



INTERNATIONAL ACADEMIC INSTITUTE

IAI ACADEMIC CONFERENCE PROCEEDINGS

International Academic Conferences

**Athens, Greece
16 November 2022
&
Vienna, Austria
14 December 2022**

IAI Academic Conference Proceedings**Editor:**

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ISSN 2671-3179

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The right of protection and guarding of the state over privately owned property. Legal study on Romania

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Abstract

The issue of property and the right to property has been and continues to be a hot topic of debate, both in academia and in legal practice.

The multitude of opinions and interpretations given in the specialized literature, but also in the judicial practice regarding the property issue, makes the approach of the present research topic to represent a real challenge. The preoccupation for this subject derives from the topicality of the topic, the issue of property representing an inexhaustible source of philosophical-legal thinking, with real and current practical values, property being the basis of most ideological and judicial conflicts in the contemporary world.

Therefore, the purpose of this study is to highlight the way in which the state exercises its right to protection and guarding the right to private property in the contemporary legal reality in Romania, a situation in which the following research question arises: What are the ways in which the state exercises its right of protection and guarding of the private property right?

The research will be qualitative and it will consist in presenting, succinctly what it entails, from the point of view of legal philosophical thinking, the right of protection and guarding of private property rights, and, in close connection with the historical presentation of the studied notions, applying the logical-interpretative method, a direct analysis will be made on the texts of the primary legislation regarding property.

Keywords: private property, public property, owners, property right, regulations.

1. Introduction

From the variety of issues that relate to the notion of property, we consider relevant that it is, from a practical and current point of view, the research on the law of the state of protection and guarantee of private property, as deriving from the constitutional provisions regarding the property right and how this property right is guaranteed and protected by the State.

In order to be able to respond effectively to the proposed requirement, we considered that it was primarily necessary to present, succinctly, what it entails, from the point of view of legal philosophical thinking, the right of protection and guarding private property right and how it is transposed into practice.

Moreover, we proposed an analytic approach to the research topic, in close connection with the historical presentation of the studied notions, in order to understand as deeply as possible the concepts subject to analysis.

Given all these existing connections with the object of the case study, we considered that we must base our scientific approach primarily on the analysis of relevant legislation and literature, in order to define and understand the notions that form the object of this research and to serve as a support, both for the philosophical and historical presentation of the notions, and for their analysis, to achieve the purpose of this research.

At the same time, given the vastness of the notions and the field subject to research, in order to fulfill the proposed objectives, we applied in the present research the historical method, comparative method and comparative analysis, so that at the end of the research one can draw relevant and reasonable, scientifically based conclusions.

Also important in understanding the object of this research it is to take a look at the historical component. Law is inextricably linked to history, as an expression of the transposition into legal norms of the relations and social realities of the era in which they were adopted. In this context, there can be no in-depth understanding of the notions of law, without knowing the exact meaning that each historical epoch gives to a certain social phenomenon transposed into legislation. Moreover, the legal notions

must be studied and understood in its evolution, from the primary need that generated the legal standardization to the last legislative form in force, so as to capture, as much as possible, its meanings given over time.

2. Historical perspectives on the private property law

"History is the witness that confirms the passing of time, illuminates reality, revitalizes memory, provides guidance in daily life and brings us news from antiquity," said Marcus Tullius Cicero¹, in one of his philosophical works, to draw attention to the importance of knowing the past in understanding the present. As the French jurist Lerminier (1829) explained „without knowing the history [...] we would always remain incomplete, ignorant and unjust”.

Thus, it is extremely important that in any research work the historical component to be highlighted, for the correct and accurate understanding of the study.

The term *property* comes from the Latin language, from *proprietas*, *proprietas* and designates, according to the Explanatory Dictionary of the Romanian Language, firstly, „Full control over a good; (concr.) good material owned, especially land (agricultural) or real estate, based on a recognized right”, and as secondary meaning: „Predominant trait that characterizes a being, a thing, a phenomenon, etc. and which differentiates one being from another, one thing from another, etc.; characteristic, feature, attribute” and also “Quality of a word, a term, a style, etc. to reproduce exactly the idea or notion expressed”².

Etymologically, the Latin term *proprietas*, *proprietas*, in turn, comes from the expression *pro privo*, which means "for the individual," and in an older sense, meaning "isolated" or "lonely" (E. J. Prediger, Fundamentele dreptului de proprietate, summary, <https://doctorate.ulbsibiu.ro/wp-content/uploads/REZ-ROM-PREDIGER.pdf>, accessed 08.11.2022), meanings that have been preserved in the Romanian language, as secondary meanings for the notion of property.

In other words, the meaning of the property is given by the isolation, individualization or removal of a certain good from the great mass of goods belonging to the community of primitive social order. Through this operation of singularization and isolation, the respective good was individualized, as no longer common, but *for the individual*.

The evolution of human society, from the primitive order of the gentiles to the complex one of the states, has generated the need to adopt norms that regulate the different relations within the community, thus becoming the basis of law. From the point of view of the present research, one is interested only in those legal norms that were born regarding the property.

If during the gentile social structure, the property was common and was owned and exploited equally by all members of society, with the economic and demographic progress that led to the growth of families, people were beginning to feel the growing need for space.

This necessity is what led to the emergence of armed confrontations, for supremacy and territory, but also the fragmentation of the common gentile property into a hybrid form of property, family property.

In Europe, the Greeks were the first to regulate legal relations. After Dracon's Laws³, Solon⁴ (Şarambei, 1983) was the one who founded property right, through his legislative code - the Constitution of Solon (Şarambei, 1983), while and in Crete, the Gortyn Code⁵ contained legal norms regarding the separation of the patrimonies of the spouses, the principles and the quotas of the legal succession, all these legal provisions adopted long before the Roman laws, which transmitted to posterity the basic principles of modern law.

The Roman Law of the Twelve Tables enunciated for the first time the principles of the right of property, considering property as an absolute right (Molcut, 2011), and subsequent regulations have crystallized the ways of acquiring and transferring property, as well as the legal ways of protecting it.

During the Middle Ages, the Roman legal heritage, in terms of feudal property, was noted - where the suzerain was, in principle, the owner of the entire territory, while the vassal was the usufructuary of the same territory, which he could bequeath it, but which he could lose by the merewill of the suzerain.

The feudal conception of property disappears as a result of the French Revolution, the adoption of the Declaration of the Rights of Man and of the Citizen⁶ laying the foundations of modern democracy and modern law. Later, in Prussia, Frederick II the Great adopted in 1794 the Civil Code, which legislated the obligation of the State to defend the property of taxpayers, thus strengthening the principles of private property and the obligation State guarantees, a principle subsequently taken over by all European legislation.

¹ born January 3, 106 BC - d. December 7, 43 BC, was a Roman philosopher, politician, jurist, orator, political theorist, consul and Roman constitutionalist, after T.S. Zielinski, translated by B. Grecina and A. Berar, Cicero in the history of European culture, Bucharest, Tipografile Romîniei Unite, s.d.;

² <https://dexonline.ro/definitie/proprietate>, accessed 02.11.2022;

³ Adopted cca 620 BC;

⁴ Athenian statesman, legislator and poet;

⁵ Adopted about 500 BC;

⁶ Adopted on August 26, 1789;

One can see from this brief historical presentation that the principles of property have been passed on almost unaltered, from antiquity to the present day, the legal norms that protect property having a universally valid character and applicability.

In the presentation of the historical evolution of property we showed that with the emergence of the notion of individual private property, the old conception of common property during the gentile and tribal societies ceased to be used, being replaced by the notion of public property, with the emergence and development of States, as complex forms of political-administrative organization.

2. The public and private property law

In modern law, the concept of property has two meanings. On the one hand, it defines the patrimonial relationship between a person subject of law and a good, and on the other hand, it defines those social relations between persons subjects of law, based on the mechanisms governing property rights (Pop, 1996).

In a broad sense, property refers, firstly, to the relationship that is established between a person and a good and secondly, to the relationship that is established between people, a relationship based on social mechanisms that regulate this property rights. The notion of property can be approached and understood from both economical and legal point of view (Pop, 1996).

In the economic sense, property is seen as a socio-economic relationship, being defined as "the sum of all economic and legal relations between people, in connection with goods, relations regulated by historically established social norms" (The A.B.C. of the modern market economy, 1991). According to legal doctrine, property is both the most important and the broadest real right⁷, more precisely, it is the person's right to enjoy and dispose of a good, exclusively and absolutely, within the limits strictly determined by the law (Ungureanu et al., 2002).

Starting from these definitions, we can conclude that the property right represents that real right that gives its owner the possibility to enjoy exclusively and in one's own interest a good of one's own, to administer, manage and dispose of it on one's free will and according to one's own interest, but within the limits established by the law. Both economically and legally, property is the ultimate expression of people's access to possession, use and disposal of goods (Pop, 1991).

The property right is classified depending on several criteria, but for the present research we are only interested in the classification made according to the legal regime. Within this classification, the property right appears in two forms:

- the private property right and
- the public property right.

The private property right is defined as the right to private property which belongs to both individuals and private legal entities, but also the right of private property of the state. The right of private property refers to all categories of goods that the right holder owns, except for publicly owned goods (Pop, 1991).

Therefore, from the legal point of view, everything that is not public property, automatically is private property, the rule in law being private property, and public property being the exception. For the applicable legal regime, the private property is regulated by the provisions of common law, meaning that, the holders of the right of private property are equal in front of the law, in their interactions, even if the state is one of them.

As far as the definition shows, private property law, or private domain, consists of all the goods that a subject of law, including the state, owns. These goods, which are part of the private domain of the state are not affected by public use, so the only difference is the person of the right holder, respectively the state (Hamangiu et al., 1928).

As shown above, it follows that public property right consists of that category of goods that "serve for the use of all" (Hamangiu et al., 1928), in other words, those goods that the legislator considers to be of general interest. All these goods considered of general interest form the public domain.

Thus, the public property right is considered to be the property right that is exercised over the goods found in the public domain of the state and are of general - national or local - interest.

The right of public property, unlike the right of private property, is exercised under public law. This means that the relations that are established between these rights holders and other law subjects are not based on equal legal positions, the public property right holders being in a power position. The reason for this difference lies in the very essence of the object of the public property right, respectively the nature of general interest of the goods that form the public domain.

As stated before, the right to property occupies a central place among the fundamental principles of law. For the first time expressed as an absolute, sacred and inviolable right, in the Universal Declaration of Human and Citizen Rights, the right to property has evolved, in the contemporary period in most state laws being regulated taking into consideration the balance between its individual and social character (Ciutacu, 2008)

3. The right of protection and guarding of the state over privately owned property in Romania

⁷See Ovidiu Ungureanu, Alexandru Bacaci, Corneliu Turianu, Călina Jugastru, *Principii si institutii de drept civil, curs selectiv pentru licenta 2002-2003*, ed. Rosetti: 2002, p. 133.

3.1. Regulations regarding the public and private property law

As the supreme law in the state, the Constitution of Romania establishes the holders of the public property right, within art. 136, para. 3, stating that “public property belongs to the state or administrative-territorial units”.

Based on this constitutional provision, the legal doctrine has ruled that the public property right holders are the state, considering public domain goods of national interest and administrative-territorial units, considering those goods belonging to the public domain, but of local interest.

Thus, the Formal sources of law regarding property rights are The Constitution of Romania, The Civil Code – Law no. 287/2009 and Administrative Code -GEO no. 57/2019⁸- Part V Specific rules regarding public and private property of the state or administrative-territorial units.

Besides the constitutional text, the Civil Code, within art. 858, shows that the public property represents the property right belonging to the state or to an administrative-territorial unit over the goods that, by their nature or by the declaration of the law, are of use or public interest, legitimately acquired, while, at art. 555, the Civil Code establishes that “Private property is the right of the holder to own, use and dispose of an asset exclusively, absolutely and perpetually, within the limits established by law.”, adding, within paragraph 2 of the same article that “Under the provisions the law, the right of private property is susceptible to modalities and dismemberments, as the case may be”.

From the corroboration of the constitutional texts with those of the organic law of the civil code, it appears that, within the Romanian legislation, the rule is private property, which is recognized and protected by law, while public property is the exception, which is strictly and exhaustively listed and to which those special provisions laid down by the supreme law and the special laws shall apply to.

Moreover, the Romanian legislation abounds with special legislative provisions, regarding the property right, regulations of strict interpretation and applicability, depending on the particular circumstances of the cases referred to in the respective legal texts.

In addition to the special provisions and as an expression of the constitutional obligation of the State to guarantee the right to property are the special remedy laws, mentioned above, when stated the legislative framework of the former communist countries in Eastern Europe.

The need for protection and guarding of property began to be evident with the transition of human communities from the type of nomadic hunter-gatherer organization to a type of sedentary-agrarian social organization, including the semi-nomadic pastoral organization. This type of organization was based on the existence of a specific area, intended for cultivation, to support the needs of the community, or the grazing of the flocks. Starting with the practice of farming by a community and grazing on certain areas of land, a new class emerged to develop - that of warriors, whose sole initial purpose was to guard herds and crops against looting raids. undertaken by other human communities.

One can assert that from a historical perspective, the establishment of the notion of property coincided with the emergence of the notion of protection and guarding of properties.

Initially, the protection and guarding of crops and herds was carried out by members of the community, over time, as shown above, leading to the development of a distinct class within the human community, that of the warriors. The members of this class abandoned their pastoral or agricultural activities and devoted themselves exclusively to their new mission, that of guarding and protecting the community.

As property was common at the beginning of history, the leaders of these human communities had the obligation to provide security and protection of property, the leaders being the ones who took care of the naming and paying the warriors.

Over time, the obligation of the leaders of human communities to ensure the security and protection of property has diversified and nuanced, especially after the emergence of forms of state organization.

Thus, this obligation began to be perceived as an expression of the right of the state to legislate the existing social relations regarding property, the right of the state of protection and guarding over property being self-evident in the adopted legislative norms.

3.2. Regulations regarding the protection and guarding of the state over privately owned property

As seen above, in Romania, the property is primarily legislated, by the constitutional norm of art. 44 in conjunction with the provisions of art. 136 and secondly, by the provisions of the Civil Code, an organic law that represents the general law in the matter, but also by laws of a special character, which come to regulate certain exceptional legal situations.

For the subject of this paper, we will analyze in the following only the private property, regardless of its owner, respectively the right of private property and the right of private property of the state or of the territorial administrative units.

In the analysis we intend to perform, we shall start from the general norms of the civil code in force, which regulate the field of private property, *in Book III, Title II, Private property*, we will mention the situation existing during the communist period (1945-1989), and then to present some of the special remedy law, so that within the following we shall introduce the measures of

⁸ is an Government emergency ordinance that regulates the activity of the public administration system in Romania.

protection of private property, found in *Chapter III Limits of the right of private property*, from *Title II of Book III of the Civil Code* and the role of the public administration in the implementation and enforcement of these measures, especially in the procedures established by special laws.

While regulating the field of property, the Romanian legislator took into account, on the one hand, the definition of the notion, the limits of exercise, the methods of acquisition, the extension and extinguishment of the right, and on the other hand, the means of defense that the law provides for the holder, unless he considers that his rights have been infringed.

The civil code, at art. 555 defines private property as “the right of the holder to own, use and dispose of an asset exclusively, absolutely and perpetually, within the limits established by law”, being, under the conditions of the law, “susceptible to modalities and dismemberments”. The analysis of this legal text shows that the most important characteristic of the property right is the right of the holder to dispose of his property in absolute terms, within the limits established by law.

At first sight, one can understand that there is a contradiction in the legal text, a contradiction arising from the antagonism of the terms used "absolutely" and "within the established limits". However, in reality, there is no contradiction in the legal provisions. The absolute character of the right of disposition of the holder refers to his unrestricted possibility to take any decision regarding the object of his property right, decisions that refer to the draw of legal acts. At the same time, these decisions can be taken only within the limits set by law, in other words, the owner of the property right cannot conclude legal acts stopped by law.

The reason why the legislator sets certain restrictions on the exercise of the right of private property is an expression of the right of the state to protect and guard the right of privately owned property and is enshrined in the following article of the Civil Code, according to which the limit of exercise of the property right is the material limit of the object of the respective property. With regard to the restrictions established by law, they appear as a guarantee of the security of the civil circuit, against the excesses and abuses of some holders of the right of property within the exercise of their attributions.

Taking into consideration the ways of acquiring the right of property, the Romanian legislator recognizes the convention, the inheritance, both legal and testamentary, the judgment translating or constituting rights, the administrative act, but also the occupation, tradition, accession or long-term possession, also called the acquisitive prescription or usucaption, the legal text of the civil code not excluding other modalities, if they are regulated by special law.

All these legal alternatives of acquiring the private property right are treated extensively throughout the Civil Code, being an expression of the importance that the Romanian State attaches to the right to private property.

For the present study we will not enter into their analysis, limiting ourselves only to exposing the way in which the Romanian legislator understood to treat property in the dedicated chapter of the Civil Code, an expression of the state's right to its protection and preserving.

Although according to the quoted definition, from art.555, private property is the right to a good, without distinguishing between movable and immovable property. Most of the legal provisions - both those contained in the civil code, but also those in special laws, regulate mostly real estate, as the object of private property right, and within the category of real estate, the vast majority of legal provisions refer to real estate land, less construction or plantation.

The Romanian legislator's vision lies in the Roman heritage of the Roman legal system, in Roman law the land being considered the most important good and, as portrayed in the first chapter of this paper - represented the generating trigger of the emergence of the notion of property and later of the property right as it is known it today. Therefore, in Romanian legislation, land is the most important object of the property right and regarding land certain norms are established within Civil Code, regulating aspects referring to its extent, on the ground, underground and above ground and the obligations regarding good vicinity.

The means of extinguishing the private property right are regulated within art. 562 Civil Code. The organic law defines the extinction of the right by the loss of the good, by abandonment or authentic declaration of renunciation, as manners of extinguishing the right of private property over a certain good, clearly establishing that non-use is not a way of extinguishing the right of property.

We shall see later on that the non-use represents, in the vision of the Romanian legislator, a sanction directed against the right holder, when we shall discuss the manners of defending the property right.

Another mean of extinguishing the right of private property, established by paragraph 3 of art. 562 of the Civil Code refers to expropriation for reasons of public utility. The text of this paragraph of art. 562 establishes the general rule applicable to expropriation, which will be detailed by special law⁹.

Furthermore, by virtue of the right of protection and guarding of the state over privately owned property, the Romanian legislator correlates the provisions of the Civil Code with the Criminal provisions, showing in the content of par. 4 in art. 562 that "only the goods intended or used for the commission of a crime or contravention or those resulting from them may be confiscated".

According this regulation, the State, abiding by the constitutional provisions, establishes that private property is intangible and cannot be subject to arbitrary or abusive confiscation, but only if the link between the object of confiscation and the commission of a crime has been clearly established.

The second section of Chapter I - General Provisions, of Title II of Book III of the Civil Code is dedicated to the rules on the protection of the right to private property.

⁹Law no. 33 of May 27, 1994, republished, on expropriation for reasons of public utility, Official Gazette no. 472 of July 5, 2011;

Thus, as a way of protecting and guarding the right to private property, the State, as a legislator, established the possibility for owners to seek the assistance of coercive force through the Courts to defend their right against any person who brought prejudice to the exercise of one's rights.

These legal procedures enabled by the Civil Code as being at the disposal of the holder of the private property right are named the Action in claim and the Negative action.

The *Action in claims* that action which allows the non-possessor - that is, the person who has lost possession of the object of his right to property - to demand that the non-possessor be obliged to return his possession by Court Order so that the owner may enjoy full ownership and peaceful possession of his good.

According to the provisions of the Civil Code, this procedure of the non-possessive owner is an action that cannot be time-barred - that is, its non-use within a limited period of time does not extinguish the right of the holder to use this legal procedure against any person who holds the object of its property without right.

As mentioned before, however, the Romanian legislator regulated a situation in which the Action in claim can be paralyzed by the person against whom it was directed. As stated above, when discussing the non-use, although not considered a mean to extinguish the private property right, it can be a sanction against the owner of the property right who has not used the property that is the object of his property for a considerable number of years. In this case, if the Action in the claim is directed against the holder who, for a certain number of years, has exercised the possession of that property in good faith, publicly and undefiled, it may be paralyzed by the request for usucaption, or acquisitive prescription, formulated by the non-owner possessor against the non- possessor owner, who distanced himself from his property, through non-use.

If the Court finds that the conditions for usucaption in the person of the non-owner are fulfilled, it will issue a decision rejecting the Action in claim and will admit the request for acknowledging usucaption, sanctioning the owner who has distanced himself from his property, by the loss of the property right over the respective good.

Pursuant to *Chapter I - General Provisions of Title II entitled Private Property, Civil Code*, the articles in the following chapters legislate an entire series of legal situations that may arise in connection with various aspects of the exercise of property rights, the method of acquisition of the property, its dismemberments, as well as the actions to which the holders of property rights infringed by legal acts and deeds, by other subjects of law, may appeal before the Courts.

We shall not go much deeper into the presentation of each article of the Civil Code, as we consider it to be unnecessary, so we shall limit ourselves to presenting the general provisions comprised in the first chapter on property, following the content of the provisions of the general law, from the perspective of the right to protection and security of private property.

As we have already pointed, this right of the state is expressed by the regulations comprised within the legislation, both in the constitutional and in the organic norms, of the Civil Code.

Property, as defined by the Romanian legislator, is a fundamental institution of law, to which the entire Book III of the Civil Code is dedicated. The following Books include norms and procedures regarding some manners of acquiring the property right as well, such as inheritance and the convention.

Among the multitude of legal provisions regarding property contained in the Civil Code, one can deduce the concern of the legislator to capture under the normative umbrella as many legal situations as possible, situations that may appear in the civil circuit regarding or connected to the property right.

The private civil circuit is characterized by the equality of legal subjects in the interactions between them, the State, through legislation, as guarantor and ranger, effectively protects the exercise of rights and enforces the fulfillment of obligations.

As an up-scaling of John Stuart Mill¹⁰'s famous quote "My Freedom Ends Where Another's Freedom Begins", one can say that the same kind of philosophical thinking is the basis of the legal provisions comprised in the Civil Code - *the right of each ends where the right of the other begins*, the state being the guarantor of equal and non-discriminatory respect for the rights of each of its insurgents.

Precisely because the State, in the exercise of the right of protection and guarding of privately owned property is and must act as an essential element of the balance of the civil circuit, it also must, by legal provisions, establish limitations of the right of private property, limitations intended not to prejudice a right to the detriment of another equal right.

Next, we shall look deeper into the ways in which private property is effectively protected within Romanian law, from the perspective of the Civil Code, special remedy laws and the role of public administration in protecting private property.

The legal limits of the right of private property are established by the Civil Code in Chapter III of Title II of the Third Book and are divided into 3 sections, namely: Section 1 - legal limits, Section 2 –conventional limits and Section 3 - judicial limits.

Section 1 - legal limits comprise the following 6 subsections:

- common provisions governing the public and private interest and the rules on environmental protection and good neighborliness;
- the use of water, which includes provisions for the flow of water between adjacent landfills and the use of springs;

¹⁰John Stuart Mill (1806-1873), a nineteenth-century British philosopher, considered the father of utilitarian philosophy, who in his 1859 paper "On Freedom" advances a new perspective on the concept of freedom by exploring the nature and limits of power. can be legitimately exercised over an individual by society;

- the drop of eaves, regulation that requires that the waters coming from the rains to be poured from the construction on the land of the owner of the construction;
- the distance and the intermediate works required for certain constructions, works and plantations, comprise norms regarding the legal situations of vicinity for the constructions of the neighboring owners and the minimum distance between them;
- the view on the neighbor's property, subsection that regulates the minimum distance from the neighbors' property to the view windows;
- the servitude that comprises norms that establish the conditions by which an easement is established, in favor of a land that has no exit to a public road;
- other legal limits, under this name being found norms that apply in special cases, such as the state of necessity, the right of passage for utilities and the right of passage for carrying out necessary works.

All these regulations come to limit, by the effect of the law, in neighborhood conditions, the exercise of certain attributes of the property right, so that, either to limit an arbitrary and abusive exercise of rights by one of the owners to the detriment of his neighbors, or meant to comes to the aid of the exercise of the property right which, in the absence of these legal limitations imposed on the neighbors, could no longer be exercised.

Meanwhile, these provisions represent manners in which the State exercises protection over private property and maintains the balance of the civil circuit.

The conventional and judicial limitations inscribed in the Civil Code, which are not of interest for this paper, are also an example of the role of the state, through the adopted legislation, to maintain the legal balance in society, allowing the private property right to be conventionally restricted, the regulation aiming at enforcing the execution of the obligations undertaken through such conventions.

According to art. 625 of the Civil Code, all the provisions comprised in section 1 - legal limitations represent the general norm, each of these regulations being supplemented by the provisions of the special laws, i.e. regarding the legal regime of forests, constructions, agricultural lands and so on.

3.3 Legal study on the special remedy laws

The need to adopt these laws arose after the fall of the communist political system in 1989 and Romania's transition to a democratic governance, in which private property, as we have shown, is of particular importance.

One can hardly analyze the legal meaning of the norms contained in the legal provisions, without taking a look at the historical context of their adoption. In any analysis of legal norm, the politico-historical component is mandatory, without understanding the social reality of the moment of norm's adoption, it is impossible to understand the whole meaning that the legislator gives to a legal norm at a certain point in time (Djuvara, 1995).

Such remedy laws aimed at restitution or reconstitution of the ownership right over agricultural lands, thus the legislator adopted several laws, namely:

- *Law no. 18/1991 regarding Land fund*¹¹,
- *Law no. 112/1995, on the regulation of the legal situation of some real estates for residential use, passed into state ownership*¹²,
- *Law no. 1/2000, regarding the reconstitution of the property right over the agricultural and forest lands, requested according to the provisions of the Land Law*¹³,
- *Law no. 10/2001 regarding the legal regime of some properties abusively taken over between March 6, 1945 and December 22, 1989*¹⁴.

All these indicated laws concern real estate, lands and / or constructions that were illegally taken from the former owners during the communist period and, through the special provisions they establish, allowed these owners or their heirs to be reconstituted, reinstated or paid compensation by the State for the loss suffered.

Concerning the granting of compensation, due to the problems encountered with the cumbersome administrative procedures initially established by the remedy laws, in 2013 law 165 was adopted on measures to complete the process of restitution, as such or by equivalent, of abusively taken over real estate during communist regime in Romania, which currently represents the framework legislation in this field.

¹¹ Law no. 18 of February 19, 1991, republished, regarding Land fund, Official Gazette of Romania, Part I, no. 1 of 5 January 1998, with subsequent amendments;

¹² published in the Official Gazette, Part I no. 279 of November 29, 1995

¹³ published in the Official Gazette, Part I no.8 of January 8, 2000

¹⁴ Re-published pursuant to art. VII from title I of Law no. 247/2005 regarding the reform in the fields of property and justice, as well as some adjacent measures, published in the Official Gazette of Romania, Part I, no. 653 of July 22, 2005, giving the texts a new numbering. Law no. 10/2001 was republished in the Official Gazette of Romania, Part I, no. 279 of April 4, 2005.

All these special laws established that the purpose of the restitution requests should be made through non-contentious administrative procedures, the Courts being competent in the appeal cases against the administrative measures adopted, for each type of request.

Therefore, the right of protection of the state over privately owned property has proven its effectiveness most visibly by the way it dealt with this situation by adopting of the remedy laws.

The public administration, in its fundamental role of implementing the legal norms, was empowered to carry out, by specific means, the provisions of the special remedy laws.

Each of these laws established a special mandatory procedure and enabled special powers for public authorities, both local and central. The reason why the Romanian legislator chose that all remedy measures be taken, in the first phase, by the state administration bodies lies precisely in the right of the state to protect the private property - thus being the one called on to repair the injustices committed by the communist regime.

The role of the public administration in the measures of protection of privately owned property was not limited only to the competencies established by the remedy laws.

Another important law, which results in the involvement of the public administration in the manners of protection the private property is the *Law no. 17/2014*¹⁵, which regulates the involvement of the public administration, represented by certain authorities, in issuing the necessary approvals for the valid purchase of certain categories of properties that fall under the respective law or certain real estate advertising procedures, advertising distinct from real estate advertising established by *the Cadaster Law, no. 7/1996*.¹⁶

The role of social remedy and protection of private property, as well as the role of public administration in complying with legal provisions, nevertheless the next two laws that shall be presented are at the opposite pole, reflecting the importance the state gives to the public utility and national security, even compared to the right to private property. Thus, next we shall refer to the two exceptions from the principle of inviolability of the property right, namely to the law of expropriation and the law of requisition for the cause of public interest.

4. Conclusions

The right of the state to protect and guard privately owned property is a constitutional right, implemented secondary both by the general law that is the civil code, but also by special laws, carried out through specific procedures by central and local public administration bodies.

The public administration, by virtue of its role in applying the legal norms, is called to enforce the provisions of the primary and secondary legislation, so that the legal balance of the society is not disturbed.

The purpose of this study was to highlight the way in which the state exercises its right guarding over the privately owned property in the contemporary legal reality in Romania.

From the theoretical analysis undertaken, we were able to answer the stated research question, showing that the direct manner in which the right of protection and guarantee of the state over the property right is manifested through the legal norms in force, emphasizing in the study the most relevant legislative provisions in this regard.

Thus, applying the logical-interpretative method on the direct analysis made to the texts of the primary legislation regarding the property, we could identify, concretely the spirit of the regulation, concluding that the drawing way of regulation in this field of the property represents one of the means by which the State exercises its right protection and control over private property i.e. through the legislation in force.

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¹⁶ Re-published under the provisions of art. III of Law no. 150/2015 for the amendment and completion of the Law on cadastre and real estate advertising no. 7/1996, published in the Official Gazette of Romania, Part I, no. 459 of June 25, 2015, giving the texts a new numbering. Law of cadastre and real estate advertising no. 7/1996 was also republished in the Official Gazette of Romania, Part I, no. 83 of February 7, 2013

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***Law no. 10 of February 8, 2001, republished, on the legal status of immovable property taken over abusively between 6 March 1945 and 22 December 1989, (updated February 2016);

***Law no. 17 of March 7, 2014, on some measures to regulate the sale of agricultural land located outside the built-up area and to amend Law no. 268/2001 on the privatization of companies that manage public and private land owned by the state for agricultural purposes and the establishment of the State Domains Agency, Official Gazette no. 178 of March 12, 2014;

Acknowledgement

Paper elaborated within the Project: *Securitatea juridică și calitatea reglementării. Standarde europene și naționale/ Legal security and the quality of regulation. European and national standards*, won in the competition for grants - Researchers in Training - National University of Political Studies and Public Administration (SNSPA) / Faculty of Public Administration 2019, implementation period 2019-2022. Contracting Authority: SNSPA.

Correct drug management in reducing antibiotic resistance: the role of the pharmacist

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Abstract

The pharmacist has a leading role in the fight against antibiotic resistance, both in terms of information, correct management of antibiotic therapies by the patient and drug quality assurance. The aim of the present study was to assess knowledge and practices towards antibiotic dispensing and resistance among community pharmacists. For this purpose, we conducted a literature review in electronic databases such as PubMed, Cochrane, and Google Scholar for eligible and published articles in English in the last decade. Studies conducted in different European Union countries, although using different metrics, revealed a proficient level of knowledge among pharmacists about the existence of resistance and its correlation with the irrational use of antibiotics. This was found to be also correlated with the positive attitudes shown towards patients regarding the prudent use of antibiotics. Regardless of the data obtained, the need for further training is needed for 55% of the pharmacists in the European Union/European Economic Area (EU/EEA). Moreover, majority of pharmacists reported to have dispensed antibiotics without medical prescription, with the highest percentages observed in Low- and Middle-Income countries (LMIC) (60.2%), where Albania represents values among the highest (80%). These findings suggest that particular attention is needed to improve information, awareness, and education of health professionals, as part of interventions aimed at containing the phenomenon of antibiotic resistance. Moreover, in developing countries like Albania, there is an urgent need to design and implement Antibiotic Stewardship programs as part of a national plan, in the ongoing fight against this serious health threat.

Keywords: antibiotics; community pharmacists; KAP; developing countries.

Introduction

The use of antibiotics in medical practice began in the 1940s, a period which coincides with their discovery (So *et al*, 2010). Their role has been revolutionary in the treatment of severe infections in patients who have undergone surgical procedures, suffering from neoplastic diseases, immunosuppressed and for the prevention or treatment of diseases in the veterinary field (Hutchings *et al*, 2019). Unfortunately, the discovery and development of new classes of antibiotics has always been associated with the onset of resistance by the bacterial strains that were the target of the therapy. Although, this is a natural evolutionary phenomenon of microorganisms, the high and irrational use of antibiotics through a selective pressure, can accelerate the emergence of resistance (Blair *et al*, 2015). It is estimated that at least 1.27 million deaths worldwide were due to antimicrobial resistance in 2019. According to the Centers for Disease Control and Prevention (CDC) about 2.8 million antimicrobial-resistant infections and 35,000 deaths occur each year in the United States (US) (CDC, 2022). The World Health Organization (WHO) in 2017 published a list, which included various categories of resistant bacteria considered to be the most dangerous for human health (Mulani *et al*, 2019).

Moreover, according to the current available data, it is believed that the COVID-19 pandemic has worsen the problem, due to a further increase in antibiotic use (Langford *et al*, 2020; Beović *et al*, 2020; Bozo *et al*, 2022).

In this scenario, it becomes essential to put in place and implement mechanisms to combat the increase in microbial resistance. In fact, one of the strategies considered most effective is precisely to optimize the consumption of existing antibiotics, both in the community and the hospital sector (Samreen *et al*, 2021).

This common goal can be achieved only if all healthcare professionals, including physicians, pharmacists, nurses, microbiologists as well as the community itself, engage in these interventions. Although there are several studies that analyze the attitudes and perceptions of the community regarding antibiotic use, the literature focusing on healthcare professionals is scarce (Antwi *et al*, 2020; Napolitano *et al*, 2013; Mazińska *et al*, 2017; Miyano *et al*, 2022; Hawkins *et al*, 2022; Tshokey *et al*, 2017; Mason *et al*, 2018).

Among other professionals, the pharmacist, being at the frontline, has a leading role in the fight against antibiotic resistance, based on two aspects. First, being in close contact with the patient, the pharmacist can influence the patient behavior by encouraging him in the correct management of therapies, which means adherence to the therapeutic cycle and the importance of the appropriate duration of the therapy. The second aspect to focus on, is to ensure drug quality, through appropriate storage conditions of the

products in the pharmacy, but also sharing these aspects with the patient, making sure that the storage of medicines at home is just as appropriate. This impact is further highlighted by the fact that antibiotic use in the community is far wider than the hospital sector (Zawahir *et al*, 2019).

For these reasons, the right knowledge, and attitudes in all healthcare settings regarding the use of antibiotics are of key importance to promote awareness among citizens and professionals themselves regarding the importance of the rational use of antibiotics.

The aim of the present study was to assess knowledge and practices towards antibiotic dispensing and resistance among community pharmacists and to address areas of intervention at a global, regional, and local level to limit the spread of antimicrobial resistance.

Materials and methods

For this purpose, we conducted a literature review in electronic databases such as PubMed, Cochrane, and Google Scholar for eligible and published articles in English in the last decade. The combined following keywords ‘ ‘ knowledge’, ‘attitudes’, ‘practices’, ‘antibiotics’ and ‘pharmacists’ were used to conduct the research. Unpublished articles were excluded from the review and the final analysis included twenty-seven studies.

Results and discussion

Studies conducted in different European Union (EU) countries revealed a proficient level of knowledge among pharmacists about the existence of resistance and its correlation with the irrational use of antibiotics use. In 2019, a large, standardized survey was conducted by the European Centre for Disease Prevention and Control (ECDC) which included healthcare workers in more than thirty countries of the EU and the European Economic Area (EU/EEA) (ECDC, 2019). In this survey, most of the respondents stated to have knowledge regarding antibiotic resistance (96%), rational use of antibiotics in the current practice (more than 80%) and enough information to share with costumers for a prudent use of these drugs (more than 86%). On the other hand, when actual knowledge was evaluated, 58% of the overall respondents (of whom 59% were pharmacists) gave the correct answer to all the true/false questions of the survey with the highest score reached in Ireland and Croatia, respectively 71% and 73%.

However, when single knowledge, attitude, and practices (KAP) studies conducted in different countries of the EU were reviewed, it was noticed that different metrics were used to assess the level of knowledge. For instance, in Hungary, all respondents agreed that antibiotic resistance is a major worldwide concern and at the same time highlighted the crucial role of antibiotics (Gajdács *et al*, 2022). In Italy, although approximately 90% of community pharmacists correlated the emergence of resistance to factors such as irrational use of broad-spectrum antibiotics, patient self-medication and non-adherence to the course prescribed, this percentage was lower (61.5%) when other factors were considered such as general overuse in different settings (Napolitano *et al*, 2019).

Overall prominent levels of knowledge were also observed in other developed countries of the area, currently outside of the EU. For example, in the United Kingdom (UK) more than 90% of healthcare workers were aware that antibiotics cannot be used in cold and flu and irrational use can cause ineffectiveness, although only 25% knew that resistant bacteria can spread from person to person (Ashiru-Oredope *et al*,2022). This finding suggests a disparity of knowledge between all the contributing factors that can lead to the containment of resistance.

In Albania, similar literature is limited and scarce. According to a survey conducted among 319 community pharmacies, even most of the respondents (74%) knew that antibiotics can be used to treat bacterial infections, only about half of community pharmacists (55%) knew that cold is caused by a virus and not a bacteria. Another surprising finding is that only 13% of the respondents were aware that viral infections could not be treated with antibiotics (Hoxha *et al*, 2018). These results are also confirmed by another survey which found that although there was a satisfactory level of knowledge concerning the existence of resistance still there was a lot of uncertainty about viral and bacterial infections and whether antibiotics should be used in these cases (Kaae *et al*, 2017).

These data seem to differ compared to other developing countries in the Balkan area. For instance, in Kosovo the interviewed professionals stated to have sufficient information regarding conditions which would require an antibiotic (Jakupi *et al*, 2019). However, this comparison must be taken with great reserve since the study in question involved a much smaller group of pharmacists compared to the Albanian studies. Based on these findings, several actions are needed at a territorial level in Albanian to increase the pharmacist’s knowledge regarding the use of antibiotics and other aspects which will be extended further ahead in the present article.

Despite the variations seen, the proficient level of knowledge was found to be also correlated with general positive attitudes shown towards patients regarding the prudent use of antibiotics. In fact, in most of the countries, pharmacists have sought to raise public awareness of microbial resistance and the rational use of antibiotics. For example, community pharmacists and physicians in Italy declared to have frequently advised the patients (more than once a week) on rational antibiotic use as well as the management of infections (Barchitta *et al*, 2021).

Across the EU/EEA countries, 49.5% of community pharmacists declared to have advised the patients regarding rational use of antibiotics and infection management at least once a day, although only 10.1% of them distributed leaflets or other information resources on the same occasion. Moreover, the main reasons for pharmacists not to distribute information leaflets were the lack of time in the workplace, resources, or patient interest, although differences were observed between countries. On the other hand, differences between distinct categories of healthcare workers were seen in terms of information resources used. While most of the

physicians (71.7%) referred to clinical practice guidelines, the most frequent resources used by pharmacists were the educational training resource (44.4%). Most healthcare workers (58%) also declared that the acquired information contributed to raise their awareness and avoid an overuse of antibiotics. Regardless of the data obtained, the need for further training was needed for 55% of the pharmacists in the EU/EEA countries (ECDC, 2019). In fact, the implementation of specific post-graduate training courses, centered on resistance prevention strategies for pharmacists, becomes of foremost importance. Pharmacists can use these education courses to acquire the most effective ways to raise public awareness, on the safe use of antibiotics, compliance with doses, schedules, and the danger of incorrect storage of any remnants of the drug.

In fact, many countries have already undertaken these types of initiatives, which resulted to be highly effective in the ongoing education of pharmacy workers. Some examples are the UK Antibiotic Guardian (AG) campaign developed in 2014, the release of the US National Action Plan for Combating Antimicrobial Resistance in march 2015 and the recent approval in the Chamber of Deputies of the motion on combating antibiotic resistance on February 2020 in Italy (Seaton et al, 2022; Gallagher *et al*, 2018; www.ordinefarmacistian.it).

Another critical but at the same time crucial aspect related to the increase of antimicrobial resistance is the dispense and use of antibiotics in the absence of the medical prescription. Previously published studies confirmed that this practice is common in most parts of the world. Despite North America where dispensing of antibiotics is strictly based on medical prescription and Northern Europe (UK, Sweden, Denmark, Netherlands, Austria, Belgium, and Ireland) where non-prescription occurred only in 3% of the cases, in the rest of the world this percentage varied from 19% in Spain, Malta, Italy and Greece) to 100% in Nigeria and Sudan (Morgan et al, 2011). A summary representation of these prescribing practices in single studies identified in various countries around the world, including Albania is shown in Figure 1 (Chan *et al*, 2022; Hoxha *et al*, 2018; Roque *et al*, 2014; Llor *et al*, 2009, Volpato *et al*, 2005; Dameh *et al*, 2012; Gong *et al*, 2020; Bianco *et al*, 2021; Sarwar et al, 2018; Tomas *et al*, 2017)

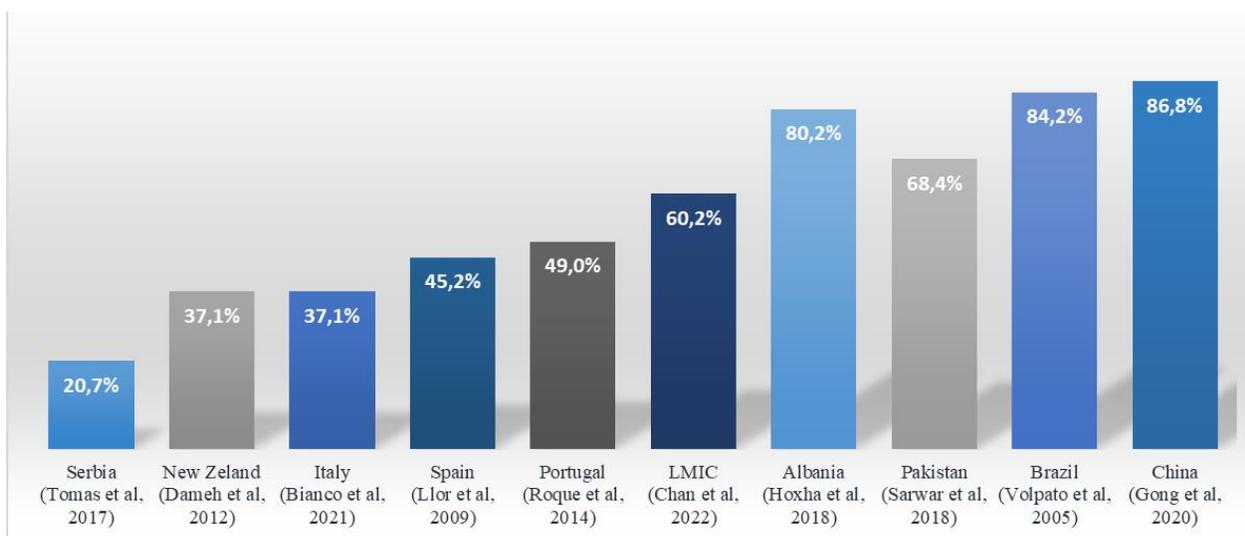


Figure 1.
Percentage

ntage of community pharmacists dispensing antibiotics without prescription by country and region

It is noticeable that the highest percentages are observed in Low-and Middle-Income countries (LMIC), where Albania represents values among the highest (80%). The prescription practices in Albania are similar to those in Kosovo where also non-prescription dispensing is common, but at the same time largely differ from other countries in the region such as Serbia.

Concurrently, several studies investigated the reasons that might lead pharmacists to do so, and the main factors identified were ‘lack of continuing education’, ‘acquiescence’, ‘indifference’ and ‘external responsibility of other healthcare professionals’.

Another reason that could be especially relevant for countries such as Albania is the lack of national guidelines. In fact, in our country, there are no guidelines currently available nor at a hospital or community level to assist the healthcare professionals for a more rational use of antibiotics.

Moreover, during the COVID-19 pandemic was reported a worldwide increase in antibiotic consumption. The WHO itself reported that 79-96% of patients outside the hospitals were taking antibiotics with the belief to prevent the infection, even though were not tested positive for COVID-19 (WHO, 2020). While remains unclear what role COVID-19 played on antibiotic resistance, it is incredibly important to carefully evaluate this connection and understand its real impact at a worldwide, regional, and local level to better address the measures to be taken in the post-COVID era.

Based on these data, it is obvious that in Albania, like many other developing countries, there is an urgency to design and implement guidelines aimed at physicians, pharmacists as well as other health professionals who can help in the correct management of infections, prudent use of antibiotics and containment of the resistance. These guidelines should be an integral part of broader Antibiotic Stewardship (AS) programs. AS are currently adopted mostly in developed countries and should target all aspects related to the increase of resistance such as antibiotic consumption surveillance in the community and hospital sector and prevalence and incidence of the local patterns of resistance. ASs should have clear objectives, in accordance with local data regarding resistance patterns and antibiotic use in different sectors. At the same time, they should precisely define the roles of each health professional within the program (Gebretekle *et al*, 2018). In the US was even suggested that these basic concepts should be included in the early Pharmacy school curricula (Gallagher *et al*, 2018). The multidisciplinary approach undoubtedly requires a multidisciplinary team, with pharmacists being an integral part, considering that they represent the first point of contact for the patient on many occasions. To answer these key issues, on September 18th, 2022, the Ministry of Health in Albania has announced that it is drawing up the national plan in the fight against antimicrobial resistance (www.shendetesia.gov.al).

Conclusion

These findings suggest that despite the good level of knowledge shown by community pharmacists, several aspects related to their attitudes and practices need to be closely monitored and improved. Particular attention is needed to improve information, awareness, and education of health professionals, as part of interventions aimed at containing the phenomenon of antibiotic resistance. Moreover, in developing countries like Albania, there is an urgent need to design and implement Antibiotic Stewardship programs as part of a national plan, in the ongoing fight against this serious health threat.

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THE SIMILARITY BETWEEN THE BALLAD OF ALBANIAN FOLKLORE "LITTLE CONSTANTINE" AND BOCCACCIO'S NINTH TALE OF THE TENTH DAY. QUESTIONS AND ANSWERS THAT THIS SIMILARITY BRINGS

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Abstract

This article is focused on the similarity of the ninth tale of the tenth day of Boccaccio's Decameron novel with one of the most popular, widespread and oldest ballads of Albanian folklore, "Little Constantine". This similarity was observed in the context of a previous study, on another similarity of an Albanian novel in verse borrowed from the Orient with two early tales from Albanian folklore and of the hypotheses raised: the syuzhets of the tale being similar to the syuzhets of the novel in verses, were they part of old cultural archetypes or of monovalent connections? The article gives arguments that have observed the similarity of the Albanian ballad with Boccaccio's novel linked to a Byzantine source and arguments that link it to a common essential mythology. The juxtaposition of this similarity has given an increasing possibility of generalization. The arguments given about the influence of Boccaccio's novel by the Arabs seem to have expanded the geography of Byzantium, but did not favore a definitive answer. The article specifies that the answer can be found after continuous studies of comparative literature and that this study has brought some light to this matter and it could contribute to the creation of a spatial vocabulary of syuzhets, which can better illuminate the geographical and temporal existence of syuzhets and perhaps even of any archetype.

Keywords: the similarity, movement, syuzhets, interpretation, old subjects.

1. Introduction

Despite being genuine literature, folklore began to be documented relatively late. For a while folklore studies have been observed only within the field and features of folklore and not beyond it. Interdisciplinary studies have stimulated the study of folklore related to cultivated literature as well as to the study of socio-cultural elements. This has opened the possibility of more holistic, more complete views, beyond ethnicity and beyond nationalism, closer to the world and the time when the works were created. Studies of different countries help to complete these pictures little by little. This is how we depicted the object of our work and its importance.

In this context, Albanian researchers¹ have discussed about the similarity of two of Boccaccio's novels with the Albanian novel in verse "Erveheja" whose subject is borrowed from the Orient (a statement made by the author himself). In a previous study of mine², the focus was on the similarity of "Erveheja" with two Albanian fairy tales (one of them being older whilst the other more recent) and this study also attempted to argue the reason for their similarity. One of the hypotheses of the paper was that the syuzhets of the fairy tale, similar to the syuzhets of the novel in verse, must have been part of old cultural archetypes that moved from East to West and vice versa, thus excluding the monovalent connections as a hypothesis. A similar phenomenon is observed in this paper: Now we have a ballad, spread throughout the Albanian lands, similar to one of Boccaccio's novels. Their meeting points were numerous and cannot be overlooked neither considered to be a coincidence. Are these similarities part of old cultural archetypes as well, thus excluding the monovalent connections as a hypothesis?

The Albanian researcher Luan Rama had viewed the ballad "Little Constantine" as of a Byzantine source, from several songs that are attached to the Epos of Digenis Akritas, of the 10th century, while the other researcher Albert Doja, in the context of the

¹ Academy of Sciences of Albania, Muhamet Kuçuku – Çami, Literary works and studies about it, (Researched and prepared by: Prof. Dr. Bashkim Kuçuku), Tirana 2021, pp. 183-196

² *The similar subject between two tales and a novel in verse in the Albanian literature*, IAI Academic Conference Proceedings Vienna Conference, 21 June 2022, p. 56

morphodynamics of ballads as oral literature in the Balkans, he sees them as “... part of an essential mythology ... that is refracted and changed as it passes from one people to another”³.

So, the question that arises is: Can this similarity between Boccaccio's novel and the ballad help enlighten such discussion in this work of study?

2. Reflections on the commonalities and differences between the Albanian ballad and Boccaccio's novella. Other thoughts of researchers on the ballad and novella's old essence.

2.1. The commonalities and differences between the Albanian ballad and Boccaccio's novella.

The Albanian ballad is widespread in the North and South of Albania and among Albanians in Italy. In the North of Albania with the title: “Aga Ymeri”, among Arbëresh in Italy, with the title "Little Constantine", in the south of Albania, in Vlora, with the title "Imer Agai when he got married". The three variants differ in a few details from each other, but we have focused on the comparison of Boccaccio's novel with the "Little Constantine", due to the fact that it was considered by researchers as a variant more faithful to the original, because it was kept by the Arbëresh since the time of Skanderbeg. To facilitate understanding, we have created a table, where we have established the full subject of the ballad and the novel, descriptions on the commonalities and differences between them.

The full subject of the ballad and the novel, descriptions on:		
Nr	Commonalities	Differences
1		Saladin - the sultan of Babylon (dressed as a merchant) comes to Italy to see how the Christian princes are preparing, so that he can take measures for his own defense. There he meets the nobleman Torel.
2		Torel accompanies him and pays a lot of respect to Salahedin, who seems very noble to him, despite not knowing who he is.
3	Both Torel and Constantine were married.	1. Torel (of Boccaccio) is married, has two children. 2. Little Constantine is a groom for three days.
4	Both Torel and Constantine must go to fight.	1. Torel must participate in the Crusade for the sake of the nobility he inherits and his own soul. 2. Little Constantine receives a letter from the Emperor.
5	Torel asks Adaleta and makes an agreement with her for how long she will wait for him. Constantine asks the girl and makes an agreement with her for how long she will wait for him.	1. Torel asks his wife to take an oath and be faithful for one year, one month and one day. The woman agrees and gives him a ring to remember him by. 2. Little Constantine asks for permission from his father, his mother, his beautiful lady who takes the ring from him and he asks her to wait for 9 years and 9 days.
6	Both of them spend a long time away from their homes	Torel becomes a prisoner of the Sultan, because the plague falls in the army. Torel trains the birds and attracts the Sultan's attention. He goes from slavery to the height of glory, which made him temporarily forget the affairs of Lombardy. In Constantine, what happens in the meantime is not shown.
7	Torel and Constantine are reminded of their oath Both get upset.	1. A friend reminds Torel of the time of his marriage and the oath, he tells him about the sinking of the ship that was going to Italy, which showed that the letter he had sent to his wife had not reached her. Torel neither eats nor drinks anymore 2. Constantine had a bad dream and the great Commander heard him scream.
8	Both Torel and Constantine get help to return.	1. Torel is helped by his friend, the Sultan, by means of magic. 2. In the little Constantine it is the great Commander who asks the soldiers who screamed during the night. Constantine tells him that his wife is getting married the next day (that was on Sunday). The Commander offers him some horses.
	Both Torel and Constantine return on the day of their wives' wedding ceremonies,	Torel meets friends in the church... 2. Constantine returns on the Sunday of the wedding and meets his father. He

³ Academy of Sciences of Albania, Ballads and the audience in time and space, 50th International Conference of International Ballad Commission, September 2022, Printed in Tirana 2022, Albania, BOOK OF ABSTRACTS, p. 83/99

9	in the nick of time for the oath to be kept.	tells him about Constantine, without revealing that he is himself.
10	Neither Torel nor Constantine are recognized by their wives at first.	Torel, attends the banquet as a guest, sits in front of the bride whom he does not know and offers her a glass of wine, at this moment he gives her the ring. 2. Constantine tells his father that Constantine will come, because he arrived in the village on Sunday night (before dawn) and put the flag in the church, while he proposes to the wedding guests to be "the best man" and when the moment comes, he gives the ring to the bride and shows her the sign.
11	Both women willingly return to their first husbands	Torel's wife knocks down the banquet table and embraces the man she recognizes as hers. 2. The wife recognizes her husband's sign and her red cheeks are full of tears and so is her chest.
12	The second husbands are understanding.	1. Torel gives gifts in gratitude; 2. Constantine asks if they will give him back his wife peacefully or if he has to fight to take her.
13	The happy ending is conceived with the oath kept towards the first marriage.	Torel's adventure ends with declarations and gifts. 2. At Constantine, people run away in fear through the small door and he and the bride leave through the big door

2.2. Reflections and thoughts on the old essence in common between the Albanian ballad and the novel by Boccaccio.

According to the reviewed details of the two literary creations we observed that in the essential elements of the subjects, the similarities were about 70%. Moral elements in this similarity, such as: seeking and giving the word, respecting it until the last moment, loyalty to the given word, etc., were the same. Variations along the subjects do not affect its course. The variations had more to do with the temporal and cultural aspect of the events, which in Boccaccio's literature mainly have knightly aspects, while in the ballad they had a heroic spirit.

The fact that the Albanian ballad is widespread in all Albanian-speaking lands and is similar to some other types of ballads that are known as the ballads of reacquaintance, commitment and oath, the fact that it speaks of characters who follow a social code and not that of the government, it allows scholars to talk about an old essence. Even the accepted fact that the social organization has conditioned the thematic approach, as Kazuhiko Yamamoto writes about the patterns of faith and oath in *the ancient Japanese tradition*⁴, again makes scholars think of an old essence. The similarities⁵ of this ballad with the poem "Odyssey" observed by researchers, or with the Albanian tales and *songs of the Kreshniks*⁶ (in details such as: the actions of the characters with a pronounced heroic character; overcoming obstacles in extraordinary ways; fulfilling the goal no matter what; the important role of dreams and non-human beings; patterns of formulaic expression) are considered arguments of an old essence as well. In relation to this, it is said that the Albanians had their wandering singers and that they had a song cult, is this old essence, also traced in the similarities of Boccaccio's Novel with the Albanian ballad, included in what Luan Rama calls part of a Byzantine source, of the 10th century, or included in what Albert Doja calls ... part of an essential mythology... This is not easy for us to define.

2.3 Thoughts and interpretations of the influences on Boccaccio's novel

The thesis of Boccaccio's influence from the Orient is very well known and still to be discussed. This influence includes folklore and translations of oriental literature. In the context of the birth of Boccaccio's novel, it is said that ... *some penetrations of a novelistic (or rather folkloric) nature should not be eliminated, especially in some literary types very sensitive to the culture of any ethnicity, first of all to the Ionian narrative and historiography*⁷.

Deeper in terms of time, the influence of the novel is seen by the researcher Luigi Pepe who says: "*The foundations of the type of novel are found in the craft of popular narrators, mentioned by Aristophanes (Plut.177) and Xenophon (Conv. I, 11-16) who told stories in exchange for money. Such habits were found ... among the narrators that Augustus called to him, when he suffered from insomnia (Suet. Aug. 74)*"⁸.

⁴ Anton Nikë Berisha, *Hyrje në Historinë e Letërsisë Gojore Shqipe*, Faik Konica, Prishtinë, 2017, p. 177

⁵ Anton Nikë Berisha, *Hyrje në Historinë e Letërsisë Gojore Shqipe*, Faik Konica, Prishtinë, 2017, p. 185

⁶ Anton Nikë Berisha, *Hyrje në Historinë e Letërsisë Gojore Shqipe*, Faik Konica, Prishtinë, 2017, p. 179

⁷ UNIVERSITÀ DEGLI STUDI DI CATANIA, FACOLTÀ DI LETTERE E FILOSOFIA, Corso di Laurea in Lettere Classiche, Eros Reale, La storia della novella: il capitolo bizantino, Tesi di Laurea, Anno Accademico 2010-2011, p 10

⁸ L. Pepe, *La narrativa, in Introduzione allo studio della cultura classica*, Milano 1977, p.419. (Cit.: *La storia della novella*, p.9)

Scholars mention that at the end of the 15th century, there were more than 300 translations from Arabic into Latin and into the street language. Angelo Michele Piemontese distinguishes "... *within the continuous circulation ... five large columns of texts ... thanks to Muslim mediation, especially Persian, in which the literary traditions of Late Antiquity with different geographical origins (India, Greece, Persia, Central Asia) are mixed*) codified between the III-VIII centuries: *il Romanzo di Alessandro, il Libro di Calila e Dimna, la storia di Βαβυλῶν και Ἰωῶσαφ, le Mille e una Notte, il Libro di Sindbad*"⁹. The researchers connect the Euro-Asian migration of the texts with the important role of the Islamic world since its beginnings, considering the central position in the middle of Europe, Asia and Africa and the benefits from travel, as a geographical migration (above all of prisoners, soldiers, mercenaries, etc.). As for Boccaccio, it is stated that "... *with the Decameron he created a narrative "mosaic" with colors of costumes that came from different parts of the world*"¹⁰.

Scholars also mention written narrative sources that may have influenced the Decameron. It is not easy to separate the oral and written sources, which, as it seems, may have coexisted in part. In the Albanian environment, this phenomenon existed until recently. Argument for this is the coexistence of the poem "Erveheja" written by Muhamet Çami (written around 1820) with its popular *sibling in verse (collected in 1959)*¹¹.

On the other hand, Arabic studies on the Decameron, historically lacking in length, because "... *the translation of the novels began only in the 20s of the 1900s...*"¹², speak of a kind of Arab influence on the Decameron novels. Thus, comparing two researchers: Hussein Mahmoud and Dāūd Sallūm, apart from the fact that the former has chosen to translate in his doctoral thesis ten novels by Boccaccio that according to him "... *are closer to the Arabic origin...*"¹³, we also notice something else that is important: Mahmoud¹⁴ has brought new examples of the Arab-Oriental influence of the Decameron, compared to Dāūd Sallūm. One of these examples is the ninth tale of the tenth day that we have considered. Secondly, it is important that Mahmud also uses additional referential sources compared to Dāūd Sallūm, such as the texts of "*La Disciplina Clericalis*"¹⁵, which, according to him, had Arabic influences and which Boccaccio took into account during his work.

If, after these given data, we ask the same question again: is the old essence traced in the similarities of Boccaccio's Novel with the Albanian ballad, part of the Byzantine source, of the 10th century, or part of what Albert Doja has named "... *part of an essential mythology ...*"¹⁶ we still cannot give a certain answer, but we can say that the similarity with the Arab world can explain the origin in a world beyond that of the Byzantine, but this thesis is not certain either.

3. Conclusions

Is there a common byzantine or mythological archetype underlying this similarity? We cannot answer this question right away. The answer can be found after continuous studies of comparative literature. But we brought some light to this matter that gradually leads to the illumination of larger issues.

We thus believe that the contribution given by the similarity of the Albanian ballad in the context of Boccaccio's meeting point with the literature of the Orient, is the same as that played by the Albanian fairy tales in the connection of the Albanian verse novel "Erveheja" with the Orient: We believe that they are not univalent connections, but they do have common suyzhets. Yet as far as we know might not constitute an archetype.

⁹ UNIVERSITÀ DEGLI STUDI DI CATANIA, FACOLTÀ DI LETTERE E FILOSOFIA, Corso di Laurea in Lettere Classiche, Eros Reale, La storia della novella: il capitolo bizantino, Tesi di Laurea, Anno Accademico 2010-2011, p.28

¹⁰ Dr. Bahaa Najem Mahmood, Professor of Italian Language, University of Baghdad, Iraq, *Narrativa in viaggio e incontro con Boccaccio*, Al-Adab Journal – No. 132 (March) 2020 / 1441 , p 5

¹¹ Akademia e Shkencave e Shqipërisë, Muhamet Kuçuku – Çami, *Vepra letrare dhe studime për të*, (Hulumtoi dhe përgatiti: prof.dr. Bashkim Kuçuku), Tiranë 2021, p 183-196, p. 155

¹² Dr. Bahaa Najem Mahmood, Professor of Italian Language, University of Baghdad, Iraq, *Narrativa in viaggio e incontro con Boccaccio*, Al-Adab Journal – No. 132 (March) 2020 / 1441 , p 3

¹³ Università degli studi Firenze, DOTTORATO DI RICERCA Internazionale in Letteratura e Filologia italiana, CICLO XXVI, *La fortuna del Decameron di Giovanni Boccaccio nella cultura araba*, Settore Scientifico Disciplinare L-FIL-LET/10, Anni 2011/2014, p.283.

¹⁴ Università degli studi Firenze, DOTTORATO DI RICERCA Internazionale in Letteratura e Filologia italiana, CICLO XXVI, *La fortuna del Decameron di Giovanni Boccaccio nella cultura araba*, Settore Scientifico Disciplinare L-FIL-LET/10, Anni 2011/2014, p. 72.

¹⁵ Università degli studi Firenze, DOTTORATO DI RICERCA Internazionale in Letteratura e Filologia italiana, CICLO XXVI, *La fortuna del Decameron di Giovanni Boccaccio nella cultura araba*, Settore Scientifico Disciplinare L-FIL-LET/10, Anni 2011/2014, p.72.

¹⁶ Academy of Sciences of Albania, Ballads and the audience in time and space, 50th International Conference of International Ballad Commission, September 2022, Printed in Tirana 2022, Albania, BOOK OF ABSTRACTS, p. 83/99

At a time when our evidence for Albanian folklore is scarce (although it is accepted that the Albanians were nourished by folklore due to the impossibility of having a cultivated and developed literature), the similarity of the codified folklore ballad to Boccaccio's novella written around 1349-1353, becomes a concrete historical witness of the extended existence of the ballad before the 1300s, and this similarity can help us to trace the possibility of the geographical, temporal and cultural extension of an archetype, despite the fact that it is not easy for us to talk about his existence.

On the other hand, the similarities of Boccaccio's novella with the ballad can shed light on the narrative strategies of the transition from folklore to cultured literature, with: the deviation/exit from the codes, the escape from the standard forms of thinking, from strong linguistic imprints, from the simplicity of the idea and form, from the aspiration for the absolute, from timelessness, from the illusory relationship with life, etc., just as they can contribute to the creation of a spatial vocabulary of suyzhets, which can better illuminate the geographical and temporal existence of suyzhets and perhaps even of some archetypes.

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Political Participation of Women: Comparison of National Governments in 27 EU Countries

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Abstract

Women were excluded from political decision-making processes for decades. The promotion of gender equality gave women the opportunity to participate in political life. This paper focused on the comparison of women in national governments within the 27 countries of the European Union. We used data from EIGE – European Institute for Gender Equality to examine the composition of national governments, focusing on the number of women represented in individual countries. The percentage composition of national governments of individual EU countries was observed for the reference period 2012 – 2021. Our results showed that differences in the representation of women in national governments existed in all monitored EU countries and there were also significant differences among the individual countries. There were countries where the representation of women in the national government has been low for a long time, such as Hungary, which did not even have a single woman in the government between 2015 and 2017, as in only one of the monitored countries. The long-term low representation of women was also in other countries, such as Cyprus, Greece, and Malta. Even though an increasing proportion of women are currently represented in governments, women still do not dominate their male colleagues in this area. The only country in which the share of women in the government was higher than 50% during the entire monitored period was Sweden. A higher proportion of women in national governments, but not more than 50%, was also in Finland and France.

Keywords: Gender, women in politics, political decision-making, European Union countries.

1. Introduction

Many studies suggest that gender plays a complex role in electoral politics. Women in political office often face backlash. This fact is one of the sources of gender bias in politics (Okimoto and Brescoll, 2010). It is also assumed that women are less politically involved and powerful than men and that the gender gap in political engagement is reflected in women's political participation (Verba et al., 1997). It is much more difficult for women to be successful on the political scene than for men (Lawless, 2009).

Women are underrepresented in formal decision-making groups (Mendelberg and Karpowitz, 2016). Gender stereotypes are part of many aspects of women's lives. We can also meet them in elections, where female candidates compete for votes against men. Generally, stereotypes with voters' decisions are not a central part of their evaluation, but the political party for which a woman is running plays a significant role in voters' voting (Dolan, 2014). There are also groups of voters who do not recommend either a female candidate or a male candidate, but on the contrary, they evaluate both women and men with the same profile in the same way (Teele et al., 2018).

Democracy means the equal involvement of women and men in politics. Despite this, the political participation of women is still very low in almost all countries of the world (Chanu, 2022). The devastating effect on democratic institutions and procedures is still prevalent violence against politically active women, as indicated by quantitative as well as qualitative data (Krook, 2017).

Women are limited at almost all levels, be it decision-making power in politics, public services, the commercial sector, or in leadership positions. They are excluded from the political sphere mainly due to discriminatory laws, gender stereotypes, and gender attitudes (Kucharzewska, 2022). It is suggested that voters are likely to rely on gender cues when rationalizing their preferences for electoral candidates (Rohrbach, 2022).

When examining international declarations, national laws, and gender-based violence, we can identify several forms of violence against politically active women, such as sexual, physical, psychological, economic, or symbolic. Although these are different forms of violence, they have the same goal, which is to limit women in public life (Krook, 2017). Political violence to achieve political goals has been observed more and more frequently in recent years. There are certain gaps in approaches to understanding political violence. It is important to research them and propose effective solutions. Violence against women in politics is a serious threat to democracy, gender equality, and human rights (Krook, 2020).

In terms of the values associated with women's interests, women and men differ significantly in politics even after taking into account social backgrounds, such as age, education, or income. It is important to examine these aspects in the composition of parliament, the public policy agenda, and the roles of women as political leaders (Lovenduski and Norris, 2003).

2. Data and Methods

The representation of women in national governments is diverse, ranging from the almost complete absence of women to their predominant representation. The research object is the political participation of women in national governments in 27 EU countries. Values represent the difference between the percentage representation in national governments of women and men. The analysis includes 27 EU countries during the period 2012 – 2021. To achieve the main goal in this paper were used data from EIGE – European Institute for Gender Equality. We used analysis, methods of comparison, and observation.

Table 1. Percentage representation of women and men in national governments of the EU countries

Geo\Year	2012		2013		2014		2015		2016	
	women	men	women	men	women	men	women	men	women	men
Austria	33,3	66,7	33,3	66,7	31,3	68,8	31,3	68,8	26,6	73,5
Belgium	31,6	68,4	31,6	68,4	28,3	71,7	23,6	76,4	23,6	76,4
Bulgaria	36,5	63,5	33,5	66,5	32,1	68,0	28,2	71,8	33,9	66,1
Croatia	15,9	84,1	18,6	81,4	19,0	81,0	15,5	84,5	14,8	85,2
Cyprus	27,1	72,9	6,2	93,8	8,3	91,7	8,3	91,7	8,3	91,7
Czechia	12,5	87,5	12,5	87,6	17,6	82,4	16,2	83,9	17,6	82,4
Denmark	40,2	59,8	47,2	52,8	37,5	62,5	29,7	70,3	29,4	70,6
Estonia	7,7	92,3	7,7	92,3	32,4	67,6	20,7	79,3	13,3	86,7
EU 27	24,5	75,5	25,9	74,1	27,5	72,6	27,4	72,6	26,9	73,2
Finland	45,4	54,7	52,8	47,3	50,1	50,0	45,2	54,8	33,8	66,2
France	42,6	57,5	48,4	51,6	47,5	52,6	47,1	53,0	48,4	51,6
Germany	28,3	71,7	28,1	72,0	42,9	57,1	41,6	58,5	40,8	59,2
Greece	6,8	93,2	6,0	94,0	8,0	92,0	16,0	84,1	16,3	83,7
Hungary	9,1	90,9	9,8	90,2	5,0	95,0	0,0	100,0	0,0	100,0
Ireland	19,2	80,8	15,3	84,8	16,7	83,4	20,0	80,0	22,1	77,9
Italy	13,0	87,0	22,2	77,8	32,1	67,9	26,8	73,2	25,8	74,2
Latvia	30,3	69,8	32,3	67,7	30,4	69,7	26,4	73,6	20,0	80,0
Lithuania	14,8	85,2	17,9	82,1	19,1	80,9	21,4	78,6	22,4	77,6
Luxembourg	26,7	73,3	26,7	73,3	27,8	72,2	27,8	72,2	22,2	77,8
Malta	14,9	85,2	8,7	91,3	8,7	91,3	8,7	91,3	13,0	87,0
Netherlands	27,5	72,5	40,0	60,0	40,0	60,0	38,8	61,3	35,0	65,0
Poland	25,0	75,0	27,3	72,8	27,8	72,3	30,2	69,9	17,4	82,6
Portugal	16,1	83,9	13,6	86,4	14,3	85,7	21,0	79,0	32,6	67,4
Romania	12,3	87,7	19,8	80,2	20,2	79,9	20,1	79,9	32,2	67,9
Slovakia	11,1	89,0	8,3	91,7	7,6	92,4	7,5	92,5	14,8	85,3
Slovenia	18,5	81,5	28,4	71,7	32,5	67,5	42,8	57,2	47,0	53,1
Spain	26,3	73,7	26,3	73,7	30,9	69,1	29,0	71,1	26,0	74,0
Sweden	53,2	46,9	54,2	45,8	53,2	46,9	50,0	50,0	50,6	49,5

Source: own processing based on EIGE's Gender Statistics Database, 2022

Table 1. (continue)

Geo\Year	2017		2018		2019		2020		2021	
	women	men								
Austria	25,9	74,2	37,5	62,5	45,1	54,9	52,9	47,1	47,1	52,9
Belgium	22,2	77,8	22,2	77,8	25,0	75,0	35,6	64,4	50,0	50,0
Bulgaria	35,9	64,2	37,8	62,3	39,3	60,8	40,3	59,7	37,7	62,3

Croatia	24,9	75,1	26,2	73,8	21,4	78,6	23,4	76,6	27,8	72,2
Cyprus	8,3	91,7	14,6	85,4	16,7	83,3	16,7	83,4	25,0	75,0
Czechia	14,7	85,3	19,7	80,3	26,7	73,3	28,6	71,4	28,6	71,4
Denmark	40,9	59,1	40,9	59,1	37,1	62,9	35,0	65,0	32,5	67,5
Estonia	26,7	73,3	28,4	71,7	21,7	78,4	13,3	86,7	46,7	53,3
EU 27	28,4	71,6	29,4	70,6	30,8	69,2	31,7	68,3	34,0	66,0
Finland	33,3	66,7	36,9	63,1	44,3	55,7	57,1	42,9	55,9	44,1
France	48,7	51,4	49,7	50,4	48,6	51,4	48,6	51,5	51,2	48,8
Germany	41,2	58,9	39,7	60,3	39,6	60,4	41,2	58,8	41,3	58,7
Greece	16,3	83,7	18,8	81,2	17,4	82,6	10,5	89,6	15,9	84,1
Hungary	0,0	100,0	3,6	96,5	10,7	89,3	15,7	84,3	20,0	80,0
Ireland	22,4	77,6	20,6	79,4	20,6	79,4	23,4	76,7	25,7	74,3
Italy	27,8	72,3	21,9	78,1	24,8	75,2	33,8	66,2	43,1	56,9
Latvia	19,1	80,9	24,1	76,0	28,6	71,4	22,5	77,5	26,8	73,2
Lithuania	25,5	74,5	24,6	75,5	30,4	69,7	31,8	68,2	43,9	56,2
Luxembourg	22,2	77,8	22,2	77,8	29,9	70,2	29,4	70,6	29,4	70,6
Malta	12,5	87,5	12,0	88,0	10,2	89,8	7,7	92,3	12,3	87,7
Netherlands	38,0	62,0	42,2	57,9	43,6	56,4	47,5	52,6	44,2	55,9
Poland	19,0	81,0	16,8	83,2	17,0	83,1	21,2	78,9	20,1	79,9
Portugal	32,8	67,2	34,8	65,2	35,9	64,1	37,9	62,2	37,1	62,9
Romania	26,2	73,9	32,4	67,6	24,4	75,6	16,7	83,3	7,7	92,3
Slovakia	20,1	79,9	24,3	75,8	23,2	76,8	20,9	79,1	21,8	78,2
Slovenia	46,7	53,3	41,1	58,9	35,4	64,7	25,9	74,2	25,4	74,6
Spain	31,6	68,4	41,1	58,9	50,6	49,4	46,2	53,8	45,4	54,6
Sweden	51,1	48,9	52,2	47,8	52,2	47,8	52,2	47,8	51,1	48,9

Source: own processing based on EIGE's Gender Statistics Database, 2022

3. Results and Discussion

Values captured in Figure 1 represent the difference in the representation of women in the national governments of 27 EU countries in 2012.

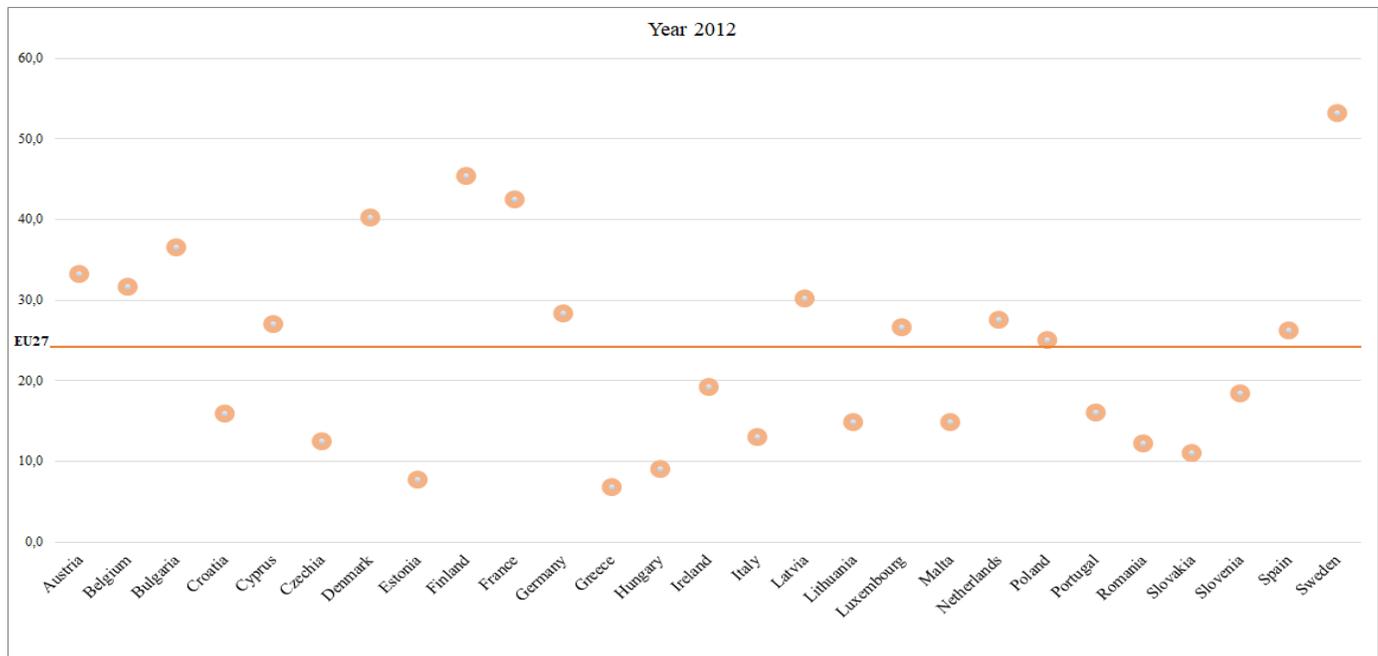


Figure 1. Composition of national governments in 2012
Source: own processing

We can see from Figure 1 that significant differences in representation are noticeable between individual EU countries. Their value range from 6.8% (Greece) to 53.2% (Sweden) with the European average at 24.5%. based on this analysis we can claim that in 2012 the lowest representation of women in national government within the monitored countries. Following there were Finland (45.4%), France (42.6%), Denmark (40.2%), Austria (33.3%), Belgium (31.6%), and Latvia (30.3%) as upper-middle countries with a share in representation higher as 30%. Countries, where women represented less than 10%, were Hungary (9.1%) and Estonia (7.7%).

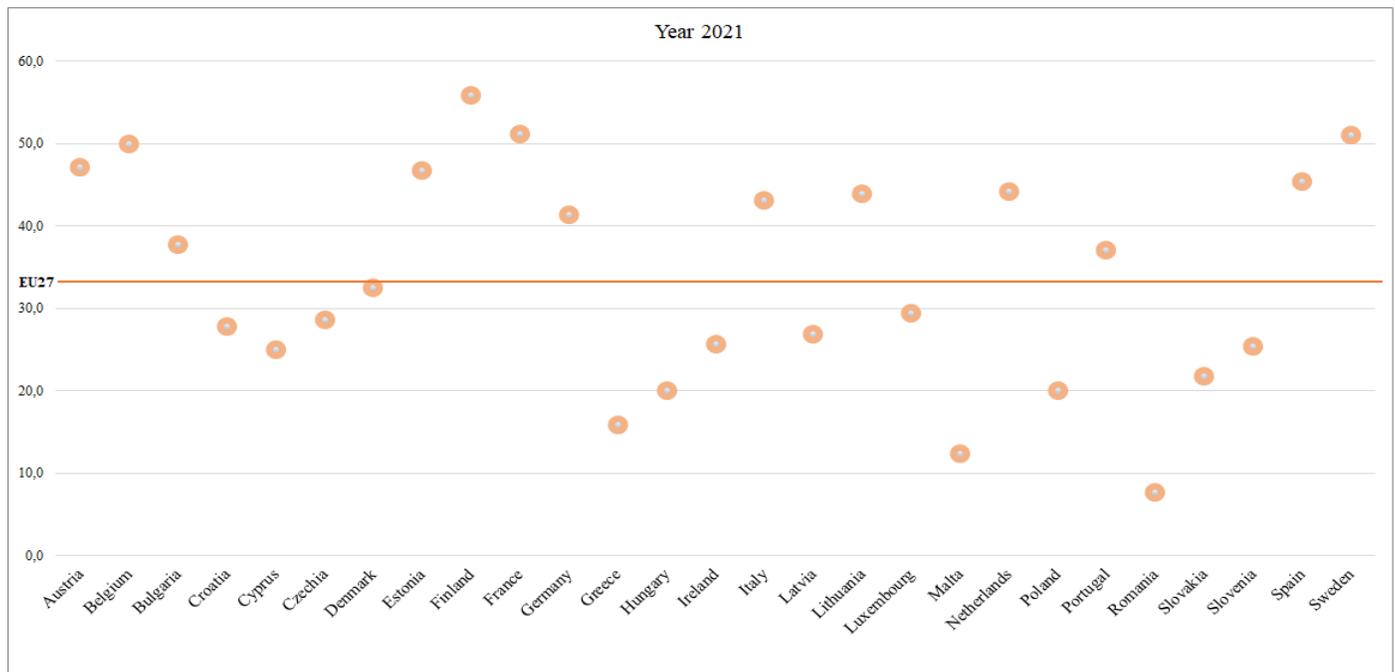


Figure 2. Composition of national governments in 2021
Source: own processing

Values captured in Figure 2 represent the difference in the representation of women in the national governments of 27 EU countries in 2021. Figure 2 showed the difference in the representation of women in national governments for the year 2021 in individual countries. We can see again significant differences between EU countries. Their values range from 7.7% (Romania) to 55.9% (Finland) with the average of 27 EU countries at 34%. Countries with 50% and more than 50% of women in the composition of national governments were France (51.2%), Sweden (51.1%), and Belgium (50%). In 2021, compared to 2012, none of the monitored countries had a share of women's representation in the national government lower than 10%, except for Romania.

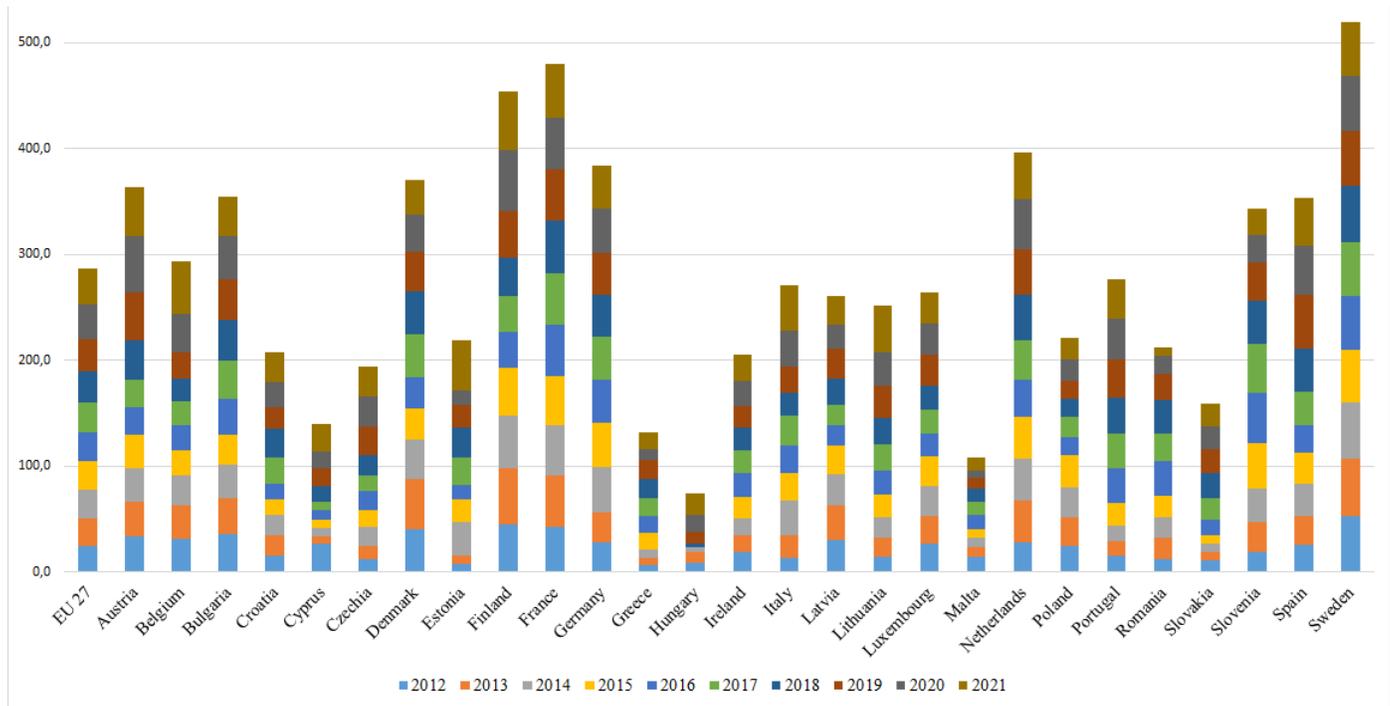


Figure 3. Changes in the representation of women in national governments from 2012 to 2021

Source: own processing

Based on the analysis in Figure 3 we could claim that differences in the representation of women in national governments exist in all monitored EU countries and there are also significant differences among the individual countries. There are countries where the representation of women in the national government has been low for a long time, such as Hungary, which did not even have a single woman in the government between 2015 and 2017, as in only one of the monitored countries. The long-term low representation of women is also in other countries, such as Cyprus, Greece, and Malta. Even though an increasing proportion of women are currently represented in governments, women still do not dominate their male colleagues in this area. The only country in which the share of women in the government was higher than 50% during the entire monitored period was Sweden. A higher proportion of women in national governments, but not more than 50%, is also in Finland and France.

Representation of women in national governments in 2021

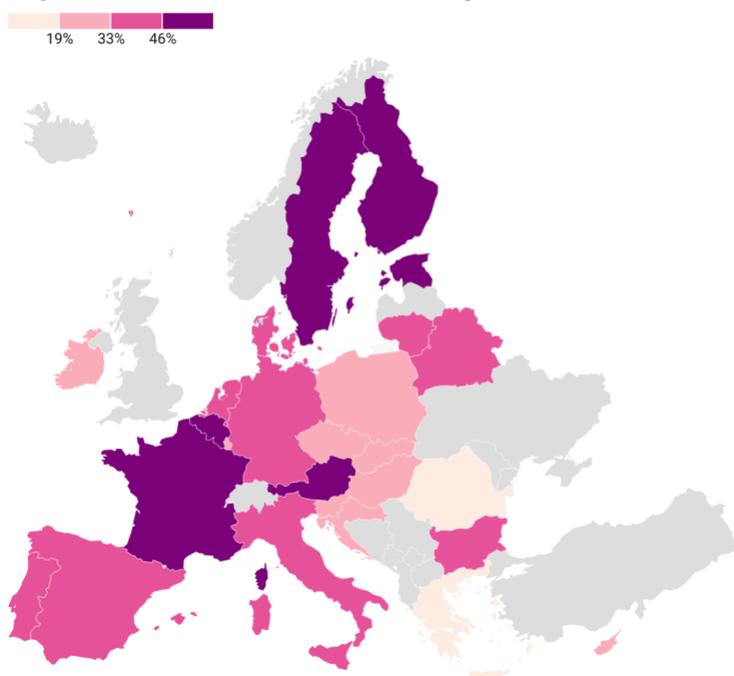


Figure 4. Aggregation of countries according to a similar level of the representation of women in national governments
Source: own processing

The representation of women in national governments is relatively diverse in the monitored countries, ranging from the almost complete absence of women (Hungary) to their predominance (Sweden). This fact is considered by the professional public the minimum threshold for the real ability to influence decision-making and thus reduce the state of gender inequality in any area. Within the 27 EU countries, Finland has a long tradition in the field of gender equality in political participation, and countries such as France, Netherlands, and Spain are slowly approaching it.

4. Conclusion

One of the reasons why Sweden has equal representation of women and men in the national government may also be that it has been a member of the EU for almost 30 years. Countries that have been members of the EU for a longer time have more women in the national government because by joining the EU they committed themselves to achieve and maintaining gender equality. Because their policy has been adapted to this regulation of the European Commission for decades, the situation is more equal. However, we cannot claim that this applies to all countries. For example, Italy has been a member of the EU since 1958, much longer than Sweden, but equal representation occurred very slowly in the monitored period. Political institutions play a significant role in the process of eliminating gender inequality. Female participation in public institutions is one of the basic factors for reducing inequality in any field, such as economic growth, social effects, or labor market outcomes. This paper serves as a basis for further monitoring of political instability and its subsequent investigation.

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Preservation of (Military) Traditions as a Link between the Hungarian Defence Forces and Nation

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Abstract

The preservation of tradition can be seen as a kind of bond between the armed forces and society. The priority goal of the Ministry of Defence is to further strengthen its relationship with civil organizations and society. Its most important task is to preserve, pass on, and bring back those Hungarian military traditions that play a decisive role not only in the Hungarian Defence Forces, but also in the life of the individual soldier. Bearing in mind the relevance of the research, we can state that the role of tradition creates value for the future, and at the same time, its preservation ability based on the past appears as a fundamental glue in the life of every nation and community. Our passed down and surviving traditions conserve our memories, which contribute to strengthening our national identity and belonging. Some of the national traditions of our modern society are closely intertwined with the military traditions preserved by the Hungarian Defence Forces, but the organization and its formations have an independent memory and past, as well, which strengthen the sense of duty and team spirit of the soldiers when performing their duties. As an organizational element of the Hungarian Defence Forces, the display of Hungarian military traditions within the organization, as well as its representation in the direction of Hungarian society and in an international context, is an integral element of the task system of the HDF “vitéz Szurmay Sándor” Budapest Garrison Brigade. The Garrison Brigade is responsible for the protocol service of state, national and military holidays, and for nurturing Hungarian military and musical traditions. The guarding of the Holy Crown, which embodies Hungary's statehood and independence, and the protocol guarding of the Office of the President of the Republic (Sándor Palace) are the exclusive competence of the 32nd National Ceremonial Unit, serving under the Garrison Brigade. The 32nd NCU displays the national unity and ancient institution of today's Hungarian armed forces, its past and present glory, and the moral foundations of the Hungarian soldier.

Keywords: military tradition, Hungarian defence forces, heritage, culture, identity, national remembrance.

1. THE ROLE OF TRADITIONS IN CULTURE AND SOCIETY

The power of tradition is extremely great; language, culture, traditions and common history hold communities together. Traditions can also be considered as the defining pillars of every community – be it society, family, group of friends, or organisations – and the life of an individual, which are embodied by the use of celebrations, rituals, ceremonies, customs, symbols, and verbal structures, as well. What do we call tradition? What are the cultural elements? How does tradition affect cultural memory?

In order to gain a more complex understanding of the concept of *tradition*, as many researchers, James Alexander starts the analysis of tradition by examining the word itself. Alexander points out that “[w]e are more conscious of tradition now than we have ever been. The word is very old, and what it stands for even older.”¹

Tradition can also be interpreted as an inherited form of behavior that we try to preserve and pass on to the next generations. Tradition treats and protects the heritage of the past as a value, and this means not only keeping alive customs worth passing on, but also passing on the way of thinking of our ancestors. In this way, shared traditions strengthen the sense of belonging to the community and the cohesive force of the community.

Similar to those investigating the topic, Edward Shils states that the word tradition comes from the Latin word *traditio*, which is formed from the verb *tradere*, and can mean ‘handing over’ or ‘giving up’ something. Grasping the meaning of handing over, Shils states that tradition - be it a material or spiritual passed-on value - is nothing more than the heritage inherited from our ancestors and passed on to our descendants. Shils reveals in his work *Tradition* that what is called a tradition is something that spans at least three (short or long) generations and survives.² Relying on this revelation, we can conclude that common traditions have nation-building power, which originates from common memory and nourishes common identity.

¹ James Alexander: A Systematic Theory of Tradition, Journal of the Philosophy of History 10, Koninklijke Brill NV, 2016, p.2.

² Shils, Edward: Tradition. Chicago. The University of Chicago Press. 1981.

As a link relevant to the research examining the common memory and traditions of society and the military, I consider the holidays to be authoritative. In my attempt to answer the questions posed, I am basing myself on the statement of German folklorist Andreas Bimmer, according to which holidays can be divided into two main groups: community holidays and individual holidays³. The national past that lives in us, and the traditions that nourish it, are mostly asserted on the occasion of state and national holidays, gain space, and stand out from our everyday life. As we have established, memories are constructed by social groups, according to which the group is responsible for determining what we consider a "memorable" event, and in what form a given event should remain in the collective memory and for posterity. At this point, I definitely emphasize that tradition, memory and history do not completely overlap, as the changes experienced in the world have a permanent effect on their interpretation due to the influence of the prevailing idea on them.

Studying today's holiday culture, we can observe that holidays in Hungary can be classified into two main groups: we remember holidays connected to religious and historical events. At this point, I find it important to note that in the last hundred years, the number of our holidays, and with it the memories that determine the national identity for the community, are determined by the given political power, that is, so-called controlled commemoration takes place.

Knowing and reviving the traditions that largely determine our national identity is essential for community building. One of the main pillars of maintaining a sense of national identity and strengthening the sense of Hungarianness is the knowledge of our traditions and history, which is closely connected with the collective remembrance realized on the occasion of national holidays and other significant events. Guided memory is provided with a framework by the protocol, which, according to its basic meaning, is known to the public as a set of internationally accepted and followed politeness rules.

It is an important factor for the Ministry of Defense and the Hungarian Defense Forces to have the ability(s) to help them stay on track, to attract the attention of the younger generation, who are just getting their bearings in the wider world, and contact with civil society. Overall, creating a positive image and maintaining it is a goal that calls for the preservation and nurturing of military traditions and Hungarian military values. The sense of Hungarianness, as well as the values and symbols associated with it, would contribute to the training of the person wearing the uniform, since in addition to physical and military training, they also arm themselves with a kind of spiritual weapon. This inner strength originates from our military past, our history, which is strengthened by the given organization within the unit, and is also mediated towards the civilian population by organizations belonging to the Hungarian Defence Forces "vitéz Szurmay Sándor" Budapest Garrison Brigade.

The purpose of this study is to introduce the contemporary Hungarian collective cultural and national memory, its relationship to history and military traditions. Traditions and memory are close to each other; they are connected by a kind of reciprocity. In the study, I highlight the importance of traditions, more precisely the constructive role of military traditions in society, as well as its impact on the consolidation of national unity. In order to introduce the importance of tradition, and more precisely military tradition, to society, I present the concept of the Hungarian Defence Forces regarding the maintenance of tradition, as well as the role of the HDF "vitéz Szurmay Sándor" Budapest Garrison Brigade, as the image of the Hungarian Defence Forces communicated to civilians.

2. HUNGARIAN MILITARY TRADITIONS

Military profession is one of the oldest in history, since from the beginning there were feuds, tribal wars, and then larger conflicts, which had to be fought by the strong men of the village, province, and state who were good with weapons. According to this, the soldier appeared in the public consciousness as a respectable person who could even sacrifice his life for his country and fellow countrymen, if the situation demanded it.

As a result of social changes, our habits, interests and opportunities regarding career building and profession choice have changed, which can also be observed in the staff of the Hungarian Armed Forces. Although there is no real difference in content between the profession and the work carried out as an occupation, on the contrary, their fundamental difference is revealed when viewed at the level of the idea behind it and the moral content.

For the Hungarian Defense Forces and the Ministry of Defense, the maintenance and revival of military traditions, as well as their introduction to the public beyond the military organization, is increasingly becoming a priority task, which also serves to strengthen the organization's prestige. In its human resources strategy planned for the period 2012-2021⁴, the Hungarian Armed Forces states that "ensuring the retention and attractiveness of the military career, which recognizes traditional military values and performance, and provides social respect is an essential task of the organization in order to build retention power. The principles laid down by the Ministry of Defense enable the professional and contract staff, relying on our rich military history, by reviving and nurturing the traditions of the once outstanding regiments, to create a uniform corporate spirit that is based on military values and an organizational culture based on solid foundations. enables its development.

Within the large unit of the Hungarian Defence Forces, we can further divide the staff into smaller groups, based on which type of weapon or formation they belong to, since each formation of the Hungarian Defence Forces has its own traditions. Conscious nurturing of military traditions can help shape the professional character and military spirit of the Hungarian Defence

³ Bimmer, Andreas: Typisierung gegenwärtiger Feste. *Blätter für Volkskunde*. 4, 1977. 38–48.

⁴ A Magyar Honvédség humánstratégiája a 2012-2021. közötti időszakra. Online: <https://adoc.pub/a-magyar-honvedseg-humanstrategiaja-a-kztti-idszakra.html>

Forces in a purposeful way, and strengthen the sense of belonging. By nurturing military traditions, the Hungarian Defence Forces can further increase its social acceptance, strengthen its social integration and broaden its supply base.⁵

Cultivating military traditions makes it possible to display our cultural values, which have a positive effect on maintaining and strengthening the national character of the armed forces, as well as on strengthening the positive perception of society. In the rapidly changing world of the 21st century, the question may arise as to what are the values that we must emphasize and protect, that is, we must consider what and how we want to remember the events of the past, which for the future generation, for the sense of Hungarianness we consider closely related ideas important.

3. HDF “VITÉZ SZURMAY SÁNDOR” BUDAPEST GARRISON BRIGADE

The HDF “vitéz Szurmay Sándor” Budapest Garrison Brigade is a young organization in the system of the Hungarian Armed Forces. According to its charter, the Garrison Brigade was established on January 1, 2007, but its historical past dates back to the 18th century, to the coronation of Mária Theresia as Queen of Hungary.⁶ Proceeding in chronological order, first of all, being aware of the historical antecedents, we consider October 30, 1741, the foundation of the 32nd Infantry Regiment as authoritative. Secondly, taking legal continuity into account, the founding of the MH Main News Center on January 16, 1745, as a legal predecessor organization, should be highlighted⁷, since the Brigade was created as a result of the merger of several organizations.

The traditions preserved by the Garrison Brigade, as well as displayed by a part of the staff, range across a wide spectrum, from the legacy of our state founder King St. Stephen, to the military activity, moral and ideological views of the eponymous valiant baron Sándor Szurmay, moving along the timeline of history. The national and military traditions under the care of the Brigade and conveyed to the military staff and the civilian population are sometimes revived and presented to the public by the soldiers serving in the 32nd National Ceremonial Unit, during the performance of their daily tasks.

The eponymous and brave Colonel-General Sándor Szurmay is a defining figure in Hungarian military history. Sándor Szurmay, who was born in the second half of the 19th century into a bourgeois family, already felt a commitment to the military career at a young age. He completed his studies, among others, at the Ludovika Academy and the military school in Vienna. During his military career, he stood out among his peers everywhere, not only an outstanding theoretical specialist, but he was just as talented in practice. Thanks to his theoretical and practical experiences, as well as his activities during the war, he received the highest military award, the Knight's Cross of the Military Order of Mária Theresa. His military qualifications and merits enabled him to hold the position of group leader in the Ministry of Defense and, later on, to assist the minister in his work as state secretary.⁸ In terms of his spirituality, Colonel-General Szurmay is an exemplary figure in Hungarian history for the military and personnel belonging to the Brigade. The values it represents serve as guidelines for staff members to follow.

The ornamental garden created in the area of the Sándor Petőfi barracks on Budaörsi Street, Budapest Hungary, evokes the past. In terms of its design, the foundation of the memorial site represents the leaning cross of the Holy Crown, on various points of which pedestals for the statues of people connected to the Brigade's past were placed.⁹ The ornamental garden, which pays tribute to military traditions and values, commemorates Hungarian Queen Mária Theresa, the founder of the 32nd Infantry Regiment, Major General József Schweidel, the hero general of the War of Independence executed in Arad, the first city commander of Budapest, Major General György Láhner, commissar of the War of Independence, also executed in Arad to the heroic general, and since our complex profile also includes news and IT, to Puskás Tivadar, the inventor of the telephone newscaster.¹⁰

4. NATION BUILDING EFFECTS OF MILITARY TRADITIONS

In view of the changes experienced in the 21st century, the transformation that can be observed in the fabric of society, and the multicultural system that can be felt almost anywhere in the world, the preservation and nurturing of national self-consciousness – in our case, the sense of Hungarianness – must be prioritized, as well as, last but not least, passing it on to the next generations. Our national values include both the values created by man and nature, spiritual and material creations that strengthen our sense of Hungarianness and help to consolidate and develop a sense of national identity.¹¹

⁵ Jobbágy Zoltán: A csapathagyományok és a katonai hagyományok közelítésében rejlő lehetőségek a Magyar Honvédség megtartó erejének növelése érdekében, Sereg Szemle, VIII. évfolyam, 1. szám, 2010. január-március,

⁶ MH vitéz Szurmay Sándor Budapest Helyőrség Dandár alapító okirat https://webtar.kozadat.hu/webfarm/anybody/mhbhd/tev_muk_adat/alaptevev

⁷ Gáspár Katalin (szerk.): „Életünket és vérünket” MH vitéz Szurmay Sándor Budapest Helyőrség Dandár. Budapest. Zrínyi Kiadó. 2013. p9.

⁸ Gáspár Katalin: „Életünket és vérünket!” MH vitéz Szurmay Sándor Budapest Helyőrség Dandár, Budapest, Zrínyi Kiadó, 2013. pp10-2.

⁹ M. Tóth Mihály: A Petőfi Sándor laktanya 100 éve, MH Zrínyi Térképészeti és Kommunikációs Szolgáltató, Budapest.

¹⁰ <https://harminckettesek.webnode.hu/laktanyatortenet/>

¹¹ <https://net.jogtar.hu/jogszabaly?docid=a1200030.tv>

In the organization of the Hungarian Defence Forces, the Garrison Brigade has been given a complex task system that is not similar to the daily work carried out by an ordinary brigade. Its diverse tasks are matched by a unique structure. Its sub-units and organizational elements were created with an optimized structure for the performance of the tasks of the specific field. In terms of the basic organization of the corps, the tasks performed can be divided into five major areas of specialization:

- news, IT and electronic information protection;
- garrison, ceremonial and military music (including the security of the Holy Crown and the protocol guarding of the Alexander Palace);
- protocol, cultural and recreational;
- military police
- logistics and health.¹²

In order to carry out the extensive tasks of the Garrison Brigade, specialist areas were established. Taking into account the relevance of the present research, I would like to highlight the tasks performed by the Hungarian Defence Forces supporting organizational elements – 32nd National Decoration Unit, Directorate of Culture and Recreation, Central Orchestra, Protocol, Delegation and Event Insurance Directorate -, highlighting the impact on cultural memory of the traditions evoked by the ceremonial tasks appearing at protocol events.

Both nationally and internationally, the Brigade and the Directorate represent our country on numerous occasions both abroad and at home through the Military Event Insurance Sub-Department. As an organizational element of the Board of Directors, the Sub-Department is responsible for carrying out significant tasks on the international scene, such as receiving high-ranking state and military leaders, receiving ambassadorial credentials at the Sándor Palace, and then Heroes' Square, where the ambassador lays a wreath in the presence of the Banner of Honor and the national flag of our country the Tomb of the Unknown Soldier. Each element of the reception and wreath-laying ceremony, performed with military honors, radiates mutual respect.

Our current military traditions and cultural memory are greatly influenced by the turbulent historical events of the 20th century and the sometimes rapidly changing political system. After 1918, as a result of the several system changes that took place in the 20th century, the previous traditions were reinterpreted several times, and possibly interrupted; In 1919, 1920, 1945, 1948 and 1990, in accordance with current political views, the organization of the armed forces began on a radically new basis and, at the same time, the cultivation of traditions. This repeated reorganization caused the instability of military identity and military profession. The previous stability was loosened, the response to rapid changes could be partly realized, thus a constant search for identity arose, for which the regime change that took place in 1989-90 can be considered a solution.

Considering the history of the nations of the world, it can be seen that there are few nations that have had a century full of historical twists and turns similar to the Hungarian people. In terms of the history of Hungary, the defining era of the 20th century, thanks to its rapidly changing political and state systems. If we compare the previously highlighted dates that mark the changes with the concept of tradition formulated by Shils, it becomes visible that the events that took place in the 20th century were not conducive to the consolidation of traditions. The continuation through three generations was not realized in any case, thus the newly introduced tradition could not be consolidated in accordance with the political trend. After the change of the regime, a search for identity can be observed; our current state and national holidays are both linked to our previous commemorations, but not to the political ideals of the given era.

When examining the relationship between tradition, memory and remembrance, the appearance and role of political monuments and monuments should be highlighted, as well. A monument - be it of a religious, political or historical nature - commemorates the past, preserves the memory associated with the person or event displayed. By its availability in physical space, the monument ensures the survival of the captured historical moment in the public consciousness and in the memory of generations. From the point of view of the creation of tradition and, later, the preservation of tradition, memorial sites play a prominent role, as they make ancient symbols of national identity available to posterity. In many statues, the recent past and a heroic moment in Hungarian history are connected by drawing a historical parallel.¹³ In addition to displaying heroic moments from history, the construction of monuments is also linked to national holidays.

Emphasizing military traditions during the national remembrance days can be a positive connection point towards the public, which increases the acceptance of the organization by society. Strengthening the image of the organization was clearly formulated in the human strategy formulated by the Hungarian Defense Forces. Due to the voluntary nature of the armed forces, social perception and the creation of a reliable and positive image are extremely important. The 32nd National Ceremonial Unit is most often visible to the public at events that are open to both soldiers and civilians. For the Hungarian Defense Forces, military ceremonies serve as a kind of communication tool. The past-evoking aspect of the symbols displayed by the Ceremonial Unit – uniforms, team flags, national flags – connects the nation, evokes our common cultural memories and our sense of belonging.

¹² Gáspár Katalin: „Életünket és vérünket!” MH vitéz Szurmay Sándor Budapest Helyőrség Dandár, Budapest, Zrínyi Kiadó, 2013.

¹³ Kenneth E Fote – Tóth Attila – D. Árvay Anett: Emlékezés, nemzeti identitás, politikai emlékművek rombolása. Móra Ferenc Múzeum Évkönyve: Studia Historiae Literarum et Artium, 3. Szeged, 2001.

5. CONCLUSIONS

The rather tumultuous Hungarian history does not favor our traditions. The cornerstones of our common national memory are our state and national holidays, which are held with a military presence. Remembrance has its formal, objectified tools and specific carriers, which, when called upon, not only create a connection, but also unite the civilian population with the military for the duration of the event. The Hungarian anthem and slogans, the historical flags, the flag of our country, but also the 32nd National Ceremonial Unit itself, which examines various areas of remembrance and communicates a lot of information to civil society in order to recall cultural memory, are essential for an event.

For this kind of collective commemoration, we call on all the symbols and emblems that help the further perpetuation and imprinting of the collective memory. The periodic nature of the event helps the process, as not a calendar year goes by without commemorating, for example, the martyrs of Arad, the March youth, or our state founder King Saint Stephen. In terms of its nature, all central commemorations can be considered repetitive, since a legally fixed day in the calendar can be attached to it, and from the point of view of the planning of the event, the program itself does not change, or only changes slightly.

The multiple changes in organizational culture caused a break in the identity of the Hungarian Defence Forces. Returning to Hungarian military roots is a long process, in which commemorations and holidays connected to Hungarian military values and traditions clearly play a beneficial role. In recalling the past and displaying symbols, the role of the Hungarian Defense Forces is essential, along with the tasks completed by the HDF “vitéz Szurmay Sándor” Budapest Garrison Brigade, and should definitely be highlighted. The closed organization that exists in a hierarchical order, in addition to nurturing its own traditions and team traditions, assumes an outstanding role in displaying Hungarian national values and symbols, nurturing our national traditions and keeping them in the public mind, which has a beneficial effect not only on the commitment to the field, but also on social acceptance and integration is also an essential moment in terms of the dedication to a military career.

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Human Papillomavirus infection; Prevention as a fundamental approach towards cervical cancer control in Albania

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Abstract

Cancer represents the main cause of death worldwide. Many types of cancer are still considered life-threatening diseases, especially in low- and middle-income countries. Thanks to the progress made in developing modern diagnostic techniques, nowadays we know for sure that some types of Human Papillomavirus (HPV) are responsible for the development of cervical cancer. In this context, Albania has taken steps forward regarding the proper control of this infection. The purpose of this study was to evaluate the epidemiology of HPV infection along with a closer analysis of the current status of cervical cancer prevention in Albania. In the framework of global strategies to eliminate HPV infection, Albania, on November 1st, 2022, has included the HPV vaccine as part of the national mandatory vaccination calendar, targeting primarily girls aged 13 years old. It is now available the quadrivalent HPV vaccine which provides protection against four types of HPV (type 6, 11, 16 and 18). Infection prevention is a fundamental approach towards cervical cancer control, as a result, the policy effort of mass vaccination is considered a critical key that Albania should amplify and expand at the same pace in the future. In addition to the primary control strategy, WHO encourages every country to follow the mass screening approach of women at the age of 30 and above every 5 to 10 years, to enable a quick and appropriate orientation of each positive case, aiming for a near cervical cancer-free future.

Keywords: HPV, HPV vaccines, prevention, mass screening, cervical cancer, mandatory vaccination calendar.

1. Introduction

Cancer represents the main cause of death worldwide. Many types of cancers are still considered life-threatening diseases, especially in low and middle-income countries. Albania is a country located in the southwestern region of the Balkan Peninsula (BBC News, 2022) and has a population of 2.793.592 inhabitants (INSTAT, 2022). According to World Bank data, Albania is an upper-middle-income country (The World Bank, 2021). In Albania, in 2020 lung and breast cancer were the most frequently diagnosed cancers, on the other hand, the number of new cancer cases in 2020 among both sexes of all ages was calculated to be around 7037 (The Global Cancer Observatory, 2021). Cervical cancer represents 4.7% of the total number of new cases in 2020 (The Global Cancer Observatory, 2021). During the same year, the incidence per 100 000 women of crude cervical cancer was estimated to be 9.4 (Cervical cancer Albania 2021 country profile, 2021).

Thanks to the progress made in developing modern diagnostic techniques, nowadays we know for sure that some types of Human Papillomavirus (HPV) are responsible for the development of cervical cancer. HPV is a highly transmissible non-enveloped double-stranded DNA virus, which spreads typically by sexual contact (WHO- Human Papillomavirus (HPV), 2016). There have been described more than 100 types of HPV and some of these are classified as high-risk types, such as types 16 and 18 which are considered the cause of at least 70% of cervical cancers. (WHO- Cervical Cancer, 2022; ECDC, 2018). Besides cervical cancer, HPV is responsible for also causing cancers of the vagina and vulva in women, anus in both women and men, penis in men and oropharyngeal cancer in both women and men (CDC- HPV Infection, 2021).

In the European Region, there are approximately 66 000 new cases diagnosed with cervical cancer each year (WHO- HPV vaccination brings the WHO European Region closer to a cervical cancer-free future, 2022). Meanwhile, in 2020 there have been registered around 604 000 new cases of cervical cancer globally and approximately half of them died due to complications, advanced-stage diagnosis, or non-immediate treatment of each positive case (WHO- Cervical Cancer, 2022). The HPV vaccine was introduced for the first time in 2006. There are three vaccines available for protecting against high-risk HPV types such as: the

9-valent HPV vaccine (Gardasil, 9vHPV), the quadrivalent HPV vaccine (Gardasil, 4vHPV), and the bivalent HPV vaccine (CDC-Human Papillomavirus (HPV) Vaccination, 2021).

All three vaccines were found to be highly immunogenic and with around 100% of efficacy in the prevention of cervical intraepithelial neoplasia (CIN) 2/3, and adenocarcinoma in situ (CDC- About HPV Vaccine, 2021). The progress made in the management of this infection is perceptible. In this context, the EU region has achieved high HPV vaccination coverage approaching this way to a near cervical-free future (WHO- HPV vaccination brings the WHO European Region closer to a cervical cancer-free future, 2022).

Albania has taken steps forward regarding the proper control of this infection too. In February 2022 was developed the new National Cancer Control Program for 2021-2031, followed by the introduction of the HPV vaccine in the mandatory vaccination program for the first time (WHO- Albania news, 2022).

The purpose of this study is to evaluate the cervical cancer prevention strategies implemented in Albania, such as screening, appropriate treatment, and vaccination.

2. Methods

This paper is a review of the epidemiology of HPV infection along with a closer examination/ analysis of the current status of cervical cancer prevention in Albania. In order to provide an overall picture of the topic, it was performed a literature review and were also selected 8 studies conducted in Albania and in the EU region regarding the evaluation of the knowledge and attitudes of people toward HPV infection. The selected databases were as follows: PubMed, MEDLINE, WHO, ECDC. In addition, the keywords and phrases used to generate this research were: HPV, HPV vaccines, prevention, mass screening, cervical cancer, mandatory vaccination calendar, Albanian Institute of Public Health, and Ministry of Health and Social Protection.

3. Results and Discussion

Considering some indicators of the mortality rate in Albania, it is observed that the total number of cervical cancer deaths registered in 2020 was 74, and among the female population, this type of cancer represents the top 5 most frequent cancers excluding non-melanoma skin cancer (The Global Cancer Observatory, 2021). On the other hand, the number of new cervical cancer cases in Albanian females of all ages in 2020 was found to be 133 (The Global Cancer Observatory, 2021).

HPV infection is a perfectly preventable disease and many countries worldwide have made progress in the way of elimination of the infection by making available, since 2006, the HPV vaccine and by establishing effective prevention programs. In Albania, the HPV vaccination program was not available until a month ago.

In the framework of global strategies to eliminate HPV infection, Albania, on November 1st, 2022, included the HPV vaccine as part of the national mandatory vaccination calendar, targeting primarily girls aged 13 years old (Ministry of Health and Social Protection, 2022).

In Albania is now available the quadrivalent recombinant vaccine HPV vaccine which will be providing protection against four types of HPV (type 6, 11, 16, 18). The HPV vaccine is expected to offer protection to almost 15 000 Albanian girls each year (Ministry of Health and Social Protection, 2022). The infection prevention approach is a brand-new strategy for Albania therefore concrete and noticeable results are expected in the near future.

Meanwhile, WHO stated that at the end of 2021, there were only 15 countries that hadn't introduced the HPV vaccine yet, in specific 31 of 33 UE high-income countries and 7 of 20 middle-income countries (WHO- Equitable access to cervical cancer prevention in the WHO European Region increases as 4 more countries introduce HPV vaccination, 2022). During the same year, the HPV vaccination coverage for the first dose in the female population in the EU Region, was estimated to be 32%, and the same coverage level was observed in the group of 15 years old girls (WHO- Human Papillomavirus (HPV) vaccination coverage, 2021). In 2019-2020, 8 countries in the EU Region were able to reach an HPV vaccination coverage of 80%, 20 countries achieved coverage of 50% and only 5 countries achieved coverage with a final dose of more than 90%, which is also the target set in the context of the global strategy for cervical cancer elimination (WHO- HPV vaccination brings the WHO European Region closer to a cervical cancer-free future, 2022; Bruni *et al*, 2021).

In this context, WHO strongly supports all countries to achieve by 2030 the 90-70-90 targets, which consist in 90% of fully vaccinated girls by the age of 15, 70% of women screened by the age 35, and 90% of women diagnosed with precancer lesions and invasive cancer being able to receive the appropriate treatment (WHO- The cancer we can eliminate-WHO/Europe urges Member States to consign cervical cancer to history, 2022).

In Albania from 2011 to 2021, many national health policies were developed in order to increase the awareness towards cervical cancer screening and reduce the mortality rate of this disease by defining in time for the appropriate treatment. During the development of these policies, the presence of stakeholders and partners such as the Ministry of Health and Social Protection, the Albanian Institute of Public Health, and WHO, was fundamental. Since the HPV vaccination program wasn't available in the period mentioned above, the strategies were concentrated only on early detection and screening (Albania National Cervical Cancer Program Evaluation Report of the First Year, 2020).

The strategies started in 2011 with the implementation of the First National Cancer Control Plan, followed by the approval of the Guidelines of Cervical cancer control at Primary Health Care in 2015. In 2019, the Ministry of Health and Social Protection, funded the first National Program for Cervical Cancer screening. In these circumstances, there were a total number of 583 physicians and nurses accurately trained for the screening program (Ylli *et al*, 2020). The peak of achievements was reached on November 2022 by including the HPV vaccine in the mandatory vaccination calendar, enabling for the first time in Albania the primary method for preventing cervical cancer.

In order to understand the rate of now on acceptance of the HPV vaccine, it is necessary to undergo national studies analyzing knowledge and behavior toward HPV infection and vaccine. Some efforts, to evaluate the knowledge of Albanian young people toward HPV vaccine, are already made. Furthermore, understanding the approach and the perception of the parents is considered an important issue to be evaluated in the future too, since the primarily targeted groups for vaccination are girls by the age of 13.

Knowledge and approach toward HPV infection and HPV vaccine in Albania and in some countries of the Balkan Peninsula

We made the effort to demonstrate the level of knowledge about HPV infection by identifying studies conducted in the Albanian territory, such as the one conducted in a group of 120 nursing students, in which was found that almost 65% of this target group possessed good knowledge about the infection and the existence of a preventable vaccine, although the availability of professional and safe information was found to be helpful for those who appear to have limited knowledge (Kamberi *et al*, 2019).

HPV awareness was also evaluated in another study conducted among 70 Albanian students from nursing and physiotherapy courses, aiming to compare the attitudes of Albanian students with the Italian ones. As a result, the study demonstrated that around 79% of the Albanian students were aware of the PAP test, and almost the same percentage was found to be well-informed regarding sexually transmitted infections (Ciccarese *et al*, 2020).

In order to present an overall view regarding HPV infection and immunization situation also in other countries of the Peninsula, we identified a study conducted on a sample of 883 young Greek adults. Female participants in the survey demonstrated better knowledge about HPV in comparison to males, and around 52.3% of the total participants stated to be already vaccinated. Among the non-vaccinated ones, the most common reasons were the lack of information and fear of adverse events (Sidiropoulou *et al*, 2022).

On the other hand, studies regarding the prevalence of HPV genotype in Albania in comparison with other countries, such as Tukey, demonstrated that the most common circulating virus type was HPV 16 and 6 but also type 18 in specific for Albanian women (Hancer *et al*, 2018). The presence of these high-risk HPV types circulating in Albania, was confirmed by another cross-sectional study conducted among 402 Albanian women, in which HPV type 16 was found to be the most common type (41%) (Filipi *et al*, 2010).

The introduction of the HPV vaccine in Albania will bring a new era in the control of cervical cancer, but to fully understand the approach of the Albanian population toward HPV immunization, a further evaluation of cultural and socio-demographic aspects is necessary, as they may become potential threats for the national primary prevention program itself.

4. Conclusions

Infection prevention is a fundamental approach towards cervical cancer control, as a result, the policy effort of mass vaccination is considered a critical key that Albania should amplify and expand at the same pace in the future. In addition to the primary control strategy, WHO encourages every country to follow the mass screening approach of women at the age of 30 and above every 5 to 10 years, to enable a quick and appropriate orientation of each positive case. Furthermore, primary prevention and national screening program for HPV infection approach shouldn't be separately considered from the socio-demographic and cultural aspects of our country.

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Abstract

Access to energy resources has become a challenge of the modern world. The current processes taking place in the world have made the urgency of this problem even more obvious. To fully solve this problem, a green agreement has been adopted in Europe, one of which is green building. With this agreement, along with the search for new sources of energy, the construction sector, as the largest consumer of energy, needs to find ways to use energy economically. The article discusses the benefits of building blocks obtained by us using recycled plasma waste. In addition to using plasma waste, a serious environmental pollutant, in its production, the unit is highly energy efficient and lightweight, making it easy to use during the construction phase. The article describes the features of its advantages and the effect that will be achieved with its mass use.

If it were not for the serious challenges facing the European continent today, environmental protection and the resulting energy efficiency, it would have been unconditionally captured and even taken its rightful place among the important tasks facing civilization. Green building is also among the other important targets included in the Green Deal adopted by all in Europe, which focuses on reducing the negative environmental impact of the construction and operation process. buildings and ensuring production with a significant reduction in energy consumption for these processes. To solve the problem, more and more positive breakthroughs achieved in this direction will soon take their rightful place in the general engineering and thermal insulation systems of energy efficiency of buildings. As a result of the implementation of the decision taken in this direction, it was possible to improve the living conditions of buildings built in recent years in compliance with green building technology, further operation with a significant reduction in the amount of energy consumed. . Passive houses with zero external energy consumption are no longer a rarity and are increasingly taking their rightful place in urban spaces next to the old traditional buildings.

Most of the energy-saving wall structures and packaging materials for them are imported from abroad. Because of this, for objective reasons, the high price of similar products is an obstacle to taking concrete steps towards energy efficiency in construction. As a result of our research, we used plasma waste in the production of building blocks as one of the main components in the mixture required for its production.



After processing in a special way, we started the production of building blocks using secondary plasma waste, research gave us the

opportunity to determine the types of plasma material used for this purpose, to select the acceptable size of individual waste in the mass obtained during its grinding and the optimal proportions of the composition of the mass when preparing the mixture. The use of secondary plasma in the production of the block obtained as a result of research is its decisive advantage. But this building product is also characterized by other important features, it is much more energy efficient compared to a conventional building block, has the ability to remove moisture accumulated inside the building from the inside, and is lightweight, which reduces financial and labor costs for its transportation and installation. At the competition held by UNDP in the country, the purpose of which was to search for inventions and achievements in energy efficient areas, this product was named among the winners, and on their initiative and in agreement with us, it was sent to a large competition held outside of Georgia for the same purpose.

As a result of the studies, the latest analogues of the prepared block fully comply with the requirements for the strength indicators of building blocks used in non-load-bearing walls. Building products of various sizes can be manufactured according to the

purpose and need. It should be noted once again that the production of this product from recycled materials is a waste of a fundamentally different nature, and this is especially important for those urban spaces where large volumes of plasma secondary raw materials are collected everywhere and the necessary industry for their processing has not been developed locally. All this is a prerequisite for the specified product to be found by research teams, construction companies interested in "green" construction, and with their help, take its modest place in the responsible business of energy efficiency and really solve this most important task on a practical level.