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# The Albanian economy during Covid-19 and energy crisis. Comparison with Western Balkans countries.

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## Abstract

As we know, the Western Balkans are made up of 6 countries such as Albania, Montenegro, Kosovo, North Macedonia, Serbia and Bosnia Herzegovina. The impact of Covid-19 and the energy crisis put the economies of these countries in front of great difficulties. All the economies of the Western Balkans continue to be very sensitive and facing a very turbulent external environment, placing peoples, businesses and governments under unprecedented difficulties. The pandemic covid-19 and Ukraine war which implied an increase in commodity prices, energy prices, as well as a slowdown in the growth of the Western Balkans as well as the global one. All six economies suffered in their economic performances. Thus, the high prices of energy and the increase in food causes us to have inflation at higher levels unseen for many years before. The purpose of this paper is to taking into comparative analysis, to get the economy of Albania in relation to the economies of the Western Balkan countries during and after the pandemic and the presence of the energy crisis. The economies of this region faced great difficulties in many directions and sectors of the economies. The negative effects in the economy come as a result of the pandemic, the war in Ukraine, the energy crisis, the decrease in remittances due to the pandemic, the increase in inflation and the increase in commodity prices, the blockage and the decrease in energy production in hydropower plants, the reduction of imports and others indicators that this paper aims to demonstrate. This paper will also show the response of the governments of the Western Balkan countries to their countries, as well as the international organizations response to the support of these fragile economies.

***Keywords: Albania economic growth, Western Balkans challenges, Covid-19 and energy crisis, government responses.***

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## 1. Introduction

The countries of the Western Balkans were affected by the pandemic and the energy crisis, as were other countries in Europe and the world, from which we expected to have high levels of inflation and deep recession in these economies. The recession was expected to have a major impact on countries such as Montenegro, Albania and Kosovo, which are highly dependent on tourism and suffered a major contraction in this sector. Montenegro, Albania and Kosovo were expected to experience strong shocks in the decline of GDP of over 8 p.p. compared to pre-pandemic forecasts in 2020. While Serbia, Bosnia Herzegovina and North Macedonia were expected to have recessions with milder declines that could range from 3.2, 3 and 4.1%, compared to before the pandemic. What was noticed by the economies of all the Western Balkan countries was their impact from the pandemic crisis affected demand and supply in domestic markets and this was reflected in the country's economy. With the decrease in demand, we would certainly have a decrease in exports and public and private investments, which caused a decrease in the economies of these countries. We had a decline in foreign direct investments, which would negatively affect the opening of new jobs and the progress of technology in the market. The restrictive measures on the free movement of people during the pandemic brought a strong impact on the tourism of these countries, especially in Albania and Montenegro. There was also a decrease in remittances from immigrants, which are very important for the economies of these two countries, affecting domestic investments as well. Knowing that remittances account for an average of 10% of GDP and they fell, thus increasing unemployment in developed European countries that brought about this situation.

All the countries of the WB to face the crisis took measures to mitigate the negative effects and bankruptcies of businesses. The governments of different countries take drastic measures to overcome and mitigate the fiscal burden and to find supporting instruments for businesses and families. In this paper, six countries of the Western Balkans will be analyzed, the economic challenges caused by the pandemic and the preventive measures by their governments. The expectation of these measures taken would result in a contraction of the economies in the entire region.

## Literature Review

During the last twenty years, the European perspective for the countries of the Western Balkans has experienced a gradual erosion of its enlargement policy. (Richter & Wunsch, 2019) although the delays for membership in the EU as well as the increasing influence of developing powers in the Western Balkans also continued with the dynamics of the Western Balkan states. According to the OECD's March 2021 Economic Outlook ((OECD, 2021)) the global GDP expressed in real terms shrank by 3.4 percent in 2020 but is projected to rise by 5.6 and 4.0 percent in 2021 and 2022, respectively.

The EU is also challenged by the rise of the so-called developing powers. Meanwhile, the middle powers promote the spread of global power and questioning the international order. Many researchers have spoken about the dominance of the middle powers and according to ((Gonzalez & Levaggi, 2016)) he wrote that the influence of Russia, which has been so great that it is promoting in the Western Balkans exactly the opposite of the EU, namely: censorship, militarization, incitement to war, disinformation campaigns, instability and non-membership in the EU and NATO ((Bieber & Tzifakis, 2021)). Russia tries to develop its influence in this region ((E, 2018)) Russian influence in the Western Balkans poses a security threat to the EU. The Western Balkans have always had strong economic ties with the EU. In recent years, Europeans have been concerned about the presence of increasingly emerging powers in the Western Balkans ((Ryan & Gray, 2018)). The EU and its enlargement policy reflect the way in which EU institutions and a number of member states, including Germany and France, seek to formulate their policies towards the Western Balkans ((Ker-Lindsay, Armatolas, Balfour, & Stratulat, 2020)).

Meanwhile, the topic of this paper is the analysis of the impact of the COVID-19 pandemic and the energy crisis in the countries of the Western Balkans (Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia). Both the COVID-19 Pandemic and the energy crisis have caused major disruptions in the economic activity of WB countries, which were already lagging behind in terms of economic conversions to a Union ((commission, 2021)).

Referring to the March 2021 Economic Outlook reports of the OECD (OECD, 2021) global GDP expressed in real terms contracted in 2020, and was projected to increase in 2021 and 2022. It has always been recognized that the pandemic COVID-19 and the energy crisis have overshadowed other developments in different sectors, while at the same time accelerating existing trends ((Balkans in Europe Policy Advisory Group (BiEPAG), 2020)). These crises have severely hit external demand, prices of export goods, commodities and the flow of international remittances ((worldbank.org, 2020)) on the one hand, as well as financial outflows, exchange rates, foreign exchange reserves and interest rates, on the other hand.

Global inflation was affected by the pandemic, the energy crisis and the resulting deep price volatility ((Baker, 2020)), and its overall economic effects have not yet been assessed ((Zaremba, 2021)). Meanwhile, the increase in the public debt burden of countries is predicted to become one of the epicenters of the main legacy of the COVID-19 pandemic ((Salmeron, Adria, & García, 2020)).

The pandemic and the energy crisis showed that all the countries with the lowest incomes were the ones that were affected the most. Emerging market economies (EMEs) during the pandemic and energy crisis have faced the largest capital outflows ((BIS, 2020)) resulting from the negative spillovers of economic downturns in developed economies. And finally, less developed countries compared to developed ones have less space available to mitigate the negative effects of the crisis ((Aizenman, 2019)).

## Data and analyses

The experts found that in all the countries of the Western Balkans, recession would appear as a result of the fall in internal and external demand during the COVID-19 crisis. In order to prevent the pandemic, preventive measures were put in place, social distancing up to the closing of businesses, they created supply interruptions and reduced the income and consumption of families. But economic growth started to be strong in the first half of 2022, which were above expectations. Investment and private consumption were the main drivers of growth. Remittances and salary increase, as well as increases in private credit, have supported private consumption. What was observed was that the biggest investments were in North Macedonia, Serbia and Bosnia-Herzegovina. The increase in Inflation during 2022 in the Western Balkans has increased due to a connection between the increase in demand and supply.. What was expected for 2022 was that inflation would be in double digits in all the countries of the Western Balkans except Albania. It was noted that food inflation reached up to 25% in Bosnia-Herzegovina, Montenegro and North Macedonia. The increase in inflation was largely influenced by the increase in commodities.

There is stability in the financial sector which has been maintained, but the growth of a higher inflation would continuously test the financial sector. As far as bad loans are concerned, the trajectory is downward (on average by 4.4% in March 2022) and the direct impact on the banking sector has definitely been the war in Ukraine, which has brought restrictions. It should be mentioned that the tighter conditions of global financing will bring about a slowdown in internal and external demand, and therefore will bring about a weakening of business and consumer confidence and these will definitely affect the financial sector of the region.

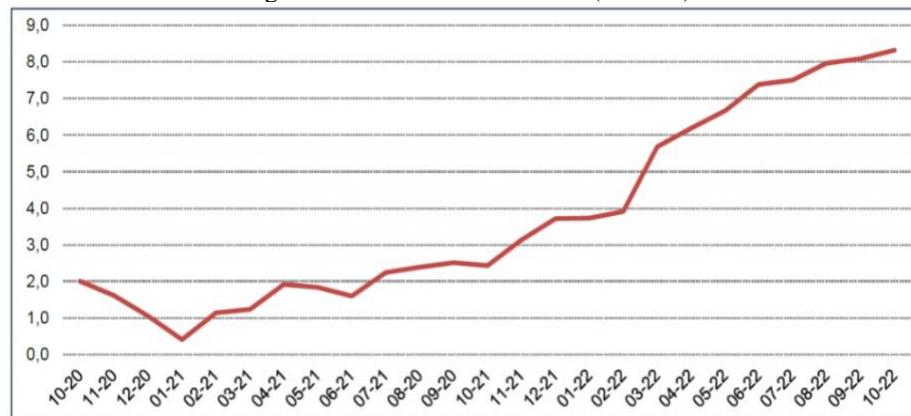
Export indicators in the region have started to slow, just as imports have risen sharply due to higher food and energy costs. We see that the deficits are increasing in all the countries of the Western Balkans and in some cases, such as Kosovo, Montenegro and Serbia, they are in double digits. For the region, the current account deficit was predicted at 54.9% of GDP in 2021 and at 8.7% of GDP in 2022.

For 2023, it is expected that economic growth in the Western Balkans will decrease (by 0.3 percentage points) to 2.8%. According to the references of the World Bank, which estimates the decrease for 2023 for Albania, Bosnia, Kosovo, Montenegro, North Macedonia and Serbia by 0.3 percentage points to 2.8%, and predicts that it will continue to have high inflation in 2023. . Rising energy and food prices have driven inflation to levels not seen for many years, shrinking purchasing power and business confidence. Inflation terms in food reached 25% in Bosnia, Montenegro and North Macedonia. The Bank's expectations are that the inflation terms will be at 10.9% in 2022, remain double-digit in all Western Balkan countries with the exception of Albania, and decrease to 6.4% in 2023.

### *The economy of Albania inside-out approach*

Starting with an analysis for Albania, we can give an overview of the economy in the year that coincides with the end of the pandemic and during the energy crisis. So first, the growth of 3-3.2% would seem acceptable in a year of stagflation at the global level, but of course it is important how the growth has come. Potential growth is definitely limited to some sectors of the economy that usually do not bring massive benefits to society. The Albanian economy experienced growth in the first quarter of 2022, which boosted private consumption, exports and investments (Bank, 2022)). Private consumption by consumers comes after a large part of income was spent on the purchase of goods and services, including here food (bank, 2022-23). For example, according to some official sources, an average family in Albania in 2020), 41.6% of consumer spending was spent on food and non-alcoholic beverages and this period was before 2022. Another thing about growth, we can say that it has grown because here financial institutions calculate everything in economic growth in value and not in quantity. If the analysis were calculated in quantity, then it would be easy and verifiable that Albanians spend a lot to consume less, as seen in the figure for trade.

Figure 1: Consumer Price Index (Unit: %)



Source: INSTAT

As can be seen, there is a decrease in the volume of goods transported during the ten months of the year, both by sea and by 20.3% and 25.6%. (Trade, down over 20% this year – Only air transport with growth, especially for passengers, 2022). While we will compare exports with the value in the first ten months of 2022, it has increased by 35%, comparing it to a year ago, and while imports have increased by 23.1%, comparing it to a year ago. (INSTAT, n.d.)

In Albania, the flow and effects of increasing inflation is the increase in fuel prices. So in March, the price of oil in Albania increased to 260 lek (or 2.22 euros) per liter in the local market, reaching historical peaks, this increase was almost 35% from the end of February. The war in Ukraine significantly affected the increase in inflation levels, as never before for many years.

Inflation terms reached 8.3% in October, while this was 2.4% a year ago. These effects affected transport prices by almost 17%, followed by 14.6% in the “Food and non-alcoholic beverages” sector. Compared to a year ago, what affected and was affected more in the food category is the increase in oil prices by +27.4%; dairy foods +25%; cereals by +17%. (Consumer Price Index, Institute of Statistics., 2022)

The main concern for the different layers of the Albanian society for 60%, is their economic situation which is strongly affected by the increase in inflation and some of them can survive financially, some cannot.

And this crisis showed precisely that the effects of price increases are affecting food security as well as for families with average incomes, which spend more than half of their wages on food. Even according to the European Commission (EC), almost 69% of employees in Albania have difficulties in meeting their monthly needs, a high percentage compared to Western countries. (Monitor, 2022). The crisis has a strong connection with corruption and they feed on each other and for the year 2022 according to the “Global Corruption Index” Albania is ranked 127<sup>th</sup> out of 196 (Profile, 2022). How big the effects of this crisis will be difficult to measure, but one thing is certain that the citizens will pay more for their living.



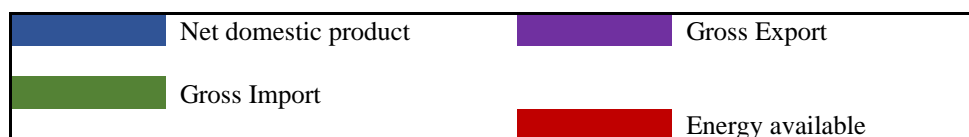
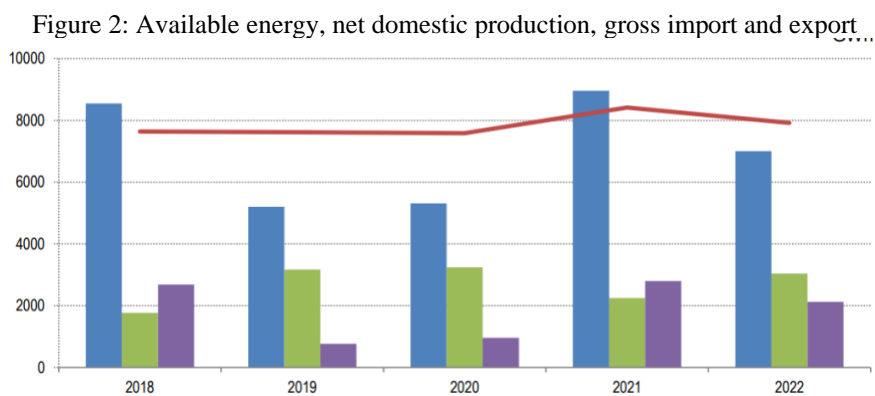
Another impact of the crisis seems to have caught the real estate market. Citizens no longer have the opportunity to buy a house with these interests and prices that the crisis has also affected the real estate industry. Compared to a year ago, according to the Fischer index of apartment prices, calculated by the Bank of Albania, the average price of apartments sold during the 6 months of 2022 has increased by 39%. Here we have the strongest growth of the index since a decade. (Monitor, Loans are increasing, as the monthly installments of families that have taken home loans have increased., 2022)

### Energy sector

As for energy prices, they have suffered a decline with the record levels of 2022, also due to global growth and its effects. There has been a large fluctuation in prices, with large differences between energy commodities. Energy prices are expected to fall over the next two years, but remain well above their recent five-year average. Accumulated volatility is likely to have other periods of energy prices. The global recession remains the main downside risk for energy markets, which could cause a significant decrease in energy demand and lower prices.

### *The situation of energy crisis period in Albania*

During 2022, the available electricity decreased by 5.8%. The net domestic production of electricity reached the value of 7,003 GWh from 8,963 GWh of energy produced in 2021, marking a decrease in production by 21.9%. This production was realized by public hydropower plants to the extent of 55.1%, by private and concessionary hydropower plants to the extent of 44.2% and by other producers (Photovoltaics) to the extent of 0.7% of the net domestic production of electricity. The gross import of electricity (energy in receipt) reached the value of 3,044 GWh from 2,253 GWh that was a year ago, marking an increase of 35.1%. The gross export of electricity (energy in delivery) reached the value of 2,123 GWh from 2,800 GWh, marking a decrease of 24.2% (Fig 2).



Source: INSTAT

**Table 1: Balance of electric power, 2021-2022**

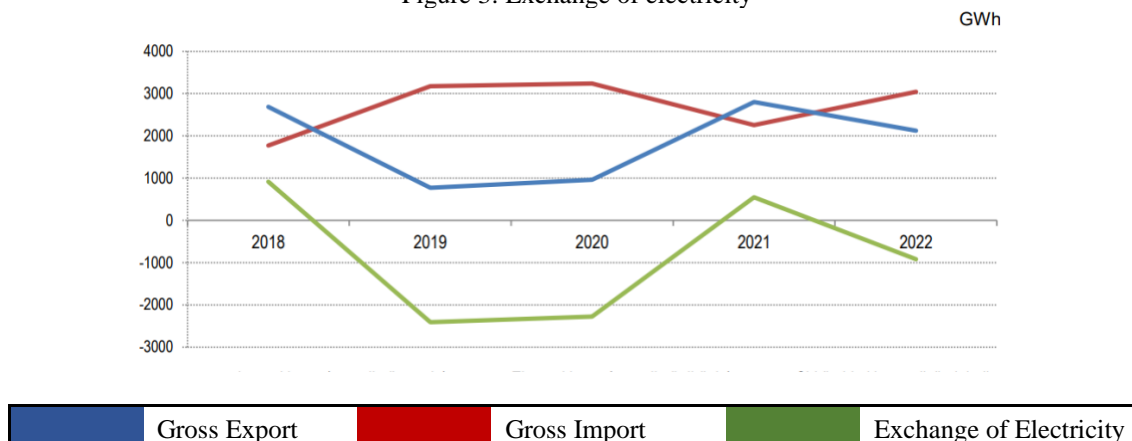
2021	2022	Indicators
<b>8,414,808</b>	<b>7,923,653</b>	<b>Available electricity</b>
8,962,703	7,002,647	Net domestic production
0	0	Thermo
8,921,947	6,951,387	Hydro
5,343,974	3,858,562	Net public producers
5,392,709	3,895,093	Gross public producers
48,735	36,531	Losses and own consumption
3,577,973	3,092,825	Independent power producers
40,756	51,260	Other producers (Photovoltaics)

2,252,548	3,043,533	Gross import (including exchanges)
2,800,443	2,122,527	Gross export (including exchanges)
<b>8,414,808</b>	<b>7,923,653</b>	<b>Consumption of electricity</b>
1,784,871	1,657,835	Electrical losses
227,918	199,994	Losses in transmission
1,556,953	1,457,840	Losses in distribution
1,028,670	980,012	Technical losses in distribution
528,283	477,828	Non-technical losses in distribution*
6,629,937	6,265,818	Consumption of electricity by domestic users
3,089,500	3,074,801	Households
3,540,437	3,191,018	Non households

Source: INSTAT

Public hydropower plants, in 2022, produced 3,859 GWh from 5,344 GWh produced in 2021, thus marking a decrease in production by 27.8%. Private and concessionary hydropower plants, produced 3,093 GWh from 3,578 GWh produced a year ago, marking a decrease in electricity production by 13.6%. As for the exchange of electricity (difference between export and gross import of energy), in 2022, it reached the negative value of 921 GWh, comparing it with the year 2021, where there was a positive value of 548 GWh (fig. 3).

Figure 3: Exchange of electricity

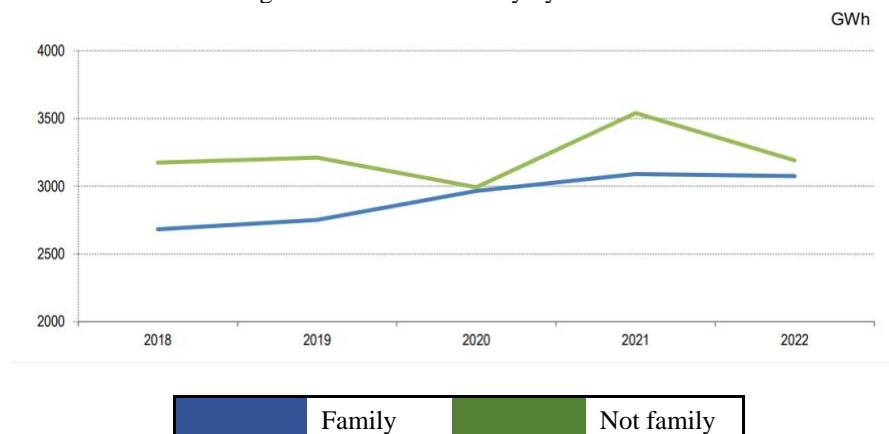


Source: INSTAT

The use of electricity by consumers, in 2022, reached the value of 6,266 GWh from 6,630 GWh that was in 2021. The use of electricity by household consumers decreased by 0.5%, reaching the value of 3,075 GWh from 3,090 GWh that was in 2021, while the use by non-household consumers decreased by 9.9% reaching the value of 3,191 GWh from 3,540 GWh that was a year ago (fig.4). Use of electricity by consumers



Figure 4: Use of electricity by consumers



Source: INSTAT

To deal with the energy crisis situation, the Albanian government took some measures supporting for the citizens and business companies by not changing the prices in the domestic market. This came to the aid of the population and was one of the best measures taken directly by the government towards the citizens. As for the indirect impact on the business or the consumer, the energy crisis certainly affected the countries with which the trade was connected, and it included the increase in prices due to the energy crisis.

### Government Response

As for the support that the Albanian government is implementing, the important reforms focus on support for equitable growth, which will increase productivity and competitiveness in the economy, create more jobs and improve governance and the provision of public services. We can say that the Albanian government, through connection and access to regional and global markets, together with export and market diversification, can help to promote the fastest growth of the domestic economy. After the aftermath of the earthquake, the pandemic and the price crisis, the government's focus is now on full recovery with special attention on tourism, agriculture and digitization. During the 2021-2022 period, the economy experienced a return to growth and full recovery to pre-pandemic levels and the revival of travel, construction and extractive industries. Also, private investments, consumption and public spending influenced growth, while public debt remained high. As for the rise in inflation, and the war in Ukraine, they threaten economic and poverty prospects going forward. On the revenue side, the Government plans to introduce a number of tax policy measures, provided for in the MTRS. The revenue gains from these measures in the short term are expected to be offset by slower growth and partly by the increase in the taxable minimum wage introduced at the end of 2022. Also, the World Bank and international institutions are cooperating to support the government in supporting these challenges and implementing the country's long-term vision.

### Conclusion

The year 2022 of the economic aspect of Albania was a reality where citizens would have to be faced with a choice between food and medicine, rent and savings, as well as payment to heat with energy or not. On the other hand, the central bank increased the base rate to 2.75 percent in November in order to respond to the market. Meanwhile, growth is expected to remain restrained in this year 2023, in the context of tighter global financial conditions, the expected economic slowdown in Europe and the withdrawal of political support for reconstruction after the earthquake. We can also say that exports, consumption and investments are expected to grow at rates below those of the period before the pandemic. Inflation terms are expected to begin moving toward the 3% target by 2025. The central bank is also expected to further increase the policy rate by an additional 2-2.5 percentage points in this year 2023. Recently, we can say that the primary balance is expected to reach 0.7% of GDP only after 2023. It is expected that we will have a fiscal consolidation which will come mainly from the expenditure side. While further increases in food and energy prices are a key risk to growth, as they could affect real disposable incomes, slow poverty reduction and limit fiscal space. Knowing that Albania is a small and open economy, it is very exposed to external shocks, such as the recession in Europe or the further tightening of financing conditions in the international capital markets beyond the current year. Also, internal risks come from natural disasters, or public-private partnerships and SOEs, in addition to fiscal risks stemming from the energy sector.

In conclusion, we can say that this crisis has encouraged the growth of inequality, social exclusion and the escalation of tensions. It is essential to say that Albania was not in a strong position when it came to economic performance even before the current shocks in the economic system, so the effects were great from the pandemic crisis and the energy crisis.

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# Binary system of justice, between the positive law and blood feud. The impact on the sustainable development and the EU integration process

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## Abstract

In Albania there are two separate legal systems. In one side there is the positive law and at the opposite side there is the customary law, where both coexist and continuously ignore the presence of each-other. This problem seems not to influence the ongoing integration process of the country, as far as economic development seems to be the most prominent issue so far. But the discrepancies in these terms have negatively influenced the legal and economic sustainability of the country. Many children and men are confined in their residential towers because of the blood feud, without having the possibility to have a normal life and the basic human freedoms. For the state point of view, Blood Feud and Kanun are primitive and the only way to come out from their influence, should be a "struggle" with policemen and general prosecutor' office, in order to make populations suppress the existence of the ancient rules. The proposal wants to suggest the theory of interfering with state policy based on consciousness and integrity awareness. Thus, because the binary system should be considered an imminent problem to be resolved, looking the prospective of a sustainable governance, regional collaboration and EU integration.

*Keywords:* blood feud, sustainable governance, confinement, customary law, regional cooperation, Eu integration

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## Introduction

In the present collective imagination Kanun is a traditional Albanian, law transmitted orally over centuries. It has been subject, in Albania and in the Western World in recent years, of extensive reflections often based on a sort of negative prejudice mainly based on two opinions: a - is archaic and therefore "very primitive"; b – recalls (is intended to) "the blood", or blood feud; These opinions derive from the so-called and the well-known phenomenon of "home confined" (lit. confined or people locked at their homes) or otherwise refers to the plurality of families who, due to pending blood feuds in their family and in order to not suffer the violent reprisals related thereto, have been locked for years (or lifetime) at their homes, to the point that real rescue missions are necessary to allow them even to access primary services (Bardhoshi, Nebi. 2007). At this point, a sort of common feeling has therefore emerged about the fact that this set of norms is characterized by the legitimacy of violence use, which is generated into the blood feud institution within Kanun.

However, a more in-depth and emotionally detached examination, based not on a vision of Kanun as something "exotic" but rather based on the real historical-scientific- and legal grounds, has demonstrated quite a different point of view over blood feud and Kanun. For that purpose, it should be taken into account in the social and cultural context where it has emerged and developed over the years (Bardhoshi, Nebi. 2013). Both blood feud and Kanun find their logical existence in a State where it is almost total absence of "institutional" structures. This has been disclosed over time, even though very "hardness" is undeniable, as they only mean, above all, an extraordinary legal instrument for the settlement or limitation of conflicts, where the society is totally chaotic, and no rule of law is operating.

Unlikely from what is generally known, in Albania there does not exist only the Kanun of Leke Dukagjini, but officially there are 7 Kanuns so far (Shkurtaj, Gelanda.2022). Basically, a Kanun is a "unified" Code, where the same collection includes provisions of criminal law, civil law and also procedural law. These codes operate in different areas of Albania. They are similar, in terms of the legal institutions they treated. The similarity is most emphasized in those Kanuns which territorially are very close to each other. Although they emerged at different times or at least there are no sources that can demonstrate which was the first, each of them contains on one side the general provisions and specific rules adapted for that region. They are:

1. Kanun of Leke DUKAGJINI
2. Kanun of Leke DUKAGJINI, variant of Puka (Catholic region near Malësia e Madhe region)
3. Kanun of Skanderbeg
4. Kanun of Luma (manuscript)

5. Kanun of Dibra
6. Kanun of Labëria
7. Kanun of Benda (manuscript)

Each of these is characterized, as mentioned above, by being a single collection of laws and is therefore divided into books, titles, chapters etc, dealing either with the institutions of public or private law, or criminal law and their respective case law to be applied (Shkurtaj, Gelanda.2022). From an anthropological and ethnographic point of view, Leke Dukagjini's Kanun (the one best known and studied or in any case recalled) and Skanderbeg's Kanun are both characterized by having been transcribed into written texts, after centuries of oral tradition, by two fathers of the Catholic church: father Stefan Gjeçovi and Father Frano Ilia (Ilia, Frano. 1993).

### **Blood feud within the Kanun's structure**

Kanun is, as often repeated, basically a "unified" Code or a Statute that contains the fundamental rules on which society was based (founded). To understand deeply the Kanun and legal rules within it also needs an interesting distinction between law and right, as well as an explanation on how these two concepts should have been understood in Kanun society (Bardhoshi, Nebi. 2013). The respective conclusion is in the sense of a primacy of the concept of law (probably referring to what were considered inviolable rights of the individuals) over that of the right which must always remain, in the framework of law. Significantly, in the Albanian society the law is often indicated with terms such as "fair" or "truthful".

Does Kanun belong to a primitive society or not? It is a very controversial issue that has been addressed several times, also with reference to theories of Weber and Durkheim, Malinowski, Boasi, Bohannan as well as to those of other anthropologists who have visited Albania, such as Castelletti, Cozzi, Villari, Nopca, Durham, Hasluck (Hasluck, Margaret.1954), Stephanie Schwandner-Sievers etc. Currently, the ideas of new school of anthropology prevail, no longer based on "racial" distinctions but based on the axiom that every society must be considered and respected also in relation to how it itself conceives the concepts of culture endow therein.

What is blood feud and what is its role within Kanun. If we make a comparison with the actual normative in the criminal field, blood feud could be considered as the "crimes against person" of a contemporary code. The "Gjakmarrje" blood-feud is not a call to blood, but rather a warning about serious consequences that a violent behavior can have as a social protection. In fact, it should be noted that chapter "Gjakmarrje" (lit.: blood feud) is present in every Kanun, with the same definition, except for Kanun of Laberia, where it is titled with the words "Criminal liability" and the Kanun of Skanderbeg in which, instead, is entitled " Kanun against illegal conduct" (Rrok Zojzi, 2009). Well, the fact that the same concept of blood feud is enshrined in the majority of Kanuns, derives from the clear intention of the legislator to blame the interest of society by representing the fact that "when a person is killed, the only consequence according to the blood feud theory, is to be killed the same way".

It is undeniable that despite its expressive "roughness", customary law in question, considering the historical-cultural context in which it was developed, did not aim to promote mutual violence, but rather to contain it by envisaging irreparable consequences. Blood feud is therefore nothing more than an instrument aimed at exercising, in an undeveloped and intrinsically violent society, which was devoid of any centralized state structure and therefore forcibly and exclusively organized on a clan basis, a strong control of order and public security. Significantly, in Skanderbeg's Kanun we read: " Blood feud is the army, and it is the civil and military power of a state" (Ilia, Frano. 1993).

As evidence of the very close link between Kanun and Albanian society and therefore, correlatively, of its being a set of indigenous laws, it should be noted that "Gjakmarrje" is not applied only in relation to "blood" crimes but is legitimized by all those behaviors that in some way invest "honor", a key element of the whole moral sense of the "right" of Kanun society. Other "violations" that determine the activation of blood feud system are "the breach of trust", "the offense or disrespect of host", "the offense in public", "incest", "adultery" (Bardhoshi, Nebi. 2013). Equally interesting, also referring to the aforementioned sad and alas widespread phenomenon of the "home confined", it is also to observe how it cannot in any way, unlike what is believed and is commonly represented, be considered as derived from Kanun (in its various forms) but by a profound, unjustified distortion of the same.

In the Kanun, in fact, axiom according to which "blood must be taken by the finger" is materialized and has a unique meaning: only the one who committed the murder (or one of the violations of honor mentioned above) will be killed. It is evident that regulation of this principle was also made with a view of stopping violence, from which it follows that enlargement of the recipients of revenge (all male individuals of the tribe) is nothing more than a subsequent degeneration, probably the result of moral and material "corruption" impregnating the Albanian society. This has also evidently reached the so-called "commissions of elders", recognized in society as heads of households or clan heads who, violating the aforementioned restrictive rule on blood feud, have allowed the improper "enlargement" to subject fully not contemplated in Kanun (Bardhoshi, Nebi. 2013).

## The relationship between blood feud and Albanian state

The relationship between blood feud (in Kanun) and Albanian state is the biggest dilemma for the anthropology of law. The question is, how it is possible that despite the very strong modernization of Albanian society, a "binary" system made up of the coexistence of laws of the state and customary norms (Kanun) still remains (Ilia, Frano. 1993). In fact, in Albania, unlike in other countries of the world, which has had Kanun as the sole regulation system of law, has not managed to reabsorb customary law into positive law.

In order to answer this question, I believe we cannot ignore the process of making some observations on the evolution of Albanian society and related systems of government, at least starting from the end of the Second World War, which ended, as already known, with the absorption of the "Land of Eagles" in the so-called Warszawa Pact.

In particular, during communist totalitarianism, an enemy, by its nature, of every regulatory element of non-state society, the mechanism of blood feud was reduced to a minimum also via the use of repressive mechanisms that were equally if not "ferocious". Two typical postulates of Albanian communism certainly contributed to this:

a) the abolition of all types of private property (or what Rousseau already defined as trigger of social conflict) crystallized in the full body of legislation of the time.

b) the replacement, in the collective imagination, of the figure of Head of Village (the most influential elders) with that of the Party or, better still, of its undisputed leader, Enver HOXHA as sole administrator of justice. Hence, the perception that he alone, over years assumed to be a sort of lay divinity, could have the role of activating and materially carrying out the blood feud (Pospisil, L. 1971).

Starting from the 90s, the dissolution of communist regime resulting from the death of Hoxha and that of Warsaw Pact, determined, unlike other countries, an almost total collapse of all the structures of the state and of the legislation in force at the time and correlatively the revival of individual claims on private property. In the absence of regulatory instruments, this, as is sadly known, led to a resurgence of violence in all its forms so that, ultimately, the ancient rules of customary law, often unfortunately also interpreted with a certain "elasticity".

To date, unfortunately, the conflicts arising from issues related to private property, although in numerical terms, due to the tiring but progressive stabilization of Albanian society, are certainly less consistent than what occurred between the 90s and early years of this century. However, they remain a matter of primary importance. Significantly, still today and almost daily, the Albanian news broadcasts give news of murders committed, in a percentage of about 90%, due to conflicts regarding private property (Shkurtaj, Gelanda. 2022). Furthermore, homicides linked to "honor" also remain in large numbers, also due to absence of serious and prolonged investments in the school system which, as happened in other European realities, have succeeded, spreading culture and education, at least to limit its occurrence.

It is precisely on the declared "motive" of these murders today and on the possible traceability of the killer's behavior to customary norms that I now intend to dwell on. It should be noted how in Albania, starting from the 90s to date, one in three homicides is ascribed to issues related to "blood feud" (Moore, F. Sally 1969). In view of this significant representation and for the purposes of this document, I deem it useful to carry out a substantial study aimed at highlighting the existence of any links between the criminal conduct mentioned and customary law or to verify whether the reasons, preparatory phase and dynamics of these murders were indeed carried out in close observation with Kanun rules. In the following examples, I will highlight how about 90% of present murders declared "for feud" have nothing to do with it or with Kanun (Shkurtaj, Gelanda. 2022).

### Cases of "false" murders by feud

Example:

1. MURDER 1: The murder of a girl and her grandfather while they were gathering wheat in the fields has recently been traced back to a "blood feud based on Kanun".

Observe:

- the double murder was perpetrated in the Leke Dukagjini Kanun's area or in a small region of Albania (around the city of Shkodra) where historically, Kanun has been widely applied over centuries even to take its name.
- The Kanun of Leke Dukagjini not only does not allow the murder of woman, but also attributes to her the role of guarantor for those in her company with a consequent ban to exercise revenge in that circumstance!

2. MURDER 2. In another case, Leke area (different from the previous one) a boy shot a priest claiming his death as a blood feud, since the victim's uncle had killed the executor's brother a few years ago.

Observe:

- Over centuries the Kanun called Kanun of Leke has been applied in the area where the murder in question took place.
- The KANUN of Leke, considers the Church and the clergy untouchable or in any way reachable from "blood feud."



A slight digression to demonstrate how in Albania the declared attribution of many murders to "feud" is utterly inappropriate or merely instrumental for various purposes, nonetheless, underestimating or concealing the ineffectiveness of targeted preventive actions by the institutional bodies in charge of this.

### **Conclusion. "Blood feud" in the current Albanian legislation:**

With reference to the date of birth of the Kanun, the only certainty is that since it is a collection of rules of customary law conveyed only orally for centuries, there are no certainties. It is assumed, however, that it is at least as old as Roman law. It should be considered as objectively founded, a marked similarity between not a few institutes of Kanun and codified or customary norms of Roman law. It should also be noted, in this regard and purely by way of example, how the association of one of the aforementioned Kanun to Prince Leke of Dukagjini (1410-1481) is the result of an incorrect historical-terminological interpretation (Shkurtaj, Gelanda. 2022).

There is indeed certainty that Leke of Dukagjini was neither the creator, nor the author of Kanun. Of course, here, it must be corrected another wrong concept or incorrect opinion regarding the territorial division in Albania, which unlike what many often believe including Albanians themselves, there are not only two distinct regions on the basis of the two main dialects mentioned above, gegë-toskë. In fact, in the Albanian territory, there are multiple, less known, subdivisions into smaller areas (also fueled by internal movement difficulties until a few years ago) one of which, the area of Lekë which is located in the heights of Scutari (Shkoder). This region is certainly the one where Kanun has deeply influenced the local society for centuries, from which it follows that the name "Kanun of Leke Dukagjini" should be understood as Kanun in use among the Leke (population) of Dukagjin (small region).

The Albanian criminal law provides for only three articles dealing with murder due to blood feud. None of them includes a preliminary definition of what is meant by "blood feud" but almost taking its meaning for granted, reference is made only to the sanctions to be applied, differentiating only based on the role of offender: material perpetrator, crime accomplice and instigator (Valentini, Giuseppe.2007). On the other hand, in relation to ways in which the motive for murder is ascertained, it should be noted that the constant Albanian jurisprudence on the subject, found its rulings exclusively on the declarations of those who commit such crimes (thus improperly assuming an "objective" value in the judgment) without carrying out any assessment, even of an expert or juridical type, regarding the real ascription of the criminal fact to customary norms invoked by the offenders.

The situation is very complex. Many NGOs operating in Albania and, by now, large sectors of the Albanian state itself (all recipients of international funding for the fight) consider Kanun and blood feud as exotic phenomena without going into further detail. Heartfelt appeals and bewilderment are heard daily of the fact that many women and children are "locked" at their homes because of the Kanun. The interventions for these families are only emergencies and are often carried out with international funding. Basically, a critical mechanism has been established that causes the phenomenon to be uncritically accepted as inevitable, as it derives from tradition and probably not fought with the required effectiveness and determination, since this would lead to the loss of such economic support aimed to limit its harmful effects.

The process of EU integration should take into consideration even the discrepancies created because of the blood feud phenomena. For Albania, it is a "must" the reconciliation through the methodologies of the conflict resolution. In a country-based strategy, interest should be kept to those stakeholders which are involved in such situation. Thus, by one hand the strategy will aim the conflict resolutions within the country and simultaneously it will try to don't be insert in other realities through the emigration process, from one country to another.

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# Extradition as an Effective Tool in the Fight Against Crime

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## Abstract

Fernand de Cardaillac in 1878 defined extradition as “the right of the state in whose territory a convicted or accused person has taken refuge, to deliver him to another state which has requested him and which is competent to judge and punish him”. According to Whiteman, extradition is defined as “the process by which a person charged or convicted of a crime under the law of one state and who is in the territory of another state, is returned from the latter to the former for trial or punishment”. As far as European Union is concerned, criminal norms are produced within the third pillar of the community, which deals precisely with cooperation in the criminal field. The third pillar of the EU aims to offer citizens through criminal law and criminal procedure “a high level of protection, within a space of freedom, security and justice”.

This paper aims to address the main aspects related to the institution of extradition, as one of the main and most effective tools in the fight against crime. European criminal law is that set of criminal norms (material, procedural, and penitentiary) common to several European states in the fight against crime, especially international organized crime.

The paper is structured in five substructures that are focused on the meaning, effects, procedures, legal aspects and several important and most discussed international cases of extradition.

At the end this paper suggests some legal initiatives that can be implemented to strengthen this very important institution of criminal law in the fight against crime.

*Keywords:* extradition; punishment; state sovereignty; International Convention; legal; legislative initiative.

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## Introduction

This paper aims to discuss the topic related to the institution of extradition, as one of the main and most effective tools in the fight against criminality.

European criminal law is that set of criminal norms (material, procedural, and penitentiary) common to several European states in the fight against crime, especially international organized crime. European criminal law includes the Council of Europe from member states of the European Union<sup>1</sup>.

The Council of Europe is an international organization established on May 5, 1949, whose activity focuses on the protection of human rights. As far as the European Union is concerned, the criminal norms are produced within the third pillar, which deals precisely with cooperation in the criminal field. The third pillar of the EU aims to offer citizens through criminal law and criminal procedure “a high level of protection, within a space of freedom, security and justice”<sup>2</sup>.

Initially, it was the Council of Europe that, with its 1957 convention<sup>3</sup>, undertook to regulate the extradition procedure between member states, a procedure that until that time had been regulated by bilateral treaties mainly between neighboring countries or multilateral regional treaties. The work started by the Council of Europe has been completed more by the EU through numerous treaties and also framework decisions.

However, the differences between the Council of Europe and the EU in this area are mainly related to the number of members, jurisdictions, organizational structures, but also the binding force of the acts of which criminal law is a part, as a unitary and coherent community of which is constantly supplemented and harmonized.

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<sup>1</sup> The European Union (EU) is a supranational political and economic union of 27 member states that are located primarily in Europe. The union has a total area of 4,233,255 km<sup>2</sup> (1,634,469 sq mi) and an estimated total population of nearly 447 million. The EU has often been described as a sui generis political entity (without precedent or comparison) combining the characteristics of both a federation and a confederation

<sup>2</sup> BARBE (E.), Une triple étape pour le troisième pilier de L'Union européenne. Mandat d'arrêt européen, terrorisme et Eurojust, Revue du marché commun Nr. 454, janvier 2002.

<sup>3</sup> The European Convention on Extradition is a multilateral treaty on extradition drawn in 1957 up by the member states of the Council of Europe and in force between all of them. The Convention is also available for signature by non-members which as of January 2012 are Israel, South Africa and South Korea. Prior to the introduction of the European Arrest Warrant, the Convention governed extradition between member states of the European Union.

Extradition was first regulated by the Council of Europe with the Convention on Extradition between member states. In the following years, due to the increase in criminality, it was deemed necessary to make some changes to this convention through two additional protocols.

In 1977 the Council of Europe adopted a Convention for the Suppression of Terrorism<sup>4</sup>, which is essentially not an extradition convention, but contains additional extradition provisions that serve to address the subject in question.

Then, the strengthening of community institutions led the European Union to take a very important role in the regulation of the institution of extradition, which until then had been regulated exclusively by the Council of Europe. Initially, the Convention of June 19, 1990 on the “Application of the Schengen agreement between the EU member states”<sup>5</sup>, in chapter IV, provided to supplement and facilitate the application of the 1957 convention between the EU member states

The normative work implemented by the EU in the field of extradition continued with the adoption of two other Conventions in 1995 and 1996, which again aimed to supplement and simplify the extradition procedures provided for by the 1957 Convention between member states. Today, as far as the member states of the European Union are concerned, we can say that the institution of extradition has been replaced in the vast majority of cases by the European arrest warrant<sup>6</sup>, while in other member countries of the Council of Europe but not of the EU, (but also in relations between EU member states and non-member third states), the extradition provisions mentioned in the 1957 Convention continue to apply. Of course, the normative activity in the field of extradition in European criminal law is not limited only to the acts mentioned above, but there was also an even greater work done through resolutions, recommendations, directives, etc. However, the aforementioned acts remain the most important for the institution of extradition in Europe, which is why they have been selected to be elaborated in this paper.

## I. UNDERSTANDING EXTRADITION

Fernand de Cardaillac in 1878 defined extradition as *“the right of the state in whose territory a convicted or accused person has taken refuge, to deliver him to another state which has requested him and which is competent to judge and punish him”*. While according to Whiteman<sup>7</sup>, extradition is defined as *“the process through which a person charged or convicted of a crime under the law of a state and who is in the territory of another state, is returned from the latter to the former for trial or punishment”*. Based on the most recent definitions, extradition is defined as the procedure through which a sovereign state, the requested state, agrees to hand over an individual who is found in its territory, to another state, the requesting state, so that this to finally judge him or, if he has been judged or to execute the decision given against him.

Extradition is a procedure with an international character, related to facts that may lead to a criminal offense or to the execution of a criminal decision already given, for which a *“requesting state”* asks a *“requested state”* to deliver an individual to him, either to judge him or to make him suffer punishment. Extradition applies to those persons who have been charged with a criminal offense but have not been brought before the judicial process, to those persons who have been tried and convicted but have avoided serving the sentence by escaping or hiding, and to those persons who are convicted in absentia.

Extradition does not apply to those persons who are suspected of having committed a criminal offense but against whom no charges have been filed, as well as to persons whose presence is required as a witness or in case of a civil process. Extradition is the handing over by a state (the requested state) of an individual who is in its territory to another state (the requesting state) which is looking for this individual either to try him for a crime that he may have committed either to make him suffer a sentence that the court has given against him. If we refer to the European Convention “On Extradition” and the Albanian Criminal Procedure Code, by extradition we understand the mutual surrender, according to certain conditions and rules, of persons who are being prosecuted for a criminal offense, or are wanted for the purpose of executing a sentence or security measures from the judicial authorities of the requesting party. According to the above definition, it follows that extradition for an individual is required in three cases: for the transfer from the requested state to the requesting state of persons against whom the latter has initiated criminal prosecution; for the transfer from the requested state to the requesting state of persons to whom the latter has provided a security measure and for the transfer from the requested state to the requesting state of the persons against whom the latter has given a criminal sentence of severe punishment in order to execute the sentence.

The application of the “right” of extradition presupposes the reconciliation of conflicting interests. On one hand, criminality has no borders and it is necessary for each state to have the opportunity to request the extradition of an individual who has committed illegal acts in its territory and who is already in the territory of another state, and on the other hand, states they try to guard jealously every part of their sovereignty. Any sovereign state in fact enjoys the exclusive competence to determine the facts that

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<sup>4</sup> The Convention is designed to facilitate the extradition of persons having committed acts of terrorism. To this end, it lists the offences that Parties undertake not to consider as political offences, or as offences connected with political offences, or as offences inspired by political motives, namely acts of particular gravity, hijacking of aircraft, kidnapping and taking of hostages, the use of bombs, grenades, rockets, letter or parcel bombs, if their use endangers persons. Moreover, the Convention empowers Parties not to consider as a political offence any act of violence against the life, physical integrity or liberty of a person.

<sup>5</sup> By signing the Schengen Agreement on 14 June 1985, Belgium, Germany, France, Luxembourg and the Netherlands agreed to gradually remove controls at their internal borders and to introduce freedom of movement for all nationals of the signatory countries, other EU Member States and some non-EU countries.

<sup>6</sup> The European arrest warrant (“EAW”) is a simplified cross-border judicial surrender procedure – for the purpose of prosecuting or executing a custodial sentence or detention order. A warrant issued by one EU country’s judicial authority is valid in the entire territory of the EU

contradict its public order as well as the rules by which the guilty are punished. The search for a balance between these two requirements has led to the adoption of numerous texts with often complex rules.

## II. PRINCIPLES GOVERNING EXTRADITION

Despite the great diversity of agreements and conventions between states in the field of extradition, they generally contain some essential universal principles regarding the institution of extradition. First, the influence of citizenship on extradition, we clarify that in many states the principle prevails that the state can refuse the extradition of its citizens. In this case, he undertakes to judge his own citizens according to the provisions of his domestic legislation. It is all about the old principle “*Aut tradere, aut judicare*” (either surrender or punish). In international law, it is accepted that violations of a political nature leave no room for extradition. Since the international law of extradition does not provide any precise definition of political criminal offenses, then it is left up to the requested states to assess whether the specific case is related to a political offense or not<sup>8</sup>. For offenses with a complex nature (violations of common law by nature but with political motivation) the tendency is to limit as much as possible the concept of political offense in order to allow extradition (such as the European Convention on Suppression of Terrorism lists a number of criminal offenses that, in the event of a request for extradition, will not be considered as political criminal offenses). Just as for political offenses, extradition is also refused for military criminal offenses<sup>9</sup>.

Meanwhile, it is worth noting that while in the older extradition treaties a nomenclature was provided for the offenses for which extradition could be requested, the latest treaties define the criminal offenses for which extradition can be requested in general terms in function of their dangerousness and to the foreseen penalty. Second, the double criminalization of the offense provides that the criminal offense for which extradition is sought must be punishable both in the requesting state and in the requested state if this offense had occurred in its territory. Double criminality does not mean equal penalties for the same offense. Also from this principle follows the fact that if the deadline has expired of the statute of limitations in the requested state, extradition may be refused. Thirdly, the principle *ne bis in idem* is applied. In applying this principle, extradition should be refused as long as the individual for whom extradition is sought has been tried once for the same facts. The purpose of this principle is to avoid double jeopardy, to guarantee the person that after a court decision, he will not be judged again for the same facts, except when new previously unknown facts come to light. Of course, in the sense of this principle, we are talking about final court decisions. However, recent international practice has shown that in some cases, even if the person is the beneficiary of a pardon, he can be retried according to some treaties. Fourth, the speciality principle applies. This principle means that the individual for whom extradition is sought cannot be prosecuted, tried or detained in the requesting state except for the facts underlying the extradition request or for facts occurring after extradition. So for other acts that he may commit after the extradition is granted, the extradited person will be responsible according to the legislation of the country where he is located. This is due to the fact that from the moment the person enters the territory of the country where he was extradited, he has the obligation to apply the legislation of that country, whether he is a citizen or a foreign citizen. If the individual is extradited to serve a sentence, only the sentence specified in the decision on the basis of which the extradition was granted can be executed<sup>10</sup>.

The principle of specialty requires that the individual be tried only for those facts provided for in the extradition requests and according to the legal qualification given to them in it. If, after extradition, the requesting state discovers criminal acts committed by the same person but before the extradition date, it must ask the requested state for an authorization to prosecute the person on the basis of these new facts (request for extension of extradition). Finally, the refusal to extradite in case of capital punishment. If the requested state does not provide capital punishment for its nationals or even though it is provided as a punishment among the applicable punishments according to its legislation, it does not apply it, this state can refuse extradition as long as the person requested to be extradited risks punishment with death in the requesting state, unless the latter gives sufficient guarantees that this penalty will not be applied. The assessment of the guarantees as sufficient or not is up to the requested state. In relation to this principle, I want to emphasize that the member states of the Council of Europe and the European Union have ratified the 6th additional protocol of the European Convention on Human Rights on the abolition of the death penalty, so in the extradition procedures between them there is no had many problems regarding this issue. While there have been numerous cases of refusal of extradition by EU and EC member states, to third countries that provide for the death penalty, such as China, USA etc.

## III. EXTRADITION PROCEDURE.

The request for extradition is provided in paragraph 1 of article 12 of the convention by which the request is sent. This provision provides that the request is generally communicated in writing through diplomatic channels through the Ministry of Justice, but other means of communication may be used through the direct agreement of the parties, allowing direct communication between the Ministry of Justice in the requesting country and the country of to whom extradition is requested or through Consulates.

Paragraph 2 specifies in subparagraphs (a), (b) and (c) the documents which the requesting Party must submit in support of its request as well as the information that must be provided. Specifically, the extradition request must be accompanied by the original

<sup>8</sup> Albanian Criminal Code, article 11.

<sup>9</sup> *Idem*.

<sup>10</sup> Albanian Criminal Procedure Code.

or authentic copy of the sentencing decision for extradition for the purpose of executing a sentence. Arrest warrant or any other document of the same value issued according to the legal form of the country requested for extradition for the purpose of punishment a description of the fact for which extradition is requested, together with the legal definition and reference articles a copy of the applicable legal provisions description as accurate as possible of the requested person as well as any other useful information about his identity and citizenship. If the requested state thinks that the data sent is incomplete or insufficient to make a decision, then it can send the requesting state a request to submit additional data and even set a deadline for sending them.

The extradition request can be drawn up either in the language of the requested country or in that of the requesting country. Moreover, the requested state retains the right to ask the requesting state to translate the request into one of the official languages of the Council of Europe. In practice, it may happen that a state receives several extradition requests simultaneously for the same person. These requests can be for the same issue or for different issues. In this case, according to the convention, the authorities of the requesting state enjoy a great freedom of action for the selection of the state in favor of which the extradition will be granted. However, the convention provides some criteria for the selection of the latter. The requested state will decide taking into account all the circumstances of the event: the place where the criminal offense was committed, the date of any request, the nationality of the requested individual, the possibility of a subsequent extradition to another state, etc.

Paragraphs 3, 4 and 5 of Article 18 provide for the procedures and modalities of surrendering the person and the date of extradition is set by the requested state. The absence of the requesting state to surrender the person on the specified date, may result in his optional release to the requested state after 15 days and mandatory release after the 30-day deadline. The date on which this deadline begins is the date set for delivery by the requested state. Article 19 of the convention provides that the surrender of the person subject to extradition may be postponed so that he can be prosecuted by the party to whom extradition is requested or serve the sentence for another crime. The requested Party, instead of postponing the extradition, may temporarily surrender the person requested by the requesting Party in accordance with the conditions determined by mutual agreement. The Convention also provides for the possibility of re-extradition. Re-extradition means that the requesting state, after having taken over the person from the requested state, will hand him over to a second requesting state, thus becoming a second requested state. The party which has taken over the person after the first extradition may extradite him to a third country only if the first extraditing country agrees.

The consent of the first extraditing State is not necessary if the extradited person has not left the territory of the requesting Party, although he has had the opportunity to leave within a certain period after his final release of 45 days or has returned to the same territory after leaving him. Regarding the issue of re-extradition, we can also mention the fact that the requested state can decide the subsequent re-extradition in its favor as a condition for granting extradition to the requesting state. Article 16 of the convention provides for temporary arrest. Temporary arrest is a form of restricting the freedom of the person who is requested to be extradited and it can be done even before sending the extradition request and executing a temporary arrest, some conditions must be met: the matter must be urgent. This urgency is defined naturally by the requesting state, the requesting state must send a request to the requested state. The request must contain one of the acts that make extradition possible, specifically an arrest warrant or a court decision, mention the fact that extradition will be requested as well as the offense for which this extradition will be requested. The request must be sent to the requested state either through diplomatic channels, or by post and telegraph, or through Interpol, as well as by any other way that can be proven in writing or with the confirmation of receipt issued by the other state. At the moment of receiving the request, the requested state decides whether to execute it or not. In the event that the requested state decides to execute the request and arrest the person, but the requesting state, after 18 days starting from the day of the arrest, has not yet produced the arrested person. After the 40-day period from the day of arrest, the requested state is obliged to release the person if the requesting state has not yet submitted the request for extradition.

The entire procedure of temporary arrest is subject to the law of the requested state. The convention also regulates the issue of transit. Transit must be granted on the condition that the act in question is not considered an act of a political character or of a purely military character and is punishable under the legislation of the state in transit. The requested party has the right to refuse the transit of its citizens. The request for transit will be made as in the case of extradition through diplomatic channels or any other type of channel decided by agreement by the parties and will be accompanied by the relevant documents provided for in Article 12. The Convention in its Article 20 also provides for the obligation of the requested state to deliver to the requesting state the items related to the commission of the criminal offense or that are the consequences of the criminal offense. Delivery of items is made in accordance with the legislation of the requested country. The requested state has the option to keep the items if the case is being considered or to hand them over with the condition to take them back.

Although the extradition convention does not state the extradition of refugees in any of its articles, we must not forget that for this matter the Council of Europe approved a special convention on July 28, 1951. Based on the Geneva convention for refugees, departure is prohibited or deporting a refugee outside the borders of a country to another country, in any way, if in the country to which he will be sent, the latter's life or freedom is endangered due to religious, racial motives, belief or belonging to any group of certain social or political. If we include extradition in the concept of deportation, then based on the Geneva Convention, we must admit that extradition of a refugee is impossible. But even in this case, we must not forget that extradition and deportation from a legal point of view are two different things. Despite the humanist spirit of the convention, it does not take into account whether or not circumstances related to age, health or other personal reasons are mentioned which are often mentioned in bilateral extradition conventions.



However, each of the signatory countries of the convention had the opportunity to add these circumstances through reservations made before ratification. Such is the case of France, which accompanied the ratification of the convention with a reservation according to which extradition can be refused if the surrender of the person could bring him extremely serious consequences precisely because of his age. This reservation relates to both elderly persons and minors because many of the other signatory states have reserved to themselves the right to make a reservation by adding an additional clause called the humanitarian clause. According to this clause, these states retain the right to refuse extradition for humanitarian reasons, if the consequences for the requested person would be extremely serious and related to his advanced age, his young age or his serious health condition. At the end of the analysis, it is worth noting that the Convention of the Council of Europe “*On Extradition*” has been ratified by all its member states and that it regulates the entire extradition procedure and repeals all previous treaties related to extradition in countries member. Agreements signed by the parties after the entry into force of this convention may only have the purpose of completing its provisions or facilitating the implementation of its principles. But in cases where the provisions of several countries regarding extradition are the same or when they have systems based on mutual execution, these provisions take precedence over the European extradition convention. Extradition as a traditional instrument of international cooperation is divided into cognitive extradition, which is about handing over a person from the requested state to the requesting state that must try him and executive extradition, which is about handing over a person from the state requested in the requesting state for the purpose of executing a sentence already imposed.

Depending on whether a state is requesting or requested extradition may be: passive (when required); active (when it is a requesting state); entirely administrative procedure; entirely judicial procedure and combined judicial and administrative procedure, which is the procedure that is used the most. In this procedure, the refusal of the judicial authority to refuse extradition is binding on the administration, as in the case of granting extradition by the judicial authority, the administration can examine the reciprocity or expediency of the extradition, but not issues related to its legality since this it is the exclusive competence of the court.

#### **IV. EFFECTS OF EXTRADITION.**

A very important aspect in extradition is the principle of speciality. The extradited person may not be subject to any restrictive measures for criminal offenses committed by him on an earlier date than the extradition request and which are not provided for in the extradition request, unless the second offense occurred at a later date. Before the first offense for which he is being extradited and the extraditing state consents to be judged for the other offense as well.

The conditions of extradition for criminal offenses committed before extradition do not apply if the extradited person has not left the territory of the state to which he was sent, although he had the opportunity to do so, within 45 days after release or if he has returned to that territory after being away from it. In essence, the extradition extension procedure requires the requested state to give its consent and the person concerned must be heard through a judicial process; this extension will be granted as long as the offense requested is extraditable under the terms of the convention.

As it can be seen, this is an exception to the general rule that has three elements, first, the person must have been released from the previous criminal conviction and be effectively free; second, he had a real opportunity to leave the territory of the country to which he was surrendered, excluding cases of illness, lack of money, force majeure, etc; thirdly, the person has voluntarily returned to the territory of the country where he was exiled. For other crimes committed after surrender, the extradited person bears criminal responsibility according to the law of the requesting state.

The Convention also provides for the case when the legal definition of the offense provided for in the extradition request is changed. In this case, the offense will continue to be tried in the requesting state only if the elements that make up the offense according to the new definition allow extradition. Following this logic, the new definition of the offense should not lead to a prohibited sentence or to sentences with lower thresholds than those provided by the convention. The change in the legal definition of the offense must be notified to the person in time so that he has enough time to prepare his legal defense.

#### **V. CASES OF REFUSAL OF EXTRADITION.**

In addition to the provision of the general obligation of the contracting states for extradition, the convention also provides for cases of mandatory refusal of extradition as well as optional refusal. The division in cases of mandatory or optional refusal is not expressly provided for by the convention, but emerges from the meaning of its own articles, as well as from the doctrine for ease of study.

The refusal of extradition is mandatory when the offense has a political character or is connected with such an offense, or when the request for extradition is based on religious, racial, nationality or political ideas, as well as when it is thought that there is a risk that the person's situation requested to be aggravated for one of the above motives. This is sanctioned in Article 3, first paragraph of the convention, as well as in Article 11 of the Albanian Criminal Code. The evaluation of the political character of the criminal offense as clearly seen in the convention is left to the competence of the requested state. The difficulty in this case lies precisely in defining what is called a political crime.

According to an old decision of the French courts, political acts are those that “*infringe on political activity, are directed against the government and sovereignty, against the constitutional order and the separation of powers*”. In the same plan as the political

works, the convention places the works related to them in the second paragraph of this same article. So the political reasons of the requesting state are an absolute obstacle to extradition. The recent tendency is to give the concept of political work a narrower definition. However, an attempt on the life of the head of state or a member of his family is considered a political crime. In the clause of the convention related to this fact, we note that it refers only to the head of state and his family and not to the head of the government and his family. Consequently, we can conclude that the murderer of the head of state can be extradited, but the murderer of the head of the government cannot be extradited, at least not when his act is political. The 1975 additional protocol to the convention added a large number of other offenses to the list of offenses not considered to be of a political character. More specifically, it is about crimes against humanity provided for by the UN Convention on Prevention and Combating Genocide, dated 09.12.1948.

The Convention of the Council of Europe “On the Suppression of Terrorism” listed a large number of criminal offenses that cannot be considered as political offenses, which I will further discuss below. In all these cases, the requested state is obliged to extradite, but on the condition that the other criteria set by the convention are met. The convention stipulates that “*extradition for the purpose of committing a criminal offense of a military character, which is not provided for by common law, is excluded from the scope of this convention*”. So as it can be seen, the convention prohibits extradition for purely military criminal offenses, but extradition must be granted for an ordinary criminal offense committed by a member of the armed services if the conditions of the Convention are met. This exception to extradition is made because the military interests of the parties are often not very clear and may change from moment to moment if the facts are finally judged in the requested state. This case of the provision of mandatory refusal of extradition is an expression of the principle of “*res judicata*”<sup>11</sup>. The first article, covers the cases of persons whom a final decision has been given, e.g. a person who has been acquitted, pardoned, or convicted. As a result, extradition must be refused as it is no longer possible to reopen the case, as the judgment in question has acquired the status of *res judicata*.

The word “*final*” used in this article indicates that all means of appeal have been used. It is understood that the decision of the Court should be considered as a final decision, not as an *ultra vires* decision. The second sentence, which is permissive, deals with the case of a person in relation to whom a decision has been made to exclude proceedings or to terminate them, in particular in cases where it has been decided that there are no grounds for prosecution. In these circumstances extradition may be refused, but, if new facts or other matters come to light which affect the decision, this provision cannot be applied, and the person must be extradited if the statute of limitations for the offense or sentence has expired. Extradition is refused when, under the law of the requested Party or the requesting Party, immunity from prosecution or punishment is acquired as a result of time-barrier. The refusal of extradition is optional in one of the following hypotheses: First, if the requested person has the citizenship of the requested state, since paragraph 1 of article 6 of the convention allows the extradition of nationals if this is not contrary to the laws of the state to which extradition is requested. Even in this cases, the state to which extradition is requested is not obliged to extradite its citizens; he has the option of granting or refusing their extradition, as it has been noticed that in some States, the extradition of nationals is prohibited, while in other States the extradition of nationals is possible. According to paragraph 2 of Article 6, if the requested Party does not extradite a person due to the fact that he is a national, at the request of the requesting Party, he is obliged to refer the case to the responsible authority, so that the person in question does not escape without punishment. It is not necessary to initiate legal proceedings, but the party to whom extradition is requested is obliged to refer the case to the responsible authorities.

The Convention has left a free hand to the states to define the word citizen. Some states have taken advantage of this freedom, expanding this definition as much as possible and thus reducing the possibilities of extradition even more. If the event occurred entirely or partially in the territory of the requested state. Paragraph 1 of Article 7 allows a Party to refuse extradition for an act committed in whole or in part within its territory or in a country considered to be its territory. According to this paragraph, it is up to the Party whose extradition is requested to determine in accordance with its law whether the act was committed wholly or partly within its territory or in a place considered as its territory. In this way, for example, offenses committed on board a ship or an aircraft of the nationality of the Party to which extradition is sought may be considered as offenses committed in the territory of that Party. Paragraph 2 of this article provides that extradition must be granted if the offense was committed outside the territory of the Party to which extradition is requested, except in cases where the laws of the Party to which extradition is requested do not authorize prosecution for an offense of the same nature committed outside its territory, or do not authorize extradition for an offense that is the subject of the request. As far as the requesting party is concerned, its competence in common law is based on the fact that the offense was either committed within the territory of its state, i.e. it enjoys territorial jurisdiction, or it was committed outside its territory but by one of its citizens, referring to this case of competence of the active personality. Second, if the criminal prosecution for the same facts is ongoing in the requested state.

In this case, which generally relates to offenses committed outside the territory of the requested Party, extradition may be refused if the person in question is being prosecuted by the requested Party for the offenses for which extradition is requested. Another of

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<sup>11</sup> *Res judicata* (RJ) or *res iudicata*, also known as claim preclusion, is the Latin term for matter decided and refers to either of two concepts in both civil law and common law legal systems: a case in which there has been a final judgment and that is no longer subject to appeal; and the legal doctrine meant to bar (or preclude) relitigation of a claim between the same parties. In the case of *res judicata*, the matter cannot be raised again, either in the same court or in a different court. A court will use *res judicata* to deny reconsideration of a matter. The doctrine of *res judicata* is a method of preventing injustice to the parties of a case supposedly finished but perhaps also or mostly a way of avoiding unnecessary waste of judicial resources. *Res judicata* does not merely prevent future judgments from contradicting earlier ones, but also prevents litigants from multiplying judgments, and confusion.

the cases when extradition should be refused is when the offense for which extradition is requested is punishable by capital punishment in the requested state and the requesting state does not provide for such a penalty in its legislation or does not apply it. In this cases, extradition can be granted if the requesting state provides sufficient guarantees that this punishment will not be applied. The security provided may vary by country and even by specific issue. As in some cases it may be a formal undertaking not to execute the death penalty, an undertaking to recommend to the President of the State that the death penalty not be executed, a simple statement intended to make a recommendation or a such undertaking to return the extradited person if he is sentenced to death. However, it is for the requested Party to decide whether the security is satisfactory. In the context of the development of events and the almost complete cancellation of the death penalty from the legislation of European countries and beyond, we can say that this provision has already lost its practical importance.

Thirdly, in the case of criminal offenses in the fiscal and customs field, given that until 1957, just as for military criminal offenses, extradition was also excluded for offenses of a financial or customs nature. In this regard, the 1957 Convention brought about a change. According to it, for criminal offenses in the field of taxes, customs or exchange, extradition is granted only if the parties have decided something like this for each specific criminal offense or category of such offenses. It is decided that it was impossible for this cases to be given a form of obligation that makes it binding on the parties, since there is considerable difference between the laws of different states regarding such acts, since in each case the existence of an agreement between the states was required.

The situation changed even more with the second additional protocol of the convention in 1978, which aimed to transform these offenses into common criminal offenses, in order to strengthen cooperation between states in this sensitive area. According to article 2 of the protocol which repeals article 5 of the convention, extradition is possible regardless of any agreement of the member states, it is enough to respect the principle of double criminality<sup>12</sup> as well as the maximum and minimum duration for the prescribed punishment. Cases of refusal of extradition, whether mandatory or optional, have become the subject of reservations by various states party to the convention<sup>13</sup>.

## VI. NATIONAL AND INTERNATIONAL LEGISLATION

The Convention of the Council of Europe on extradition<sup>14</sup> was born as a necessity of time and social reality. The continuous increase in criminality was becoming more and more a worrying problem for all European countries. The regulation of extradition by means of bilateral agreements was very complicated, difficult, and moreover, the states had provided in them numerous clauses which excessively narrowed the scope of extradition and made it ineffective in the fight against crime. For these reasons, it was deemed necessary to approve an international convention which would unify the extradition procedure between states. This very important step was taken by the Council of Europe with the approval of the 1957 convention on extradition. At the time this convention was adopted it was a very innovative instrument and replaced about 200 existing extradition agreements between states.

The Convention stipulates the obligation of the 23 signatory states to hand over to each other, under the conditions defined therein, persons against whom criminal proceedings have been initiated or persons required to execute a final criminal decision with imprisonment or a security measure with deprivation of liberty. Extraditable criminal offenses are those which are punishable in both countries with at least one year of imprisonment or for which the decision given to serve in prison is at least 4 months.

In this way, the Convention has provided for extraditable offenses in a general way, avoiding the so-called listing methods where all types of extraditable offenses are counted, thus allowing the suppression of all forms of criminality. It is also worth noting that the convention strictly adheres to the principle of double criminalization of the offense. The 1957 convention, even though it was a big step in the field of extradition, still left many opportunities for refusing extradition, especially in the case of political crimes which, being undefined in the convention, were interpreted by the states according to their convenience. In order to avoid the risk of terrorist acts being interpreted as acts with political motives, the Council of Europe adopted in 1977 a special convention for the suppression of terrorism, which also contains some special clauses that are of interest for study in relation to the issue of extradition.

At the time when the extradition convention entered into force, only the first steps of the European Union had been taken. The removal of borders and free movement between member states must be accompanied by effective measures in the fight against criminals who could now move freely.

Moreover, it was moving more and more from an economic union to a political union between EU member states. For these reasons, community institutions take a series of measures to simplify extradition procedures between them through the adoption of several conventions. Due to the low number of member states that ratified them, the short time of action and due to their suppression from the European arrest warrant, we will deal with these conventions briefly. Also the European convention on the

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<sup>12</sup> Double criminality, or dual criminality, is a requirement in the extradition law and international prisoner transfers of many countries. It states that a suspect can be extradited from one country to stand trial for breaking a second country's law only if a similar law exists in the extraditing country, and that any crime in any sentencing country must also be a crime in any other country to receive any internationally transferred prisoners.

<sup>13</sup>D. Flore, *Reconnaissance mutuelle, double incrimination et territorialité*, in *La reconnaissance mutuelle des décisions judiciaires pénales dans l'Union européenne*, Bruxelles, Editions de l'université de Bruxelles, coll. Institut d'Etudes européennes, 2001.

<sup>14</sup> European Convention on Extradition, retrieved from <https://www.refworld.org/docid/3ae6b36b0.html>.



fight against terrorism was signed due to the large scale that terrorism took in several European countries and not only, was deemed necessary to sign an agreement on the fight against terrorism on January 27, 1977, but according to a recommendation of the Council of Europe, acts of international terrorism should be criminalized as serious criminal acts resulting in the death or kidnapping of innocent persons or endangering their lives.

The Council, in another resolution, sanctioned that some types of crimes are so serious due to the methods used and the results achieved, that it is impossible to classify them in the category of political crimes, for the reason that extradition should be possible. The Convention on the Suppression of Terrorism is called differently from the doctrine as the Convention on the Depoliticization of Terrorist Acts. The convention brings to the signatory states an alternative alternative with two choices: extradition or trial. The convention provides for both mandatory extradition and optional extradition. Article 1 of the convention stipulates that “*for the purposes of extradition between member states, none of the offenses mentioned below shall be considered a political offense, an offense related to a political offense or an offense motivated by political motives*”<sup>15</sup>.

In this way, the requested state cannot refuse the extradition by describing the offense as political. For extremely serious crimes including crimes that fall within the scope of the Hague Convention on combating the illegal seizure of aircraft December 16, 1970; crimes falling within the scope of the Convention for the Suppression of Unlawful Acts Affecting the Safety of Civil Aviation, Montreal, 23 September 1971; crimes included in the scope of the Convention on the Prevention and Combating of Offenses against Persons Enjoying International Protection to which Diplomats Enter December 14, 1973, New York; crimes falling within the scope of the International Convention against Kidnapping, New York, 17 December 1979; crimes falling within the scope of the Convention on the Physical Protection of Nuclear Materials, Vienna, March 3, 1980; crimes falling within the scope of the Protocol to Combat Unlawful Acts of Violence at International Civilian Airports, Madrid, February 24, 1988; crimes falling within the scope of the Convention on Combating Unlawful Acts against the Safety of Maritime Voyages, Rome, March 10, 1988; crimes falling within the scope of the Protocol on Combating Unlawful Acts Affecting the Safety of Fixed Platforms Located on the Seabed, Rome, March 10, 1988; crimes falling within the scope of the International Convention on Combating Terrorist Attacks with Explosives, New York, December 15, 1997 and crimes falling within the scope of the International Convention on Combating the Financing of Terrorism, New York, December 9, 1999.

Also, along with the above-mentioned criminal acts, extradition cannot be refused even in cases of attempt or cooperation, as well as organizing or giving orders to commit a criminal act. This addition to the convention was made so that no form of terrorism would go unpunished. In addition to the cases of mandatory extradition, the convention also provides for the cases of optional extradition precisely in its article 2, which provides that it will not be considered a political offense or an offense related to a political offense or an offense motivated by political motives “*any act of severe violence that is not provided for in article 1 and that harms the life, physical integrity or freedom of persons*”. The same principle applies to any serious act of violence that is not provided for in Article 1 when this act brings a collective risk to people. In this way, the convention further expands the scope of its application within the international strategy for the fight against terrorism. The diversity of the forms of manifestation of terrorism in Article 2 makes it possible that no criminal offense can be non-extraditable if the above characteristics are met only for the fact that it is not provided for in the offenses listed in one of the above conventions. In addition to the obligation to extradite, the convention provides for 2 cases when extradition can be refused.

The requested state does not have the obligation to extradite for any of the above-mentioned offenses when there are serious reasons to believe that the request for extradition has been submitted with the aim of detaining or prosecuting the person for reasons of race, religion, nationality or political beliefs, as well as when the situation of the person risks being listed for one of the above reasons. This clause aims to protect human rights and more specifically the right to asylum. With the changes made in 2003, the requested state could refuse extradition for a terrorist offense even when there are serious reasons to believe that the person will be subjected to torture or the death penalty (or life imprisonment when the requested state does not recognize the penalty with. The Convention gives the opportunity to all its signatory states to declare at the time of signing or submitting the instrument of ratification that it reserves the right to refuse extradition for the offenses provided for in Article 1 which it considers to be political or as acts motivated by political motives. The decision to classify the offense as such must be taken by the requested state by making an assessment of the nature of the offense and its high risk, as well as depending on the facts, if the act has endangered the lives of several people; physical inviolability or freedom of persons; if the act affected other people who are not related to the motives that prompted it or if cruel or treacherous means were used.

These two exceptions, have severely damaged the convention since through them the states have been given the opportunity to transform extradition from something mandatory to possible. For this reason, this convention has often been compared to a “*cardboard tiger*”<sup>16</sup>. If the requested state refuses the extradition, then it is forced to try the requested person without exception and without unjustified delays. The Schengen Agreement<sup>17</sup> takes its name from a small town in Luxembourg where this agreement was concluded on June 14, 1985 and its main idea was to compensate for the removal of border controls for the free movement of goods, services and people within the European Union. Among the most important measures taken within the framework of

<sup>15</sup> BENOIT.,L, Le mandat d'arrêt européen, Revue du marché commun de l'Union Européenne, 2003.

<sup>16</sup> One that is outwardly powerful or dangerous but inwardly weak or ineffectual.

<sup>17</sup> By signing the Schengen Agreement on 14 June 1985, Belgium, Germany, France, Luxembourg and the Netherlands agreed to gradually remove controls at their internal borders and to introduce freedom of movement for all nationals of the signatory countries, other EU Member States and some non-EU countries.

Schengen cooperation, we can mention removing the control of persons at the internal borders; a set of common rules that apply to persons crossing the external borders of EU member states; harmonization of entry conditions and visas for short-term stays.

Improving police cooperation (specifically cross-border surveillance and tracking rights) strengthening judicial cooperation through a faster extradition system and transferring the execution of prison sentences; processing and development of the Schengen information system; the convention for the application of the Schengen agreement of June 19, 1990 also contains some provisions regarding extradition, which we will find reflected in the two subsequent EU conventions on extradition. These provisions are related to amnesty, time limits, some special types of extradition for which a simplified procedure is foreseen, some types of fiscal criminal offenses as well as the channels of sending requests. One of the greatest achievements of the Schengen agreement was the adoption of the SIS (Schengen Information System), a common online database with the data of all wanted persons.

While the Convention for the Simplification of Extradition Procedures between the Member States of the European Union completes the 1957 Convention of the Council of Europe "On Extradition" and as it is understood from the name of the convention, it aims to simplify the extradition procedures between the Member States of the Union, without affecting the application of the most favorable provisions according to two or more party agreements. With an act of the Council of Ministers on 10.03.1995, this convention was approved and its purpose, as I mentioned above, was to facilitate the implementation of the 1957 extradition convention among the member states, supplementing the latter's provisions. This convention was necessary because the procedures provided by the 1957 convention were too complicated and did not correspond to the reality of a united Europe without borders.

The Convention stipulates the obligation for member states to hand over persons sought for the purpose of extradition according to the simplified procedure it provides for, but with the double condition that the person concerned gives his consent to extradition and the requested state also agrees. In particular, it does not link the surrender of a person who has become the subject of an arrest request with the presentation of an extradition request and with other documents required by Article 12 of the extradition convention. The requesting state must communicate to the requested state the following elements which are considered sufficient, identity of the requested person; the authority requesting the arrest; the existence of an arrest warrant or another act that has the same power or an executive title; nature and legal qualification of the violation, description of the circumstances of the event and the consequences of the event within the possibilities. In addition to these elements, the requested state has the right to request additional data if it considers the received information insufficient. If a person is arrested for extradition purposes in the territory of a member state, the competent authority informs him according to the procedure provided by the domestic law. He is notified by the competent authorities that he has the right to waive the rule of specialty, so he agrees to be tried in the requesting state for previous offenses that are not the subject of the extradition request, and he can give his consent for extradition. His acceptance or waiver of the benefit of the rule of specialty is irrevocable. However, the member states have the possibility, through reservations, to give both consent and waiver of the rule of revocable speciality according to the rules defined in their domestic law<sup>18</sup>.

Moreover, each member state can declare a waiver, in the case where the person concerned gives his consent for extradition, from the rule of specialty provided in Article 14 of the extradition convention. Article 15 of the European convention on extradition regarding re-extradition to a third country does not apply to re-extradition to another member state in case the person has renounced the benefit of the specialty rule, unless the member state by means of a declaration decides otherwise. Each member state decides by means of a statement on which are the competent authorities for the simplified extradition procedure. The extradition convention, largely replaced by the framework decision for the European arrest warrant, provides for the facilitation of extradition between member states in certain cases. It complements other existing agreements in this field such as the European Convention on Extradition 1957, the European Convention for the Suppression of Terrorism 1977 and the European Union Convention on Simplified Extradition Procedures 1995. The purpose of the convention is to facilitate extradition between member states in the cases it provides for. For this purpose, it provides a series of principles to which states can refer under certain conditions. The Convention more specifically simplifies extradition in cases of cooperation between criminals whose purpose is to commit the offenses provided below:

- One or more violations provided by article 1 and 2 of the European Convention on the Suppression of Terrorism.
- Any violation related to drug trafficking.
- Forms of criminality directed against human rights.
- Forms of criminality that create a collective risk.

Regarding the Albanian national legislation, we discuss article 11 of the Albanian Criminal Code, which provides that "*extradition can only be allowed when it is expressly provided for in the international agreements to which the Republic of Albania is a party*". Extradition is allowed when the criminal offense that constitutes the object of the request for extradition is provided as an act both by Albanian and foreign law. Extradition is not allowed: a) if the person to be extradited is an Albanian citizen, except in cases where the agreement provides otherwise; b) if the criminal offense that constitutes the object of the request for extradition has a political or military character; c) when there is reason to suspect that the person sought to be extradited will be persecuted,

<sup>18</sup> HOXHA.,A, PANDA., I, KOMENTAR I KODIT TË PROCEDURËS PENALE 2016.

punished or sought because of his political, religious, national, racial or ethnic beliefs; d) if the person who is requested to be extradited has been tried by a competent Albanian court for the criminal offense for which extradition is requested.

The Albanian Criminal Procedure Code, provides that extradition is the delivery of a person to a foreign country for the execution of a prison sentence or an act that certifies his proceeding for a criminal offense, can only be done through extradition. Extradition is allowed only on the basis of a request addressed to the Ministry of Justice through a request for extradition to which are attached: a) a copy of the decision of imprisonment or of the act of proceeding; b) a report on the criminal offense charged to the person for whom extradition is requested, indicating the time and place of the commission of the offense and its legal definition; c) the text of the legal provisions that will be applied, indicating whether the offense for which extradition is requested is provided for by the law of the foreign state to be punishable by death; d) individual data and any other possible information that serves to determine the identity and citizenship of the person for whom extradition is requested. When several extradition requests compete, the Ministry of Justice determines the order of consideration.

For this purpose, it takes into account all the circumstances of the case and especially the date of receipt of the request, the importance and place of the commission of the criminal offense or the citizenship and residence of the requested person, as well as the possibility of re-extradition by the requesting state. If for a single offense extradition is requested at the same time by several states, it is given to the state against which the criminal offense was directed or to the state on whose territory the offense was committed. Extradition is permitted on the express condition that the extradited person will not be prosecuted, convicted, or handed over to another state for a criminal offense that occurred before the request for extradition and that is different from the one for which extradition was granted extradition. The conditions indicated in paragraph 1 are not taken into account when: a) when the surrendering party gives express consent for the extradited person to be prosecuted for another criminal offense and the extradited person has no objection; b) when the extradited person, even though he had the opportunity, did not leave the territory of the state to which he was handed over, after forty-five days have passed since his release or after he left it, he returned voluntarily.

The Ministry of Justice may also set other conditions that it deems appropriate, not exceeding the provisions of international acts, to which the Republic of Albania is a party, and the reservations and legal declarations. Extradition cannot be granted: a) for one act of a political nature or when it turns out that he is wanted for political purposes; b) when there is reason to believe that the person being wanted will be subject to persecution or discrimination due to race, religion, sex, nationality, language, political beliefs, personal or social status or punishments or cruel, inhuman or humiliating treatments or actions that constitute a direct violation of basic human rights; c) abolished; ç) when the proceedings began or were judged in Albania even though the offense was committed abroad; d) when the criminal offense is not provided for as such by the Albanian legislation; dh) when amnesty was granted by the Albanian state for the criminal offense; e) when the requested person is an Albanian citizen and there is no agreement that provides otherwise; ë) when criminal prosecution or punishment is prescribed according to the law of the requested state; f) when the requested person has been sentenced in absentia, except for the case where the requesting state provides a guarantee for the review of the decision<sup>19</sup>.

The court gives a decision in favor of extradition when there is a coercive measure in charge of the requested person, when there is significant evidence of guilt or when there is a sentence of a higher form. In this case, when there is a request from the Ministry of Justice, submitted through the prosecutor, the court orders the detention of the person who should be extradited and who is at large, as well as the seizure of material evidence and items belonging to the criminal offense. The court gives a decision against extradition when there are cases foreseen for not accepting the extradition request. When the court rules against extradition, extradition cannot take place. The decision against extradition prohibits the granting of a subsequent decision in favor of extradition as a result of a new request presented on the same facts by the same state, except when the request is based on elements that have not been evaluated by the court. Against the decision of the court, regarding the request for extradition, an appeal can be made to the court of appeal by the interested person, by his defender and by the prosecutor within 10 days.

The Ministry of Justice disposes of the extradition within thirty days from the date the court's decision became final. At the end of this period, even when it is not available from the Minister, the person for whom extradition has been requested, if he is imprisoned, is released. The person is released even if the extradition request is rejected. The Ministry of Justice communicates the decision to the requesting state and, when it is positive, the place of delivery and the date from which it will be possible to act. The deadline for delivery is fifteen days from the specified date and with a reasoned request of the requesting state, it can be extended for another fifteen days. When there are reasons beyond the control of the parties, another delivery date can be set, but always applying the deadlines specified in this paragraph. The extradition decision loses its force and the extradited person is released when the requesting state does not act, within the specified period, to take over the extradited person. The execution of extradition is suspended when the extradited person must be tried in the territory of the Albanian state or must serve a sentence for criminal offenses committed before or after the one for which the extradition was granted. However, the Ministry of Justice, after listening to the competent prosecuting authority of the Albanian state or that of the execution of the sentence, may order the temporary handover to the requesting state of the person to be extradited, determining the terms and manner of action. The Ministry may agree that the remaining sentence be served in the requesting state. In case of a new request for extradition, presented after the

<sup>19</sup>Hoxha., D, Kacupi., S, Haxhia., M, E Drejta Penale, Pjesa e Pergjithshme, 2018.

surrender of the extradited and whose object is a criminal offense that occurred before the surrender, different from the one for which the extradition was granted, the provisions of this the head Statements of the extradited person, made before a judge of the requesting state for extension of extradition, must be attached to the request.

The court proceeds in the absence of the extradited person. There is no place for trial if the extradited person, with the declarations provided for in paragraph 1, has accepted the extension of extradition. The above provisions also apply in the case when the state, to which the person was handed over, requests consent for the re-extradition of this same person to another state. The Ministry of Justice is competent to request from a foreign state the extradition of a person prosecuted or criminally convicted, against whom a measure that limits personal freedom must be executed. For this, the prosecutor at the court in whose territory the sentence is being processed or the sentence decision has been issued, makes a request to the Ministry of Justice, sending the necessary acts and documents. When it does not accept the request, the Ministry notifies the authority that made it. The Ministry of Justice is competent to decide on the eventualis conditions from a foreign country to grant extradition, when they do not contradict the basic principles of the Albanian legal order. The proceeding authority is obliged to respect the accepted conditions. The Ministry of Justice can decide, for the purposes of extradition, the search abroad of the person prosecuted or convicted and his temporary arrest. Detention abroad, as a result of an extradition request submitted by an Albanian citizen, is counted in the amount of punishment, according to the rules set forth in Article 57 of the Criminal Code. In the analysis of these provisions, the fact that they are fully in line with international legislation and that they really serve as an effective tool in the fight against criminality wherever it is carried out is highlighted. In the Haxhia case against Albania, Citizen I.H. after the events of January 2001, where the former deputy of the Republic of Albania A.H. was killed, left for Turkey.

The prosecution described Haxhia as the main suspect in the murder of the ex-deputy Hajdari and the murder of the other bodyguard Mr. N. The complainant was the bodyguard of the then president of Albania, Mr. S. Berisha. At the time of filing the appeal, he was detained in Turkey pending the outcome of his extradition to Albania. During the judicial process, the judicial proceedings against the appellant were carried out in absentia and he was represented by a lawyer appointed by his family according to article 48 paragraph 3 of the Code of Criminal Procedure. Haxhia was tried and sentenced to 25 years in prison in absentia in April 2004 by the Albanian judicial authorities. The sentencing decision was appealed to the Court of Appeal and the Supreme Court by the appellant's lawyer, appointed by the family, as well as the other co-defendants. In June 2006, the complainant was arrested in Turkey by the Turkish authorities based on the arrest warrant issued by the Albanian authorities, where they requested the extradition of the complainant, but the court was not presented with a copy of the request for extradition. Based on the European Convention on Extradition which was ratified by the Albanian state on May 19, 1998, in article 3 of the second additional protocol it provides that for: "Decisions in absentia". Where a Contracting Party requests from another Contracting Party the extradition of the person to carry out the sentence or restraining order made against him in absentia, the Party to whom extradition is requested may refuse extradition for that purpose if, in its opinion, the proceedings that led to this decision did not meet the minimum defense rights recognized as a result of any person accused of a criminal offense. However, extradition is permitted if the requesting party provides sufficient security to guarantee the alleged person the right to a retrial, which protects the right of defence. This decision authorizes the requesting party to either enforce the specific decision, if the convicted person does not object, or, on the contrary, to initiate proceedings against the extradited person. When the party to whom extradition is requested informs the person for whom extradition is requested of the decision taken against him in absentia, the requesting party shall not consider this communication as official notification for the purposes of criminal proceedings in that State. Based on this argument, the court did not accept the extradition of citizen Haxhia. Haxhia claimed in court that an irregular legal process was carried out against him in violation of Article 6 of the ECHR. The court observed that the applicant did not have the possibility of an appeal because he had received the sentence decision in 2006 in Turkey when the 2-year deadline for filing an appeal before the Constitutional Court had passed.

The two main arguments of inadmissibility raised by the government were that the claim was filed outside the six-month deadline and that the complainant had not exhausted domestic legal remedies. According to the Albanian government, the applicant did not file a constitutional appeal with the Constitutional Court to complain about the unfairness of the proceedings, nor an appeal for the review of the final sentence in absentia according to Article 450 of the Code, nor for the reinstatement in time according to Article 147 of Code. The complainant submitted that at the time of the arrest by the Turkish government, he was informed about the decision of the Albanian authorities in absentia and filed an appeal with the court. In relation to the non-compliance with the six-month deadline, the court decided that the six-month period begins from the date on which the appellant received sufficient and effective knowledge of the final internal decision<sup>147</sup> It is the duty of the state, which is based on the non-compliance with the six-month deadline, to determine the date when the appellant was notified of the final internal decision. Thus, the court finds that the sentence of the appellant in absentia was upheld by the final decision of the Supreme Court on February 14, 2003, and the appellant was notified of this decision on 03.06.2006 when he was arrested by the Turkish authorities. This fact has not been disputed. The appellant filed a complaint in court within the six-month period of notification of his conviction in absentia from August 28, 2006. In these circumstances, the court rejects the government's objection and gives the right to Haxhia to request the right to a trial to reduce and punish the Albanian state with a one-off award of 1,400 Euros for court costs<sup>20</sup>.

<sup>20</sup> Softa (Metaliaj).E, EXTRADITION UNDER THE INTERNATIONAL CONVENTION ON EXTRADITION TO ALBANIA DURING THE PERIOD 2000-2010.



## VII. CONCLUSIONS

The need for the improvement of the extradition procedure and the advantages of the European arrest warrant against it. Extradition is still seen as a very narrow issue of state sovereignty. In international practice, there are frequent cases of refusal of extradition, sometimes even without grounds or hiding behind legal barriers.

The Convention "On Extradition" of the Council of Europe of 1957 played a very important role at the time when it was adopted as it constituted a legislative document which fully and comprehensively regulated the institution of extradition. It created a uniformity in the right of extradition among EC member states. Its clauses tended to make it possible for no person to go unpunished (although there were numerous reservations by member states at the time of ratification that somewhat diluted its significance).

The procedures provided reflects a political and historical framework different from today's reality. In some cases, practice has shown that the extradition of a person can be extended for years, significantly hindering the administration of justice in the country. These delays are mainly related to the complex procedure of sending extradition requests, which must go through a full judicial, administrative and political review in the requested state. However, in European criminal law, there is a tendency of international organizations, but especially of the European Union, to simplify, speed up and facilitate extradition procedures.

This level of cooperation has almost been achieved by EU member states that have replaced traditional extradition with diplomatic channels through direct cooperation between judicial authorities. Regarding Europe, the EU can say that it has achieved considerable progress with the adoption of the European Arrest Mandate as an institution that aims to make the fight against crime easier. Of course, the arrest warrant is a new institution, which needs to be improved and supplemented with other areas. The clear practice in the EU states has shown that the mandate has been quite efficient in the fight against crime.

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# Therapeutic gardens in education

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## Abstract

This paper aims to shed light on the influence of therapeutic gardens on individuals with special needs, especially on "different learners." We examine therapeutic gardens through the historical development of garden design and plant use knowledge. Horticultural therapy is an interdisciplinary science that improves individuals' social, cognitive, physical, and psychological well-being through its approaches. Sensory gardens are in the foreground, designed to stimulate the five senses: sight, touch, smell, sound, and taste. We identify pupils with special needs who are "different learners." Different learners, both children and adults, have similar needs. Is there a more suitable place to meet these needs than in a garden? We demonstrate ways to use gardens as therapeutic tools and their impact on various groups of individuals with special needs through examples of good practice.

Therapeutic gardens are designed to provide sensory stimulation, emotional comfort, and physical exercise, making them an ideal environment for horticultural therapy. Therapeutic gardens benefit people with special needs, such as learning disabilities, physical disabilities, or mental health disorders. Research has shown that therapeutic gardens can help improve various symptoms, such as anxiety, depression, aggression, and self-esteem.

Horticultural therapy is a practical approach that can enhance the well-being of individuals with special needs. Using therapeutic gardens as a therapeutic tool can help improve individuals' social, cognitive, physical, and psychological well-being. Sensory gardens are particularly effective as they provide a range of sensory experiences that can be tailored to meet the needs of the individual. Horticultural therapy is a powerful tool that can help individuals with special needs improve their quality of life, and therapeutic gardens are an essential component of this approach.

*Keywords:* Four to six keywords are to be provided for indexing purposes.

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## 1. Introduction

A garden is a place that preserves life. Garden culture has accompanied man since ancient times and is gaining great momentum: sustainable living, self-sufficiency. What if, even more than food for the body, we need food for the soul, the heart? We breathe in the intoxicating scent of roses, listen to the swimmer, look for a way and peace. In the assignment, we ask the research question: "How do therapeutic gardens affect people with special needs?" In the 1st part of the assignment, we investigate therapeutic gardens, horticultural therapy, with an emphasis on sensory gardens, using the research method of literature review. Through the analysis of the law, we identify children with special needs. In the 2nd part of the task, through examples of good practice, unstructured interviews, and the method of participant observation, we show the ways of using gardens and their impact on "different students".





Figure 1 Nekrep's garden - a garden for all the senses: a vegetable and fragrance garden (own source: TPN)

## 2. Therapeutic gardens

### 2.1 *The Historical starting points*

Garden is a word consisting of only three letters and countless images. Each of us has a different idea of what a garden is, images are created based on our own experiences. Man has always been closely connected with nature, interdependent, and at the same time tries to regulate it according to his own standards. According to some assumptions, the garden is the earliest form of human arrangement of space. Historical records show that the garden was initially a small, well-kept plot of land on which useful plants were grown and water was used purposefully. Over time, the garden began to grow into an important addition to the built residence (Ogrin, 1993). Civilizations developed and collapsed, and along with the migration of people, plant species were transferred. By transporting plants between territories and by analyzing their usefulness, the treasury of knowledge about the use of plants for medicinal purposes increased (Ravnjak, Bavcon, Gabrovšek, Šuc, 2021).

Knowing the characteristics of plants is important when planning gardens. The gardens were planned already in the time of the Roman emperors. Monastery gardens with plant collections were important in the Middle Ages (Figure 2). The knowledge was transferred to the botanical gardens that were created next to the universities. Also, in our territory, important gardens were created next to castles, on estates. In the Habsburg Monarchy, there were gardens or parks next to all hospitals. The first hospital for the mentally ill at Sv. Ivan in Trieste (Ravnjak et al., 2021).



Figure 2 Medieval Mediterranean monastery garden in Šibenik (own source: TPN)

## 2.2 Horticultural therapy

Ever since man has created gardens, he has spent time in them, filling them with joy, calmness and experience. When a person is healthy, the hours spent in the garden are often directed towards growing food. But when a person's health is good, and especially when he is "different", then the garden takes on new dimensions. It becomes medicine for the soul and body. According to the authors Ravnjak, Bavcon, Gabrovšek, Šuc (2021), who rely on older scientific sources, recognition of the therapeutic effects of plants dates back to 2000 BC. In Mesopotamia and Persia, gardening was used primarily for sensory modulation. In the Middle Ages, monastery gardens were used for the cultivation of medicinal plants and the subsequent recovery of sick people. After both world wars, the rehabilitation of wounded soldiers followed. In 1970, the first horticultural therapy association was founded in the United States. Studies from the 1970s describe the importance of designing gardens to engage patients as a form of relaxation therapy. They found a positive impact on greater social inclusion. Gardening has become part of occupational therapy. From 2000 to today, therapeutic gardens are aimed at gaining experience with gardening and improving health, well-being, reducing stress and improving quality of life (Ravnjak et al., 2021).

Horticultural therapy is professionally designed and is a user-oriented therapeutic approach that uses horticultural activities to achieve specific individual goals. With the goals, we want to improve the social, cognitive, physical and psychological state of the individual. The therapeutic effects of horticultural therapy improve social inclusion, prevent cognitive deterioration. Horticultural therapy is an interdisciplinary science that combines many fields of botany, medicine, pharmacy, psychology, sociology, physiology, ecology, rehabilitation science, ergonomics. It is defined as an additional therapy for the treatment of somatic and mental illnesses (Ravnjak et al., 2021).

The therapist must consider the beneficial effects of using horticultural activities on the individual and choose appropriate activities for him. These enable individuals to achieve goals and engage in activities in a rich sensory environment, with physical and cognitive challenges. Contact with nature in the outdoor environment represents a multisensory experience. The external environment provides various possibilities for sensory input – auditory, tactile, olfactory, proprioceptive and vestibular. An



individual can gain sensory experiences through the various textures, shapes, colors, sizes, sounds and smells of each element (Ravnjak et al., 2021).

### 2.3 Sensory gardens

Sensory gardens are gardens that are becoming more and more useful in today's world. They are designed with special attention to stimulating the five basic senses: sight, touch, smell, sound and taste. In them, people find connection with others and with themselves, calm the mind and at the same time stimulate the senses, often dulled by the excessive use of electronic devices.

As many studies show, sensory gardens are welcome therapies for people with special needs. One of the more recent studies conducted in Poland shows good experiences even during the Covid pandemic. Sensory gardens in urban centers give the individual a sense of mental and physical well-being. Sensory elements (hard and soft landscape, colors and textures) are key elements to the design of these gardens. They encourage users to touch, smell, and actively experience the garden with all their senses (Figure 3). Prolonged social isolation forced labor and online learning increase the need for regeneration in a multi-sensory natural environment (Wajchman-Switalska, Zajadacz, Lubarska, 2021).

Multi-sensory garden design is becoming increasingly popular for educational purposes in schools with an adapted program for students with special needs, for rehabilitation purposes in hospitals and for health benefits in nursing homes. So-called multi-sensory curricula are being developed, which are included in educational systems for children with special needs. Based on multi-sensory indoor experiences, sensory gardens have evolved. The difference is that the cost of a sensory garden is significantly lower, and it is a truly natural multi-sensory environment compared to a manufactured multi-sensory room (snoezel room) (Hussein, 2010).

Figure 3 Nekrep's garden - a garden for all the senses: water motif (own source: TPN)



### 3. Different people, different students<sup>1</sup>

#### 3.1 Definition of children with special needs, satisfaction of needs

Humans have the ability to quickly define what is "normal" and what is "different". The journey through life often changes our definition. Life can turn any individual from the sunny side to the dark side in a short period of time. It is necessary to live with difference. We can become different in adulthood, often the difference already affects children. They become "children with special needs". In Article 2 of the Act on the Guidance of Children with Special Needs (ZUOPP-1), the Slovenian legislation defines: "Children with special needs are children with disabilities in mental development, blind and partially sighted children or children with impaired visual function, deaf and hard of hearing children, children with speech and language disorders, physically disabled children, long-term sick children, children with deficits in individual areas of learning, children with autistic disorders and children with emotional and behavioral disorders who need adapted implementation of education and training programs with additional professional help...".

As the wise say, happy families are always alike, but unhappy families are very different from each other. Different children, different teenagers, different adults and the elderly are very different from each other. They require various forms of assistance, often to meet basic physiological needs. But the needs of every human being are also the need for security, for love and belonging, the need for knowledge, the need for self-actualization and aesthetic needs. Is there a more suitable place to satisfy needs than in nature, in the garden (Figure 4)?



**Figure 1** Charity meeting in the garden of Nekrep - Sonček (own source: TPN)

#### 3.2 Dole International Center for Self-Care

The Dole estate - a training ground for self-sufficiency is located in I. 2021 became the International Center for Self-Care (Figure 5). It is led by Prof. dr. Ana Vovk. The basic vision is the transfer of academic knowledge into practice, with an emphasis on self-care and a sustainable way of life.

What does Prof. Ph.D. Ana Vovk about visits to children with special needs in Dole?

*"I myself had children with Down syndrome, and these children were very committed to everything. I put different herbs in their hands, and we determined the smell, appearance of the plants, roughness or the tenderness, the shapes of the leaves and they observed everything very carefully, quite personally."*

<sup>1</sup>Different students (Žagar, 2012)



*Then I also had hyperactive children (ADHD), I connected them with earth animals and they completely calmed down because we put ourselves in a position to visit them in the earth. I always use the technique that we are part of nature and that we must adapt to the functioning of processes in nature."*

(oral source: Prof. ddr. Ana Vovk, February 2022).



**Image 2 Dole Training Ground, International Centre for Subsistence (own source: TPN)**

### 3.2 Villa and garden Nekrep - a garden for all senses

A family villa from the beginning of the 20th century, with a garden next to it, which covers an area of 6000 m<sup>2</sup>. The villa and the garden are a residential unit that occasionally has a therapeutic, educational purpose. The garden was created from 1. 2010, in tribute and memory to our late son Bor. There are occasional gatherings in the garden, from school groups with science days, charity gatherings to third-life university groups. Spreading garden culture, preservation of nature and architectural heritage, transfer of knowledge to young people and networking are the main purposes of the owners. We classify the garden as a sensory garden, as it awakens all the senses - it is a real garden for all the senses (oral source: TP Nekrep, February 2022).

### 3.3 Charity meetings at the Nekrep garden

The Nekrep Garden was created as a response to the worst tragedy: the loss of my son and brother Bor. We demolished business and production premises, rehabilitated degraded space and created a garden for all the senses. After years of loneliness (people avoid "different" people), I worked as a volunteer with the Association of Societies for Cerebral Palsy Sonček (professional help in the construction of the Pragersko housing unit), with the Red Cross in the local area and with Slovenian Philanthropy (refugee integration). I felt the deep separation, isolation of individual groups of "different" people - people with special needs. I started by organizing charity meetings in our garden, which were very successful for several years in a row but were interrupted by the Covid pandemic. Each meeting, the Open-Door Day at the Nekrep garden, was dedicated to a child who lost a parent. The collected voluntary contributions were purposefully used for the needs of these children. The essence of the meetings is to connect different people in the sensory garden. With the involvement local Primary School, music and visual artists, humanitarian organizations and people with different needs, we create coexistence, connection and spend a few pleasant hours together (Figure 6).



*Figure 3 Charity meeting in Nekrep garden (own source: TPN)*

#### *3.4 Natural history days in Nekrep garden*

The Nekrep Garden occasionally welcomes elementary school visitors, including children with special needs, especially children with ADHD.

Children have a great time in the garden, learning about the many new things in the plant and animal world. They learn about the green infrastructure and the protected built heritage. They create and connect together. Teachers report a calmness, attentiveness and active participation that is not achieved in the classrooms (Figures 7 and 8).





*Figure 4 Science day for elementary school students in the Nekrep garden (own source: TPN)*



*Figure 5 Science day for elementary school students in the Nekrep garden (own source: TPN)*

### *3.5 Integration of persons with international protection in the Nekrep garden*



As a work mentor, I conducted a six-month training for two people with international protection. Both boys, young adults from Eritrea, are also persons with special needs (Figure 9), as they have not mastered the language (the spoken language is exclusively Tigrinya), writing (illiteracy), manual skills (complete ignorance of working tools, including the use of electricity). Great cultural and sociological distance compared to the way of life in Europe. A great mentoring challenges!



Figure 6 Integration of persons with international protection in the Nekrep garden (own source: TPN)

3.6 “Following the creative path to knowledge”

In the framework of the project on a creative path to knowledge (PKP, 11081-6/2018), students from three majors joined together: architecture, geography and informatics (Figure 10). With the help of pedagogical and work mentors, they explored part of Slovenian gardens. They created an online information platform called eVrt: a network of educational and residential gardens ( [www.evrt.si](http://www.evrt.si) ). The platform is intended for visitors with different needs. The gardens are evaluated in terms of accessibility for the disabled.



Figure 7 Conceptual design of the eVrt platform (own source: TPN)

#### 4. Conclusions

"How do therapeutic gardens affect people with special needs?"

By reviewing the scientific literature, we shed light on therapeutic gardens, horticultural therapy, and emphasized sensory gardens. A lot of research is being done around the world on the topic of the effect of gardens on people's well-being, especially in times of pandemic and alienation. All people have needs, "different" people have a harder time satisfying these needs themselves. With therapeutic gardens, through individually tailored activities, we can have a significant impact on meeting the needs of "different" children and adults. What these medical activities should be in order to properly influence individuals with various impairments is a demanding professional question, which we do not answer. Horticultural therapy is an interdisciplinary science that combines many fields and experts: e.g., psychologists, sociologists, doctors, botanists, etc.

Through examples of good practice and personal experience, we can ensure that gardens have a positive impact on people with special needs. Usually, groups of "different" students are isolated, socially excluded. The garden is a place where exclusion is easier to overcome. A garden is a place where a person connects with nature, himself and other people. As long as the activities in the garden, especially in gardens for all the senses, are well organized, their positive impact is even more pronounced. We are part of nature; we adapt to the functioning of processes in nature and we will feel its beneficial influence.

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# A General Overview of Green Growth in Albania

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## Abstract

Green economy and green growth are two concepts that are gaining a lot of popularity over the last decade, while many international organizations are dealing with these two concepts. Albania is committed to the principles of green economy. On the last years, it is observed a growing body of literature on these topics. The green growth index is analysed by using the OECD database, as a tool used to evaluate the progress towards green growth. According to the Green Growth Index (GGI) for Albania, the overall 2022 score is 60.48, which is higher compared to the 2019-2021 years (ranking at 32 positions). Respectively, the dimensions of efficient and sustainable resource use, natural capital protection, green economic opportunities, and social inclusion in 2022 have the scores 64.72, 82.38, 9.63, and 76.54. These scores indicate that Albania has a strategic position to reach the target of sustainable development, especially in the areas of natural capital protection and social inclusion.

*Keywords:* green economy, green growth index, dimensions of GGI, Albania

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## 1. Introduction

The term green economy became internationally popular after the global financial crisis of 2007 – 2008, which caused many countries to enter into recession, higher levels of debt, high numbers of job losses and widespread business failure (Newton & Cantarello 2014). Green economy and green growth are two concepts that were proposed by United Nations Environment Program (UNEP) and Organization for Economic Cooperation and Development (OECD) respectively. Green growth as defined by the OECD, (2011) *means fostering economic growth and development while ensuring that natural assets continue to provide the resources and environmental services on which our wellbeing relies. To do this it must catalyze investment and innovation which will underpin sustained growth and give rise to new economic opportunities.* Green growth is an approach to promote economic growth and development while preventing environmental degradation, preserving biodiversity, and utilizing natural resources in a manner that does not disrupt the ecological balance (Jeziarska-Thole et al. 2022), using of the renewable energy sources, increasing the number of jobs and investment in so-called green industries (Ilic et al. 2019). Green economy as defined by UNEP, (2011) *“is one that results in improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities. In its simplest expression, a green economy can be thought of as one which is low carbon, resource efficient and socially inclusive”.* The green economy concept is well established in the political sphere and is present in the policy agendas of international institutions (Loiseau et al. 2016).

Many countries are developing and implementing policies and practices that support the green economy concept. To assure the transition to the green economy are necessary the cooperation between the government, academia, industry, society and nature (Chaaben et al. 2022). The Western Balkan countries are committed to the principles of green economy. and have made substantial effort in establishing the institutional, legislative and strategic framework for green growth (Jovičić & Branković 2014). The Balkan countries due to environmental pollution, the energy crisis, as well as through the pursuit of EU accession criteria are modifying their environmental policies toward a green economy (Najdovska & Sotiroski 2023). The Balkan region has endorsed the Green Agenda for the Western Balkan (GAWB) at the Summit in Sofia in 2020, and as well as the GAWB Action Plan, at the Brdo Summit in October 2021.

The aim of this study is to analyses the situation of Albania in 2019-2022 years regarding Green Growth Index (GGI) scores and GGI dimensions. The results are also compared with the data from other South East European (SEE) countries including 4 non EU Balkan countries (Serbia, Montenegro, North Macedonia and Bosnia and Hercegovina) and 3 EU countries (Croatia, Bulgaria and Greece). The data are collected from four Global Green Growth Institute (GGGI) Reports (2019 - 2022).



## 2. Literature review

In this paper a review of literature on the importance of the green economy and sustainable development is carried out. The economies of Balkan countries have made progress in designing the policy, legal, regulatory and institutional frameworks to achieve environmental objectives, but there is still need to integrate environmental considerations into their economic and sectorial policies (OECD 2018). The green growth requires the development and diffusion of technologies and products which have environmental benefits (Mealy & Teytelboym 2022), competences, efforts for a greener technologies, a joint assessment of market failures, structural system failures and transformational system failures (Capasso et al. 2019).

The economic growth, the components of environmental protection and social equity play a very important role in achieving sustainable development (Matlievska & Matlievska 2022). In order to achieve a sustainable development countries need to consider a multiplicity of economic, social, and environmental factors, which indeed can be hard to quantify and compare (Stojkoski et al. 2023).

Licastro & Sergi, (2021) have summarized the literature related to green economy about Slovenia, Croatia, Serbia and Bosnia and Herzegovina. They suggest that these Balkan countries deserve more attention in the academic literature which could help policymakers make their countries greener. Dogaru, (2021) has analyzed the green economy and green growth, as new operating strategy both globally and European level, with the main focus in Romania. The same authors (Dogaru 2021) report that transition to a green economy is a medium and long-term process that involves a political commitment of states that want to change the model of their economic development. Vladi & Agalliu, (2014) have analyzed the relationship between sustainable development and sustainable innovation in Albania and conclude that the main aim for a transition to a green economy is to enable economic growth and investment while increasing environmental quality and social inclusiveness. Prendi & Murrja, (2023) were focused on indicators of green growth for Albania and other Balkan countries and suggest that the results can help the governments to design relevant policies especially in those variables where they have a weak performance.

## 3. Methodology

The aim of the study is to provide an analysis of the Green Growth Index (GGI) scores and dimensions in Albania, during 2019-2022. The results of the study are compared to the data from other South East European (SEE) countries including 4 non EU Balkan countries (Serbia, Montenegro, North Macedonia and Bosnia and Herzegovina) and 3 EU countries (Croatia, Bulgaria and Greece). The data used in this study are secondary, obtained from four Global Green Growth Institutes (GGGI) Reports, considering the time period 2019 - 2022.

In order to provide a comparative analysis related to GGI scores, 8 South European Countries were selected, three of them are members of EU (Greece, Croatia, Bulgaria) and 5 of them are non EU countries (Albania, Serbia, Montenegro, North Macedonia, Bosnia and Herzegovina). In previous studies, (Matlievska et al. 2021; Matlievska & Matlievska 2022) have provided a similar study, considering the reports of Green Growth Institutions (GGGI), for the period 2019 – 2020. The current study is updated with new data of the years 2021-2022 and also comparisons with three EU countries located in Balkan area were performed. Graphical methods are used to compare GGI between selected countries.

GGI indicator (Global Green Index) is a ranking system that measures the environmental performance of countries. It is based on a set of indicators such as energy efficiency, renewable energy, greenhouse gas emission, environmental policies. The GGI is designed to provide a comprehensive assessments of a country's environmental performance, and to help policymakers and stakeholders identify areas for improvements.

Matlievska et al. (2021); and Matlievska & Matlievska (2022) indicate that the scores can be classified within an indicated range and can be interpreted as follows:

- 80–100 – this range implies very high scores, where the target was reached or almost reached.
- 60–80 – this range refers to high scores, suggesting a strategic position to fully reach the target.
- 40–60 – this range includes moderate scores, towards finding the right balance to progress and avoid moving away from the target.
- 20–40 – this range consists of low scores, finding the right policies to align development in order to achieve the target.
- 1–20 – this range contains very low scores, and therefore requires significant actions to improve the position relative to the target.

## 4. Data analyses and discussions

### *Green growth index performance*

In a previous study (Matlievska et al. 2021) have analyzed the green growth dimensions for West Balkan countries during 2019 and 2020. In our study, we are focused to the green growth dimensions of Albania for an extended period 2019 -2022 and the results are compared with the data from other countries of South East Europe.

In table 1 are shown the GGI and the ranks for all countries during the 2019 – 2022 years. The scores are ranging from moderate to high, and Albania is ranked from 35 to 31 positions during this period. Croatia in four years is ranked best compared to all other countries. The data for North Macedonia are missing for the period 2019 – 2021. Bosnia Herzegovina is ranked the last for 2019

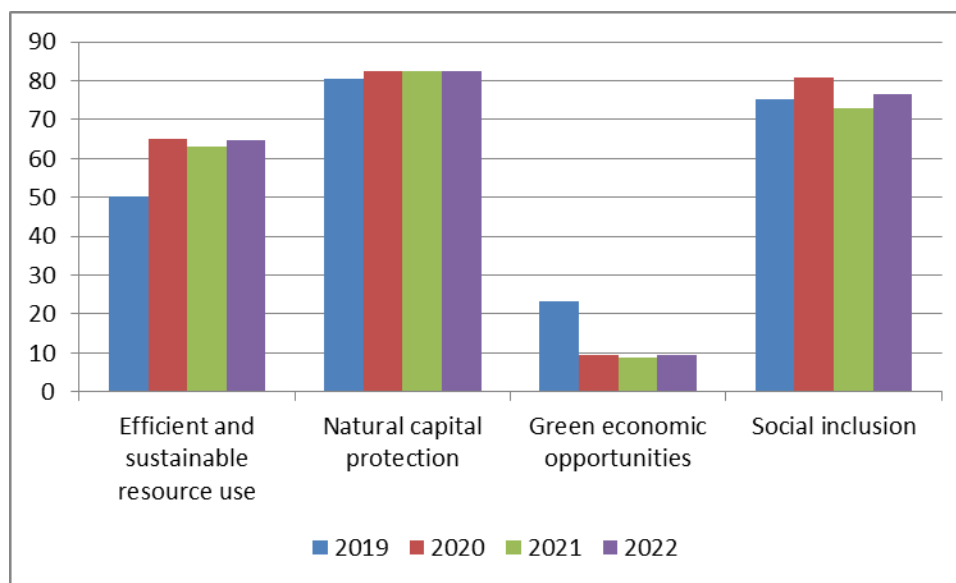
and 2020. The data for 2021 are missing for Bosnia Hercegovina. During 2022 Montenegro is ranked the last compared to other countries.

**Table 1.** Green Growth Index and ranks for Albania during 2019 – 2022 years.

Country	2019		2020		2021		2022	
	Scores	Rank	Scores	Rank	Scores	Rank	Scores	Rank
Croatia	64.49	15	67.84	21	70.71	17	68.07	19
Greece	57	27	61.86	25	66.36	26	64.46	27
Bulgaria	57	28	61.29	27	64.87	27	63.93	29
Albania	<b>52</b>	<b>31</b>	<b>44.98</b>	<b>35</b>	<b>58.63</b>	<b>31</b>	<b>60.48</b>	<b>32</b>
Serbia	52	30	59.46	28	63.13	30	63.49	30
Montenegro	40	35	43.78	37	44.29	36	58.14	35
BH	35	37	39.31	38			60.53	31
North Macedonia							64.93	26

Source GGI Reports 2019 -2022

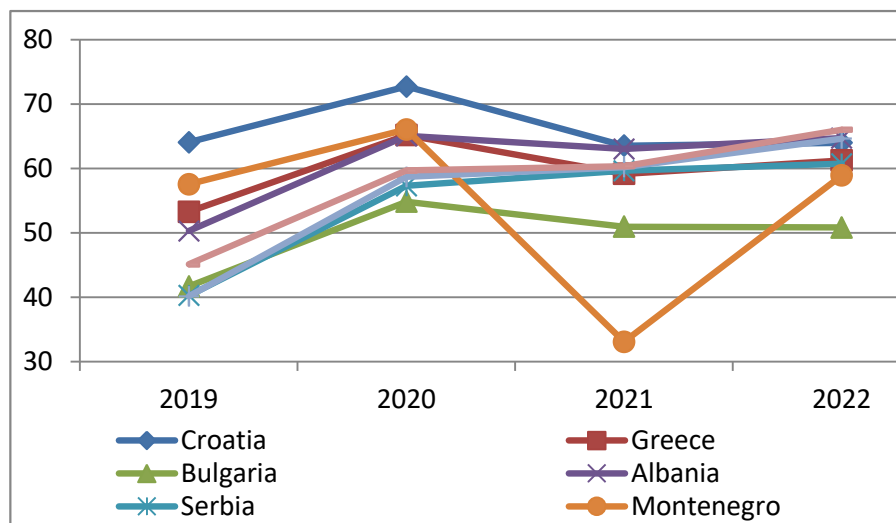
Figure 1 illustrates the indexes of green growth for the variables: efficient and sustainable use of resources, natural capital protection, green economic opportunities and social inclusion.



**Figure 1.** Green growth dimension indices for Albania during the period 2019 – 2022. (Data source GGI Reports 2019 - 2022)

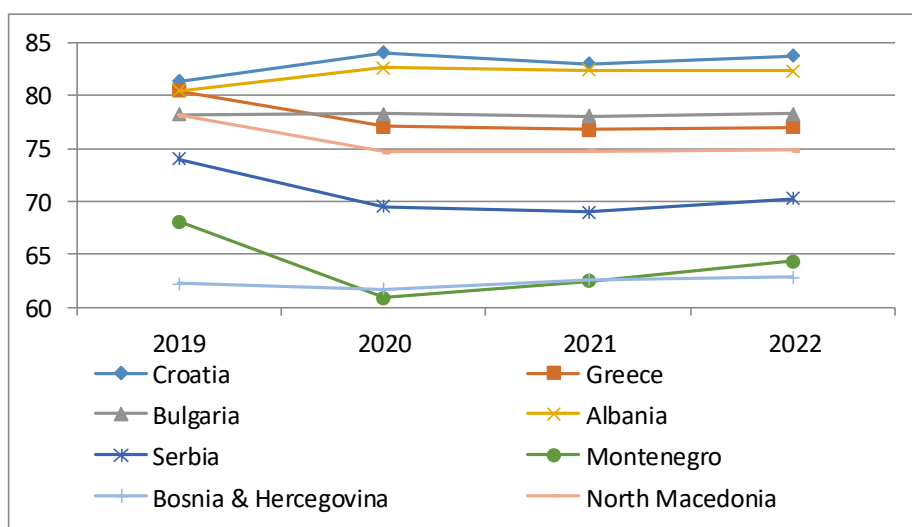
Considering the data's of figure 1, related to the dimensions and scores of green growth index for Albania, it is observed that for the corresponding variable "efficient and sustainable use of resources", in 2019 has been achieved the lowest score, while on the three consecutive years the estimates are increased and remained stable, indicating a moderate improvement. For the variables "natural capital protection" and "social inclusion" are observed unchanged trends of the score values from 2019 – 2022. In terms of "green economic opportunities", estimates indicate a decreasing trend from 2019, providing important information that policies should be oriented more towards improving this dimension.





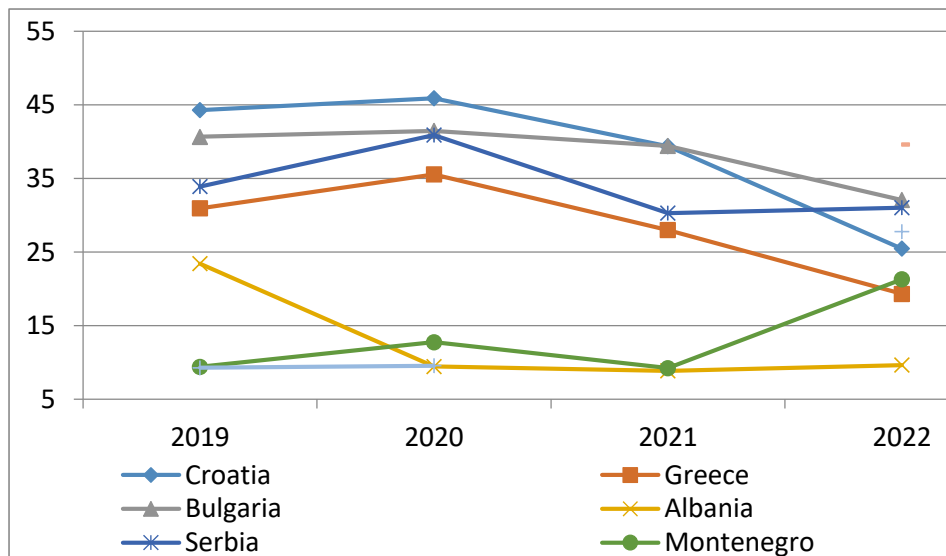
**Figure 2. Estimates for the variable “efficient and sustainable resource use” in selected countries (Data source GGI Reports 2019 -2022**

According to the information observed in figure 2, in terms of the variable “efficient and sustainable resource use”, Albania displays the highest score (65.05) in 2020, and the lowest (50.27), in 2019. Considering the index of this dimension, in the last year North Macedonia has the highest score (66.03), followed by Albania (64.72). From the figure it can be identified that in the last two years, Albania had a slight improvement on the parameters that are related to this dimension.



**Figure 3. Estimates for the variable “Natural capital protection”, in selected countries (Data source GGI Reports 2019 - 2022**

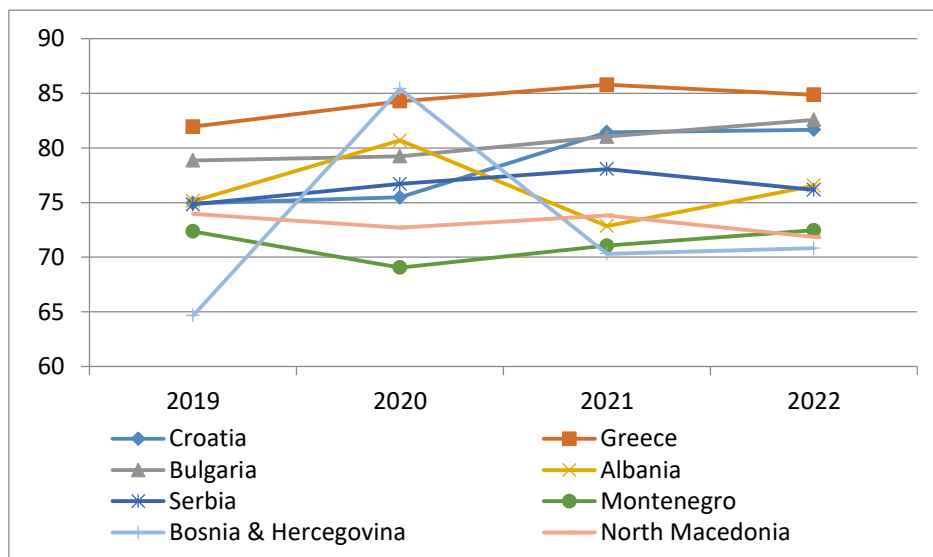
In terms of the growth of the parameters of “Natural capital protection”, as shown in figure 3, Croatia has the highest scores throughout the period 2019 – 2022, followed by Albania. Montenegro and Bosnia Hercegovina have similar scores during 2020 – 2022, which are the lowest compared to other countries. Considering the estimates of last year, Croatia has the highest score (83.74), while Bosnia and Hercegovina has the lowest index (62.83).



**Figure 4. Estimates for the variable “Green economic opportunities”, in selected countries. (Data source GGI Reports 2019 -2022)**

Regarding the index of the variable “green economic opportunities” (Figure 4), Albania displays the lowest scores for the last three consecutive years 2020 – 2022. Since 2019, the reflected data for this indicator show that since 2019, the progress of this dimension have deteriorated. In 2019 the score of this dimension was 23.42, followed by a great decrease in the period 2020-2022 (8.86-9.63). In 2022, North Macedonia had the highest score (39.59), followed by Bulgaria (32.07) and Serbia (31.02).

The observations related to the index for the dimension of “Social inclusion” (Figure 5), indicate that almost in all countries there is no high value variability for the selected period. In 2022 Greece has the highest score (84.85) followed by Bulgaria (82.58). Albania is ranked at the fourth position, while Bosnia & Hercegovina had the lowest index (70.83).



**Figure 5. Estimates for the variable “social inclusion”, in selected countries (Data source GGI Reports 2019 -2022)**

The analysis of these indices indicate that Albanian's national strategy has focused on promoting green growth and sustainable development, but it has only achieved a limited level of success due to the lack of implementation (Kalemaj 2022). Many efforts should be done in the dimension of green economic opportunities, where the results of Albania are the weakest in the region.

## 5. Conclusions

The ranking of eight countries based on Green Growth Index for the four years is almost the same from moderate to high, but nevertheless there is a lot to be done on all dimensions. Croatia is ranked the first during all period. It is followed by Greece and

then by Bulgaria. For the period 2019-2020 the data for North Macedonia are lacking. For this period Bosnia and Hercegovina is ranked the last followed by Montenegro. For the period 2021 – 2022 Montenegro is last. In 2019 based on overall Green Growth Index, Albania was ranked moderate at 35 positions and for 2020-2022 was ranked high.

During all period there are observable differences between the countries in the dimension of green economic opportunities. The countries that are performing the best related to this dimension are Croatia and Bulgaria, followed by Greece. Serbia also is performing better compared to other non EU Balkan countries, and even better than Greece. Albania is not performing well regarding this dimension. The scores of this dimension are decreased drastically compared to 2019. All the other non EU Balkan countries are improved during 2022 and are approaching to other EU countries, except of Albania. Nevertheless all countries should pay more attention and many efforts need to be done to improve the scores of this dimension, especially toward green investment, green trade, green employment, and green innovation.

Croatia followed by Albania has very high scores regarding “Natural capital protection”, which means that target was reached or almost reached. Meanwhile all the other countries have to work to improve the scores for this dimension. Efforts are required by the countries also for the dimension of “efficient and sustainable resource use”, because low and moderate scores are observed during the whole period.

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# Soft Skills as a Transversal Competence: An Empirical Investigation Based on the ESCO Taxonomy and Literature Review

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## Abstract

A changing market, influenced by different factors such as globalization, digitalization and robotization, topped by remote work popularity, urges close monitoring. The soft skills needed for individuals in search of jobs and career success have fallen into a new era of interest for numerous actors playing in society.

In the absence of a commonly agreed definition and list of soft skills, we carried out extended research of the existing literature and gathered examples of soft skills given by fellow researchers in 62 scientific works, state official documents and industry reports. We categorized them and compared them to the ESCO taxonomy (up to three digits), counting the number of times each of the skills was mentioned and identified as a soft skill. Furthermore, we charted them from the soft skills most frequently mentioned by the literature to the ones most rarely mentioned. As a result, we identified 4 one-digit skills categories and 5 one-digit skills and competences from the ESCO taxonomy. These split into 62 two-digit skills and competences and further into 388 three-digit skills and competences. Thus, according to the results of our research, 4 out of 7 one-digit skills categories and 5 out of 6 one-digit transversal skills and competences contain, in their subcategories, soft skills.

Our findings represent a solid start in the field of research regarding soft skills and can represent a milestone argument for other scientists to base their research on, as well as for governmental stakeholders to base their policies on.

*Keywords:* soft skills literature review; ESCO taxonomy.

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## 1. Introduction

Nowadays, due to the labor market's digitalization and robotization topped by remote work popularity, the soft skills needed for individuals in search for jobs and career success have fallen into a new era of interest for numerous actors playing in society – individuals, organizations, the private sector, governments, universities, training companies so on and so forth. The farmer of the future will be in charge of coordinating machines, giving orders to drones from a computer, analyzing data, and making decisions based on them. He/she will need more of the skills required by businessmen. He/she will create connections, find markets for products, and study demand in order to tailor his/her supply to consumer needs. Successful farmers will be those who attend conferences to remain connected to the latest technological developments in the field. Those who want to remain relevant will test new, more resistant seeds with higher production capacity. (INACO - Inițiativa pentru Competitivitate, 2021)

## 2. General findings on skills and the difference between hard skills and soft skills

The most common requirements included by employers in 2020 were the ones regarding skills (18.2%), followed by knowledge (16.6%) and attitudes and values (16.4%). In 2021 however, skills became even more important (18.8%), while attitudes and values (18.4%) surpassed knowledge (17.6%) (Cedefop, 2022).

The 10 most popular skills required by employers in 2021 were: accessing and analyzing digital data (14.7%), working with others (13.5%), using digital tools to collaborate, to create content and to solve problems (12.9%), solving problems (11.8%), organizing, planning and scheduling (7.7%), offering information and help to people (7.6%), supervising people (7.5%), programming and computer systems (7.2%), communication, collaboration and creativity (6.8%), protecting and enforcing (6.8%) (Cedefop, 2021).

Although the job market is going through a major transition, individuals have not become better at provisioning these shifts and at preparing for them. According to statistics from 2000, at that time Romania had a complex higher education system, consisting of more than 1.5 million students enrolled in 112 universities and public and private colleges (Andrews & Higson, 2008; Arsene, 2004).

Things don't seem to have changed too much since that moment. However, in Romania in 2021 only 20% of the job market's needs regarding sciences, technology and engineering was covered. Universities are slowly adapting to the economic needs, to the workforce migration and to the new market demands. At the same time, employers see themselves forced to introduce more and



more on the job training after hiring young graduates, to counterbalance their lack of skills, knowledge and competences. Cedefop, using the European Skills Index, warns us that 1 in 4 employees will continue to be underqualified for his/her job (Cedefop, 2021; INACO - Inițiativa pentru Competitivitate, 2021).

#### *Skill mapping efforts around the world*

In an effort to map the request for skills, to correctly identify them across different languages, cultures, industries and higher education systems and to help people better prepare and easily find a job, several skill-mapping platforms have become popular worldwide, such as:

- the Civil Service Competency Framework (2012-2017) issued by the Government of Great Britain in 2012 (Civil Service Human Resources UK Government, 2012)
- The Competency Framework issued by the United Nations Organization in 2010 (United Nations Office of Human Resources Management, 2010)
- Skills Framework launched by the state of Singapore (Siekmann & Fowler, 2017; Singapore Government Agency, 2022; Sung et al., 2013)
- O\*NET (Occupational Information Network) sponsored by the US Government (O\*NET, 2022; O\*NET OnLine, 2022; Siekmann & Fowler, 2017)
- ESCO (European Skills/Competences, Qualifications and Occupations) belonging to the Europe 2020 strategy (European Commission, 2022)

However, what these platforms fail to do is differentiate between soft skills and hard skills. This is due to the fact that the concept of “skill” can be difficult to define.

#### *Definitions of the concept of “skill” found in literature*

There are numerous definitions of this term, most of them attempting to differentiate it from other similar concepts, such as knowledge, competence or ability (Lowry et al., 2008; Siekmann & Fowler, 2017).

According to the Cambridge Dictionary, a skill is an ability to do an activity or job well, especially because you have practiced it; on a secondary level it can also mean a special ability to do something, or a particular ability that you develop through training and experience and that is useful in a job (*SKILL | English Meaning - Cambridge Dictionary*, 2022).

The term skill is often used as a synonym for competence. However, at an in-depth study, the two concepts are different. Competence is more of an umbrella-term which includes behaviours and knowledge, while skills are mostly assimilated specific activities which can be part of a more ample context. Competencies are a combination of practical and theoretical knowledge, cognitive abilities, competences and values, used to improve performance (Succi, 2019).

According to OECD, for practical purposes, it is recommendable not to make any distinction between competencies and skills. “A skill represents an individual’s capacity to act in a suitable manner in a given situation. It involves applying explicit or tacit knowledge, using instruments, strategies and cognitive and practical routines and involves dispositions, beliefs and values” (OECD, 2007; Siekmann & Fowler, 2017).

Several previous studies defined skills and their level by using different combinations between education, training and experience (Constanti & Gibbs, 2005; Green et al., 2007; Machin & Van Reenen, 1998). This approach has also been undertaken by numerous national statistics agencies to classify and define occupations and to collect data on the work market. This, different rankings of skills have been created, according to the time investment needed in training before starting a new job in a certain domain or the necessary practical on-the-job training to reach high levels of a certain skill (Toner et al., 2011).

Moreover, different authors take into consideration both the effort needed to acquire a certain skill, as well as the effort needed to use that skill on a periodic basis. They mention abilities which need permanent adapting to unpredictable surrounding elements (e.g. being part of an improvised theatre show). By contrast, other skills require a lower amount of effort, as the environment is a predictable one, with strict rules and limits. Thus, a person using the second set of skills can quickly use automatic behaviour as he/she acquires more experience, reducing the need for attention and cognition and improving their motor skills (Horton et al., 2017; Kanfer & Ackerman, 1989; Proctor & Dutta, 1995).

On a more general note, a skill represents a person’s ability, combined with the real or potential request for that ability. Narrower definitions suggest that a skill represents a special ability, often acquired through specialized training. Thus, under the wider definition, unqualified work is also considered a skill. However, under the narrower definition, it is not. For instance, anyone can iron laundry. However, a person with an ironing skill possesses a better hand-eye coordination, a better attention to detail and rapid movement (Constanti & Gibbs, 2005). In a similar comparison, anyone can communicate. However, a person with communication skills knows numerous techniques through which to ensure that the message reaches as many people as possible and uses different communication channels according to specific communication objectives.

*Soft skills vs. hard skills*

Unlike hard skills, which are clearly defined, considered technical and specific to each sector of activity, a definition of soft skills is far more difficult to reach.

Despite the importance of soft skills, research in the field is probably limited by the difficulty in measuring them, in the absence of an objective manner in which we can test them (Bak et al., 2019; Balcar, 2016; Moss & Tilly, 2002). The main problem consists of them being difficult to assess and to quantify through traditional methods, such as exams. Therefore, the value of certain qualifications in the soft skills field is unclear. This creates difficulties when the job market tries to create a balance between the need and the offer for this type of skills (Constanti & Gibbs, 2005).

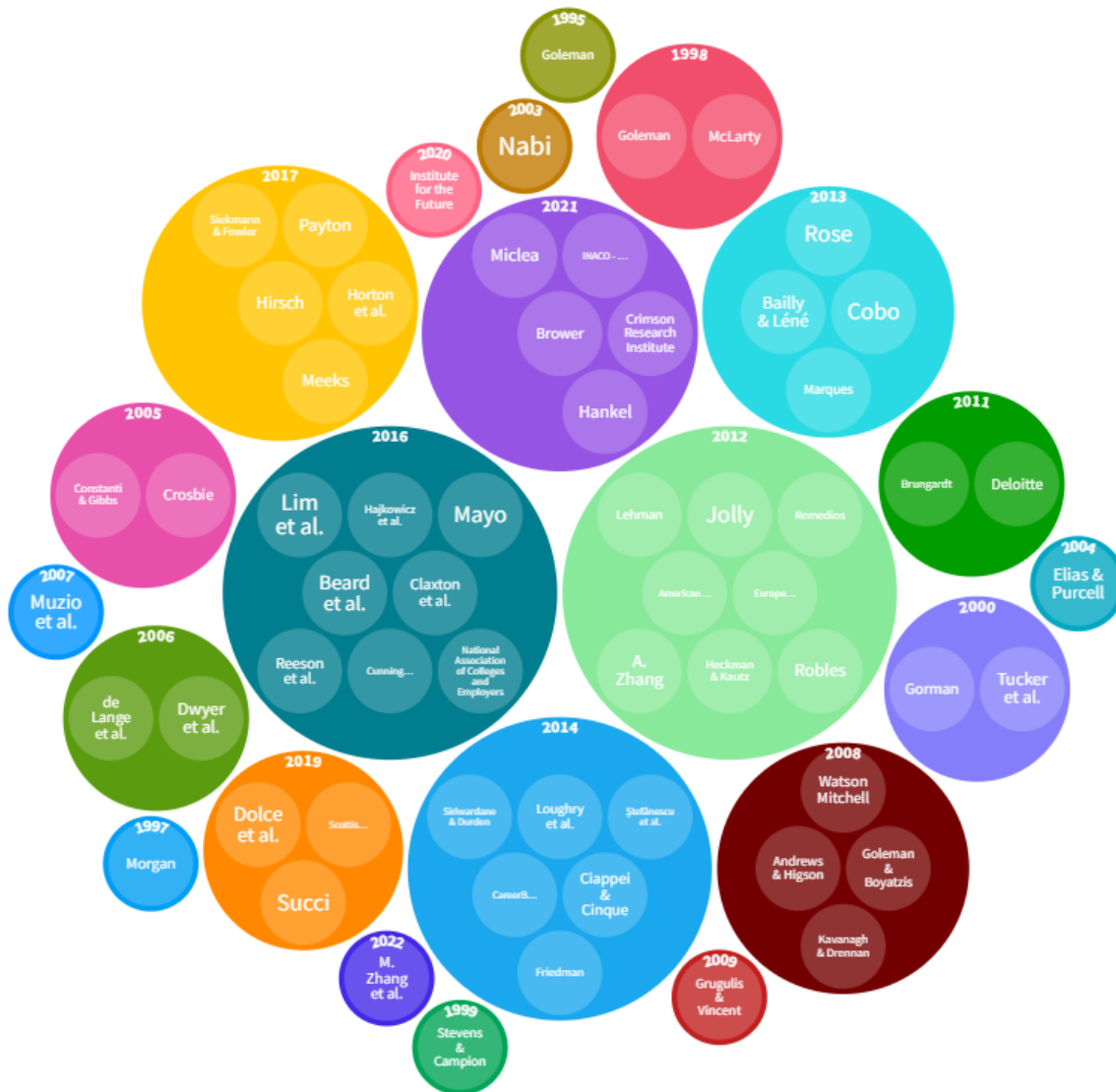
Soft skills, in contrast to hard skills, are often used to express emotional intelligence (EQ), in opposition to IQ (Goleman, 1995). They are also called life skills (Birrell Weisen et al., 1994), social skills, generic competencies, interpersonal abilities, leadership skills, transversal competencies, key competencies for life-long learning (European Union, 2006), social competencies or meta-competencies (Le Deist & Winterton, 2005; Shalini, 2012; Succi, 2019).

According to (Heckman & Kautz, 2012), “soft skills represent personality traits, objectives, motivations and preferences, valued on the market place, in school and in many other fields”. They represent a combination of dispositions, understandings, attributes and practices” (Heckman & Kautz, 2012). Knight and Page describe soft skills as “wicked competences”, as they are difficult to define. They take several forms in different contexts and continuously develop during the entire life of an individual (Knight & Page, 2007).

**2. Research stages**

For the purpose of this article, in the absence of a commonly agreed definition and list of soft skills, we carried out extended research of the existing literature and gathered examples of soft skills given by fellow researchers in 62 scientific works, state official documents and industry reports (American Society for Training & Development, 2012; Andrews & Higson, 2008; Bailly & Léné, 2013; Beard et al., 2008; Brower, 2021; Brungardt, 2011; CareerBuilder, 2014; Ciappei & Cinque, 2014; Claxton et al., 2016; Cobo, 2013; Constanti & Gibbs, 2005; Crimson Research Institute, 2021; Crosbie, 2005; Cunningham & Villaseñor, 2016; De Lange et al., 2006; Deloitte, 2011; Dolce et al., 2019; Dwyer et al., 2006; Elias & Purcell, 2004; European Commission, 2012; Friedman, 2014; Goleman, 1995, 1998; Goleman & Boyatzis, 2008; Gorman, 2000; Grugulis & Vincent, 2009; Hajkowicz et al., 2016; Hankel, 2021; Heckman & Kautz, 2012; Hirsch, 2017; Horton et al., 2017; INACO - Inițiativa pentru Competitivitate, 2021; Institute for the Future, 2020; Jolly, 2012; Kavanagh & Drennan, 2008; Lehman, 2012; Lim et al., 2016; Loughry et al., 2014; Marques, 2013; Mayo, 2016; McLarty, 1998; Meeks, 2017; Miclea, 2021; Morgan, 1997; Muzio et al., 2007; Nabi, 2003; National Association of Colleges and Employers, 2016; Payton, 2017; Reeson et al., 2016; Remedios, 2012; Robles, 2012; Rose, 2013; Scottish Government, 2019; Siekmann & Fowler, 2017; Siriwardane & Durden, 2014; Ștefănescu et al., 2014; Stevens & Champion, 1999; Succi, 2019; Tucker et al., 2000; Watson Mitchell, 2008; A. Zhang, 2012; M. Zhang et al., 2022).

## A collection of references used to classify soft skills mentioned in literature



Source: SCOPE

**Figure 5. A graphic expression of the references used to classify soft skills mentioned in the literature**

**Note:** An interactive version of the above chart was published on the official Website of the Research Group in Social & Economic Complexity (SCOPE) and can be studied at the following link: <https://scope.uvt.ro/skills-analysis/>.

We categorized them and compared them to the ESCO taxonomy (up to three digits), counting the number of times each of the skills was mentioned. Furthermore, we charted them from the soft skills most frequently mentioned by the literature to the ones most rarely mentioned.

As a result, we identified 4 one-digit skills categories and 5 one-digit transversal skills and competences, as follows:

- S1 – communication, collaboration and creativity
- S2 – information skills
- S3 – assisting and caring
- S4 – management skills

- T1 – core skills and competences
- T2 – thinking skills and competences
- T3 – self-management skills and competences
- T4 – social and communication skills and competences
- T6 – life skills and competences

These split into 62 two-digit skills and competences and further into 388 three-digit skills and competences.

Thus, according to the results of our research, 4 out of 7 one-digit skills categories and 5 out of 6 one-digit transversal skills and competences contain, in their subcategories, soft skills.

## Soft skills acknowledged in the literature

Categorized according to the ESCO 2 digits taxonomy

All ▼



Source: SCOPE

Figure 6. Soft skills acknowledged in the literature, classified according to the ESCO 2 digit taxonomy.

**Note:** An interactive version of the above chart was published on the official Website of the Research Group in Social & Economic Complexity (SCOPE) and can be studied at the following link: <https://scope.uvt.ro/skills-analysis/>.

The most often mentioned soft skill in the scientific literature (34 references) is S1.8 - working with others, part of the S1 - communication, collaboration and creativity ESCO category. Variations of this soft skills include: interacting with others; teamwork; working with others; interpersonal skills; people skills; social skills; the ability to adjust to others' feelings; the ability to recognize others; the ability to influence others without annoying them; cultural adaptability; teamwork in a diverse environment; interpersonal relations; ability to communicate and interact with others, either in a team or through a relational circle; social intelligence; trans-cultural ability; personal branding; team collaboration; sociability.

The second most mentioned soft skill (31 references) is T4.1 - communicating. Variations of this skill include: communication skills; ability to work under pressure; communication skills; social interactions; social skills; a sense of humour; the ability to communicate; ability to calm down angry customers; public speaking; written and verbal communication skills; manage other people's feelings.

The third most mentioned soft skill (27 references) is S.1.0 - communication, collaboration and creativity. Variations of this skill include: effective communications; communication (the ability to clearly articulate an idea orally or in writing); oral and written communication skills; communication skills; the ability to communicate; personal branding.

The fourth one (25 references) is T3.3 - maintaining a positive attitude, with the following variations: self-regulation; ability to work under pressure; positive attitude; patience; self-control; self-confidence; stress tolerance; emotional stability; maintain a positive attitude; cope with uncertainty; coping skills.

The fifth one (24 references) is T3.4 - demonstrating willingness to learn, with the following variations: lifelong learning; flexibility; adaptability; openness; flexibility of thought; ability to reflect upon performance; self-knowledge; willingness to learn; adaptability; curiosity; adaptive thinking; mental flexibility.



## Soft skills mentions in literature

Categorized according to ESCO skills taxonomy (2 and 3 digits)

All ▾



Source: SCOPE

**Figure 7. Soft skills mentions in literature, classified according to ESCO skills taxonomy (2 and 3 digits)**

**Note:** An interactive version of the above chart was published on the official Website of the Research Group in Social & Economic Complexity (SCOPE) and can be studied at the following link: <https://scope.uvt.ro/skills-analysis/>.

#### 4. Conclusions

The most important result of the research described above is that we now have an official list of soft skills, validated by scientific studies and classified in the official ESCO taxonomy. We can therefore declare that we have developed a taxonomy of soft skills spread over 62 ESCO skill and competency categories - two digits. Specifically, we identified 388 expressions referring to soft skills, which we categorized into the ESCO categories they belonged to.

The implications of this result for society are that:

1. Both companies and candidates can use the taxonomy to ensure that the right people are selected for a particular position. For example, a candidate can use the taxonomy to evaluate which skills are most important for a particular job and develop them accordingly.
2. Managers and employees can use the taxonomy to identify gaps in existing competencies and develop a career development plan that focuses on developing critical competencies that they currently lack.
3. The taxonomy can be used to develop employee training and development programs that focus on developing specific competencies, which can help increase productivity and organizational performance.
4. The fact that expressions referring to soft competencies identified in the literature are found in 4 out of 7 main categories (one-digit level) of ESCO skills and in 5 out of 6 main categories (one-digit level) of transversal skills and competencies indicates a greater weight of soft skills compared to hard skills. Therefore, it becomes even more important to focus our attention on the correct identification and measurement of soft skills, given that they statistically represent a greater proportion of an employee's total skills in the job market.

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# Analyzing the financial investment portfolio in Albanian Commercial Banks

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## Abstract

Commercial banks in Albania play a dominant role in the absorption of government instruments both in the primary market conducted by the Central Bank of Albania and in the creation of the OTC secondary market of these securities. The main analysis of the paper is based on the qualitative interpretation of secondary data for the period January 2016- February 2023 of the investment portfolio in government securities by commercial banks in Albania. The analysis spans this time span in order to analyze two crucial economic moments: the Covid-19 pandemic and the War in Ukraine.

The structure of the banking financial portfolio in Albania is dominated by the investment in government bonds conditioned by: the lack of the capital market in Albania; the restrictive framework applied by the Bank of Albania for the risk profile of banking investment; the trading agent role that commercial banks have for government securities in the OTC secondary market.

The study found a continuous increase in the share of investment in government bonds to total banking assets. The upward trend is finalized with the highest value in December 2022 with a weight of 26.57% from 23.1% that was in December 2016. According to the study, there is a stronger correlation between long-term investment securities, compared to the shortest terms. The results showed a more stronger and positive relationship for 7-year government bonds than for other securities types.

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*Keywords: government bonds, investment portfolio, commercial banks, interest rate, banking assets*

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## 1. Introduction

Investment in government instruments has increased significantly in recent years by commercial banks, especially in emerging market and developing economies.

Mainly in developing countries, high investment in government securities is viewed with skepticism. The main role of banks is mainly focused on intermediation of capital for the private sector. The increase in the involvement of banks in the public debt is accompanied by a decrease in credit to the private sector, reflecting a negative correlation between them. The increase in investment pressure in public instruments comes as a result of several factors: First, the high liquidity that these instruments offer; Second, the high interest rates of instruments create pressure to increase public investment with lower risk and reducing private investment with higher risk; Thirdly, the economic performance, which is directly reflected in the private investment of loans, is accompanied by a decrease in loans when the economy deteriorates; Fourth, the role that banks play as commercial agents (dealer in the second market) for public instruments; Fifth, the regulatory authority's restrictions on bank investments towards private loans; Sixth, reducing the level of bank provisions for public instruments as their risk is lower than private sector loans. Seventh, the possibility of using government instruments as collateral in the possibility of obtaining financing from the Central Bank increases. (In Albania through REPO repurchase agreements).

According to (Gennaioli, Martin and Rossi) the latest economic theories show that banks that invest large amounts in government bonds risk the non-payment of obligations by the government, fundamentally damaging their balance sheets, causing a decrease in the level of lending, leading to a banking crisis and a decline in economic activity.

The analysis focuses on the recent European public debt crisis, but with limitations: the analysis is specific only to the European public debt crisis (Popov and Van Horen 2014 )(Marco 2018), limiting the degree of its inclusion. It would be of interest to have a higher degree of inclusion by analyzing the risk of government debt default in both poor and developing countries.

(Acharya, Drechsler and Schnabl)and (Drechsler, Drechse and Marques-Ibanez) emphasized taking banks' excess risk in government bonds during the euro-zone crisis, but the generality of this trend remains to be assessed.

Commercial banks aim to mediate capital in the economy by mainly orienting their investment in loans and creating a portfolio of securities. Traditional banking relies on trading money in the private market through loan contracts. Due to the limitations that are present in the Albanian reality for the capital market, the opportunities for investment are very low. On the other hand, commercial banks in the exercise of their activity are under the restrictive framework supported by the Basel standards. One of these

restrictions, according to Basel, is related to the risk of financial instruments in which banks are allowed to invest. where commercial banks can invest. Since the final goal of the supervision activity is to limit the risk of the banking activity, the titles where these banks can invest must be of low risk. For these reasons, banks in Albania mainly focus their investment portfolio on treasury bonds and government bonds.

Given that the supervision process is bipolar in Albania, i.e. by two different authorities, the second level banks are supervised by the Financial Supervision Authority in their function as custodians of public securities stimulating the OTC secondary market and by the Central Bank of Albania. Currently, there are 10 banks that exercise this function out of 11 banks in the banking system. The presence of public securities in the investment portfolio of banks is related firstly to the purpose of the investment and secondly to the realization of the service of the commercial agent in the secondary market.

The focus of the paper will be on the first goal, that of investment. For this reason, the study seeks to achieve the following objectives:

- Investigate the structure of the financial investment portfolio of commercial banks in Albania;
- To assess the weight that government securities have to the total assets of the banking system;
- To evaluate the behavior of banks in their loans investment and government securities by analyzing the weight of government instruments/total bank loans;
- Explain descriptively if there is a correlation between the amount invested in government instruments and the performance of interest rates;
- To comment on the above results during the two most important moments of the last years, COVID-19 and the War in Ukraine.

## II. Literature Review

According to the analysis of (Gennaio, Martin and Rossi), descriptive statistics show that in economies that do not result in economic failure, banks hold an average of 9% of their assets in government bonds. Whereas in countries that fail at least once, investment averages 13.5% in normal years and 14.5% during failure years. During the economic decline or failure, the risk increases by reducing the lending capacity of banks to the private sector and replacing it with investments in government instruments. A different trend is observed even among countries with different development standards. OECD countries hold an average of 8.43% of bank assets invested in government bonds and non-OECD countries hold 12.39%. In conclusion, the increase in the amount of public securities is higher in less developed countries that experience economic defaults.

(Becker and Ivashina) in their study during the years 2007-2015, found that many European firms were replacing their financing from banks towards bond issuance because banks were expanding the scale of investment in domestic public debt securities. Evidence from the study showed that the level of domestic government debt held by commercial banks in 2013 was double the amount held in 2007.

(Ongena, Popov and Van Horen) in their study found that during the euro zone public debt crisis, the behavior of domestic banks differed from foreign banks. More specifically, domestic banks and mainly state-owned banks bought more domestic public debt instruments than foreign banks. Especially at times when governments have to finance their needs with high issuance of internal debt. The holding of public debt also varies significantly between different countries, where the largest amount is found in the banking sector of Emerging Market and Developing Economies than others.

(Dell'Araccia, Ferreira and Jenkinson) in their study over 2005-2014 years, found that public debt securities as part of total bank assets represented 7.8 percent in AE countries versus 16.8 percent in Emerging Market and Developing Economies.

(Emran and Faraz) in their study with a sample of 60 developing countries, found a negative relationship between banks' claims on public debt and credit to the private sector. They did not reveal evidence for a rebalancing hypothesis of the investment portfolio.

(Gennaio, Martin and Rossi) in their study used a sample of 191 countries, but focused more on the effects of government default on the lending activity of banks that invest a significant portion of their funds in government instruments.

## III. Research Methodology

The study used official secondary data published by the Bank of Albania, the Financial Supervision Agency and the Bankers' Association of Albania. The collected data have been processed by the authors to achieve the objectives set forth in this study. The main analysis of the paper is based on the qualitative interpretation of secondary data for the period January 2016- February 2023 with a six-month frequency of the investment portfolio in government securities from commercial banks in Albania. The study period includes two important moments related to the Covid-19 Pandemic and the War in Ukraine. In order to make a critical and interpretive investigation of the study, the interest rate data of treasury bills (3,6,12 months) and government bonds (2Y, 3Y, 5Y, 7Y, 10Y and 15Y with fixed income) were obtained, in order to find a connection between the amount invested in these instruments and their interest rates.

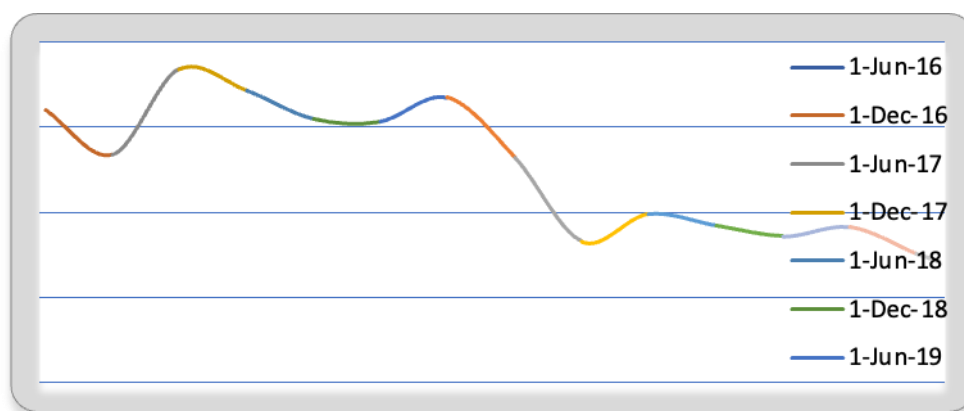
#### IV. Results

In order to analyze two important moments that have affected the global economy, the Covid-19 Pandemic and the War in Ukraine, the period 2016-February 2023 has been taken into the study. To study the degree of impact that these two crucial moments had on the financial portfolio of commercial banks, in figure 1 is presented the weight of government securities in the banking investment portfolio.

According to the analysis of figure 1, is clearly seen a dominant weight of government securities inside the banking portfolio, which culminates with 83.41% in the end of 2017. A downward trend can be easily seen since the second half of 2019, where the minimum point 73, 28% is reached at the beginning of 2020, which also dates to the spread of Covid-19 in Albania, a decrease of almost 12%.

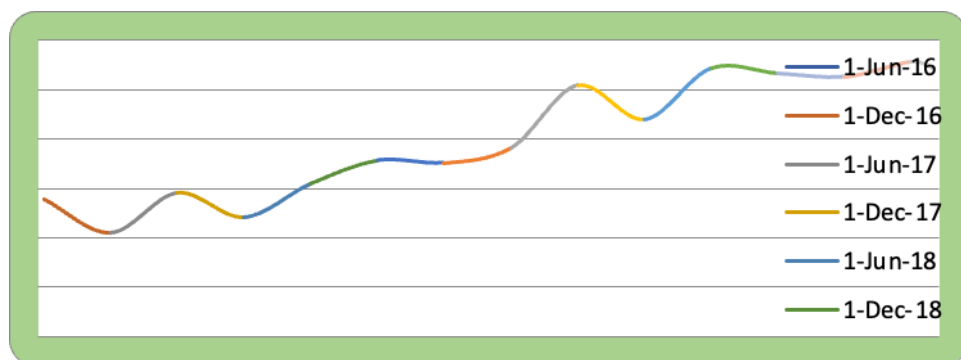
Banking investment trends have remained low, mainly in lending as a result of increased global risk. After the start of the war in Ukraine in February 2022, there is a continuous decrease in the weight of government instruments in the banking investment portfolio, reaching a new minimum point in February 2023 with 72.06%. The effects of the war were transmitted to all global economies, significantly affecting all macroeconomic parameters, mainly in an increased inflation as a result of the increase in commodity prices. The sensitivity to this global risk, also experienced in the interior of the Albanian economy, is mainly evidenced in the decrease in investment in loans, being balanced by the increase in the amount of the bank's financial portfolio.

The growth of the total volume of banking financial portfolio has been higher than the growth of investment in government securities resulting in a continuously declining indicator since the COVID-19 Pandemic and the War in Ukraine. This is evident in figure 2, in which a continuous increase in the share of investment in government securities to total banking assets is observed. The upward trend is finalized with the highest value in December 2022 with a weight of 26.57% from 23.1% that was in December 2016. So a significant increase of 15%. In contrast to the evidence of other economies, during normal and stable periods, banks' holdings of government bonds are around 9% of assets and during unstable periods they hold slightly higher amounts. (Gennaio, Martin and Rossi).



**Figure 8:** The weight of government securities in the banking investment portfolio

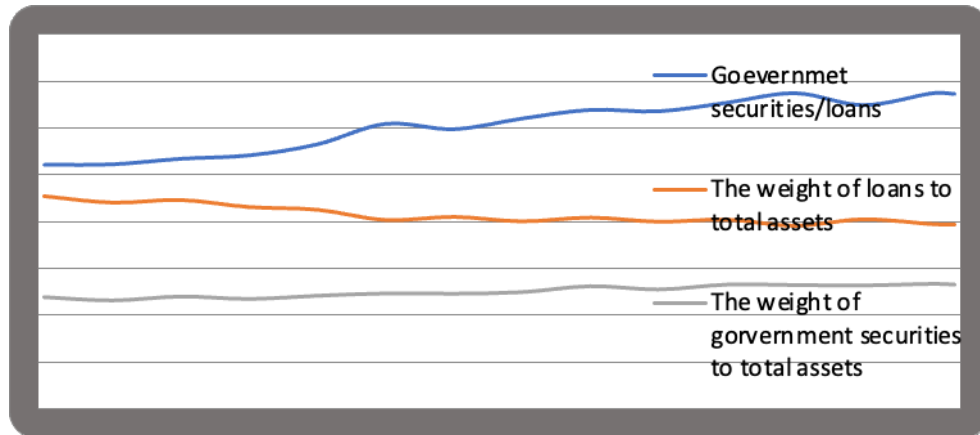
Source: (Bank of Albania) Author's calculation



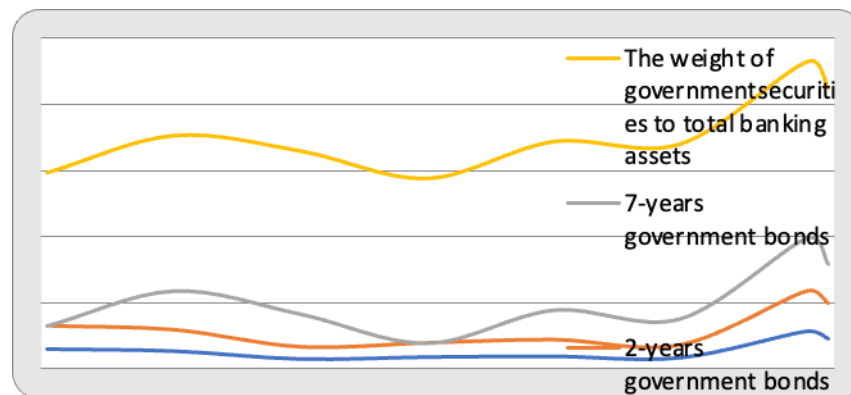
**Figure 9:** The weight of government securities to total banking assets

Source: (Bank of Albania) Author's calculation





**Figure 10:** Government securities/loans ; The weight of loans / total assets ; The weight of government securities/ total assets  
*Source: (Bank of Albania); Author's calculation*



**Figure 11:** The relationship between the performance of interest rates and the amount invested in government bonds  
*Source: (Bank of Albania); Author's calculation*

Figure 3 presents the weight of government securities /total loans in the Albanian banking system. An upward trend is observed, culminating in December 2022 with 67.36%, indicating an increase in the amount invested in government securities and a decrease in the amount of loans in the system. This is confirmed by the other two graphs; the weight of loans to total assets which has decreased and the weight of government to total assets which has increased. Uncertainty and increased risk during the pandemic reduced the tendency of banks to lend, shifting investments to government securities as safer investments.

In order to study the relationship between the amount invested in government securities and the performance of the interest rates of these securities, is presented figure 4. The study tested 3, 6, 12 month T-Bills and 2, 3, 5, 7, 10 and 15 year government bonds against the amount invested in government securities/total banking assets.

In Figure 4, 15-year bonds have been eliminated since they were issued for the first time in November 2021, 10-year bonds were issued less frequently during the study period, 3- and 6-month T-Bills show a weaker relationship with the weight invested in securities governmental. Other public instruments are included in the above figure. According to the illustration, there is a stronger correlation between the most long-term investment instruments, that is, for 7-year government bonds, than for the most short-term instruments. This proves a positive relationship between the amount invested and the performance of yields, mainly in long-term securities. The main reason is related to the higher interest of commercial banks to have long-term government securities in their financial investment portfolio since their yield is higher than short-term securities. The volatility of the 7-year bond yield is more reflective of macroeconomic effects as a result of the longer duration compared to other securities.

The main reasons for the increase in investment in public bonds in Albania are: the increase in the time structure of public bonds up to 15 years has made the most long-term treasury instruments an investment that competes with credit; the standards of capital requirements against asset classes has increased the pressure on banks to direct their capital towards assets with lower risk; the third: the returns brought by investments in public bonds are higher than the costs of raising funds, ensuring a positive spread and high liquidity.

## Conclusions:

Commercial banks aim to mediate capital in the economy by mainly orienting their investment in loans and creating a portfolio of securities. Traditional banking relies on trading money in the private market through loan contracts. Due to the credit and the liquidity risk that these contracts have, banks direct part of their capital towards financial securities. This is because investing in these securities offers the possibility of positive returns and liquidity.

The structure of the banking financial portfolio in Albania is dominated by the investment in government bonds conditioned by: the lack of the capital market in Albania; the restrictive framework applied by the Bank of Albania for the risk profile of banking investment; the trading agent role that commercial banks have for government securities in the OTC secondary market.

Banking investment trends remained low during the period of study, mainly in lending as a result of increased global risk. After the start of the war in Ukraine in February 2022, there is a continuous decrease in the weight of government instruments in the banking investment portfolio, reaching a new minimum point in February 2023 with 72.06%.

The study shows a continuous increase in the share of investment in government bonds to total banking assets. The upward trend is finalized with the highest value in December 2022 with a weight of 26.57% from 23.1% that was in December 2016. So a significant increase of 15%. These results vary significantly from the evidence of other economies, during normal and stable periods, banks' holdings of government bonds are around 9% of assets and during unstable periods they hold slightly higher amounts.

Uncertainty and increased risk during the pandemic reduced the tendency of banks to lend, shifting investments to government securities as safer investments. The evidence in the study shows an increase in the amount invested in government securities and a decrease in the amount of loans in the system.

According to the results of the study, there is a stronger correlation between long-term investment instruments, compared to the shortest terms. The results showed a more stronger and positive relationship for 7-year government bonds than for other securities types. The main reason is related to the higher interest of commercial banks to have long-term government securities in their financial investment portfolio since their yield is higher than short-term securities.

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# An empirical approach in the study of heterogenous Na-tech systems

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## Abstract

The study of the natural and technological systems characterized by sparse or heterogenous data series is considered herein in the framework of empirical physics approach. By employing q-Gaussians as a general distribution, the distance from the stationarity is considered a dynamical measure and prerequisite for statistical analysis and reports. Next, the use of a deterministic model to describe the dynamics of the factor-response relationship is equalised with indirect measurement procedure. Finally, for highly nonstationary and heterogeneous series, the heterogeneity features are acknowledged as a measurable dynamical pseudo-observable rather than a measurement's limitations. We illustrate this approach with analysis for the Covid spread in Albania, the FX performance during the economic crisis 2020-2021 and the forecasting of the consumption of the electricity in the country. The present methodology can be suggested for similar Na-tech systems.

*Keywords:* nonlinear dynamics, correlation, multifractal analyses statistics

## 1. Introduction

In analysing time data series of the natural, anthropological, or technical system-Na-tech, the measurement of an observable in or modelling non-stationary and heterogeneous state, are treated with precaution as scientific and practical concern for scholars and researchers. Very basically, the measurement entails evidences of the form  $x = \bar{x} \pm n\sigma(\bar{x})$  where  $\bar{x} \equiv \int_{support} x\rho(x)dx$ ,  $\sigma(\bar{x}) \equiv \int_{support} (x - \bar{x})^2\rho(x)dx$ , and  $n$  is a number that ascertains a desired certainty in the probabilistic interpretation of the  $x$ -quantity. Worthless to say, the distribution object  $\rho(x)$  must guaranty the convergence of the above integral. This the trivial measurement problem: physically we can perform the measurement after bringing the system in stationarity condition or waiting time processes to run until the stable state is recovered. In practical situation this problem is solved by employing approximative methods and higher uncertainty, but as we will discuss below use of q-functions is offer enthralling solution. A less trivial case is the indirect measurement of characteristic properties of a system by using model's fit to the measured data. In this framework, the linear modelling  $\overline{Y} = AX$  (or  $\frac{dY}{dt} = AY$ ), etc., the regression  $Y(t) = F(y_{t-T} \dots y_{t-1})$ , or structural approach  $Y = F(\sum a_j x_j + b_i)$  which consist in finding matrix elements of  $A$  in those relationship given  $X = \{x_i\}$  and  $Y = \{y_j\}$  are the cause and response variables that are measured, is considered as indirect measurement of the coefficients  $a_{ij}$  in the matrix  $A$ . There is a large mathematical literature and schoolbooks that provide necessary arguments and tools for such operation, which we are not listing herein. The methods of modelling with nonstationary series are provided also in many econometric and sociometric application. A "hidden measurement" can be the fitting and forecasting using neural network models (NN) models of the form  $\overline{Y} = F(h_n(h_{n-1}(X)))$  where the  $h_n$  are intermediate functional called layers, and variables  $X$  are vectors of times series type. Another very special physical measurement process can be the identification of the fixed points, bifurcation parameters and so on but we won't consider those last in this work. In the following we will limit our review on some empirical methods that are very useful in challenging obstacles when analysing or measuring in nonlinear system. They come mostly from econophysics applications, but also, non-relaxed physical systems behave that way. In a more practical consideration, some processes in real system involves factors of very different nature. For example, if we analyse the typical Covid time data series, we must consider that beside differential equation that supposedly govern the dynamics, other effects as protocols of records, sanitarian and administrative capacities, the interaction contact network and local habitudes are among many ones that limit the implementation of the ODE equation. Or if we want to model the consumption of electricity, beside common paradigms about relinks tis quantity with some economic indicators that are govern by specific rules and relationships, the temperature is a key parameter which obey to quite different law.

### 1.1. Useful statistical tools for stationary states and global analysis

The stationarity scrutiny for a pdf function can be realized by performing standard stability Levy analysis. Additionally, a special class of functions called q-Gaussian

$$\rho(x) = \frac{\sqrt{q-1}}{\sqrt{3-q}} * \frac{\Gamma(\frac{5-3*q}{2*(1-q)})}{\Gamma(\frac{2-q}{1-q}*b)} * \left(1 - \left(\frac{1-q}{(3-q)*b^2} * ((s-\mu)^2)\right)\right)^{\frac{1}{1-q}} \quad (1)$$

can be very useful. It has been introduced after employing the Tsallis idea for nonadditive entropies, and later following the q-CLT arguments [15], [22]. For calculation purpose the following form is more suitable

$$G_q(x) = \sqrt{\frac{1}{3-q}} \sigma_q \frac{1}{Z_q} \left(1 - (1-q) \left(\frac{x-\mu_q}{2\sigma_q}\right)^2\right)^{\frac{1}{1-q}}, 0 < q < 3 \quad (2)$$

The quantity  $d=q-1$  designates a direct measure for stationary [16]. Q-Gaussians is specific case of q-exponential  $e_q(x) \sim (1 + (q-1)bx)^{\frac{1}{1-q}}$  for positive argument. For  $q \rightarrow 1$ , classical forms are obtained. If  $q < \frac{5}{3}$ , the distribution is stationary, for  $\frac{5}{3} < q < 2$  the distribution is non-stationary and has negative variance ( $\sigma_q < 0$ ), and for  $2 < q < 3$  variance is undefined, whereas for  $q > 3$  the q-Gaussian is not a distribution object [22], [16]. Therefore, by carefully identifying the q-Gaussian fitted to the optimal histogram characterizing the data set, we can also measure the distance from the stationary by the parameter  $d=q-1$  and we can recognise the meaningfulness of the measurement itself.

The stationarity's metrics provided from the q-Gaussian fit make them very useful in the analysis of heterogeneous and high volatile time series. For a given time data series, we can span the time windows to search for the q-parameter in the desired range  $q < 1.67$ , before using any measurement instrument. Interpreting a given model as measurement instrument, we use this preliminary analysis to discuss the legitimacy of the model itself, providing that standard techniques would have rejected the stationarity. The key is in the difference  $q-1$  and the classification of q-values according to the q-Gaussian distribution properties motioned herein.

When analysing nonlinear series, looking for factors after a known responses etc., the evidence of the trend underlying the dynamics is very important. If detrending procedures do not conclude, we propose the use of the empirical methods again. If time data series is highly nonlinear and nonstationary, a good start is to explore for time windows in the series where statistical properties are not fully eclipsed from dynamical irregularities. Physically we are diagnosing the system if there is a regime or near to stationary process amid transients' ones. Those "underground regularity" amidst abundant irregularities signifies the presence of regimes and trends but cannot be discovered by denoising because the signal is too complex. Herein, the Empirical Mode Decomposition (EMD) method introduced in [3] and elaborated in [4] and [5] is very useful. The non-stationary signal is

decomposed in the intrinsic modes (IMF) by a spline-interpolation for the points  $x(t) = \frac{(x_{max,t}^{local} - x_{min,t}^{local})}{2}$  giving discrete Fourier-like form

$$\overline{X}(t) = \sum_{i=1}^n IMF_i + \varepsilon(t) \quad (3)$$

Particularly, the last IMF mode describes the trend of the series. In application, after evidencing the trend, we could judge if the information provided by the data series is sufficient for modelling, or we can use it to identify regimes. So, if the trend looks like a fragment of cycle, the models are likely not reliable, and forecasting or prediction would fail. However, recognising the underlying trend is a valuable information for the system under investigation. Additionally, we proposed using the EMD to identify possible regimes in the time data series.

### 1.2. Multifractal analysis on assisting empirical modelling.

Let consider the handicaps including the system features that proscribe a classical measurement or devalue a modelling tentative. We will be dealing with the heterogeneity issues, which could be related to the signal/noise relationship and their specifics. To avoid detailed analysis following the validity for a modelling procedure, deep specific analysis etc, we propose to provide initially a heterogeneity discussion and evidence. If we cannot correctly measure a parameter, we can try to know the heterogeneity characteristics. In this respect, the self-similarity and scaling (that lead to non-stable distributions, mostly power laws), repeatability of local events, persistence, intermittences etc., can be helpful. We may consider the measure of those dynamical behaviour as information about nonlinear processes and use multifractal analysis reveal it. The key mathematical object in this case are fractal and multifractal parameters represented by Hurst and Holder exponents and multifractal spectrum. Just for introduction, we are briefing elementary concepts of them. The nonlinear time series  $X(t)$  with stationary increments, obeying to a scaling form  $\overline{|X_{n+\tau} - X_n|^q}_n \sim \tau^{qH_q}$  are known as multifractal structure. Here,  $\tau$  is the time lag and  $q > 0$  is a parameter, and  $\langle \dots \rangle$  designates averaging for all (n), see [24], [26], [28]. The Holder exponent  $H_q$  or singularity exponent (the generalized Hurst exponent) describes the degree of singularity around point (t). For those structures the multifractal spectrum given by



$$\overline{f(\alpha)} = q(\alpha - H(q)) + 1 \quad (4)$$

is very useful for analysing the dynamics, [28], [30] Theoretical spectral power  $\overline{f(\alpha)}$  has a quadratic form, so the smoothness of  $\overline{f(\alpha)}$  can be considered as a visual display of continuity of the scaling behaviour, and the un-smoothness, indicates heterogeneity. If Holder exponent is unique the structure is known as mono fractal obeying the simple scaling rule  $\overline{X(at, \omega)} \sim a^H \cdot X(t, \omega)$ , [24], [26] and H is known as Hurst exponent. In this case the autocorrelation function reveals H parameter as a correlation measure from the relation  $\overline{\rho} = \frac{\langle X(t+\tau)X(t) \rangle}{\langle X(t)^2 \rangle} = 2^{2H-1} - 1 \equiv 2^D - 1$ . Here, D is known as correlation index or as fractal dimension. In this sense, different scaling of large and low fluctuations can be viewed as another measurable quantity on series. If  $\overline{\alpha_{max}}, \overline{\alpha_{min}}$  are the values of vanishing  $\overline{f(\alpha_{min,max} = 0)}$ , the quantity,

$$\overline{\Delta\alpha} = \alpha_{max} - \alpha_{min} \quad (5)$$

named ‘‘multifractal spectrum width’’ measures the abundance of scaling exponents  $\overline{H_q}$ . Larger width value indicates dominant multi-scaling, and smaller width correspond to mono-fractal structure or unique scaling. Also, the weight of smooth or abrupt local fluctuations can be read from the multifractal skewness  $\overline{skew} = \frac{\alpha_{max} - \alpha_0}{\alpha_0 - \alpha_{min}}$ . Left-skewed multifractals (skews < 1) have more fine-structures in large fluctuations. Right-skewed multifractals have more fine structures in small fluctuations. The multifractal asymmetry parameter defined as

$$\overline{a_s} = \frac{\Delta_{Left} - \Delta_{right}}{\Delta_{Left} + \Delta_{right}} \equiv \frac{\alpha_0 - \alpha_{min} - \alpha_{max} - \alpha_0}{\alpha_{max} - \alpha_0 + \alpha_{max} - \alpha_0} = \frac{\Delta\alpha}{\Delta\alpha - 2\alpha_0} \quad (6)$$

measures the behaviour of local fluctuations. Negative asymmetry indicates low fractal exponent of small weights and positive asymmetry. It means that extreme events play a major role. Positive asymmetries indicate presence of fine structure. By using equation [3] and [4] we can estimate the grade of complexity, heterogeneity in the structure, self-similarities, etc., that are valuable information for the dynamics. Also, considering the Tsallis’ formalism that interlinks multifractal properties with q-indexes,  $\{q_{entropy}, q_{sensitive}, q_{relaxation}\}$  a more physics approach on the relaxation process is very helpful. So, the q-stationary in [1] and [2] is known as  $q_{entropy}$  providing that it resulted from the optimization of the distribution regarding to the non-additive Tsallis’ entropy in the form  $\overline{S_{A+B}} = S_A + S_B + (1 - q_{entropy})S_A * S_B$ . The quantity  $\overline{q_{sensitive}} = 1 - \frac{\alpha_{max} \alpha_{min}}{\alpha_{max} - \alpha_{min}}$  which can be easy calculated form multifractal structure, measures the q-entropy production [29]. From the general point of view, the structure of the data is considered empirically as a physical coat, so, without providing detailed evidence or explanation, we proposed to use the same methodology as in pure physis system. It is not a novelty because all complex systems are considered in such way, but we need to enforce this treatment for specific cases where the heterogeneity is high, there are few data records in disposals etc. In the following examples we considered the dynamics of the dynamical features as physical property and hence a measurable observable.

## 2. Identifying the regimes and regime changes in presence of criticality

The multiple processes driving the dynamics in natural or technological activities related systems impose heterogenous behaviour in short terms. However, for longer period, transient states seem to extinguish, and some regularity appears. We may talk for regimes, but it is hard to define them in mathematical contexts due to the heterogeneity. However, in some cases, the regimes can separate two different dynamics. Also, we are interested to allocate the point of phase change to avoid the use of terms of series around this special point due to the singularities and harsh changes on those points. We will relate this opportunity with the criticality that is generated form a specific scaling type called discrete scale of invariance (DSI). This structure characterizes the feedback or herding process leading to the self-organization behaviour [37], [33], concluding in criticality. In this case, the observable obeys to the scaling rule  $\overline{O(x)} = ck^\lambda O(\lambda x)$ , for infinite but countable set, and specifically  $\overline{\lambda_n} = \lambda_0^n$ . It is argued theoretically that DSI is directly connected to the fractal properties [34]. The solution has the form  $\overline{O(x)} = x^\alpha P\left(\frac{\ln x}{\ln \lambda}\right)$ , so from  $\overline{O(x)} = Cx^\alpha$  it resulted  $\overline{\lambda^\alpha \mu} = 1 = e^{2n\pi i}$  where n is arbitrary integer and  $\overline{\alpha} = -\frac{\log \mu}{\log \lambda} + i \frac{2\pi n}{\ln \lambda}$ . Therefore  $\overline{O(x)} = x^{\frac{\ln \mu}{\ln \lambda}} P\left(\frac{2\pi}{\ln \lambda} \frac{\ln x}{2\pi}\right)$  where  $\overline{P}$  is a harmonic function of the period ‘unity’  $\overline{\log(\lambda)}$ . The periodic of the function P(x) is expressed in Fourier expansion  $\overline{P(x)} = \sum_{n=-\infty}^{\infty} c_n \exp\left(2n\pi i \frac{\ln x}{\ln \lambda}\right) = \sum_{n=-\infty}^{\infty} c_n \left(\cos\left(2n\pi i \frac{\ln x}{\ln \lambda}\right) + \sin\left(2n\pi i \frac{\ln x}{\ln \lambda}\right)\right)$ . In [34], [21], it has been shown that closely enough to the critical point the most significant term in [6] is the first term n=1 and the solution in the first approximation named Log Periodic Function is

$$\overline{O(x) = a + b(x - x_c)^m + c(x - x_c)^m \cos(\omega \ln(x - x_c) + \varphi) + O(2)} \quad (7)$$

If second term  $n=2$  is also relevant LPP include a term  $\sqrt{(x - x_c)^m \cos(2\omega \ln(x - x_c) + \varphi)}$  and so on. Detailed analysis on the LPP use can be found in references [45], [20], [6],[15] and citation therein. Fitting the form [7] to the data series can be realized by implementing a slaving procedure in a Genetic Algorithm. In theory, before trying the fit, we should argue that such dynamics is meaningful for the process under investigation. In [45] and [42] a practical procedure for LPP identification has been proposed. It consists in analysing the series of maximums (local peaks) and checking  $\frac{t_c - t_{n+1}}{t_c - t_n} = c^{te}$  or more practically  $\overline{t_c = \frac{t_{n+1}^2 - t_n + 2t_n}{2t_{n+1} - t_n - t_{n+2}}}$ . However, if series are noisy, the identification of local peaks is not easy and other techniques are needed. In [27], it is stated that checking the fit is not easy because the residuals are multiple processes (of Ehrenberg basis). A good opportunity is by analysing Lomb-power spectrum

$$P = \frac{1}{2\sigma} \frac{(\sum y_j \cos(\omega(t_j - \tau)))^2}{\sum \cos^2(\omega(t_j - \tau))} - \frac{(\sum y_j \sin(\omega(t_j - \tau)))^2}{\sum \sin^2(\omega(t_j - \tau))} \quad (8)$$

where  $\overline{\tau = \frac{1}{2\omega} \operatorname{atan} \left[ \frac{\sum \sin(2\omega t_j)}{\sum \cos(2\omega t_j)} \right]}$ , and we used  $\overline{t \rightarrow \log(t - t_c)}$  according to the arguments [45], [46]. The uniqueness of the critical time and cyclic frequency are indicators that LPP describes the dynamics. Empirically we can use this argument to argue the DSI presence. In nearby hood of critical point, the DSI structure is emphasized, therefore, the empirical test of the LPP presence could be uniqueness of the critical time obtained by the fit, when we change the starting point of the series. In this case, to not confuse the algorithm we propose to use local peaks as the starting point for this additional check. Also, the fit to the LPP needs some precaution because standard techniques of the least squares do not converge. A combined GA algorithm with slaving nonlinear parameters is proven functional. For example, we have used recently in the description of the behavior of the ALL-USD/EURO exchange rates the to-cosine LPP [20], [7]

$$\overline{y = y_0 + A(t - t_c)^m + (t - t_c)^m (B \cos(\omega \log(t - t_c) + \varphi) + C \sin(\omega \log(t - t_c) + \varphi))} \quad (9)$$

For clearness of the reader the procedure follows those steps

$$\overline{y = a + bf(t) + cq(t) + dh(t)}$$

$$\overline{f(t) = (t - t_c)^m}$$

$$\overline{q(t) = (t - t_c)^m \cos(\omega \log(t - t_c) + \varphi)}$$

$$\overline{h(t) = (t - t_c)^m \sin(\omega \log(t - t_c) + \varphi)} \quad (10)$$

In each step (i) of the  $\overline{GA^+}$  procedure, one assigns randomly the genes  $\overline{v_{nonlinear} = \{m, t_c, \omega, \varphi\}}$  according to the general consideration for their values, and then solve the linear problem for [a,b,c,d]

$$\left( \begin{array}{c} \sum_{i=1}^n y_i \\ \sum_{i=1}^n y_i f_i \\ \sum_{i=1}^n y_i g_i \\ \sum_{i=1}^n y_i h_i \end{array} \right) = \left( \begin{array}{cccc} n & \sum_{i=1}^n f_i & \sum_{i=1}^n g_i & \sum_{i=1}^n h_i \\ \sum_{i=1}^n f_i & \sum_{i=1}^n f_i f_i & \sum_{i=1}^n f_i g_i & \sum_{i=1}^n f_i h_i \\ \sum_{i=1}^n g_i & \sum_{i=1}^n g_i f_i & \sum_{i=1}^n g_i g_i & \sum_{i=1}^n g_i h_i \\ \sum_{i=1}^n h_i & \sum_{i=1}^n h_i f_i & \sum_{i=1}^n h_i g_i & \sum_{i=1}^n h_i h_i \end{array} \right) \left( \begin{array}{c} a \\ b \\ c \\ d \end{array} \right) \quad (11)$$

so the  $2k$  solution of the types  $\overline{\{t_c, \omega, \varphi, a, b, c, d\}}$  are generated accordingly,  $2k$  parent are born. The next step follows standard GA algorithm idea, mimicking the natural selection process, and procedures 4-5 are repeated for each GA stage. Also, in [48] has been made an empirical extension of the LPP introducing q-logarithm  $\frac{x^{1-q}-1}{1-q}$  in [9] that produced better fit in our application. Up now, considering the argument for LPP functions, we did not realise a solid mathematical argument for it, but it provides additionally a measure for the distance of actual behaviour from pure LPP dynamics and consequently from DSI structure.

### 3. Some working examples of sparse and heterogeneous system analysis using the empirical approach and combination of techniques

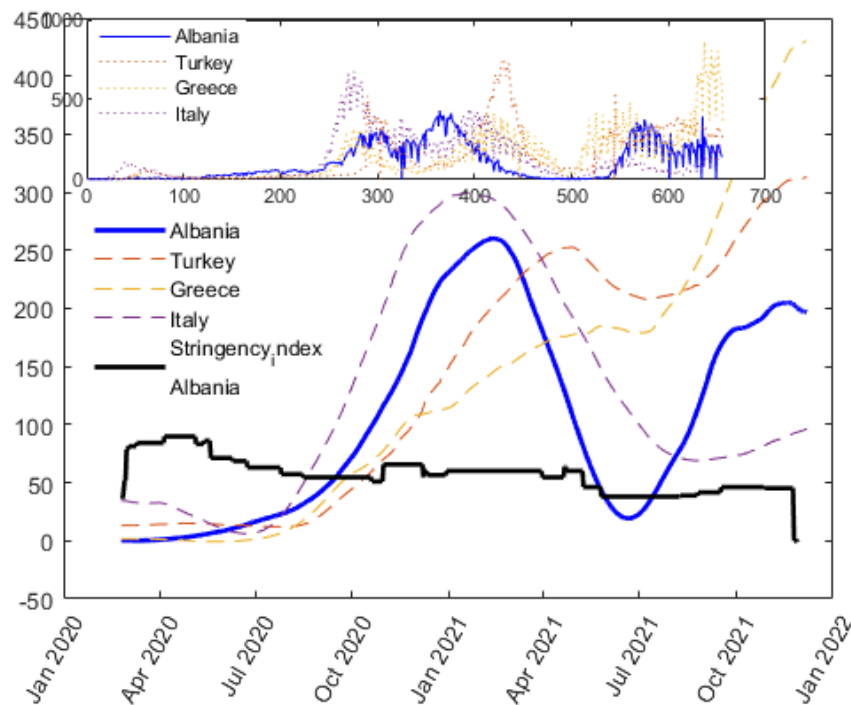
In the following we have illustrated the analysis of some real natural or technical systems whose time data series resulted in sparse or heterogeneous data, or technically not suitable for the theoretical models of the given field. We observed that the rough application of the models has resulted in unsatisfactory or even unmatched results. So, the COVID data for Albania and some country of Balkan seems to be not suitable for SEIR assumption; daily series of FX are too rare for dynamical analysis as long as the prices evolve practically too many time during the day. Also, some historic data from hydrological system of Albania seems to be not sufficient for satisfactory forecasting and prediction. We employed the above-mentioned scheme to achieve good results and a deeper knowledge for those systems.

#### 3.1. Study of heterogeneous data gathered from inappropriate size system The COVID time series

We considered the behaviour of the new infections' cases in the first stage of the illness breakdown in [7]. By empirically fitting a LPP function to the new infections recorded, we realized to predict within few days shift the change of the regime. Also, anxious behaviour has been evidenced and discussed. so, we observe that the critical time of a longer pre-assumed LP process covering 85 data points would be around 12-14 June and the process would enter in another frustrated mode. This peak has occurred at the date 14, and the other one has been predicted to occur at the end of the July, that indicate the validity of the empirical approach for those very few data series. In another consideration, we used an advanced SEIR model to realize the measurement of specific features using data record for Albania, and to improve the just in time prediction. We proposed to consider the SEIR integration and fit to the data as a measurement process. Form the literature [20], [21], [32] the ODE set is

$$\left\{ \begin{aligned} \dot{S} &= -\alpha S - \frac{\beta SI}{N}; \dot{P} = \alpha S; \dot{E} = \frac{\beta SI}{N} - \gamma E; \dot{I} = \gamma E - \delta I; \dot{Q} = \delta I - (\lambda + \kappa)Q; \dot{R} = \lambda Q; \dot{D} = \kappa Q \end{aligned} \right. \quad (12)$$

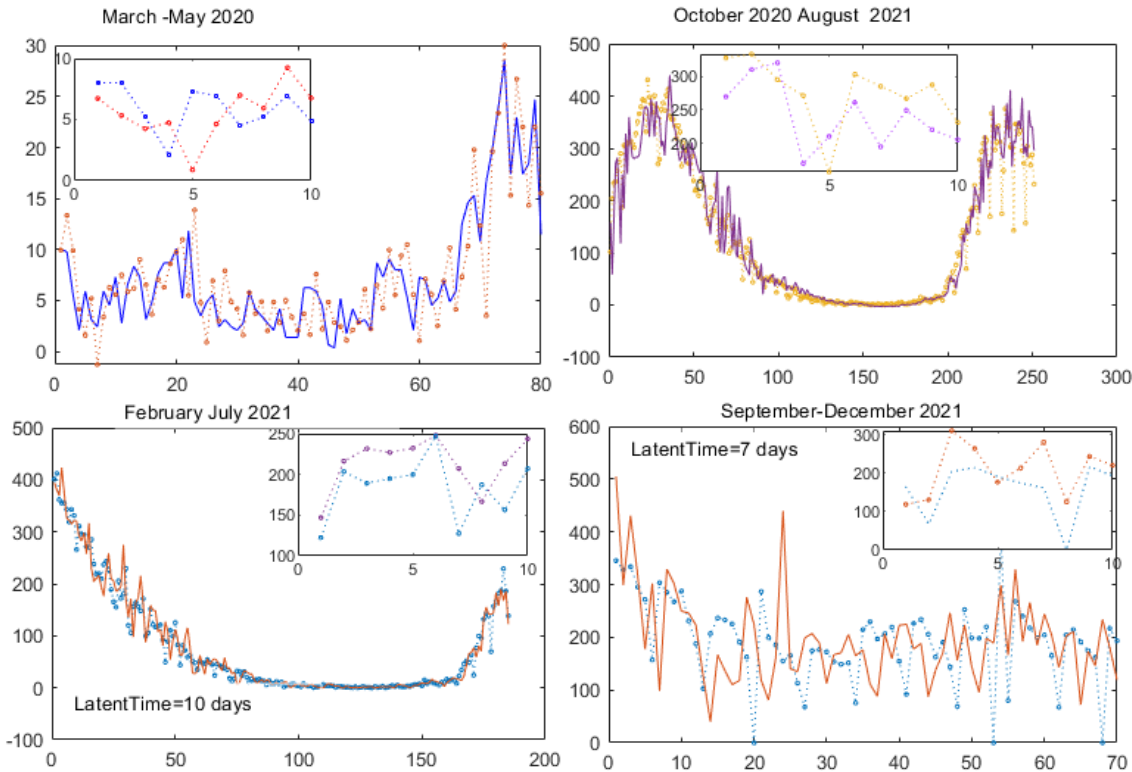
Here, the variables are the ratios  $\frac{\#(\text{individuals})}{\text{Population}}$  of susceptible (S), protected (P), exposed (E), infected (I), quarantined (Q), recovered (R) and deaths (D) and parameters  $[\alpha, \beta, \gamma, \delta, \lambda, \kappa]$  represent some characteristic properties of the system in the general sense, and measurable quantities in physical point of view. The measurement tools consist in obtaining parameters by fitting the prediction of the model to the data recorded.



**Figure 12.** Identification of the regimes by IMF. For comparison, Last IMF for four neighbours Up corner, the series of new cases for four countries, main picture, the last IMF, black line, stringiness index.

We observed that integration of [8] by using a self-adaptive algorithm provided in [20], does not re-produce the data covering all period of the observation [March 2020, December 2021]. By solving the system [8] and trying to optimize real data with prediction

using a standard ODE45 we observed that constant parameters of the model vary by the period of reference, indicating that SEIR model ca is not used in our whole series. In [47] we have described the procedure of the improvement by using the EMD for identification the trend, and afterwards, using stringiness values to allocate the most opportune time windows when a regime has concluded by a full cycle. The same procedure is followed for comparing the behaviour on the neighbour countries as Italy, Turkey, and Greece. By implementing this empirical physical approach, we observed a full cycle for Albanian series, that is used later as optimal information for the process, which helped for modelling and predicting stage. Note that series were non-stationary and remain such after differencing, so standard techniques are unsuccessful. No, by using ODE [9] and implementing the algorithm provided in [19] we obtained that the latent time for this period is 6.3 days, whereas using our ad hoc Genetic Algorithm we obtained 5.9 days, so the latent time or incubation of the infections for Albania is 5.9-6.3 days. Also, after fixing the time windows that Additionally, the time lag T of the most influential anticipated events is measured empirically by setting e criterion of the best reproduction of the series using autoregressive NN. The optimal time Lag is obtained around 7 days and based on the arguments we provided above for regimes; it can be taken as characteristic for the system (Albanian medium). Consequently, the most influential events favouring the transmission of the illness on the population are located between 14 to 7 days beforehand. For the first sub-series of the period [March 2020, Middle of November 2020], the time Lag is 5 days and for the successive period starting at the end of August 2021 up to December 2021 has the maximal lag 4 days, but the stage has not concluded at the date of our last data record (15 December 2021). In Figure 2 we have presented the result of neural prediction after near to regime behaviours have ne localised using empirical; means discussed in this paragraph. The forecasting for ten days advance has been satisfactory as result of regime identification.



**Figure 13.** Neural Network prediction and forecasting for various regimes

### 3.2. The performance of ALL-EURO FX rate during the 2020-2021 economic crisis

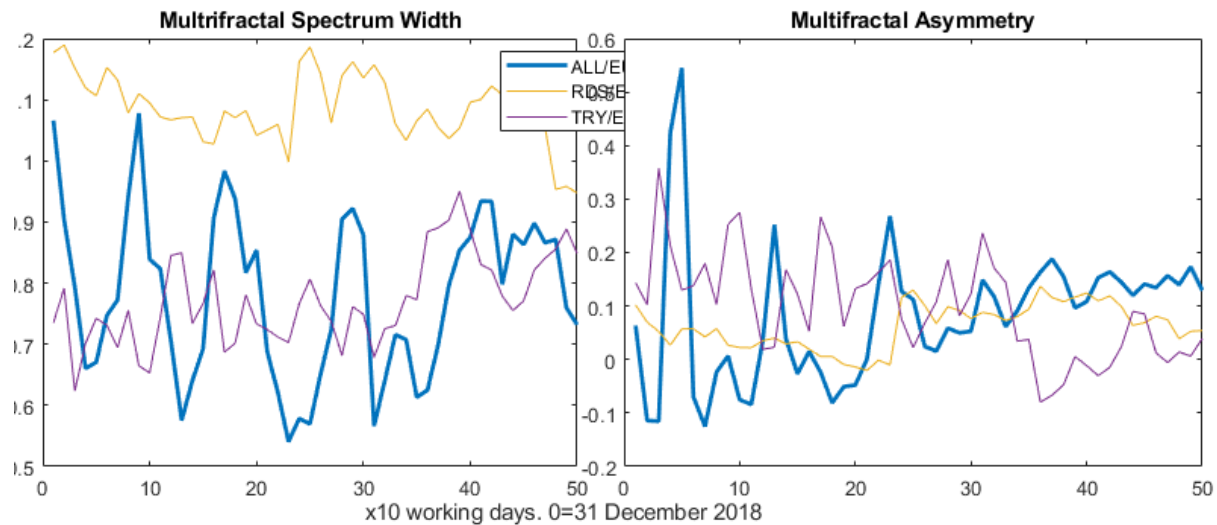
Our idea for physics approach on the study of time series for real systems has been used in [9] and for analysing the performance of the ALL-Euro exchange rates. From the econometric point of view, this analysis could include the volatility  $\overline{r}_t = dif(\ln(x)) \cong \frac{x_{t+1} - x_t}{x_t}$  behaviour or the compatibility of the logarithmic rates of nominal exchange rate as given in [10], [11]

$$\overline{e}_t = (m_t - m_t^f) - a_1(y_t - y_t^f) - a_2(i_t - i_t^f) + a_3(p_t - p_t^f) + \varepsilon_t \quad (13)$$

where  $\overline{m}_t$  are the money supplies,  $\overline{i}_t$  is the interest rate  $\overline{y}_t$  represents incomes or a GDP measure for each country, p is the purchasing power ant indices f stands for “foreign”. The term  $\overline{\varepsilon}_t$  counts for stochastic effects and is usually assumed proportional to a Weiner process. What makes our system specific and therefore empirical method useful are the size of the informal sector, the



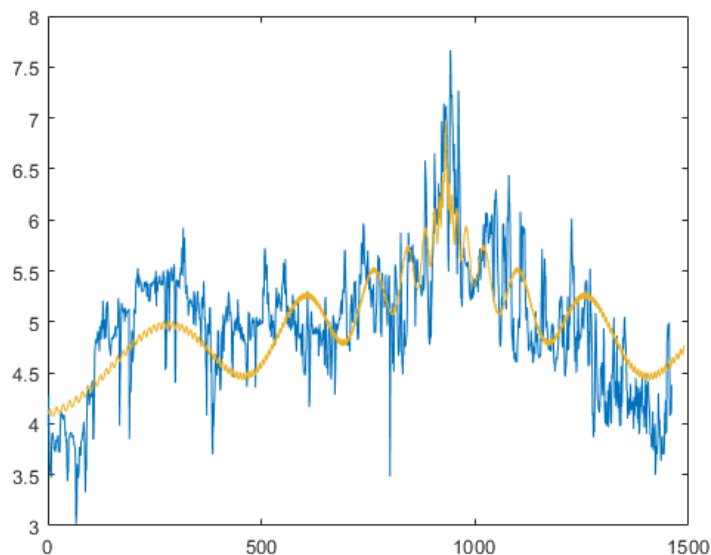
common use of transactions in Euro or USD directly, missing a financial market etc. Especially the terms related to the money supply  $m$ , remain unknown due to the presence of the informal money. So, despite the usefulness of the formula [8] the ALL-EURO FX statistical and dynamic features would provide an answer for the financial performance of the country during a crisis period. So, whatsoever a policy  $P(t)$  has been, the resulting distribution of the RoR  $r_t = \text{dif}(\ln(x)) \cong \frac{x_{t+1} - x_t}{x_t}$  and the nature of its fluctuations will tell if the measures have been satisfactory or not. In this framework, the analysis of the performance of the policy makers could be reduced on the empirical descriptive analysis regarding the stationarity of the distribution  $\rho(x_r)$ , the heterogeneity issues and measures, multifractal properties, like the above. Firstly, the  $q$ -parameter read from the  $q$ -Gaussian fit indicates that the non-stationary degree remained nearly the same for series starting from January 2017, and ending in 2020 or 2022 respectively. The  $q$ -value of the Euro/ALL FX was around 1.9~2 and the distribution of RoR has resulted amongst most stationary among RoR distributions of the Turkey Lira (TRY), Serbian Dinar (RSD), Macedonian Denar (MKD). However, the  $q$ -mean of the ALL RoR is higher than others expect TRY/EURO, indicating that the distribution analysis is not sufficient for the conclusion. We address for this purpose the multifractal analyses. Series now start in 2017 and ending on 2019+n\*10 days (every two-week working day).



**Figure 14.** Evolution of the spectrum width and asymmetry 2020-2022

The multifractal width is large and oscillating by a period of near to 3 months. A light decrease of the oscillating amplitude is observed. From the other side, the multifractal asymmetry has had high amplitudes, but it has decreased by the end of 2022. Those arguments indicate that policies and market effect have interacted dynamically. This initial anxious phase has been left over by times and the system has started to relax after first year of the crisis (roughly from the graph, more than one year, about 300 working days). Similarly, we have discussed the presence of the self-organization regime for series of overnight interest rates which are another indicator of the financial performance and health. Initially we used the series containing values from 2007. By

exploring the possible critical times and cyclic frequencies using  $\log(t - t_c)$  in the role of regular time, we obtained that Lomb periodogram has a relief shape which culminates for  $t_c = 3442$  and has a second pick at  $t_c = 3540$ , whereas the cyclic frequency is near 20. We recognised those findings as indicators that a pseudo-critical time moment exists around  $t=3442$ , which is identified with a regime change. The remaining part of the critical behaviour has been developed by directly fitting the LPP form to the actual data. We observed a regular near to parabola the multifractal spectrum that indicates a smooth dynamics and continuous scaling.



**Figure 15.** Finding the date of regime change by double check of the critical time Empirically the dynamics looks a anti bubble. The regime has started as relaxation stage after a culmination due to the coupling effect nearly to years ago, corresponding to the middle of pandemic-inflicted crisis.

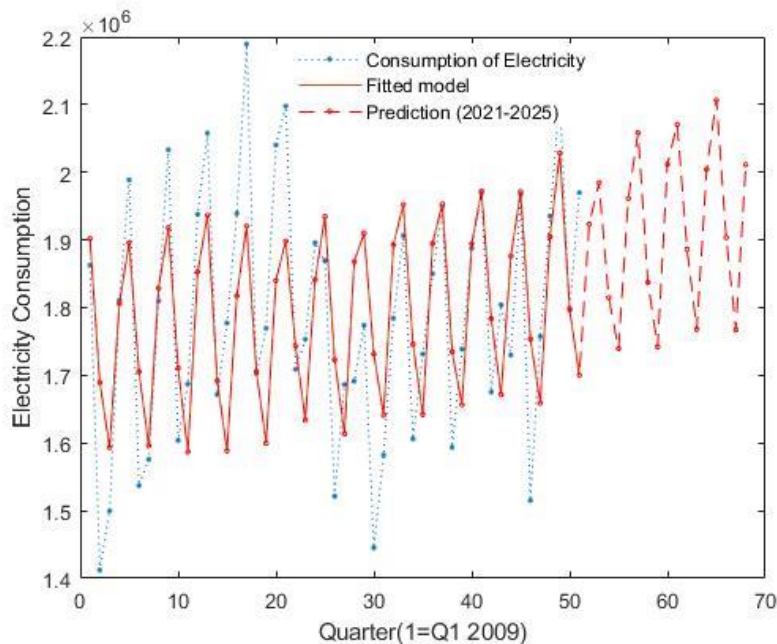
### 3.3. Supporting linear models for inconsistent series.

Using a simplified liner relationship between electricity consumption in the country we obtained in [9] a relationship between electricity consumption, GDP and temperature as follows.

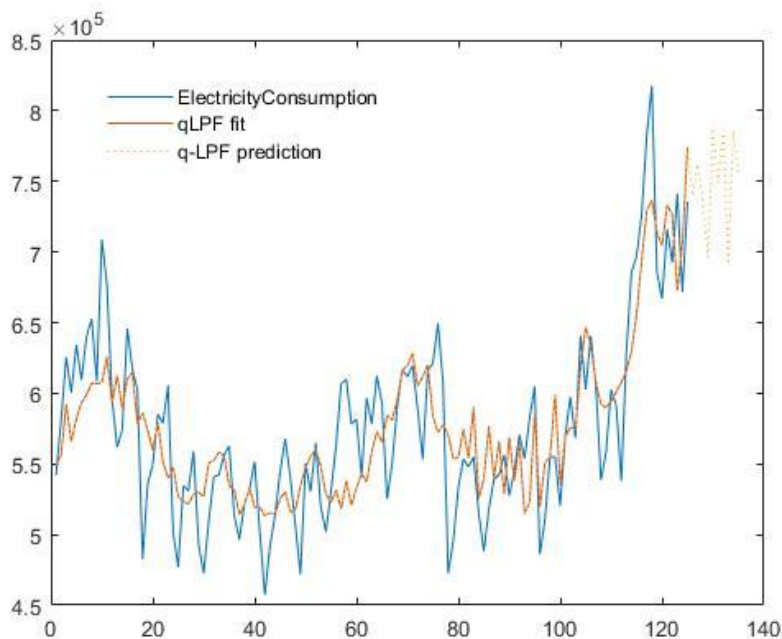
$$\overline{Consumption[MWh]} = a + b \overline{GDP(ALL)} - c * \langle Temperature \rangle_{month} \quad (14)$$

To predict the consumption for 4-year advances, we used the forecasted GDP and performed our prediction for the temperature. In [12] we used monthly reference. In this case we observed that distributions of the daily average temperatures consisting in data record for 130 years, were nonstationary (from q-Gaussian we get  $q \sim 2.3$ ). Firstly, the original series of temperature were grouped in 12 daughter series, and the prediction has been for each of them. The recomposed full series is used in the equation [12], Figure [5].

To improve the prediction, we adopted empirically a LPP fit by assuming that various coupling effect could cause some self-organization behaviour. In this case, aware that a DSI structure is a bit exaggerated, we used the q-LPP function. It gave a good approach for the long-term behaviour and confirm the trend obtained above using linear modelling and neural network forecasting tools.



**Figure 16.** Forecasting electricity consumption by linear model and the trend of the ratio Consumption to production



**Figure 17.** Monthly behaviour of the electricity consumption. 1=January 2020.

#### 4. Conclusions

The use of empirical approach for studying the time data series of real systems are illustrated herein by analysis of the covid data, FX rates during the pandemic closure and electricity consumption for Albania. By inflicting stationarity issues read from the q-Gaussian fit to the optimal histogram and evidencing regimes on the stress, realized to measure the latent time of illness incubation and the influential time lags, for the country, 5.9-6.2 and 14-7 days respectively. Next, we evidenced that the dynamics of the multifractal features for data series of the FX ALL to EURO has been intensive in the beginning of the crisis 2019-2022 and has smoothed significantly toward the end of 2022. Also, the overnight interest that entered a regime near the middle of crisis, has remained in it following an anti-bubble behavior. The Last example consists in the improvement of the predicting electricity

consumption in the country whose model include series of different nature and features. The combination of empirical methods here is seen as solution for similar cases where standard models fails or are unapplicable do to the specific influences, sparse data, or heterogeneous series.

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# Foreign Language Teaching and Creating Activities for Non-Native Speakers in the Business Context: Taking an Inside Look at a Comparative Study between English and German

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## Abstract

The main purpose of this study is to provide significant recommendations for teaching foreign languages in the context of business purposes. In this regard, purposive activities were created based on the concept of how second foreign language (L2) and third foreign language (L3) can complement each other to successfully learn in the context of Non-Native Speakers. These activities include the following: 1) Matching: Match the phrases in English with their comparable ones in German; 2) Translation at the Vocabulary Level; 3) Translation at the Sentence Level. In each activity, learners have to apply the knowledge based on a comparative study between the two languages. It is also suggested in this study that comparing the knowledge of German with what learners have learned previously, namely the knowledge of English, can enhance the competence of learners to their fullest potential. Additionally, it is discussed that some practical recommendations for further studies can be provided to foreign language teachers concerning producing others related materials and effective language pedagogy for non-native speakers.

*Keywords:* Language Teaching, Business Context, English, German

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## 1. Introduction

When considering the situation of teaching foreign languages in Thailand, learners as non-native speakers may wish to effectively communicate with people from other cultures. They need to learn to use communicate language and possess cultural competence. Apart from English, learners may transfer the previously gained knowledge and relate their learning styles, experience, obstacles or problems to their learning of other foreign languages to acquire the third language effectively and efficiently. In this regard, relating the knowledge of learners to their previously gained knowledge may enable them to learn successfully. Prior to German, it is obvious that Thai learners learn English as a first foreign language (L2). Thus, comparing the L3 knowledge (German) with the L2 knowledge (English) can be an efficient learning strategy as these two languages have some language features in common which will cause learners to find some similarities for their language studies.

The researcher as a German lecturer has considered the situation of the job search process in Thailand that graduates who majored in German language have to encounter the requirements in the job announcements that they have to possess good command of both English and German. Without English proficiency, the recruiter may not offer a job to them. However, German can be advantageous for their success in terms of job application. In other words, these two languages can complement each other to lead graduates to succeed in their future career.

Hence, instructors may recommend some new commercial books or some relevant and useful websites based on comparative studies between English and German for business purposes to develop the competence of students to their fullest potential and to enable them to compete with graduates from other institutions and other countries. Besides, the communication competence should be enhanced parallel with the language skills by creating some learning activities related to the communication skills in class.

## 2. Literature Review

Hufeisen (2010) mentions the role of the second foreign language and the third foreign language for the process of language learning as follows:

Beim Lernen einer zweiten Fremdsprache tritt nicht nur eine weitere Fremdsprache hinzu, sondern das Lernen einer Fremdsprache wiederholt sich und bedeutet den erwähnten *qualitativen* Unterschied zum Lernen einer L2.

[...] Erfahrungen mit dem Lernen der ersten Fremdsprache können auf das Lernen der zweiten übertragen werden (wenn sie sich z. B. als gut funktionierend und erfolgreich erwiesen haben) oder völlig vermieden werden (wenn sie beispielsweise als ungeeignet empfunden wurden); Vergleiche zwischen den Lernprozessen und/oder den Sprachen können helfen. Der gezielte Einsatz bestimmter Lernstrategien bei typischen Fremdsprachenaufgaben [...]

(Hufeisen, 2010, p. 203)

From the citation, the learning of the second language can affect the learning of the third language. Learners may transfer the previously gained knowledge and relate their learning styles, experience, obstacles or problems to their L3 Learning to acquire the third language effectively and efficiently.

According to Dudley-Evans and St John (1998), English for Specific Purposes has become a vital and innovative activity within the Teaching of English as a Foreign Language movement (TEFL/TESL). For much of its early life ESP was dominated by the teaching of English for Academic Purposes (EAP); most of the materials produced, the course descriptions written and the research carried out were in the area of EAP. English for Occupational Purposes (EOP) played an important but nevertheless smaller role. In recent years, however, the massive expansion of international business has led to a huge growth in the area of English for Business Purposes (EBP).

(Dudley-Evans & St John, 1998)

In relation to the practicality of English for Specific Purposes (ESP), Dudley-Evans and St John (1998) also emphasize that those who are interest in the field of should consider the following:

*The ESP practitioner as teacher*

ESP teachers also need to have a great deal of flexibility, be willing to listen to learners, and to take an interest in the disciplines or professional activities the students are involved in. They must be ready to change tack in a lesson to take account of what comes up, and to think

and respond rapidly to events. ESP teachers must also be happy to take some risks in their teaching. The willingness to be flexible and to take risks is one of the keys to success in ESP teaching.

*The ESP practitioner as course designer and materials provider*

ESP practitioners often have to plan the course they teach and provide the materials for it. It is rarely possible to use a particular textbook without the need for supplementary material, and sometimes no really suitable published material exists for certain of the identified needs. The role of ESP teachers as ‘providers of material’ thus involves choosing suitable published material, adapting material when published material is not suitable, or even writing material where nothing suitable exists.

*The ESP practitioner as researcher*

ESP teachers need to be aware of and in touch with this research. Those carrying out a needs analysis, designing a course, or writing teaching materials need to be able to incorporate the findings of the research, and those working in specific ESP situations need to be confident that they know what is involved in skills such as written communication. An ESP practitioner has to go beyond the first stage of Needs Analysis - Target Situation Analysis (TSA) which identifies key target events, skills and texts - to observe as far as possible the situations in which students use the identified skills, and analyse samples of the identified texts. As part of this process, ESP teachers generally need to be able to carry out research to understand the discourse of the texts that students use.

*The ESP practitioner as evaluator*

Evaluating course design and teaching materials should be done while the course is being taught, at the end of the course and after the course has finished. It is important to follow up with students some time after the course in order to assess whether the learners have been able to make use of what they learned and to find out what they were not prepared for. Evaluation through discussion and on-going needs analysis can thus be used to adapt the syllabus. In many situations the evaluation forms the basis of ‘negotiation’ with students about their feelings about the course, their needs and priorities, which are then fed into the next stage of the course. These steps are all part of ‘formative’ evaluation.

(Dudley-Evans & St John, 1998, pp. 13-17)

To sum up, Dudley-Evans and St John (1998) mention that most ESP literature agrees on the need for teaching such vocabulary and the importance of the teaching of vocabulary in ESP is now widely accepted. The major concern will be with what is referred to in EAP as semi-technical vocabulary (or occasionally sub-technical vocabulary) and in EBP as core business vocabulary.

To conclude, the insights gained from these previous studies can lead to the new teaching approaches and methods of conducting research which lies on the instruction in the context of L2 and L3.

### 3. Scope of the Study/ Conceptual Framework

Purposive activities related to business translation were created based on the comparative study for non-native speakers in Thailand between English as a second foreign language (L2) and German as a third foreign language.

### 4. Creating Activities in Class

*Activity 1: Matching: Warm Up Activity for Translation*

*Please match the phrases in English with their comparable ones in German and underline the Key Word(s) that help you find the answers.*

- a) Sie wissen, es geht um die Zahlungsbedingungen.
- b) Zwecks Unterschriftsleistung unseres Vertrags möchte ich mit Ihnen diesen Termin vereinbaren.
- c) Ich würde Ihnen den Termin unserer Vereinbarung bestätigen.

- \_ 1) It's about terms of payment.
- \_ 2) I'd like to arrange this meeting to discuss our contract to be signed.
- \_ 3) I'd like to confirm the meeting for our negotiation.

*Answers: 1 = a / 2 = b / 3 = c*


*Explanation for Activity 1:*

Students have to analyze the key words while they are matching the German sentences with English sentences as the following:

- 1) They compare the word *Zahlung* in German with the word *payment* in English

German: Sie wissen, es geht um die **Zahlungs**bedingungen.


English: It's about terms of payment.



- 2) They compare the word *Unterschrift* in German with the word *signed* in English.

German: Zwecks **Unterschrifts**leistung unseres Vertrags möchte ich mit Ihnen diesen Termin vereinbaren.

English: I'd like to arrange this meeting to discuss our contract to be signed.



- 3) They compare the word *bestätigen* in German with *confirm* in English.

German: Ich würde Ihnen den Termin unserer Vereinbarung **bestätigen**.



English: I'd like to confirm the meeting for our negotiation.

To sum up, matching is one of the most popular activities in a foreign language classroom. This exercise can be best used as a warm up activity in class at the first step of the teaching plan. In this regard, learners will have a chance to learn and practice business vocabulary at the basic level.

Underlining words can also be considered as the broadly used activity for foreign language teaching and learning to make learners recognize what is being learned. In this step, learners are studying collocations in sentences in the form of a reading passage.

This exercise seems to be easy for learners as they merely match the first part with the second part to construct a full sentence. In fact, learners at the intermediate level of L2 learning are studying new collocations related to business terms which are particularly used in the business context. If learners do not get used to the specific language of Business English, they might have difficulties to do this exercise.

### Activity 2: Translation at the Vocabulary Level

<b>Verb</b>		<b>Noun</b>	
<i>Ger</i>	<i>Eng</i>	<i>Ger</i>	<i>Eng</i>
Kann	.....	.....	operator
.....	do	.....	company
möchte	.....	Frau	.....
sprechen	.....	Herr	.....
verbinde	.....	Name	.....
helfen	.....	Moment	.....
.....	'd like	Sekretärin	.....
rufe...an	.....	.....	office

From this activity, nouns and verbs are learned in this step, the background knowledge is required to do this exercise by finding the equivalent or comparable words between the two languages. However, learners at the fundamental level may find this exercise difficult if they lack the background knowledge regarding the relevant vocabulary. From this study, it is obvious that after reading the language situations in class, instructors may create the table for language summary so students can study and compare vocabulary of the two languages.

### Activity 3: Translation at the Sentence Level

German	English
Was kann ich für Sie tun?	What can I do for you?
Ich möchte bitte mit Herrn Kümmel sprechen.	I'd like to talk to Mr. Kümmel.
Würden Sie mich bitte Frau Klein verbinden?	Would you connect me to Mrs. Klein?
Ich verbinde Sie.	I'm connecting you.
Frau Schön ist nicht im Haus.	Mrs. Schön is not in the office.
Ich rufe sie nochmal an.	I'll call you again.

(Watcharakaweasilp, 2015)

In this step, learners start translating at the sentence level. In doing so, learners must understand the comparable sentences between the two languages.

Apart from the meaning of words, learners are supposed to be aware of the structures to translate in a full sentence. Learners are expected to be able to distinguish the difference in terms of German and English structures.

To summarize, we - as foreign language learners - cannot translate word by word. In contrast, we have to acquire the syntactic knowledge when translating.

From this study, it is obvious that instructors may create various activities relate to business translation in class.

#### 4. Conclusions

In terms of English for Specific Purposes (ESP) based on the notion of Dudley-Evans and ST John (1998), it is important that instructors should consider social, economic, cultural and linguistic consequences of the global spread of English. English language educators also need to be aware of this inequality and to consider how they can challenge it by promoting curricula concerning Business English that allows all learners the opportunity to critically think about their environment, express their own views and identity in addition to the specific language patterns necessary for business communication.

Class instructor, as researcher or evaluator, may use the suggested activities mentioned in this paper in class if he or she wishes to test the skills of learners. In relation to ESP practitioner, it may be used it as teaching material.

Instructors may recommend some new commercial books or some relevant and useful websites based on comparative studies between English and German for business purposes. Additionally, after reading the language situations in class, instructors may create the table for language summary so students can study and compare vocabulary of the two languages. Lastly, to develop the competence of students to their fullest potential to enable them to compete with graduates from other institutions and countries in the ASEAN and ASEAN Economics Community, the communication competence should be enhanced parallel with the language skills by creating some learning activities related to the communication skills in class.

*What practical recommendations can be provided to FL teachers concerning effective language pedagogy?*

In relation to comparative studies between English and German, vocabulary for learners at the fundamental level should be taken into account. Words in English and German (according to parts of speech) should generally be illustrated to Thai learners to create general pictures in their mind and to enable them to compare their L2 with their L3. The following are some examples:

#### **Recommendation 2: Commercial course books**

At present, new commercial books based on comparative studies between English and German for business purposes have been launched, for instance, Dralle & Livesey, (2014) focus on modern useful business vocabulary:

1) *e-mail*

English: *send sb an email*

German: *jdm eine E-Mail schreiben*

2) *attachment*

English: *I'm sending you the report as an attachment.*

German: *Ich schicke Ihnenden Bericht als Anhang.*

(Dralle & Livesey, 2014, pp. 226-227)

Apart from the course books, the following useful websites are suggested:

On the website [www.learn-english-today.com/business-english/graphs-charts.html](http://www.learn-english-today.com/business-english/graphs-charts.html), some useful phrases and vocabulary for graphs and visuals are presented as follows:

#### **Presenting Visuals - useful phrases & vocabulary:**

As you will see from this graph ...

I'd like to show you ...

Let me draw your attention to this part of the graph.

(Source: [www.learn-english-today.com/business-english/graphs-charts.html](http://www.learn-english-today.com/business-english/graphs-charts.html))

The German website for useful language in describing graphs is also suggested:

On the website [www.wirtschaftdeutsch.de](http://www.wirtschaftdeutsch.de), some useful phrases and vocabulary for graphs and visuals are presented as follows:

#### **Thema**

Thema des Schaubildes / der Grafik ist ...

Die Tabelle / das Schaubild / die Statistik / die Grafik / das Diagramm gibt Auskunft über...

(Source: <http://www.wirtschaftsdeutsch.de>)

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# Metaphoric conceptualizations of unhappiness (SADNESS) in Georgian and English languages and cultures

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## Abstract

Since the birth of cognitive linguistics in the 1980s, there have been a number of attempts to explore and explain the strategies people employ to metaphorically conceptualize the surrounding world. In this respect, it is accepted that abstract, elusive and difficult-to-perceive concepts (for instance, emotions) are understood through more basic and easily perceivable concepts.<sup>1</sup>

On the other hand, despite an impressive number of studies undertaking whether human emotions are metaphorically structured and understood or not, this kind of research still attracts the attention of researchers from various cultures and languages. This study is the first attempt to systematically explore this issue in Georgian not only from intra-language (the Georgian language and culture) but also cross-language perspectives (Georgian and English languages and cultures).

*Keywords:* Sadness, Conceptual Metaphor Theory, conceptual models

## 1. Introduction

Since the birth of cognitive linguistics in the 1980s, there have been a number of attempts to explore and explain the strategies people employ to metaphorically conceptualise the surrounding world. In this respect, it is accepted that abstract, elusive and difficult-to-perceive concepts (for instance, emotions) are understood through more basic and easily perceivable concepts (Lakoff & Johnson, 1980; Kövecses, 2002).

It is also maintained that most emotions are multidimensional experiences. For example, they may be experienced with different degrees of intensity. In addition, one sub-emotion can be expressed by several, semantically closely connected concepts. For instance, unhappiness in Georgian and English can be expressed by the following items: 1. Sadness (სევდა/ვარამი [sevda/varami]); 2. Sorrow (წუხილი [tsukhili]); 3. Grief (დარდი [dardi]); 4. Despair (სასოწარკვეთა [sasotsarkveta]); 5. Desolation (უნუგეშობა [unugeshoba]); 6. Depression (დეპრესია [depresia]). The most general word of the conceptual semantic field, *sadness* (*dardi/sevda*), can be defined as an emotional pain associated with, or characterized by, feelings of disadvantage, loss, despair, grief, helplessness, disappointment and sorrow. As well as this, special literature dedicated to the conceptualization of SADNESS is frequently associated with the feeling of loss of various kinds (Lewis et al., 2008: 377; Wolpert, 2008).

Although the metaphoric conceptualization of SADNESS was studied by several scholars (Kövecses, 2002 and Esenova, 2011, amongst others), this study is the first attempt to systematically explore this issue in Georgian not only from intra-language (the Georgian language and culture) but also cross-language perspectives (Georgian and English languages and cultures).

## 2. Body of Manuscript

### 2.1 Data and Methodology

The empirical data of this research are based on several sources: corpora (The Georgian National Corpus; The British National Corpus) and electronic media (The New Yorker, The Guardian, radio tavisupleba, etc.). The research was conducted in three stages. In the first stage, the relevant items were extracted from the data and divided into groups based on the type of source

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domains of conceptual metaphor models. In the second stage, the data in two languages (Georgian and English) were compared cross-linguistically and cross-culturally. The models that appear in both languages are considered to be universal whereas those which appear in only one of the languages are classed as variants.

The process of identification of metaphoric models was based on the pragmatic-semantic model of metaphor by Rusieshvili (2005). In this theory, a metaphor is a synthesis of three interrelated layers. In the first layer, the metaphoric form is presented and in the second layer-its non-metaphoric meaning is revealed. In this layer, the source and target spheres of the conceptual metaphors are also revealed. The third layer presents the model of the world in which the metaphor is based and which it describes. For instance, the metaphor (1) *My heart is full of sadness* is presented in the surface layer of the model, its meaning is fixed in the deep layer whereas the linguistic model of the world based on the experience of the community is realized. In (1) this model reflects the physiological experience according to which a sad person has a heart full of sadness and grief.

The data were grouped in metaphorical models and compared cross-linguistically. For this, the data were analysed regarding the source domain for the metaphorical mapping and the type of mapping employed in the model.

In this process, I based the research on the theory of Rusieshvili (2023) who, while describing and discussing metaphoric conceptualizations of emotions, singles out two types of metaphors: a) the metaphors based on the physiological experience connected to the body parts or functions of a human being (have a heart full of sadness) and b) the metaphors based on the social and cultural experience of a community

In the first type of metaphor, the source domain is based on the physiological expression of the emotion (SADNESS) whereas in the second type of metaphor, the differentiating principle is the experience accumulated through the differentiation of the world and accepted by the language community historically and socially. For instance, in example (1) თვალში ეწვა მწველი სევდა (tvalshi etsva mtsveli sevda) (burning/scorching sadness) lay (i.e as a fluid) in her/his eyes, the surface layer expresses the metaphoric meaning; its non-metaphoric meaning (sadness is a burning emotion) is expressed in the deep layer whereas the background cultural knowledge based on the physiological experience (sadness can be as burning as fire and it shines through eyes) is presented in the third, cultural knowledge layer of the model.

Based on this methodological basis, this research discusses the metaphoric conceptualisation of SADNESS in Georgian and English languages and cultures.

Describing metaphoric conceptualisations of emotions, this theory analyses two types of metaphors. The first type is physiological metaphors, based on the physiological reactions while perceiving emotions (SADNESS IS A HEAT type) and connected with the parts and functions of the body (SADNESS IS A FLUID IN A CONTAINER ( HEART, EYES, BONES, etc) whereas the second group includes metaphors based on the cultural, historical and social experience of the community.

## 2. 2. Metaphoric conceptualization of SADNESS in Georgian and English

### 2.2.1. The metaphors based on the physiological experience connected to the body parts or functions of a human being

#### 1. SADNESS IS A FIRE /HEAT

In this subgroup, two models can be singled out: SADNESS IS A FIRE/ HEAT and SADNESS IS A LACK OF HEAT. In both of these models, the source domain is either the presence of FIRE /HEAT or the absence of it, which means that SADNESS is conceptualized either as feeling hot (especially used with the lexical item *heart*) and /or cooled (after feeling hot). This model is actualized in both languages and cultures.

- (2) დარდი შემომენტო გულზე (dardi shemomento gulze) (sadness was burning my heart).
- (3) სევდა გულს დაგიწვავს (sevda guls dagitsvavs) (sadness burns your heart).
- (4) დარდი გულს უკვამლებდა (dardi guls ukvamlebd) (sadness made his heart smoke).

#### 2. SADNESS IS A LACK OF HEAT/FIRE

- (5) Her husband's disappearance put her fire out.
- (6) სევდამ/ვარამმა ხალისი ჩაუქრო/გაუქრო/გაუცივა (sevdam/varammar khalisi chaukro/gaukro/gautsiva) (sadness/grief put out/extinguished his zest/enthusiasm).

(7) დარდი ნელდება და დრო აღარ რჩებათ, იფიქრონ გასაჭირზე ( dardi neldeba da dro aghar rchebat ipikron gasahirze) (sadness becomes cooler and there is no time to think about problems).

### 3. SADNESS IS A FLUID/SUBSTANCE IN A CONTAINER

The underlying model for such metaphors includes several sub-models with various source domains. Interestingly, the following semantic items were used as a source domain (eye [eyes], heart, head, bones) which are conceived in terms of occurrence in these parts of the human body. The container metaphor based on the parts of the body (heart, bones, eyes, head, bones) is frequently employed both in English and Georgian cultures.

(8) I love this view but it fills me with sadness

(9) მისი ცქერა სევდით მავსებდა (misi tschera sevdit mavsebda) (looking at him made me full of sadness).

### 4. SADNESS IS A FLUID/SUBSTANCE IN A CONTAINER (HEART)

(10) For me there is nothing but icy loneliness which makes my head go empty and fills my heart with sadness," he wrote when Valadon dumped him for a wealthy banker.

(11) We write this with much sadness in our hearts.

(12) The situation frustrated me and filled my heart with sadness.

(13) გულში ჩაღვარა სევდა და დარდი (gulshi chaigvara sevda da dardi) (sadness and grief were poured/trickled in his heart).

(14) სევდით/ნაღველით აევსო გული (sevdit/naghvelit aevso guli) (her/his heart were full of sadness/grief).

### 5. SADNESS IS A BOILING/HOT FLUID IN A CONTAINER (HEART)

(17) რა დარდი დუღს შენში (ra dardi dughs shenshi) (what sadness is boiling in you).

(18) როცა იმედი დაიშრიტა დასევდა მთუთქავს (rotsa imedi daishrita da sevda mtutkavs) (when hope has ebbed away and sadness is scalding me).

(19) როცა ეს დარდი გულს გიმდულრავს, უმჯობესია შენი სატკივარი ვინმეს გაანდო (rotsa es dardi guls gimdughravs, umjobesia sheni satkivari vinmes gaando) (when this sadness boils/scalds your heart, you'd better share this ailment with someone).

### 6. SADNESS IS A SUBSTANCE /FLUID IN A CONTAINER (EYES)

(20) თვალებში რაღაც დარდი და სევდა უსახლდება (tvalebshi raghsats dardi da sevda usaxldeba) (some sadness and grief is housed in her eyes).

(21) დიდრონ და კამკამა ცისფერ თვალებში იდუმალი, ძლივს შესამჩნევი სევდა ედგა (didron da kamkama tsiper tvalebshi idumali, dzlive shesamchnevi sevda edga) (unspoken, unrecognizable sadness was standing in her big and clear blue eyes).

(22) სახეზე ღიმილის ნიღაბი და თვალებიდან ჩამოღვრილი სევდა გულზედ მოსწოლია (saxeze ghimilis nighabi da tvalebidan chamoghvrili sevda gulszed mostolia) (the mask of a smile and sadness trickling from his eyes was settling in his heart).

### 7. SADNESS IS A SUBSTANCE/ FLUID IN A CONTAINER (VOICE)

(23) Evelyn's voice was so filled with despair that Kate felt rage again.

(24) He got on, his voice full of tears and despair.

(25) The woman spoke with a touch of sadness in her voice.

(26) ხმაში ჩაღვროდა უსაშველო დარდი (xmashi chagvroda usahsvelo dardi da varami) (boundless sadness and sorrow had trickled into her voice).

### 8. SADNESS IS A SUBSTANCE/ FLUID IN A CONTAINER (BONES)

(27) ძვლებში დაისადგურა სევდამ (zvlebshi daisadgura sevdam) (sadness reigns in the bones).

(28) სევდა ძვლებში შეუვიდა (sevda dzvlebshi sheuvida) (sadness entered his bones).

**9. SADNESS IS A SUBSTANCE/FLUID IN A CONTAINER (FLESH AND BLOOD)**

(29) რაკი ეს დარდი სისხლსა და ხორცში გამოჰდა და მოსვენება დამაკარგვინა (raki es dardi sisxlhsa da xortsshi gamijda da mosveneba damakargvina) (as this sadness filled my blood and flesh, it made me lose my peace).

(30) სევდით/ნაღველით აევსო გული/სული (sevdit /naghvelit aevso guli is heart/soul was full of sadness/grief).

**10. SADNESS IS A FLUID IN A CONTAINER (HEAD)**

(31) What was the flow of dismay and regret, anger and sadness, in her head?

**11. SADNESS IS A MIXED SUBSTANCE IN A CONTAINER**

(32) Talking with friends helps get the poisonous sadness out of your tired system.

(33) გული მიფიცხდება სევდანარევი ჯავრით (guli mipitsxdeba sevdanarevi javrit ) (my heart becomes hot with sadness and anger).

**12. SADNESS IS A LACK OF VITALITY**

(34) სევდამ/მწუხარებამ გააშეშა (sevdam/mtsuxarebam gaashesha) (sadness/grief made him rigid/unresponsive).

(35) The news about his health is very disheartening.

**2.2.2. Metaphors based on the social, historical and cultural experience of a community****13. SADNESS IS A BURDEN:**

(36) ვეცადე დარდი შემემსუბუქებინა მეზობლისთვის (vetsade dardi shememsubukebina mezoblisatvis) (I tried to make my neighbour's sadness easier).

**14. SADNESS IS A BALL OF WOOL**

(37) ხან დარდი ამეწეწება (xan dardi ametsetseba) (sometimes my sadness becomes tangled).

(38) დარდის გორგალს თავი/წვერი უპოვა (dardis gorgals tavi/tsvrelis upova) (he found the thread of the ball of wool).

(39) მრავალგზის დაგრია დარდი (mravalgzis dagriza dardi) (he twisted his thread of sadness many times).

**15. SADNESS IS AN (EVIL) PHYSICAL FORCE/BURDEN**

(40) He staggered under the pain

(41) სევდა მიხუთავდა გულს. (sevda mikhutavda guls) (sadness suffocates my heart).

(42) მე გავცქეროდი ჰორიზონტს და დარდი მახრჩობდა (me gavtskerodi horizonts da dardi makhrchobda) (I looked at the horizon and sadness was strangling me).

(43) სევდა და სინანული ჰქონდა ზურგზე მოკიდებული, ქვებით სავსე ტომარასავით (sevda da sinanuli hkinda zurgze mokidebuli kvebit saves tomarasavit) (he was carrying sadness and sorrow on his back like a sack full of stones).

**16. SADNESS IS A (MIGHTY) OPPONENT**

(44) He was seized by a fit of depression.

(45) სევდა ისევ მეტაკა ჩემი დარდი (sevda isev metaka chemi dardi) (my sadness and grief attacked me again).

(46) ახლა არც რამე მეწადა, არც გულს რამ დარდი ლეწავდა {Georgian missing} (I did not want anything, nor did sadness slayed my heart).

**17. SADNESS IS A HIDDEN ENEMY**

(47) საიდუმლო სევდა/დარდი/წუხილი შემოაწვა (saidumlo sevda/dardi/tsuxili shemoatsva) (secret sadness/grief/ attacked/conquered him).

(48) გულში ჩახვეული დარდი და მალული ცრემლი (gulshi chaxveuli dardi da maluli sevda) (sadness kept in the heart and secret tears).

#### 18. SADNESS IS A NATURAL FORCE (CLOUD, SKY, SNOW, SEA)

(49) სევდა ნამქერივით მოსწოლია (sevda namkerivit mostsolia) (sadness is pressing like a snowdrift).

(50) აქ კი ღრუბელივით გაიზარდა დარდი (ak ki ghrubeliit gaizarda dardi) (sadness grew like a cloud here).

(51) სულს სევდა ათოვს (suls sevda atovs [Georgian missing] sadness is snowing in my soul).

(52) It seems like my depression comes in waves, as does my sadness.

#### 19. SADNESS IS A HABIT

(53) ეს არის ჩემთვის ჩვეული სევდა (es aris chemvis chveuli sevda) ( It is habitual sadness for me).

#### 20. SADNESS IS A LOT/LOTTERY

(54) დარდი ერგო წილად (dardi ergo tsilad) (his lot was sadness).

#### 21 . SADNESS IS AN ILLNESS

(55) She was heartsick.

(56) My wife was desperately sad and heartsick.

(57) დრო დარდის მკურნალია (dro dardis mkurnalia) (time heals all sorrows).

(58) სევდამ დაასნეულა (sevdam daasneula) (Sadness made him/her weak/fragile/ill).

(59) Time heals all sorrows

#### 22. SADNESS IS INSANITY

(60) ლამის შეიშალოს სევდით (lamis sheishalos sevdit) (he was insane with grief).

(61) Can you go insane from grief?

#### 23. SADNESS IS A SEA

(62) ტკივილი განმიახლდა, დარდი აბობოქრდა; (tkivili ganmiaxlda, dardi abobokrda) (my pain has come back, an sadness has become turbulent again).

#### 24. SADNESS IS AN ALCOHOLIC DRINK

(63) მაპატიე, რომ დარდი მათრობდა (mapatie, rom dardi matrobd) (I am sorry for becoming drunk with my sadness).

#### 25. SADNESS IS A LIVING ORGANISM

(64) დარდი ღვინოში ჩაახრჩო (dardi ghvinoshi chaakhrcho) (he drowned his sorrows in drink).

#### 26 . SADNESS IS A TASTE (BAD AND GOOD)

(65) ზამთრის დღეებს მწარე დარდით ვატარებ (zamttris dgeebbs mtsare dardit vatareb) (I am living my winter days in bitter sadness).

(66) განშორების ტკბილი სევდა (Ganshorebis tkbili sevda) (sweet sadness of parting).



(67) მწარე სევდა უკლავდა გულს (mtsare sevda uklavda guls) (bitter sadness is killing his heart). (parting is such sweet sorrow)

(68) Together yesterday in the noble family's residence at Italico and amid scenes of bitter sorrow they? issued a statement, jointly signed by all the agnatic relatives of the late illustrious

### 27. SADNESS IS A GUEST

(69) მინდა ისევ მეწვიოს დარდი (minda, isev metsvios dardi) (I want sadness to visit me again).

### 28. SADNESS IS A (PREDATORY) ANIMAL/BIRD

(70) თვალეზში კი დატყვევებული ცხოველის უაზრო და უსაშველო სევდა ჩასდგომოდა.(tvalebshi ki datkvevbuli tsxovelis uazro da usashvelo sevda chasdgomoda) (senseless and inconsolable sadness of a caged/captured animal stood [i.e liquid] in his/her eyes!).

(71) მონადირეს ჩუმი დარდი ღრღნიდა (monadires chumi dardi ghrnida) [the hunter was being gnawed by a silent sadness).

(72) რა მტაცებელი ფრინველია დარდი, მხოლოდ გულის ხორციტ რომ ფრთებსა შლის დარდი და <იკვებება! (ra mtastebeli prinvelia dardi, mxolod gulis xortsit rom prtsesa shlis dardi da ikvebeba) (what kind of predatory bird is sadness as it feeds on the heart flesh when sadness opens its wings).

(73) სევდა უღრღნიდა გულს/სულს/ტვინს (sevda ughrnida guls/suls/tvins) (sadness was gnawing at his heart/soul/brains). He feared giving rein to his deep sadness and grief.

(74) აულაგმავი სევდა (aulagmavi sevda) (sadness without reins).

### 29. SADNESS IS RUST (ROUND THE HEART)

(75) დარდი მოსდებია გულს ჟანგივით (dardi mosdebia guls jangivit) (his heart is rusty with sadness).

### 30. SADNESS IS A LORD/ MONARCH

(76) She was ruled by sorrow.

(77) სევდა გამეფდა მის გულში (sevda gamepda mis gulshi) (sadness/sorrow ruled her heart).

### 31. SADNESS IS LIKE TONGS

(78) მარწუხივით შემოეჭდო სევდა (Martsukhivit shemoechdo sevda) (he was encircled by sadness like tongs).

### 32. SADNESS IS AN IMMEASURABLE EXPERIENCE

(79) უნაპირო სევდა (Unapiro sevda) (sadness without a shore).

(80) უსაშველო სევდა (Usashvelo sevda) (sadness without a remedy).

(81) ჯერ არ ნახული და არ გაგონილი სევდა (Jer arnaxuli da ar gagonili sevda) (sadness yet unheard and unseen).

(82) უსაზღვროა მისი სევდა (his sadness is boundless).

(83) მარადიული სევდა (Maradiuli sevda) (eternal sadness).

(84) მუდმივი სევდა (Mudmivi sevda) (permanent sadness).

(85) უძირო სევდა (Udziro sevda) (bottomless sadness).

(86) უმძიმესი სევდა რომ აკიდეთ (Umdzimesi sevda rom akidest) (I made you carry the heaviest sadness).

(87) კოსმიური სევდა (Kosmiuri sevda) (sadness of the kosmos dimensions).

(88) უსაშველო დარდი გამოკრთოდა თვალთაგან (usashvelo dardi gamokrtoda tvaltagan) (unendurable/huge sadness was shining through her eyes).

(89) სამშობლოს სევდა/სამშობლოსთან დაშორების უკიდეგანო სევდა (Samshoblos sevda/samshoblostan dashorebis ukidegano sevda) (boundless sadness about the motherland).

### 33. SADNESS IS A COLOUR.

(90) There was also a tinge of sadness in Gerry Britton's voice when he was asked about his old club.

(91) The large, magnificent brown eyes, with a tinge of melancholy in their depths.

(93) შავი სევდა შემოაწვა (shavi sevda shemoatsva) (black sadness strained against her).

- (94) გული ჩაუშავებოდა სევდისგან (guli chaushavdeboda sevdigan) (her heart became dark/darkened with sadness)].
- (95) ბინდისფერი სევდა (bindisperi sevda) (dark/twilight sadness).
- (96) დარჩა მონატრება და ნათელი სევდა (darcha monatreba da nateli sevda) (nostalgia about him and light sadness remained).

### 3. Discussion of the findings and conclusions

As can be seen, SADNESS is conceptualized and largely evaluated as a negative emotion. The analysis of the metaphors from Georgian and English languages and cultures has revealed universal and unique (variant) models of metaphors. For instance, physiological metaphors contain several models which emerge in both languages (SADNESS IS FIRE/HEAT, SADNESS IS LACK OF FIRE). Interestingly, the analysis of the CONTAINER metaphor shows that sub-models with some body parts (heart, voice) appear in both languages whereas others emerge only in one of them. Specifically, the models with SADNESS IS A SUBSTANCE/ FLUID IN A CONTAINER (BONES), SADNESS IS A SUBSTANCE/ FLUID IN A CONTAINER ( FLESH AND BLOOD) are revealed in Georgian whereas the model SADNESS IS A SUBSTANCE/FLUID IN A CONTAINER ( HEAD), based on our data, is confirmed only in English. The Georgian language contains models depicting the metaphoric conceptualization of the experience of a community. For instance, SADNESS IS RUST, and SADNESS IS A SEA. It should also be mentioned that some models, for instance, the CONTAINER models appear not only with SADNESS but also, with other members of the same semantic field. სევდამ/ვარამმა ხალისი ჩაუქრო/გაუქრო/გაუცივა (sevdam/varamma khalisi chaukro/gaukro/gautsiva (sadness/grief put out/extinguished his zest/enthusiasm). An interesting case is a model SADNESS IS A TASTE which emerges in both languages and includes the conceptualization of sadness as a positive (sweet sorrow) and negative phenomenon (bitter sorrow). The model SADNESS IS AN IMMEASURABLE EXPERIENCE that seems to be unique to the Georgian language is also interesting as it includes many types of immeasurability (see the examples). It is also worth noting that in Georgian, sadness/grief/depression based on the fate of the motherland is considered one of the most typical manifestations of this emotion.

Overall, it can be said that this ongoing research has identified universal and variant metaphoric conceptualizations of sadness and similar emotions in both languages and cultures. As expected, the number of unique metaphoric models is higher in the second group of metaphors containing metaphors based on the social historical and cultural experience of a community). However, metaphors based on the physiological reactions of the body to SADNESS also revealed variant models as discussed above..

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# The influence of television programs

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## Abstract

The influence of television on children and adolescents is still strong.

Despite the spread of social networks, where young people spend more time. Parents feel powerless to control what programs their children watch and decide how many hours their children watch television. In social networks and on the Internet, parents find it even more difficult to control their children. Where even the pages they look at are unchecked. And there is no filtering like television. Although children are more at risk when surfing the Internet, the influence of television should not be forgotten and neglected

*Keywords:* television, Albania, violence, children, teenagers.

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### 1) Introduction

This material tries to present the impact of television on children and young people in Albania. Despite the fact that social networks are more widespread and surfing the Internet is more uncontrolled, television continues to have an impact on children.

Watching too much television, by children and teenagers; it is also known by parents, who often feel powerless to stop their children from watching so much television. It results from different studies that their children watch different television programs for more than 4 hours in a day - night. In general, the damage is great, not only psychologically, but also physically, because it can cause vision problems. But parents see it as the only opportunity to give their child a break from studying, because there are no more spaces in front of the buildings where children can play. Even where there are, parents are afraid to let their children play alone. This leads to long-term viewing of various television programs and their impact on public opinion is significant, both positively and negatively. Television makes it possible for information, and life in the four corners of the world, to be easily followed. The globe today resembles the ancient village, where everyone knew everything about each other. In this way, young people can be informed about events, culture, fashion, luxury, the world of spectacle, etc., in our country but also in Western countries. They are no longer isolated, cut off from the rest of the country. An event that happened in a city took several weeks to be heard by others and often transformed. Television media, but also the Internet made it possible for them to live between two worlds, between the modern village and their native village which is very traditional and closed to this modernist spirit.

Television created a disappointment, especially during the 90s, when Albanians, not having the idea of western televisions, were very naive, and took too much of the template of western television advertisements. In the Republic of Albania, the flood of western television programs through the bombardment with advertisements, so to speak, was creating a new religion. "It (religion) spread rapidly in a society that until 1990 was forbidden to watch television other than RTSH, which had 6 hours of programs in 24 hours" (Magazine "Klan", no. 36, 2002: 16). These television commercials turned out to be a fraud, since the goods advertised on Western television could not be achieved by the Albanians who became refugees after 1990 and thus they became disillusioned. Reality, television, made it possible, especially for teenagers in rural areas, to escape from their rural reality, with the desire to live in television reality. But those who emigrated to realize this imagination, were disappointed when they saw that reality television, which was broadcast all day on Albanian televisions, was inaccessible to them. The researcher Artan Fuga has written: "The individual or the social group in the peripheral areas becomes only a passive viewer of cultural and artistic achievements and has less and less opportunity to be their bearer" (2008:428). But even the presentation of violence and sex on television screens has its own effects on young people. In general, it is these movies and shows that contain violence that are watched more by young people. Watching violent movies also affects the psychology of young people, sometimes making them violent. "The media influence the public by creating in him new opinions, concepts, ways of thinking and behavior, which he did not accept before" (ibid.: 421).

## II. THEORETICAL FRAMEWORK

Since the emergence of television as a major medium there has been marked concern on the part of some professional persons over the effect of television programs upon the activities and personality of children. (Hess, R. D., & Goldman, H. (1962).)

The early media exposure has no knowledge and academic knowledge (Kirkorian, H. etj. 2008).  
Both fictional and news programming can cause lasting emotional upset ( Wilson, B. J. 2008).

#### A. Methodology

This study is based on the qualitative method interviewed 10 parents. asking them open questions about the influence of television programs on their children. These interviews last from 10-20 minutes and the parents. They assured you that their anonymity would be preserved.

#### Results

From the interviews, the impact of television on children was noticed, even though children had a tendency to spend more time with smartphones.

A 30-year-old woman points out that her 6-year-old child spends a lot of time watching television especially action movies, this creates a state of fear in the child,

While another emphasizes that my young child spends a lot of time on the smartphone

he wants to see again especially violent movies. This makes the young man scared when he is alone.

While a 40-year-old woman emphasizes that her 16-year-old son watches movies, especially horror. This seems very scary to me. Think on the phone what I can see when even the greatest time passes there.

#### B. Discussion

This study tries to present the impact of television on children. Although time has changed and so have children spend more time with smartphones and electronic games, television still continues to influence children.

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# Role of Digital Television in Media Literacy Education of Young People – An Emergency in the Era of Information (Case of Albania)

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## Abstract

Media literacy serves in a democratic society to people enabling them to develop critical thinking skills and offering a tool to examine several issues as they are represented in the media. People who are media literate can adopt a critical stance when decoding media messages, no matter their views regarding a position. It enables people to make decisions when electing their leaders. In this paper, we will try to examine, to what level Albanian televisions are concerned about media literacy issues, by covering programs for young people and developing policies to educate the young generation. The role that the Albanian Media Authority has to play in media literacy education of the general public and especially young people. We compared the regulations and policies of the Albanian Audiovisual Media Authority with those of the country as UK which is considered a good model in Europe. We monitored and gathered data about how the issues of young people are covered in the programs and if Albanian Public vs private broadcasting produces any format dedicated to young people. Our research intended to understand if media literacy education policies are considered from public vs private media and if producing programs dedicated to young people is a priority. Interviewees are developed with directors of programming in public and private programs well as with young TV moderators and journalists are developed, to get more in-depth of their perception of these issues. The action plan of the Albanian Media Authority considers media literacy education actions but not giving importance and place that it takes in the new era of information. We become to the conclusion that Albanian public and private televisions are far from developing a strategy for media literacy policies, especially with a focus on young people.

*Keywords:* Median literacy, Digital Television; Young people; Media Regulation

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## 1. Introduction

In today's society, digital media has become an integral part of our lives, making information more accessible while also presenting challenges in media and information literacy for young people. But media literacy in post-communist countries carries unique characteristics and challenges. According to Media Literacy Index 2022, there is a significant association between low quality of education and low media freedom in certain regions. It indicates that regions with limited press freedom, such as parts of Central Asia and Eastern Europe, demonstrate low levels of concern regarding misinformation. This suggests that the perceived risk of encountering misinformation may not accurately reflect the actual risk present in these regions. Eastern Europe index shows a relatively lower level of concern about misinformation at 42.7%. This could be attributed, at least in part, to the restrictions on press freedom that exist in this region. The limitations placed on the media may result in less exposure to diverse information sources and reduced awareness of the potential risks associated with misinformation.

In contrast, Northern/Western Europe displays a higher level of concern at 61.4%. These regions typically enjoy greater media freedom and have well-established educational systems, which may contribute to a more informed and critical perception of the risks associated with misinformation.<sup>1</sup> These figures indicate that media freedom and the quality of education are factors that can influence the public's perception of the risk posed by misinformation. Enhancing media freedom and investing in high-quality education can play a crucial role in raising awareness about the challenges of misinformation and promoting a more informed and resilient society.

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<sup>1</sup> Media Freedom Literacy Round Table, Representative on Freedom of the Media, OSCE Vienna, December 2022; European Policies Initiative /OSI, <https://www.osce.org/files/f/documents/0/4/534146.pdf>



Albania is positioned in the 5th category from (1-5), within the cluster in Media Freedom Score and Ranking Compared to Media Literacy Index 2022 Ranking and Clusters. The categorization suggests that there are different levels or groups within the MLI framework, with Albania falling into the 5th category. The MLI score for Albania is recorded as 25 out of a possible range of 1 to 100, indicating the level of media and information literacy in the country, with 100 representing the highest level of proficiency. Albania holds the 37th position out of a total of 41. This ranking indicates the relative performance of Albania compared to other countries in terms of media and information literacy.<sup>2</sup> A rank of 37 suggests that there are several countries ahead of Albania in terms of their progress in developing media and information literacy skills.

In this context, the media is recognized as a key influencer in shaping behavior, education, and information consumption among young people. The media industry and regulation is an integral component of the media literacy framework, in the media literacy structure.<sup>3</sup> The objective of this study is to examine the significance and role of digital television in supporting the media education of young individuals in Albania. The focus is placed on assessing how Albanian Public Television fulfills its public responsibility in representing the interests of young people through its information, educational, and entertainment programs targeting young adults.

In his study on public Service Media in the Western Balkan, Davor Marko lists several factors that affect developing a genuine public service orientation in media policies and performance. These factors are related to the complex transition of those countries from state-controlled to independent. Specifically, structural issues are inherited, in a dominant traditional paradigm. Despite modest changes, they still face difficulties related “to mass production, silo organizations and budgets, and strict hierarchical decision-making divisions”<sup>4</sup>. The delayed digitalization in the region creates challenges for the production, distribution, and audience interaction of public service media (PSM). In this context, production is decentralized, loosely coordinated, and lacks integrated newsrooms.<sup>5</sup> Promoting pluralism and diversity in the public sphere was a key expectation for the transformation to public service broadcasting (PBS).

However, PBS in the region has largely failed to fulfill this role due to a lack of public trust and diverse programming. Many PBS organizations in the WB region lack a strategic focus on developing online services. Public service media strives to become popular and accessible to a wider range of individuals as citizens. However, because of the lack of trust in these countries, citizens tend to have more faith in the Internet and social media sources rather than traditional TV. Regrettably, engaging citizens as active participants is currently lacking.<sup>6</sup>

The analysis in the paper explores the programming strategies applied by Albanian Public Television and examines how the principle of social diversity is implemented in their broadcasts. Additionally, the study investigates the extent to which national private broadcasters recognize and incorporate this important principle in their programs, despite it not being a legal obligation for them. Furthermore, the study explores the responsibilities and actions of the Albanian Audiovisual Media Authority, as well as regulatory initiatives that support policies related to media and information literacy.

## Methodology of the study

In addition, a comprehensive research approach is applied, desk research examining relevant literature, studies, and reports on media literacy and the regulatory framework pertaining to media and information literacy in Albania and Europe. To provide empirical insights, quantitative data obtained from studies on public and private television in Albania Television and on the audience’s perception, conducted between 2018 and 2022, from the Department of Journalism and Communication at Tirana University in collaboration with the Albanian Audiovisual Media Authority, are presented. The quantitative data is generated through the monitoring of the Albanian Public and commercial digital televisions. This involves collecting and analyzing information related to television programming and the representation of young people on these programs. It helps in understanding and assessing the trends, and the impact of digital television on media education of the young people.

<sup>2</sup> Media Freedom Literacy Round Table, Representative on Freedom of the Media, OSCE Vienna, December 2022; European Policies Initiative /OSI

<sup>3</sup> Tomljenović, R, Regulatory Authorities For Electronic Media And Media Literacy Comparative Analysis Of The Best European Practices; Council of Europe, 2018, p 21

<sup>4</sup>Marko, D. (2018). The Feasibility of a Public Service Orientation in the Western Balkans. Complications for a ‘Networked Society’ in an Illiberal Context in Gregory Ferrell Lowe, Hilde Van den Bulck, Karen Donders (eds.) Public Service Media in the Networked Society. Göteborg: Nordicom. p.134

<sup>5</sup>Ibid, p 135

<sup>6</sup>Ibid, p 136

The monitoring of programs for young adults on television was conducted based on their status as either national public or private broadcasters. The data was obtained through the monitoring of the following programming. National public television station: RTSH 1 Monitoring period: January 24-30, 2022 Broadcasting time: 7:00 am - 12:00 pm / 1020 minutes / 17 hours of daily transmission Total monitored time: 7140 minutes / 119 hours during one week. National private television stations: Top Channel and TV Klan Monitoring period: January 24-30, 2022 Broadcasting time: 7:00 am - 12:00 pm / 1020 minutes / 17 hours of daily transmission Total monitored time: 7140 minutes / 119 hours during one week. Public digital platform: RTSH Shkolla Monitoring period: January 24-30, 2022 Broadcasting time: 7:00 am - 12:00 pm / 1020 minutes / 17 hours of daily transmission Total monitored time: 7140 minutes / 119 hours during one week. Private digital platform: Digitalb JUNIOR Monitoring period: January 27 - February 2, 2022 Broadcasting time: 7:00 am - 12:00 pm / 1020 minutes / 17 hours of daily transmission Total monitored time: 7140 minutes / 119 hours during one week.

The selection of programs to be monitored for young adults on RTSH 1, TV Klan, and RTSH Shkolla was made in consultation with the respective program editors, considering their routine broadcasts targeting young adults at different times of the day. As for Top Channel and Digitalb JUNIOR, who did not respond to our request to specify the programs for young adults, the monitoring was conducted by observing the live daily program transmission of Top Channel and consulting the official website of Top Channel to identify the description of each format that is aired daily, selecting those programs that are intended for young adults. For Digitalb JUNIOR, the program guide on the channel's screen was consulted to identify the airing times of formats and the description of each program, allowing for the distinction between films for teenagers and those for young people.

The study also incorporates qualitative data obtained from interviews with program editors at RTSH 1, TV KLAN, Digitalb JUNIOR about programming strategies for young people from those TV; Qualitative data derived from interviews conducted with 12 young adult TV moderators in the profession at the Albanian Public and private national televisions; About media literacy knowledge taken in secondary and high school; Youth relationship with audiovisual media; Young adults' expectations from audiovisual broadcasters. Overall, this study aims to contribute to the understanding of the role of digital television in supporting media education for young people in Albania, considering both the programming strategies of public and private broadcasters and the regulatory framework surrounding media and information literacy.

## 2. Theoretical aspect

Over the years, the definition of media literacy has evolved, with the 21st-century approach to education providing a comprehensive understanding including information literacy. It provides a framework “to access, analyze, evaluate, create, and participate with messages in a variety of forms — from print to video to the Internet. Media literacy builds an understanding of the role of media in society as well as essential skills of inquiry and self-expression necessary for citizens of a democracy”.<sup>7</sup> The authors emphasize that media literacy is a multidisciplinary field that goes beyond technical skills. Hobbs argues that it requires engagement with a range of disciplines (Hobbs, 2011).

Referring to Buckingham” media literacy is skills, or a form of competencies, but also is about critical thinking, and cultural dispositions or taste. It applies to both traditional and new media.” It is relevant for individuals of all ages, including young and old, teachers, parents, media professionals, and NGOs. Media literacy is nurtured in schools, homes, and within the media industry itself. It is promoted through top-down initiatives as well as grassroots efforts. However, there is a challenge when media literacy becomes intertwined with other trendy concepts in educational and social policies, such as creativity, citizenship, empowerment, inclusion, and innovation. This can lead to media literacy being marketed as a commodity rather than its core purpose. If media literacy is essentially a regulatory initiative, digital literacy is primarily focused on inclusion and is often defined as an essential life skill required for active participation in society. The lack of digital literacy skills can result in individuals being disadvantaged.<sup>8</sup>

Regarding the contribution of television to media and information literacy (MIL), the theoretical argument is that digital television, whether public or commercial, plays a key role. It informs, educates, and entertains while disseminating educational and informative content. The production of informative and educational programs on MIL, along with a critical approach toward media manipulation, is essential. Livingstone highlights the educational, cultural, and civic benefits of television content in creating

<sup>7</sup> Elizabeth, TH, Jolls, T. (2003, 2005), Literacy for the 21st Century, An Overview & Orientation Guide To Media Literacy Education, 2005 Center for Media Literacy, [www.medialit.org](http://www.medialit.org)

<sup>8</sup> Buckingham, D. The Future of Media Literacy in the Digital Age: Some Challenges for Policy and Practice. In EuroMeduc (ed.), „Media Literacy in Europe. Controversies, Challenges, and Perspectives. Bruxelles, EuroMeduc, 2009, p 13-17

networks or excluding young people. She also emphasizes the importance of young people's content creation to enhance learning, cultural expression, and civic participation in the digital age.<sup>9</sup> In this respect, both public and commercial media have a responsibility to provide quality content that educates, informs, and promotes media literacy through content creation.

Public service media, as a part of their public service mandate, have a particular responsibility to prioritize educational and informative content that serves the interests of the public, including young people. They can produce programs that not only entertain but also foster critical thinking, civic engagement, participation, and cultural understanding. By offering a diverse range of programming and catering to the needs of different age groups, public media can contribute significantly to media literacy. Commercial media, on the other hand, have the opportunity to incorporate educational and informative elements into their programming. By creating content that is both engaging and enriching, they can attract young audiences and provide valuable learning experiences. This can be achieved through partnerships with educational institutions, experts, and organizations that specialize in media and information literacy. Commercial media can also be mindful of the messages and values conveyed in their content, promoting positive social norms and responsible media consumption.

By fulfilling their responsibility to provide quality content, both public and commercial media can actively contribute to the media literacy of young people. This includes raising awareness about media manipulation, promoting critical thinking skills, and encouraging active engagement with media. Through content creation that aligns with media literacy principles, media outlets can empower young audiences to navigate the media landscape effectively and make informed decisions about the information they consume. In this regard, content creation, as mentioned by Livingstone, has become easier than ever: One and the same technology can be used for sending and receiving, with desktop publishing software, easy-to-use web creation software, digital cameras, and webcams putting professional expertise into the hands of everyone.”<sup>10</sup>

It helps them to create their own media content, whether it be through vlogs, podcasts, or social media posts. This allows them to understand the process of media creation and develop their media production skills. The approach to critical media literacy refers to Luke and Freebody (1999). “Effective literacy requires four basic roles that allow learners to: “break the code,” “participate in understanding and composing,” “use texts functionally,” and “critically analyze and transform texts by acting on the knowledge that texts are not ideologically natural or neutral”. Critical media literacy involves examining the politics of representation within media messages. It entails analyzing both the form and content of these messages to scrutinize the underlying ideologies, biases, and explicit as well as implicit connotations conveyed through the representation.”<sup>11</sup>

Television, both private and public, may face challenges in responding effectively to media and information literacy (MIL) due to various reasons. Here are some perspectives from authors that shed light on this issue that are considered to be additional factors influencing the responsiveness of television networks to media and information literacy challenges. Some authors suggest that both private and public television networks face resource limitations in developing effective media and information literacy initiatives. These limitations can include budget constraints, staff expertise, and time constraints for producing educational content. Insufficient investment in media literacy programs may result in a lack of quality educational materials and limited reach to diverse audiences.<sup>12</sup>

Jenkins emphasizes in his study the consequences of digitalization: “A process called the “convergence of modes” is blurring the lines between media, even between point-to-point communications, such as television. Where, a service that was provided in the past by any one medium such as broadcasting, press, or telephony—can now be provided in several different physical ways. So the one-to-one relationship that used to exist between a medium and its use is eroding. The rise of digital media platforms and online streaming services has fragmented the audience, leading to a decline in traditional television viewership. As a result, television networks may face pressure to prioritize engaging content over educational programming to retain audiences and compete with digital platforms.”<sup>13</sup>

Another perspective suggests that private television channels are primarily driven by commercial interests. These channels prioritize ratings and profits over promoting media and information literacy. They may prioritize sensationalism, entertainment, and attracting advertisers, which can hinder their focus on educating viewers about critical media consumption skills. Limiting the number and variety of people who own media further decreases the diversity in media content. It also increases the social

<sup>9</sup>Livingstone, S (2004) Media Literacy and the Challenge of New Information and Communication Technologies, *The Communication Review*, 7:1, 3-14, DOI: [10.1080/10714420490280152](https://doi.org/10.1080/10714420490280152)

<sup>10</sup>Ibid.

<sup>11</sup>Kellner, D.; Share, J; *Critical Media Literacy, Democracy, and the Reconstruction of Education*; 2007; [https://pages.gseis.ucla.edu/faculty/kellner/essays/2007\\_Kellner-Share-Steinberg%20and%20Macedo\\_ch1.pdf](https://pages.gseis.ucla.edu/faculty/kellner/essays/2007_Kellner-Share-Steinberg%20and%20Macedo_ch1.pdf)

<sup>12</sup>Hobbs, R.; Moore, D. C; *Discovering Media Literacy*; 2013; Corwin

<sup>13</sup>Jenkins, H. (2006), *Convergence Culture: Where Old and New Media Collide*; NEW YORK UNIVERSITY PRESS, New York and London

disparities isolating minorities more than ever. Minorities lose their voice when they have no one to represent them, which in this media industry is exactly what is happening.<sup>14</sup>

The regulatory environment is highlighted as a challenge for both private and public television. Livingstone and Lunt's research on regulation reveals a significant conflict between the interests of individuals as consumers and as citizens. The tension lies in finding a balance between meeting consumer demands and fulfilling civic responsibilities. The regulatory strategies prioritizing the citizen's interests by adopting a control approach faced several challenges. According to Livingstone and Lunt, these problems have led to a focus on co- and self-regulation where firms set their own standards and police their own activities.<sup>15</sup> Formulas that help regulation, are co-regulation, or self-regulation of private media.<sup>16</sup> Media outlets can ensure the implementation of criteria for information, cultural, or educational quality through self-regulation, in supporting public interest, by getting consensus and translating them into measurable actions.<sup>17</sup>

### 3. Results and Discussions

#### 3.1 Albanian Digital Television and Its Relevance in Media and Information Literacy

In this analysis, we will delve into the preferences of young adult audiences when it comes to television viewership. Specifically, we will explore their inclinations towards watching television and compare it to their engagement with the internet as a viewing platform. Additionally, we will examine the program strategies implemented by both public and private broadcasters, with a particular focus on how young adults are represented in these. By examining these preferences in conjunction with the programs, we gain valuable insights into the effectiveness of digital television on their role, particularly in terms of representing interests and capturing the attention and engagement of young adults. This analysis will shed light how media industry is involved on media literacy and its impact on young people.

##### 3.1.1 The viewership preferences of young adults in Albania, compared to other age groups, are as follows.

According to the DGK & AMA 2019 study, 50.60% of young people aged 18-25 watch television for 1-2 hours per day, while 37.50% watch it for 2-4 hours per day. This suggests that young adults in Albania spend a considerable amount of time in front of the television screen. However, their viewership of television is lower compared to older age groups, specifically those aged 35-49, 50-64, or over 64. There is a trend among young adults to spend less time in front of the television screen compared to older age groups. The most popular time slots for television viewing among young adults aged 18-25 are in the evening, with 70.70% of them watching television during that time.

In contrast, only 1.80% watch it in the early morning, 18% in the afternoon, and 1.80% in the morning. But it seems that there are similar preferences for television viewing across different age groups during the evening where 71.60% of those aged 26-34 watch television in the evening, while 77.70% of those aged 35-49 express a desire to watch television during the same time. Similarly, 65.20% of those aged 50-64 also prefer the evening to watch television. Thus, the main age groups of the audience share similar preferences for watching television in the evening. However, do they share the same preferences for the genres that are broadcasted?<sup>18</sup>

##### 3.1.2 Preferences of different target audiences by time slot

From another study, we observe that young age groups, around 66.30% of 13-17-year-olds and 70.20% of young adults aged 18-25, prefer to watch movies in the evening. In contrast, 52.60% of adults aged 26-34 and 42.10% of adults aged 35-49 have the same preference. Meanwhile, there is another segment of adults, approximately 38.80% above 64 years old, who compete with a different program preference in the evening, such as political talk shows in the studio.<sup>19</sup> A young adult journalist moderator states: "The 8:00 PM to 11:00 PM time slot is when young people have an interest in watching television. Unfortunately, this time is poorly utilized by television networks with political debates and official men with tie that are crossed over."<sup>20</sup>

These data lead us to the conclusion that a diversified program service strategy is needed through traditional and online television channels, both by public and private broadcasters, in order to cater to the interests of different age groups during their

<sup>14</sup> Pavlik, J & McIntosh, Sh; *Converging Media: A New Introduction to Mass Communication*. Oxford University Press, 2018, p 58

<sup>15</sup> Lunt, P., and Livingstone, S. (2012) *Media Regulation: Governance and the interests of citizens and consumers*. London: Sage, p1-14; 41-59

<sup>16</sup> Radcliffe, D & Mathews N; *Building a Stronger Local Media Ecosystem: The Role of Media Policy*; [https://www.ejr.org/tow\\_center\\_reports/building-a-stronger-local-media-ecosystem-the-role-of-media-policy.php](https://www.ejr.org/tow_center_reports/building-a-stronger-local-media-ecosystem-the-role-of-media-policy.php)

<sup>17</sup>Ibid.

<sup>18</sup>Study: The Audiovisual Media Market, Audience Behavior, and Regulatory Framework; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2019

<sup>19</sup>Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>20</sup> Interview with a young adult journalist/moderator, on Albania national Private TV; February 2022

preferred time slot, which is the evening. However, this diversification does not happen according to the perception of 24.7%, and it happens minimally according to the perception of 46.9% of young people aged 15-20. The finding that programs are repetitive and have many rebroadcasts is somewhat accurate according to 32.1% of them and very accurate according to 30.9%.<sup>21</sup>

### ***3.1.3 Television news perceived from the young adult perspective***

However, young audiences have not abandoned the television screen only when it comes to entertainment but also in terms of being informed. The table above shows that only 11.90% of individuals aged 18-25 get informed through news editions on television. Students perceive the news content in the main editions on TV as follows: 25.2% as political statements, 12.2% as important facts from current events, 22.6% as empty words and worthless information, 6.1% as personal interpretations supported by statistics and experts, and 33.9% as propaganda and manipulation for electoral purposes.<sup>22</sup>

In his interview discussing the media agenda in news reporting, the journalist moderator states: "young people are excluded from this agenda, except in cases of major national events. News focuses on politics and promotes youth political party forums, later using them for protests or spreading messages on social networks." In this political propaganda conducted by television, the majority of young people, according to the journalist moderator are: "influenced by their families' perspective on events and news on television, as media education in schools does not help them at all in how to position themselves".<sup>23</sup>

### ***3.1.4 Perception of the audience and preferences for the types of programs they watch***

According to the figure below, 70.20% of young adults aged 18-25 prefer to watch movies in the evening, compared to 52.60% of adults aged 26-34 and 42.10% of adults aged 35-49 who share the same preference. 38.80% of adults over 64 years old have competing program preferences during the evening schedule, such as political discussions in the studio.<sup>24</sup> A young journalist-moderator claims that the time slot from 20-23 o'clock is when young people are interested in watching television, but this time is often monopolized by political debates and officials. 46.9% of young people aged 15-20 perceive that the diversification of programs is happening somewhat, and 24.7% do not perceive it happening at all.

Additionally, 32.1% of participants found that programs are repeated too often, while 30.9% found this statement to be very accurate. According to the data, there has been a high interest among both younger and older audiences regarding their preferences for evening television viewing.<sup>25</sup> The data suggests that a diversification strategy of program services is needed in traditional and online television channels, in order to cover the interests of different groups during the evening from both public and private television.

### ***3.1.5 The trend of viewership among young people regarding television vs digital platforms of public and commercial TV***

According to the data, only 2% of young adult 22 years old follow Albanian Public Television, RTSH. While a significant majority of 80.9% prefer to follow private national TV channels. As for the national public digital platform RTSH Shkolla, is followed by 17.6% of the young adults, whereas the private platform Digitalb is followed by 38.3% of them.<sup>26</sup> Nevertheless, in the conditions of Albania, audiovisual media remains economically more accessible and more attractive to Albanians, but smart phone and the internet is gaining ground. The question arises: where do young audiences go, and is there a strategy from digital televisions regarding new media formats production for young people?

### ***3.1.6 Trends in the viewing habits of young people for TV vs the Internet***

<sup>21</sup> Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>22</sup> Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>23</sup> Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>24</sup> Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>25</sup> Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>26</sup> Study: The Audiovisual Media Market, Audience Behavior, and Regulatory Framework; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2019



It is not difficult to understand that the internet has not only strongly competed with the television screen in terms of watching movies, but it has also led the younger age groups to abandon this screen for the mentioned reasons. The study shows that around 18.5% of the age group 15-20 years old often watch movies on the internet rather than on television, while 42.0% watch them very frequently on the internet. Television seems to remain only the screen of the elderly age group. Of course, a platform like YouTube, with its vast variety of content, can fulfill the interests of the young age group, which seeks immediate change as a necessity. Studies show that 73.5% of the age group 13-17 years old and 60.7% of the age group 18-25 years old visit YouTube more often when browsing the web.<sup>27</sup>

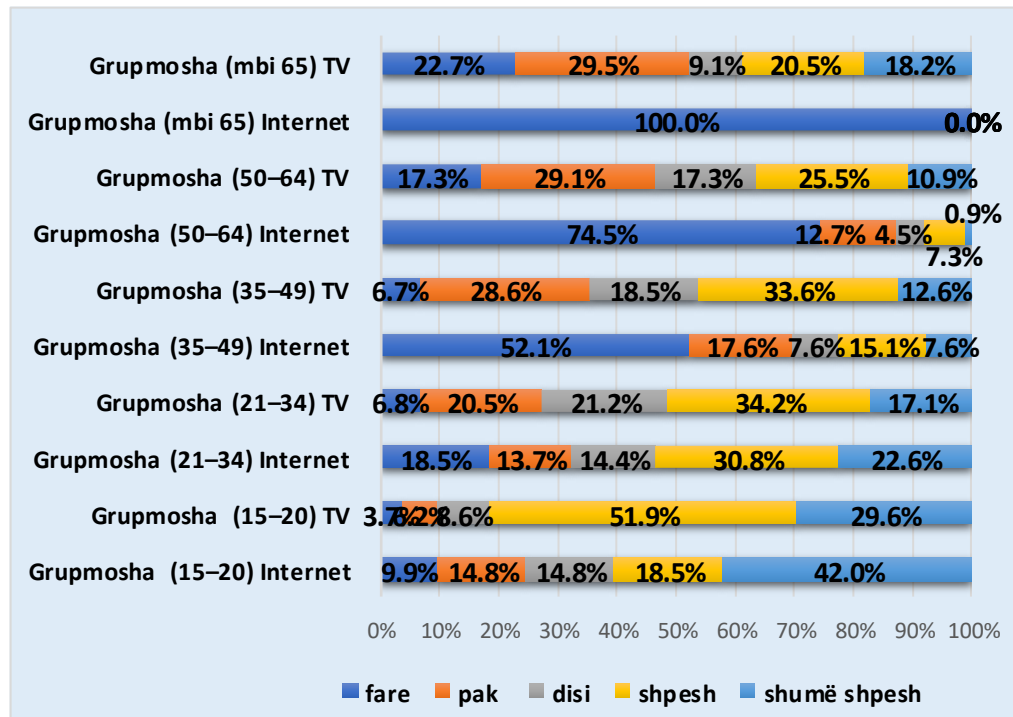


Figure 1. Internet viewership of movies compared to television by different age group

### 3.1.7 Trends of getting informed of young people by internet

Young audiences haven't abandoned the television screen only when it comes to entertainment but also in terms of information. The table above shows that only 11.90% of individuals aged 18-25 get their information through news editions on television. Students perceive the content of news in the main editions on TV as political statements in about 25.2% of cases, important facts from current events in 12.2% of cases, empty words and nothing valuable in 22.6% of cases, personal interpretations based on statistics and experts in 6.1% of cases, and propaganda and manipulation for electoral purposes in 33.9% of cases.<sup>28</sup>

In an interview discussing the media's agenda in providing information, the journalist moderator states: "Young people are excluded from this agenda, except in cases of major events. The news talks about politics and promotes youth political party forums, later using them for protests or spreading messages on social networks."<sup>29</sup> According to the journalist moderator, most young people are influenced by their families in their perspective on events and news on television because media education in schools does not help them at all in how to position themselves. Young people aged 15-20 also appreciate the speed of online information and the freedom it gives to access the information they want and the need to be engaged in media. 27.2% of them feel somewhat free, while 55.6% feel very free in accessing the information they want.

When it comes to engagement on the internet, the freedom to engage according to their desire is valued by 22.2% of individuals aged 15-20 to some extent, and 60.5% to a great extent. Meanwhile, the age group of 21-34 values it to some extent by

<sup>27</sup>Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>28</sup>Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>29</sup>Interview with a young adult journalist/moderator, on Albania National Private TV; February 2022

28.1% and, to a great extent by 47.3% freedom to engage while navigating online. 73.5% of 13–17-year-olds and 60.7% of 18–25-year-olds visit YouTube mostly when browsing the web.<sup>30</sup>

### 3.2 Programming strategies of public and private broadcasters aiming young adults in broadcasting programs, traditional TV, and online TV.

We analyzed programming strategies of public broadcast RTSH 1 and RTSH Shkolla considering the legal obligation of content quotas that must be applied, in order to enforce the contract with Albania Audiovisual Media Authority (AMA), although this contract has not been made public. While talking about private broadcasters, research indicates that they operate in chaos, without audience measurement studies, programming policies, and strategies.<sup>31</sup>

#### 3.2.1 Number in % of broadcasting hours for youngsters in public and private televisions and digital public and private platforms.

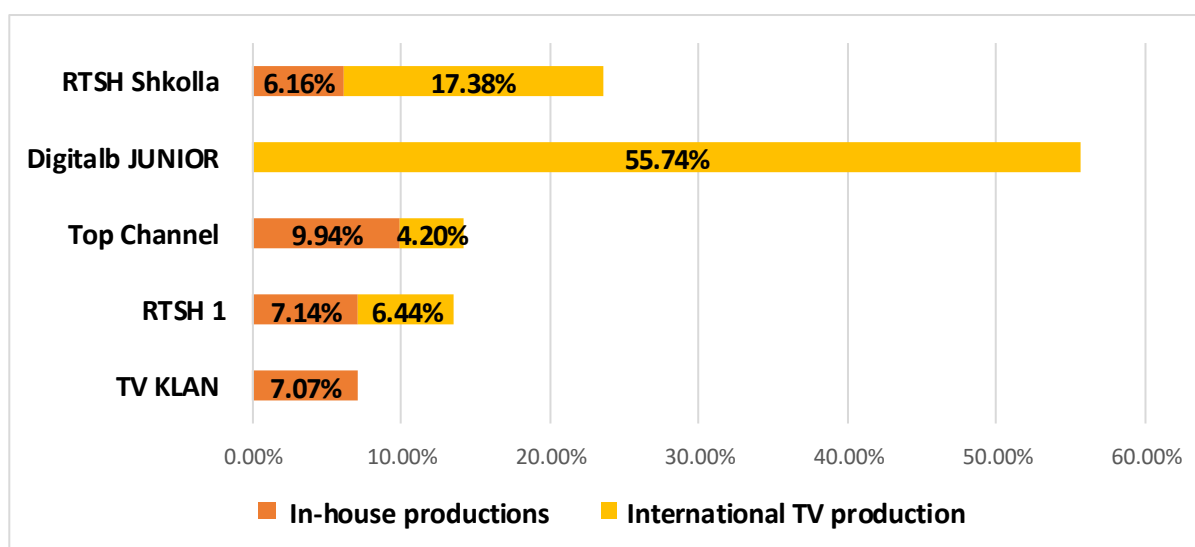


Figure 2. Content in % of productions for young adults monitored from January 24 -30, 2022 <sup>32</sup>

**3.2.3 Genres and time slots of broadcasting. RTSH 1 (public tv).** The most delivered genres for youngsters till 18 years old, are live talk shows.<sup>33</sup> These genres are considered by researchers not expensive productions and attractive for the audience. TV *foreign series* for youngsters in RTSH 1 are American and Mexican tv production, instead of European programs, as it is provided by law of audiovisual media services. RTSH 1 broadcasts programs for young adults in time slots that correspond with time school or other daily engagements. Media researchers acknowledge that no matter the attractions of the show, if the main viewers are indisposed, the project will fail.<sup>34</sup>

<sup>30</sup>Study: Economic Models of the Television Industry in Albania; Dept. Journalism & Communication Tirana University & Albanian Audiovisual Media Authority; 2018

<sup>31</sup>Millan, I, "Measuring the television audience in Albania", Council of Europe Report, for the Agency Audiovisual Media Regulations, 2019. [https://www.cna.al/wp-content/uploads/2019/03/Report\\_TV-Audience\\_measurement\\_Albania\\_IMillman\\_Feb-2019\\_ALB.pdf](https://www.cna.al/wp-content/uploads/2019/03/Report_TV-Audience_measurement_Albania_IMillman_Feb-2019_ALB.pdf);

<sup>32</sup> The value in % corresponds to the min /hour, broadcast of programs for young adult for one week, in the total of / 119 hours of weekly broadcast. TV KLAN productions: Love story 2; Talk about love story 2; E diela Shqiptare (60 min dedicated to young people); Production of RTSH 1: Good Morning Albania (50% for young people); Day after day (20 min dedicated to young people twice per week); Production of Top Channel: Për'Puthen 3; Top list; Për'Puthen Prime; E diell (120 min / 2 hours); RTSH Shkolla productions: Music clips & archive.

<sup>33</sup> Interview with editor of programming at RTSH 1, 2022

<sup>34</sup>Bruun, H; *The Aesthetics of the Television Talk Show*; 2000; <https://www.nordicom.gu.se>

**RTSH Shkolla (public digital platform).** Apart from broadcasting of tv classes, since channels in digital platforms in RTSH are mainly rebroadcasting movies and documentaries,<sup>35</sup> it's difficult for them to spark interest amongst young people.

**Top Channel, (private tv).** Reality TV, talk shows, and American comedies are genres broadcasted by this channel. Reality TV<sup>36</sup>, this worldwide trend, has been a savior for Albanian private TV. Daily broadcasting in a preferred time slot is promising for the loyalty of tv program viewing by young audiences.

**Digitalb JUNIOR (private) part of Top Media Group.** It is a pay-per-view digital platform, mainly rebroadcasting foreign tv series from the archive.<sup>37</sup>

**TV KLAN.** It represents young adults' interests in reality tv and talk shows (post reality tv), from Monday to Friday. Primetime and evening time slots aim to engage young audiences with TV KLAN programs. Despite the high viewership and glamor of the show, reality TV does not avoid personal offenses that provoke higher viewership just for this reason.

### 3.2.4 Online broadcasts of digital TV

Talking about online broadcasts, both public and private digital TV has not taken steps to rethink the online tv program offering. From the observation, we don't see any efforts being made by RTSH, to re-conceptualize the program offerings for channels, such as web TV, YouTube, or social media platforms and specifically for young people, in line with their media consumption trends. This applies to commercial national TV, Top Channel, and TV KLAN. RTSH has failed to engage or capture the interest of young people in its program offerings if we consider the needs and interests of young people for consuming content according to their preferred schedules, formats, and online channels. But also, it is far from fulfilling its obligation in the digital age, to give access to everyone, everywhere, anytime.

According to the TV engineer of RTSH, "public service media, despite undergoing the digitalization process from an infrastructure perspective, have not yet embraced convergence as a mindset in digital TV".<sup>38</sup> From the monitoring when it comes to online channels, there are no specific formats produced for platforms like YouTube. Instead, they operate with programs originally produced for linear TV, which are often fragmented and brought online. While social media platforms are mainly utilized for promotional purposes. There have been limited experiments also with multimedia formats in web TV. In the interview with the young adult journalist moderators, in their perception, "very few young people spend time in front of the TV. Now that technology is everywhere, in every corner and at any time, smartphones replace traditional media, so the expectations of young people regarding television seem fading away".<sup>39</sup>

### 3.4 Regulatory framework and Albanian Audiovisual Media Authority Role

Media regulators act as catalysts for promoting media literacy education by setting standards, creating awareness, fostering collaboration, conducting research, and engaging stakeholders. Till now the role of Albanian Audiovisual Media Authority in contribution to media literacy education has been insignificant. It has been limited and primarily focused on ensuring the protection of children and young people from harmful content on television, rather than actively promoting a critical and preventive approach through the educational function of media. The appointment of a politically affiliated chairperson in July 2021 has heightened concerns regarding the independence and impartiality of the Audiovisual Media Authority (AMA).<sup>40</sup>

It is of utmost importance for regulatory bodies to operate independently and impartially, as highlighted by the authors, as they have a critical role in promoting robust media literacy initiatives and fostering a well-informed and critically engaged society. When a regulatory body is influenced by political interests, it undermines the effectiveness of media literacy policies and hinders the development of an informed society, which ultimately goes against the public interest.<sup>41</sup> Despite the notable accomplishment of the Albanian Alliance for Ethical Media in 2020<sup>42</sup>, which implemented a self-regulation mechanism managed by the Albanian

<sup>35</sup> Bungo, L, Media Commission; 2021; <https://www.parlament.al>; 2021

<sup>36</sup> Reality tv originates from American, English and French televisions. After the boom in the late 90's, researchers argue that reality tv represents a development of the documentary form of television and once an escape from this tradition. Attractions towards controversy, entertainment, excitement and identification, become important to the viewer, as opposed to specialized information, argument or knowledge. Seen from an economic perspective, the costs of reality TV are much less than scripts or dialogues created by writers. Product placements are easy to assimilate into reality tv and serve as an important source of revenue.

<sup>38</sup> Interview with TV engineer of public service media RTSH

<sup>39</sup> Interview with young adult TV presenter, February 2022

<sup>40</sup> Bino, B, (2021), Media Freedom in Albania: Such a Frail Thing!, Media Freedom in the Western Balkans, Aspen Institute, Germany

<sup>41</sup> Lunt, P., and Livingstone, S. (2012) Media Regulation: Governance and the interests of citizens and consumers. London: Sage, p1-14

<sup>42</sup> Bino, B, (2021), Media Freedom in Albania: Such a Frail Thing!, Media Freedom in the Western Balkans, Aspen Institute, Germany

Media Council, there have been no initiatives observed yet in the field of media and information literacy education from the media industry.

Albanian Audiovisual Media Law, is recently updated a few weeks ago by Albania Parliament. Changes in the audiovisual media law are related to guaranteeing the right to information and freedom of expression; protecting human dignity, rights, and fundamental freedoms, especially those of children, from content that may harm their physical, mental, or moral development; promoting self-regulation and co-regulation as complements to legislative, judicial, and administrative mechanisms; and defining new rules for video distribution platforms were approved only a few weeks ago by the Albanian parliamentary law commission. This change comes as a result of the obligations of Albania to align the legislation with the “acquis” of the EU.<sup>43</sup>

#### 4. Conclusions

Although the public broadcaster RTSH 1 is obliged by law to produce and broadcast quotas for young people, it is engaged only to quantity not to quality. The genres and thematic agenda that covers social phenomenon that concerns young audiences are still missing. The online platform of RTSH is also far from being conceptualized for young audiences, although young people are engaged more with online channels. The programming department is not established, and studies and strategies lack development. The importance of the public broadcaster is understood only in terms of protecting the young from harm; however, informing young people about media manipulation is nonexistent. There are no projects of participating young adults in production experiences, using RTSH academy as a tool.

Taking to national private broadcasters they do not have legal obligations regarding content for young people. Content of private tv programs aims to sell attention and ads. As a result, a program strategy that represents the interests of young people, or contributes to their media and information education, remains in the choice and economic interests of the private broadcasters. AMA-s only a few months ago reacted with an initiative to the self or coregulation of the private activity to guarantee program quality.

We can say that Albanian broadcasters are far from guaranteeing the quality content of the programs, authenticity, and genres creative techniques for young adults. Albanian broadcaster has much work to do in the media education of young people, a deserving place for the young as an interactive audience, or as a producer, allowing them to understand the media process by creating it. This culture of behavior in media can be promising for proactive young citizens that play an active role in their society.

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<sup>43</sup> <https://www.parlament.al/>

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