

The Development of Cultural Performance under EU Standards

Eglantina Pazaj

Lector in UBT University, Tirana, Albania
Email: epazaj@ubt.edu.al

Blerta Mehilaj

Director of health care regional office, Vloa Albania
Email blerta-mehilj@yahoo.com

Alba Dumi

Dean of Graduated Level system, "Ismail Qemali" Vlore University"
Email:besi.alba@yahoo.com

Doi:10.5901/jesr.2012v2n3p283

Abstract: *This Albanian reform allows banks to better evaluate the creditworthiness of potential borrowers, facilitating access to credit for firms and individuals. Albania also strengthened investor protection. A new company law requires that disinterested shareholders approve transactions between interested parties and obligates those parties to disclose all information on the transaction to the public. The law also reinforces directors' duties and requires directors, when found liable, to pay damages and return profits to the company. A new bankruptcy law approved during 2008 provides a more efficient framework for closing a business. The new Commercial Law entered into force in 2008. It replaced the former commercial legislation in Albania, namely the Law on the First Provisions of the Commercial Code and the Law on Commercial Companies. The new law is an attempt to approximate the Albanian commercial legislation and follows the recent reform in business registration enacted in 2007. This law intends to create a modern commercial system providing for flexible corporate structures and to facilitate the business climate in Albania. The cultural development and Balkan universalism tries to arrive to an ideal of a borderless world of tolerance. Globalization will construct a unique culture identity that will represent the human gender.*

Keywords: *Albanian reform, Commercial Law, Cultural development, Legislation, Public administration*

1. Literature Review and Hypotheses

1.1 The impact, performance and cultural development in Albania and Balkan.

In this study we are trying to analyze empirically, the impact of cultural, economical, prejudices factors in the municipal bond market, like Balkan countries. We stress the role of education, culture and youth in promoting tolerance, ensuring ethnic and religious coexistence and shaping modern democratic societies. Based on positive political theory and the benefit principle of taxation, benefit of social development in Balkan areas, it is proposed that states that adhere to best practice debt management policies transmit signals to the credit ratings, investment community and influences of prejudices. (APR 2009).

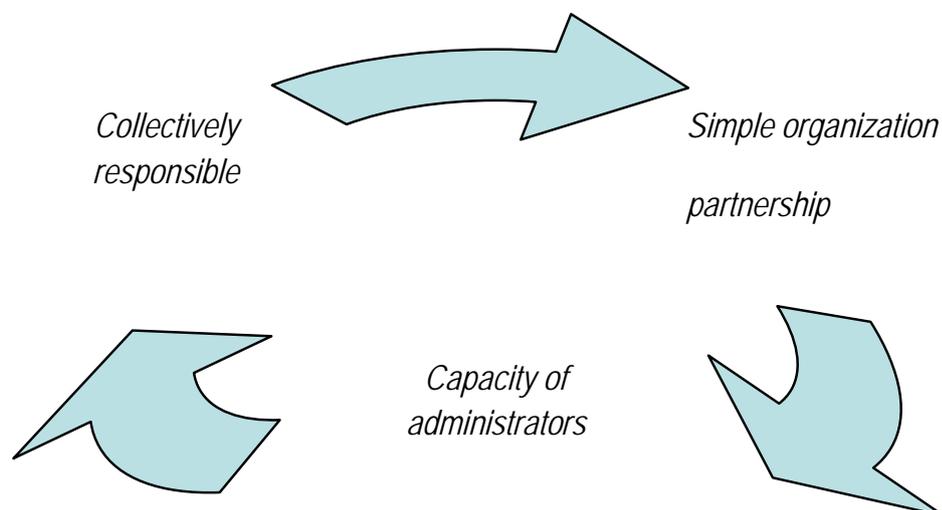
Balkan countries and Albanian government, on the other hand, should meet its obligations in a timely manner, resulting in lower debt costs. Although the field of entrepreneurship in Balkan is recognized as being of fundamental importance for Balkan economy, and many researchers throughout the world have turned their attention to it, there's, as yet, no agreement as to the research object in this scientific field. Another variant of this way of thinking is that Globalization will construct an environment in which culturally self-defining communities will coexist in harmonious way.

The benefits accruing to Albania as a member of the European Union are well established, if not fully communicated throughout the country. However, there are also considerable costs associated with the EU integration process. An initial estimate of costs was given in the National Plan for Implementation of the SAA, but these were seen as very preliminary and were not based on a full assessment of the existing public administration capacities. (APR 2008)

Not did such costs factor in the many softer capacity impacts associated with transformational changes in the style

of government, its culture, attitudes of civil servants and so on, all of which are needed, at least implicitly. (Ray & Bess 2011). At the present time, the overall existing capacity or the needs for capacity development of the public administration are unknown. It will be very difficult to develop the needed capacities without a clear, specific and consolidated set of capacity development priorities and how these might be timed and linked to EU integration and national development processes.

Fig 1. The form of management partnership



A simple partnership is required to follow a specific contract form only when it is deemed necessary in view of the nature of the goods contributed jointly. The contract duration may be extended without action for an indefinite period of time when the members continue to undertake business functions. The partnership may be managed separately or collectively by its members or through a representative elected to act as an administrator. (Kannol 2011) Profit shares are distributed only after the administration reports on the activities of the partnership. The partnership takes its directions and obligations from the members acting in the capacity of administrators. The members who have acted in the name and on behalf of the partnership are collectively or separately responsible for the partnership's contingent liabilities toward third parties. (Stunner 2012)

The preceding discussion showed that there are substantial risks to national development and the EU integration process in terms of existing capacity gaps and weaknesses in public administration at the overall systems, institutional and individual levels. Estimates of the risk vary but the general consensus is the same. (APR 2011). If significant changes are not made to the government's approaches to and investment in capacity development, it is unlikely that the public administration and the civil service will be able to implement fully the many provisions contained in SAA or NSDI. New members who join the partnership are also collectively responsible for the liabilities assumed by the partnership prior to their membership. It is not admissible to compensate a third person's obligation toward the partnership with their credit rights toward a partnership's member.

1.2 Albania administrative influences

1.2.1 EU and supported developing programs in Public Administrative reforms

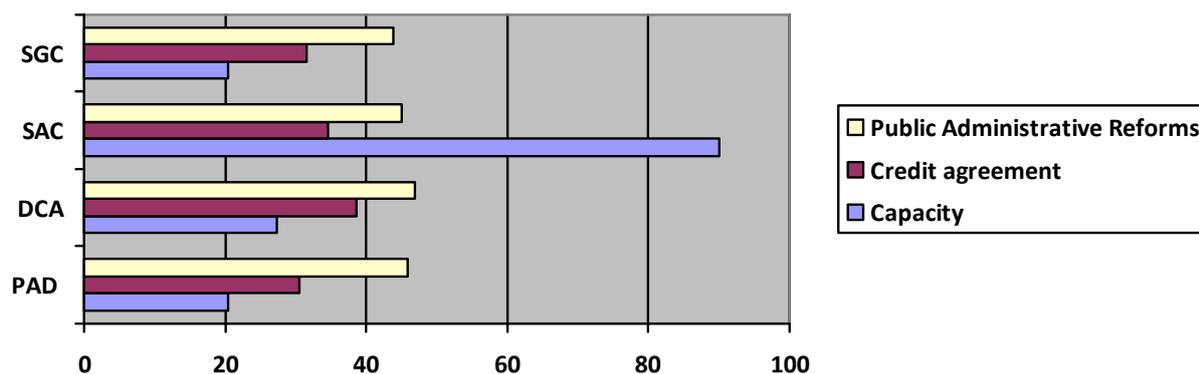
The Government of Albania has adopted a comprehensive policy reform program to strengthen Albania's weak institutional and governance capacity. This policy reform program is being supported by a Structural Adjustment Credit, which was approved by the Bank in June of 1999. The overall objective of the proposed Public Administration Reform Project is to provide required resources for technical assistance, training, goods and incremental operating costs that are needed to implement the Government's Institutional and Public Administration Reform agenda effectively.

The Development Credit Agreement (DCA) states the objective of the project to be: The objective of the Project is to assist the Borrower to improve its capacity with regard to policy formulation and coordination, and administrative performance so as to create conditions that will encourage the Department of Public Administration of the Borrower to improve their service delivery. (Bundo 2010)

Sustainable return of refugees and internally displaced persons is critical for ethnic reconciliation and an index of democratic maturity; it remains high on our priority agenda. (BB 2012). Fragmentation and divisions along ethnic lines are incompatible with the European perspective, which should act as a catalyst for addressing problems in the region. The recent launching of the EU police Mission in Bosnia and Herzegovina and of the operation "Concordia" in the former of Yugoslav Republic of Macedonia are tangible proofs of the EU's commitment to the region.

Simple partnership pursuant to the Civil Code Simple partnership entities are governed by the provisions of the Civil Code and do not have the characteristics of commercial companies. A simple partnership is a contract between two or more persons who agree to perform an economic activity with the purpose of sharing the derived profits. Members may contribute to the partnership's activity in money, goods or services.

Fig. 2 Indicators of Public Administrative Reforms, source BCSDE Report 2011



H 1. The Albanian - reforms aimed to create the managerial and professional nucleus required to lead any serious efforts to improve the accountability and performance of public institutions.

1.2.2 Limited partnership and unlimited partners

They are in charge of the day-to-day management of the company and their unanimous renunciation of the ordinary business activity entails the winding up and liquidation of the company. On the other hand, limited liability partners are not entitled to take part in the management of the partnership although they might oppose those actions of unlimited partners which go beyond ordinary business activity. (Ray & Bess 2011). The absorptive capacity of the public administration and the civil service remains constrained. Even if more funds were made available, it is unlikely that the national development and integration processes could be speeded up.

Without a stable, competent and sufficiently staffed civil service supported by appropriate system-wide and institutional capacities, only so many reform initiatives can be managed, only so much can be delivered and only so many results can be produced. The Western Balkan countries welcome the decisions by the EU to strengthen its Stabilization and Association policy towards the region and to enrich it with elements from the experience of enlargement. They welcome in particular the launching of the European Partnerships, as well as the decisions for enhanced co-operation in the areas of political dialogue and the Common Foreign and Security Policy, parliamentary co-operation, support for institution building, opening of Community program.

They take note of the ongoing discussions for an increase in the budgeted Community financial support to the region through the CARDS program.

The Croatian application for EU membership is currently under examination by the Commission. The speed of movement ahead lies in the hands of the countries of the region. County economic potentialities valorized and improved, through the map of the economic strategic, competitive and sustainable county resources drafted. (Ray & Bess 2011). Technical assistance provided to improve and maintain competitive territorial value chains, able to include the most disadvantaged people in the economic circuit, assure gender equity, and safeguard the environment, through the following activities

H 2. The credit Albanian targeted governance and institution building to support both the public expenditure management and the human resource management agendas

The future of the Balkans is within the European Union. Realization of a plan for the inclusion of the most disadvantaged people in the mainstream economy. • Training and support to territorial economic value chains. • Fostering capacities for supporting innovations.

1.3 Albanian accounting system and the rights of employers.

The financial sector in Albania has in general been spared from the global financial turmoil, primarily due to the low amount of loans in relation to total deposits. Also the lack of a housing/construction bubble has minimized pressure on the banks. However, a significant reduction in bank deposits took place in the fall of September 2008 as individuals withdraw their money due to fear from losing their savings. (Blunt & Kiddnel 2012)

Since October 2008 deposits dropped by about 15% and during 2009 they were below their top level. After summer 2009 there has been a stable increase in bank deposits and by the end of 2009 they reached their pre-crisis level. Lower deposits created some liquidity issues but banks were well equipped to face the situation. Banks have increased their equity capital to better face the situation and also BOA has an active monitoring program to ensure enough liquidity in the banking sector.

1.3.1 Financial institutions in Albania, legal form or specific legal requirements

All economic for-profit entities in the Republic of Albania, including financial institutions and auditing companies, regardless of their legal form or specific legal requirements, are subject to Law No. 9228 dated 29 April 2004 on Accounting and Financial Statements. Other entities, including non-profit organizations, are also subject to this Law, except for those cases when their financial statements and accounting are subject to specific laws and regulations for regulatory and supervisory purposes. Entities which do not exceed turnover and/or total value of assets of ALL 10 million at the year end and with less than 10 employees, are defined as micro enterprises, and can keep their accounting and prepare their financial statements pursuant to the criteria defined by the National Accounting Council and approved by the Council of Ministers. All entities must adopt an accounting system in compliance with the accounting plans issued and approved by the Council of Ministers.

H 3 Albanian investment operations provided the technical assistance that was relevant to the development and implementation of the broader policy changes and allowed the Public Administration Reform project to focus on its core mission.

2. Methodology and Research Goal

The survey of this study will be conducted on: (1) Supported by donor assistance and international and local NGO's the city initiated a community-based development strategy in the informal. The program brought together local government teams, NGO's and residents to formulate a development plan for the neighborhood define priorities for improvements and determine equitable cost-sharing formulas to finance infrastructure. (Ray & Bess 2011). Public Strategies employees strive to support and improve the communities in which they live and work. The government support programs that help those in need who strive to provide for their families; and provide the youth of the community with the tools necessary to become leaders. Entrepreneurship ambition has worked to support changes in Albanian law that would offer anti-discrimination protections in keeping with international standards. (Calldnner 2012)

The another point of administrative changes in Albanian public policies as an obstacle to the operating foreign investments, comparison of EU is: (1) International investments contributed to the improvement of Albania's financial regulatory environment which has strengthened public confidence in the banking system and has provided a more secure, efficient and transparent financial system to meet the credit, savings and insurance needs of businesses and individuals. (Koxhaj A 2008)

USAID helped improve the competitiveness and productivity of Albania's private sector through technological innovations, facility renovations, application of best management practices, and compliance with international standards. In 2009, USAID provided technical assistance and training to 363 firms for technological innovations and 408 firms for management improvement and assisted 45 enterprises in obtaining loans from commercial banks or non-bank financial institutions. Many of these assisted enterprises successfully increased their shares in the domestic markets and penetrated new markets in the European Union and the Balkan Region, earning \$2.18 million from domestic sales and \$1.4 million from export sales. (APR 2009)

This paper identifies (on another aspect of study) the addresses of the important factors underlying of the in Albania and changes in the form of organization, under the administrative and implementing reforms in law. The paper also introduces with the changes in national law, private or state organizational form. (Blunt & Kiddnel 2012)

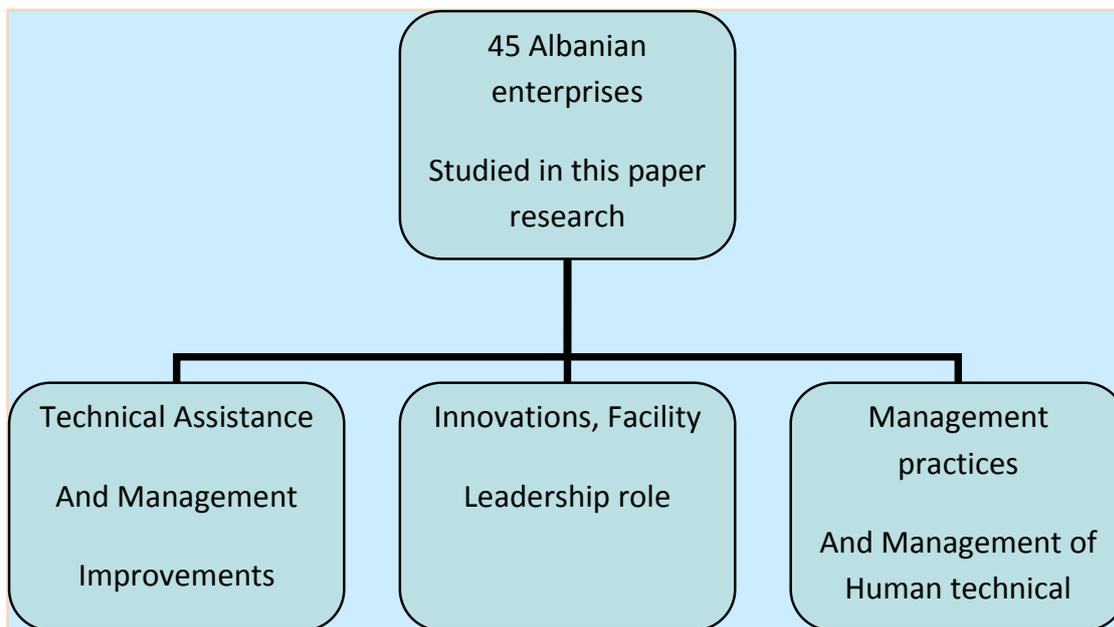


Fig 3. The methodology of study on Albania management practices of MHR

2.1 Gathering data and aspects of analyze

In this paper we have two aspect of the analysis of administrative changes in the field of judicial service and specifically the changes in the form of organization of the bailiff service totally in the hands of the state and already decentralized in the hands of private individual organizing form. We are trying to do an analyze for these government measures. (Ciceri 2008). The judicial power is one of the important parts of the legal state. As stated in the Albanian constitution, one basic principle is: equality and control between governments. (Ray 2006) Our paper research will analyze the justice reforms in Albania; will analyze bailiff organizational management (private or state form).

Both roles help to ensure that justice is fairly administered and carried to its proper conclusion. The Bailiffs and their assistants serve summonses and other important legal documents on parties as required by a Court or Tribunal, or as requested by a person who is a party to litigation, for example, a court or tribunal hearing which parties are required to attend clearly cannot proceed unless there is proof that the parties concerned have had the summonses to attend properly served on them in a manner specified by law. (Blunt 2006)

2.2 Albanian justice and European Convention of Human Rights

State authorities can not cite lack of funds as an excuse for not respecting a financial obligation that comes from a court decision, cited in most of the arguments with which the Court justifies its decisions. The event that has set in motion the Constitutional Court dates back to the city of Albanian region. In spring 2008 a citizen of the Inspectorate dismissed the National Urban Construction district court addressed the claim that during her discharge violated procedures are provided in the Labor Code. (Anastasi A. 2006)

Court decides in favor of former employee forces to indemnify him in five months' salary and a bonus for seniority for a period of six months and a half. After receiving the execution order of execution of some office notes that they could not impose Urban Construction Inspectorate to pay the fine and issue passes bailiff's office in Tirana. [Albania Civil Code, USAID and MOJ, year 2010 pp 23, 24, 26]

3. Conclusions and Recommendations

The escalating political situation in the country which brings delay in undertaking important reforms to the country viewed

with concern by representatives of the European Union Delegation in Albania. In a response of EU delegation notes the absence in the operation of some institutions because of the political stalemate. Among these institutions, the changed stated (public and private sector and its function) that because of the dispute is not doing its replacement with a new name.

The European Union is very concerned about the impact that has political stalemate in the functioning of the influences of institution. European Union calls on all political parties to urgently proceed with the appointment of a new People's Advocate. Political stalemate should not prevent the adoption by the Parliament of the reforms and measures in the interests of Albania and its citizens - is quoted by the EU delegation in Tirana. Part of the application has also been taking measures by the government to implement anti-discrimination law including financial and human support for protection forms. Administrative changes in Albanian public policies as an obstacle to the operating foreign investments, comparison of EU are progressed in Albania like as:

- Developing;
- International investments founds;
- Entrepreneurship ambition;
- Marshalling resources to exploit business opportunity;
- State regulatory statistical and tax reporting.

Local communities are also seen to employ some short-term use of reserve funds when facing negative expenditure pressures, but these funds are not used to completely prevent expenditure cuts. Furthermore, communities do not use debt as a mitigating response to external tax base pressures, but instead alter expenditure patterns. Using the EU measurements and assessment of different areas of the business, namely the production of goods and services, can take place smoothly in Albania. PSI worked closely with high-level public officials and community leaders and provided critical guidance and strategic planning.

References

- Albanian Progress Report 2009. Pg 12,14,28
 Albanian Finance incomes 2009, pg 10
 An Overview of Public Administration and economic goals in Albania, pg 6 year 2008
 An analyze by Konnest (Internet link) 2010, pg 3
 Analytical Report accompanying the Communication from the Commission to the European Parliament and the Council, Brussels, 09 November 2010.
 Albanian Macroeconomic incomes 2006, pg 10,12,24,46
 Albanian publisher by Albania international bank 2010, report
 Albania Government journal , pg 14,27,39 year 2009
 Albania Economy statistic facts, Swadder year 2006, series and modeling goals
European Commission. Retrieved 27 June 2007.
U.S. Department of State, Center for Administrative Innovation, U.S. Embassies. GovLeaders.org, author Cynthia McCauley, methodology pg, 128 year 2009.
 Koxhaj Andri, Management & Lidearship 2007, pg 21,25,36,47,199
 Llaci Shyqyri Management publishing 2003.pg 14,25,47
 Bundo Sherif ,risku dhe primi botimi 2001. Pg 147,156,188, year 2012 pp12
 Ciceri Beshir ,Drejtimi financjar I Avancuar 2003.pg 247,258,269,302
 Junly Ray Blunt ,American society INCOMS. Year 2006
Calldnner 2012 Public Sector Consortium, Public Sector and economic environment year 2007.
 Winter 2003-2004 issue of Albanian economical report pg 147-123-158.
 UNICEF report 2007, 2009, 2010 Albanian development strategy.
 Albanian Finance incomes 2009, pg 10.An Overview of Public Administration in Albania pg 6 year 2008.
 Th Durata (Internet link). Albanian publisher by Albania international bank 2010, report.
 Albania Government journal , pg 14,27,39 year 2009, Albania Economy statistic facts.
 (Ray &Bess 2011).October , ICMA's Magazine, pg 8, 15, 24.
 United Bank Albania & INSIG incomes 2008.
 Findings by internet. Albanian Local Government Support Program (CSLGP).
 Albanian Government finance results 2009 vol. 12 page 21, 25, 29.
 Anastasi A 2006, CLR Albania, pp23 year 2006