. The answer here, according to Western commentators, is to revise the current position on territorial integrity. The principles of sovereignty and territorial integrity of states are still considered the main rule, but should not be applied without exception. As for the most extreme expression of self-determination, unilateral, although controversial, the idea is not yet considered completely contrary to international law. To begin with, an entity that has seceded is more likely to be recognized by the international community if the secession was peaceful, successful and results in effective control over the entity. Moreover, the more serious or heinous the crimes against the group of people in question, the more attainable is the acceptance of separation. In accordance with these views, many Western commentators call it important to define the exact scope of the law and therefore emphasize the need for a better or more precise definition of "the people" or "themselves"<sup>24</sup>. In fact, this is considered as "the key issue in the analysis of the field of law"<sup>25</sup>.

## **Non-intervention and the right to self-determination**

This principle, over time, has become a rule of customary international law and

<sup>22</sup> The concept of peoples' rights was currently developed in a colonial framework by Third World lawyers and was not of great interest to Western jurists. However, the post-Cold War era of self-determination that has captured the attention of Western commentators may, according to Crawford (See p. 21 in Alston, 2001), breathe new life into the idea of people's rights.

<sup>23</sup> Simpson in Sellers, pp. 55.

<sup>24</sup> Raic. H dhe Rosalyn. H, (2000). Human Rights in the International Context, New York, pg. 1285.

<sup>25</sup> McCorquodale. R. (2000), Self-determination in International Law, Ashgate, Dartmouth, pp. 229.

a core principle of international law, with its most prominent feature being the prohibition of the threat or use of force. Of primary importance is the connection with the “principle of equal rights and self-determination of peoples” in Article 1 (2) and with the equality of states in Article 2 (1) of the Charter of the UN. Each state’s interpretation and practice of the Charter, both inside and outside the UN system, has led to the development of the principle of non-intervention that goes beyond the narrow interpretation of the non-use of force. The right to self-determination, and Article 1(2) in particular, now applies to areas other than colonial oppression, which presupposes that peoples and states, although free and independent, have the right to freedom from interference by external. Moreover, in practice, this presupposes the obligation not to intervene, directly or indirectly, in the internal affairs of a state with the aim of influencing or manipulating the political life and political decision-making mechanisms of that state.

The essence of the principle was previously adopted by the USA and Latin American countries and was reaffirmed in the Charter of the Organization of American States (OAS) in 1948<sup>26</sup>. On the other hand, this has influenced the work of the UN and in 1970 the Declaration of Friendly Relations was approved. This statement devotes a large part to intervention in all its forms, economic, political or even other, manifested directly or indirectly. This declaration has also influenced the European states, since in the Helsinki Act, in 1975, similar provisions regarding non-intervention<sup>27</sup> were adopted. The latter is only politically binding, but contains many basic principles, which are legally binding in international law<sup>28</sup>. In short, all these legal and political tools, together with state practice and decisions by the ICJ, as in the Nicaragua case<sup>29</sup>, constitute the fact that the principle of non-intervention is a strong and essential principle in international law, which of course should be interpreted as such in the context of the right to self-determination, given the strong connection between the two.

### **The principle of internal self-determination as a synonym of democracy**

The first form of internal self-determination, which we will analyze starting from the conjectures, is that a people organized in a state form, is free to establish its own form of government, without allowing any external (or internal) interference, which can hinder this freedom. But this is still not enough. It is said that a government that is in office in a certain country must provide conditions minimum of democracy, but also conditions worthy of its own people, as well as the relationship with those people it represents. This aspect of internal self-determination,

<sup>26</sup> Article 3 in the Charter of the OAS (Organization of American States). In Article 3 e) for example, it is affirmed that: “Every state has the right to choose, without external interference, its political, economic and social system and to organize itself in the best way suitable for it, and has duty to refrain from interfering in the affairs of another state. Subject to the above, the American States will fully cooperate among themselves, regardless of the nature of their political, economic, social systems.”

<sup>27</sup> The final act of Helsinki 1975 after the Conference on Security and Cooperation in Europe. See Articles III, IV and VI, where the principles of sovereign equality, non-interference, territorial integrity, etc., are affirmed and in Article VIII, in which the right to self-determination is asserted.

<sup>28</sup> Bring, 2002, pp. 107-108.

<sup>29</sup> Activities in and against Nicaragua (Nicaragua v. United States), Judgment June 27, 1986, ICJ Reports 1986, p. 14

although not is universally accepted, it is considered by some of the supporters of the doctrine, according to which it cannot be claimed that a government has at all times the full support of the majority of its citizens, but if one of the elements of a state is sovereignty together with the people and the territory, this is guaranteed by matching the aims of a people and the form of government that is offered. In fact, when the rulers did not deal with their essential obligations towards the people, or a part of it, then the latter had the right to directly or indirectly withdraw the support they had shown towards the state and its sovereignty<sup>30</sup>.

The conviction remains that any form of government that does not respect democratic principles, especially if it is in the conditions of tyranny or dictatorship, apart from contradicting human rights, also contradicts the self-determination of the people. In fact, when we talk about "democracy" we want to understand it as an instrument that allows every citizen to participate in the election of the government. Regarding international agreements, the practice of the United Nations shows that it has recently fully accepted this reference, as it must be said that the term "democracy" is not found in any practice, especially of the UN, on the subject of self-determination. It was used for the first time in 1992-1993, in relation to South America and in particular, in relation to the issue of Haiti<sup>31</sup>. Recently, however, the connection between self-determination and democracy has become much more present, and to confirm this we refer to resolution 60, of October 24, 2005, in which it is affirmed that "...democracy has a universal character, which comes from the people's will to freely express their economic, political, social and cultural system. There is no unique model of democracy and democracy is not a privilege of one state or another and in its reaffirmation the principles of territorial sovereignty and self-determination of peoples must always be respected...".

Another aspect of the principle of self-determination in its internal sense is related to the right of peoples to express themselves freely about how they want to be governed and not have outside interference. According to a part of the doctrine, internal self-determination is similar to external, interstate and should be understood as a right for peoples in independent states to confirm their own political, economic and social system and choices, being protected from any external interference<sup>32</sup>. It is only allowed if it comes from an international community, through a special treaty, because it limits the principle of self-determination. We recall that in this sense, the famous "Brezhnev Doctrine" was to limit the execution of the right to self-determination of the countries that were part of the Warsaw Pact and that protected the right of each state to freely choose the form of government, but this right it was valid for a state that was a member of the Soviet Union and that had accepted a communist government, despite the fact that it had tried to change this system of government and to leave the "family" of socialist countries. This doctrine balanced to a new extent the sovereignty of the states, which could be confronted with measures from other socialist states, which were authorized to prevent, even by force, any change of the communist form

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<sup>30</sup> Mekinda Beng A (2004), Pg. 513.

<sup>31</sup> Guari. G. (2006). Autodeterminazione dei popoli e successione di norme contrattuali alle radici di un conflitto. Il ruolo del diritto internazionale generale nella Carta Araba Gennaio-Aprile, Pg. 37.

<sup>32</sup> Palmisano. G. (1997). Nozioni Unite e autodeterminazione interna. Il principio alla luce degli strumenti rilevanti dell'ONU, Milano, pg. 18.

of government<sup>33</sup>.

### **Violation of a mandatory norm of international law, violation of the principle of self-determination (jus cogens)**

In accordance with the Vienna Convention on the Law of Treaties, states that conclude treaties in violation of the binding rules of international law are brought before international responsibility. Referring to Articles 65 and 66 of the Convention, it seems that only the state that has signed or ratified an international agreement, contrary to mandatory law, can invalidate the same act, but in reality, a forced solution seems to have been established from the general character of the values protected by the norms of international law. To say that the best solution for which each state can declare the violation of the norm of *jus cogens*<sup>34</sup>, seems to be liked in the general consideration of the distribution of the entire international community. Hence, it is possible to derive other problems about the possibility of each state, other than the one prejudiced as illegal, to react legally in relation to any violation of mandatory norms. If the typical hypothesis is the one that, in accordance with the paradigm of self-defense, recognizes exclusively at the top the one who complains about a direct moral and financial damage, as an effect of such violence, entitled "right of reaction". It was the International Court of Justice that extended this possibility to third countries. In this important perspective, the existence of international law and the so-called *erga omnes* obligations, or rather certain duties of individual states vis-à-vis the international community, the observation of which has mandatory consequences for all, is accepted for the first time. its other members<sup>35</sup>.

This orientation, among other things, comes by defining the aforementioned obligations (*erga omnes e erga omnes partes*), when: a) the breached obligation is due to a group of states that include this state which has decided to protect the collective interest of the group, or b) the violated obligation is due to the international community as a whole. In fact, the mandatory character of the above-mentioned norms is such that the obligations arising from them belong to all states, therefore, not in a simple bilateral perspective, but in front of the international community in its entirety. In fact, here we are talking not simply about obligations that burden all states, but about obligations put to the benefit of the entire circle of international subjects, each of those who are recognized as having the universal right to react to the illegal, although there may have been no direct prejudice from them. Regarding the choice of forms and methods of such reactions, international law, with the main purpose of avoiding possible abuses, dictates the passing of the administration, a collective evaluation, subjecting the results of such evaluations to a control of the Council of United Nations<sup>36</sup>.

If this solution still seems to be foreseen by "international legitimacy", based on

<sup>33</sup> Tomuschat. C. (Edited by) Simma B. (1995). The Charter of the United Nations, A commentary, Oxford, pp. 65.

<sup>34</sup> Orakhelashvili, A. (2006). Peremptory Norms in International Law. Oxford: Oxford University Press, pp 46.

<sup>35</sup> Ibidem, pp 52-59.

<sup>36</sup> Kolb, R. (2001). Théorie du ius cogens international: essai de relecture du concept. Paris: Presses Universitaires de France, pp 20.

the complaint to the United Nations system, we cannot deny that from the point of view of the time limits and the effectiveness of the response to the illegality, it would be pleasant to believe in a coalition of states acting *uti singuli* in defense of the fundamental interests of the international community, in the face of constant phenomena of paralysis and indolence on the part of the bodies put in charge for the protection of the international order. In the context of our study, the problem of determining the means to be used to react to any violation of the principle of self-determination seems particularly delicate, if we refer to the prohibition of the threat of the use of force, sanctioned by the Charter of the United Nations, reinforced by various statements of the General Assembly. Mainly, Article 2 of the Charter states: *"...members of the organization must settle their international conflicts by peaceful means, so that international peace and security, as well as justice, are not endangered.."*, and also, article 4 obliges the members of the organization to *"in their international relations, renounce the threat and use of force, either against the territorial integrity or political independence of any state, or in any way inconsistent with the goals of the United Nations"*<sup>37</sup>. In particular, the cross profiles between the two principles to consider are numerous. In the first place, it is about evaluating the legality of the way of using force by the government in force through which the principle of self-determination becomes valid; in the second place, a similar judgment is dictated, referring to the reaction of the people who were victims of the violation of the right to self-determination; finally, the possibility of the use of force and, in general, other pressure measures by a third state, in support of both the "oppressor" and the "oppressed" state, can be explained. So, it will be necessary to investigate in which situations, in the light of international law in force, the rights and obligations derived from the principle of self-determination of peoples should prevail, and in which other cases, on the contrary, they are in the hands of first the corresponding rights and obligations for preserving the territorial integrity and political independence of the existing states, based on a comparative assessment between the dynamic requirements and conservation needs of the international community. And this aims to verify to what point it can be pushed assessment of the principle of self-determination to violate the prohibition under consideration, to the detriment of the integrity and independence of international entities.

## Conclusion

At the end of this paper, in which we tried to extract the theoretical and practical aspects, the legal and historical consequences of the principle of self-determination, we come to the conclusion that the right to self-determination is a legal right based on public international law and human rights of man, although its exact purpose is not clear and it is doubtful whether it will ever be given the political nature of the right. In this paper, there is no lack of analysis and ideas and why it is found that human rights, for more than fifty years, from the Universal Declaration of Human and Citizen Rights, are presented even today, a "gray area" and a nerve discovered of international law.

It is almost forgotten that the concept of subjective right is inextricably linked to that

<sup>37</sup> Article 2 and 4 of the United Nations Charter.

of duty. In specific cases, the duty rests at the head of the international system and consists in guaranteeing and fulfilling recognized human rights. The multifaceted content of the principle of self-determination allows it to be applied in different situations, but not for this reason not to respect the territorial integrity of states with democratic governments. At this point, the question arises whether the principle could be understood, in the sense that it is often given from the political point of view of internal self-determination. This concept shows the way in which the relationship between the state, on the one hand, and the governed, on the other hand, is regulated, and in particular, it brings for the state the obligation to have the consensus of the people, this opportunity to participate in political and social life and the opportunity to change the structure of the state, in the case where the latter did not have the consent of the population; in other words, it brings the right to have a democratic government.

## References

- Cassese. A. (1995). *Self-determination of Peoples*, Oxford University Press.
- Guari. G. (2006). *Autodeterminazione dei popoli e successione di norme contrattuali alle radici di un conflitto. Il ruolo del diritto internazionale generale nella Carta Araba*, Gennaio-Aprile.
- James. C. (2001). "The right to self-determination in international law: Its development and future", in Alston, Philip, *the rights of peoples*", New York, pp.39; Gerry. J. S. (1996), "Distributing sovereignty: Self-determination in the post-colonial era", Oxford / Washington DC.
- Kolb, R. (2001). *Théorie du ius cogens international: essai de relecture du concept*. Paris: Presses Universitaires de France.
- Lattanzi. F. (1987). *Autodeterminazione dei popoli in Digesto delle discipline Pubblicistiche*, 4° edizione, Torino.
- McCorquodale. R. (2000), *Self-determination in International Law*, Ashgate, Dartmouth.
- Orakhelashvili, A. (2006). *Peremptory Norms in International Law*. Oxford: Oxford University Press.
- Palmisano. G. (1997). *Nazioni Unite e autodeterminazione interna. Il principio alla luce degli strumenti rilevanti dell'ONU*, Milano.
- Paul.R.W. And Francesca. J. P. (2003). *Earned Sovereignty: Bridging the Gap Between Sovereignty and Self-Determination*, 26–30, <http://www.cidcm.umd.edu/inscr/pc03print.pdf>, (December 2016).
- Pomerance. M. (1982). *Self-Determination in Law and Practice, the New Doctrine in the United Nations*.
- Raic. H dhe Rosalyn. H, (2000). *Human Rights in the International Context*, New York.
- Ruiz. A. (1988). *Autodeterminazione (diritto dei popoli alla)*, in *Enciclopedia Giuridica*, vol. IV.
- Tomuschat. C. (1994). *L'adaptation institutionnelle des Nations Unies au nouvel ordre mondial*, in Ben Achour, Laghmani, *Les nouveaux aspects du droit international*, Paris, vol. I.
- Tomuschat. C. (Edited by) Simma B. (1995). *The Charter of the United Nations, A commentary*, Oxford.





